

Prepared for FDC Construction and Fitout Pty Ltd for Infrastructure NSW

# Independent Environmental Audit

## The Cutaway Cultural Facility SSD-47498458

City of Sydney, Barangaroo, NSW

August 2025

Project Number: 240009



New event, gallery and educational spaces coming to the Cutaway

Barangaroo

FIRE SAFETY DOOR  
DO NOT OBSTRUCT  
DO NOT KEEP OPEN



New event, gallery and educational spaces coming to the Cutaway

Bar



## Document verification

Project Title:	The Cutaway Cultural Facility SSD-47498458
Project Number:	240009
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Revision	Date	Prepared by	Approved by
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*We acknowledge the traditional owners of this land and pay our respect to Elders past, present and emerging. We recognise that the First Nations peoples of Australia have traditionally managed the resources of this land in a sustainable way, and that they are the original stewards of the Australian environment.*

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## Executive summary

The fit out and operation of the Cutaway Cultural Facility is located at 29 – 51 Hickson Road, Barangaroo (Part Lot 52 DP 1213772, Part Lot 4 DP 876514, Part Lots 1, 2 and 5 DP 912271, Part Lot 7 DP 43776). The Project was approved as a State Significant Development (SSD-47498458) and the Conditions of Approval (CoA / Consent Conditions) were issued by the Minister of Planning on 22 December 2023. Modification 1, for internal design changes, was determined on 19 September 2024.

The Project includes:

- Internal alterations and fit-out of the existing Cutaway space over three (3) levels to accommodate event and gallery spaces, back of house areas, amenities, commercial kitchen, offices and ancillary retail and café
- Enclosure of existing roof openings/voids
- New façade and entry treatment from the forecourt adjacent to Nawi Cove, including new landscaping
- Varied hours of operation for a range of events, exhibitions, cultural uses, festivals and installations.

Progress of works at the time of the third audit included fitout defects testing on levels 1 and 2, installation of the skylights and skylight glazing with works now predominantly around the skylights and on the ground floor.

FDC Construction and Fitout Pty Ltd (FDC) have been contracted to construct the Project on behalf of Infrastructure New South Wales (INSW).

An audit was undertaken to test compliance with the Conditions of Approval. Construction commenced on the 3 May 2024. This is the third independent audit of the Project.

The audit period for this second audit is from 13 January 2025 (date of second audit) to the date of the site inspection component of the third audit; 8 July 2025.

The document review found that the Construction Environmental Management Plan and sub plans are relevant to the site and are being implemented. The site visit and site interviews found that the site was well managed, and staff understood their obligations in relation to the Conditions of Approval.

In summary the audit found nil non-compliances out of a total of 255 Conditions of Approval.

# 1. Introduction

## 1.1. Background

The fit out and operation of the Cutaway Cultural Facility is located at 29 – 51 Hickson Road, Barangaroo (Part Lot 52 DP 1213772, Part Lot 4 DP 876514, Part Lots 1, 2 and 5 DP 912271, Part Lot 7 DP 43776). The Project was approved as a State Significant Development (SSD-47498458) and the Conditions of Approval (CoA) were issued by the Minister of Planning on 22 December 2023. Modification 1, for internal design changes, was determined on 19 September 2024.

The Project includes:

- Internal alterations and fit-out of the existing Cutaway space over three (3) levels to accommodate event and gallery spaces, back of house areas, amenities, commercial kitchen, offices and ancillary retail and café
- Enclosure of existing roof openings/voids
- New façade and entry treatment from the forecourt adjacent to Nawi Cove, including new landscaping
- Varied hours of operation for a range of events, exhibitions, cultural uses, festivals and installations.

Progress of works at the time of the third audit included fitout defects testing on levels 1 and 2, installation of the skylights and skylight glazing. Physical works at the time of the audit were focused predominantly around the skylights and on the ground floor.

FDC Construction and Fitout Pty Ltd (FDC) have been contracted to construct the Project on behalf of Infrastructure New South Wales (INSW). Construction commenced on 3 May 2024 with a revised completion date within 15 to 18 months (November - December 2025).

## 1.2. Audit team

FDC nominated Nicola Smith as the Lead Independent Auditor and Natascha Arens as the Alternate Lead Independent Auditor for Project and provided the CVs and independence declarations to DPHI (refer Appendix A).

The audit team comprised these members:

- Natascha Arens – Alternate Lead Auditor: technical and QA review
- Nicola Smith – Lead Auditor: site inspection and interviews, report author.

## 1.3. Objectives

The objective of this Independent Audit is to assess compliance with the Conditions of Approval, the implementation of environmental management plans and provide a summary of actual versus predicted impacts during the construction stage.

### 1.3.1. Audit scope and period

The scope of the audit will include:

- An assessment of compliance of all the CoA relevant to the works at the time of the audit (as detailed in Appendix C)
- An assessment of the adequacy and implementation of the site environmental management plans including:

## Independent Environmental Audit

*The Cutaway Cultural Facility SSD-47498458*



- B55 – Construction Environmental Management Plan (CEMP)
- B56 – Construction Pedestrian and Traffic Management Plan (CPTMP)
- B59 – Construction Noise and Vibration Management Plan (CNVMP)
- B60 – Air Quality Management Plan (AQMP)
- B63 – Construction Waste Management Plan (CWMP)
- B64 – Construction Soil and Water Management Plan (CSWMP)
- An assessment of performance of the Project in relation to implementation of environmental plans.

The audit period for this second audit is from 13 January 2025 (date of the second site audit) to the site inspection component of the third audit, that being 8 July 2025. A high-level pre-audit request for information was provided to FDC prior to the site inspection.

## **2. Audit methodology**

### **2.1. Auditor approval**

Nicola and Natascha were approved by DPHI as the Independent Lead Auditors on the 7 May 2025 (refer Appendix B).

The Agreement to Independent Auditor letter, dated 7 May 2025, identifies that the Department reserves the right to request an alternate auditor or audit team for future audits.

### **2.2. Independent audit scope development**

The audit scope was developed by reviewing the SSD-47498458 CoA and the Independent Audit Post Approval Requirements (2020).

An Audit Plan with audit table was provided to the auditee prior to the site audit detailing the timing of the audit and requirements regarding accessing the site and documentation.

### **2.3. Compliance evaluation**

The audit consisted of offsite document review, onsite document review, site inspection and interviews. Offsite document review was undertaken prior to the site component of the audit with further request for information following the site inspection. The site component of the audit included:

- Opening meeting to introduce all parties and discuss the scope and objectives of the audit
- Site inspection
- Document and records review to check compliance with conditions
- Interviews with staff including construction site personnel
- Closing meeting to summarise the findings of the site audit and to discuss additional audit evidence required.

The document review included a review of the Conditions of Approval relevant to the stage of works of the Project and all environmental management plans and sub plans.

### **2.4. Interviews**

An opening meeting was held on 8 July 2025 at 8.05 am.

Present at the opening meeting were:

- Hilton Palmer (FDC Project Manager)
- Nicola Smith (NGH Auditor).

Interviews with staff were undertaken throughout the course of the site audit to gather evidence during offsite document review including:

- Hilton Palmer (FDC Project Manager)
- Luke Trochei (FDC Site Manager)
- Julia Borraccino (FDC Loading Dock Leader).

A closing meeting was held on 8 July 2025 at 11.00 pm.

Present at the closing meeting were:



- Hilton Palmer (FDC Project Manager)
- Nicola Smith (NGH Auditor).

The interviews found that staff broadly understood the requirements of the Consent Conditions and Environmental Management Plan and subplans. Document review occurred prior to the site visit, following an initial request for information, throughout the day and offsite until report completion.

## 2.5. Site inspections

A site inspection was undertaken at 8.10 am on the 8 July 2025. The entire site was inspected including internally within The Cutaway, external hoarding including at Nawi Cove and Merriman Street around the skylights, exit and entry points, concrete washout areas, active areas of the construction site, sedimentation controls, notice boards and spill response kits.

Results of the site inspection are provided in Section 3.12.

## 2.6. Consultation

Consultation was undertaken with all levels of the Project team including those listed in Section 2.4.

An email was sent to NSW DPHI, City of Sydney Council (CoS), Transport for New South Wales (TfNSW), Placemaking NSW (PMNSW), Heritage NSW, NSW State Design Review Panel (SDRP), and Department of Climate Change, Energy, the Environment and Water (DCCEEW) as requested by Heritage NSW, regarding the audit scope. A copy of the correspondence is provided in Appendix E and summary of outcomes is presented in Section 3.8.

## 2.7. Compliance status descriptors

The compliance status descriptors from the Independent Audit Post Approval Requirements (DPIE 2020) have been used to assess compliance, refer Table 2-1.

Table 2-1 Compliance status descriptors

Status	Description
Compliant (C)	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-compliant (NC)	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 (NT)	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.

## 3. Audit findings

### 3.1. Approval and documents list

Additional documents reviewed for this third audit are underlined.

#### Design plans and approval documentation

- Crown Certificate Stage 4 Plans, fjcstudio, Rev V, dated 13 February 2025 and certifier stamped
- Barangaroo – Cutaway Cultural Facility Environmental Impact Statement for State Significant Development (SSD-47498458) (SJB Planning (NSW) Pty Ltd), February 2023
- Barangaroo – Cutaway Cultural Facility Response to Submissions (SSD-47498458) (SJB Planning (NSW) Pty Ltd), September 2023
- Development Consent (SSD-47498458) approved 22 December 2023 by Minister for Planning and Public Spaces
- Approved Plans for A30, fjcstudio, dated 27 September 2024, Rev L
- Consolidated Development Consent (SSD-47498458-Mod-1) determined 19 September 2024 by Minister for Planning and Public Spaces
- Modification Report for a Section 4.55(1A) Modification Application to SSD-47498458 (SJB Planning (NSW) Pty Ltd), 12 July 2024
- FJC Studio Design Plans Sheets 1 to 10, stamped approval DPHI 22 December 2023.

#### Correspondence

- Major project's portal email submission receipt for receipt of Audit 1 Proponent's Response, dated 16 January 2025
- Letter correspondence FDC to INSW regarding upload of reviewed plans to the website, dated 12 March 2025
- Aconex transmittal snip of monitor removal letter to Certifier, no date
- Works Notification, Noisy Works and Unavailability of Lifts, FDC, 28 February 2025
- BB Networks, Design Carrier Approval (BBN020423\_REV01), 2 April 2025
- DPHI, Warning Letter Breach of Section 4.2 of the EP&A Act, dated 1 April 2025
- DPHI email acknowledging receipt of the Community Consultation Strategy, June 2025, and that there are no comments at this time, dated 1 June 2025
- Letter from Acoustic Studio (FDC3564), dated 27 May 2025
- Post Approval receipt, C49 and B4, no date
- Submission receipt email from DPHI acknowledging receipt of non-compliance notification C49 and B4, dated 20 February 2025
- Appointment of Experts approval letter from Planning Secretary, dated 07 May 2025
- DPHI Submission Receipt for notification of Stage 4 / CDVC4, dated 12 March 2025
- Post Approval receipt, Condition B3, no date
- Post Approval form, A18, no date
- Submission receipt email from DPHI acknowledging receipt of non-compliance notification A18, dated 20 February 2025
- Letter from CoS, endorsement of Condition B65, dated 26 March 2025
- Aconex correspondence (FDC\_NSW-RFI-000578) identifying PMNSW endorsement of the landscaping plans Condition B65, dated 10 March 2025
- Email FDC to GTP stakeholder group, dated 4 April 2025
- Email from TfNSW identifying comfort with response and close out of B35 and D25, dated 1 July 2025

- Letter from Enviroview to FDC, Site Auditor approval of UFP, dated 12 February 2025
- Aconex transmittal from Certifier (FDC\_NSW-GCOR-005826), dated 13 February 2025
- Email correspondence from INECO to FDC with a log of letterbox drops and GPS walker maps, dated 24 January 2025
- Letter DPHI of Approval for Conditions B5 and B8, dated 20 September 2024
- Letter DPHI Approval of A30, dated 21 January 2025
- Resident works notification rock stabilisation eastern wall, FDC, dated 2 August 2024
- Resident works notification skylight installation and associated works, FDC, dated 24 December 2024
- Resident works notification for rock stabilisation, FDC, dated 2 September 2024
- Resident works notification for services installation in carpark out of hours work, FDC, dated 10 October 2024
- Resident works notification for services installation in carpark out of hours work, FDC, dated 5 August 2024
- Email correspondence CoS and FDC, approval of graphic, dated 30 August 2024
- Email Re Hoarding and Crane Lifting to Nawi Cove, FDC to Property NSW, dated 1 August 2024
- Email Re Waranara Terrace Hoarding Application FDC to Property NSW, dated 12 April 2024
- Submission Receipt DPHI indicating date lodged of CPTMP, dated 9 December 2024
- Email correspondence FDC and 32 Merriman Street for Pre-construction Dilapidation Report, dated 18 November 2024 and response, dated 10 January 2025
- Email correspondence FDC and 28 Merriman Street for Pre-construction Dilapidation Report, dated 18 November 2024
- Email correspondence FDC and 14-16 Merriman Street for Pre-construction Dilapidation Report, dated 18 November 2024
- Email correspondence FDC and CoS for Pre-construction Dilapidation Report, dated 18 November 2024
- Email correspondence INSW and DPHI regarding SDRP advice response pursuant to Condition B5, dated 25 July 2024
- DPHI Submission Receipt for notification of CDVC3, dated 10 December 2024
- FDC letter to INSW re CDVC3, dated 9 December 2024
- DPHI Submission Receipt for notification of CDVC2, dated 10 December 2024
- FDC letter to INSW Re CDVC2, dated 9 December 2024
- Aconex correspondence FDC and ARUP regarding acoustic requirements for the HCT, dated 23 May 2024
- Aconex correspondence FDC and TWW regarding structural loading of HCT, dated 29 May 2024
- Appointment of Experts Letter from DPHI, dated 29 November 2024
- Sighted email from TfNSW to TTW for CPTMP endorsement, dated 22 April 2024
- Sighted email from FDC to INSW regarding payment of Long Service Levy, dated 10 April 2024
- Letter FJC Studio to DPHI regarding design, dated 05 April 2024
- Email from FDC to City of Sydney (CoS) with presentation minutes, dated 9 May 2024
- Email DPHI to FDC acknowledging receipt of the notification of commencement, dated 2 May 2024
- Letter from Curio Projects to INSW pursuant to Condition B33, dated 08 May 2024
- Letter from INSW to Group DLA pursuant to Condition B33, dated 08 May 2024
- Email from FDC to Group DLA identifying that Dial Before You Dig will not issue a signed letter, dated 25 February 2024
- DPHI approval of Community Communication Plan letter, dated 17 April 2024
- Emails between FDC to impacted adjoining residents for 14, 20, 28 and 32 Merriman Street, Millers Point, dated April and May 2024
- Aconex transmittal regarding letters to residents for dilapidation surveys, dated 5 April 2024
- Email correspondence between FDC and TTW relevant to the CPTMP, April 2024
- Emails to stakeholders with the works notification attached, June 2024

- Aconex transmittal correspondence between FJC and FDC for design submission to DPHI pursuant to B5 and B8, dated 9 August 2024
- Aconex transmittal FDC to Ernst and Young (EY) containing information for Merriman Street Residential Dilapidation Reports, dated 4 June 2024
- Post Approval Submission Receipt pursuant to conditions C42 and C44, dated 6 June 2024
- Aconex transmittal FDC and Certifier pursuant to Condition C25 and C26, dated 20 August 2024
- Letter correspondence from Planning Secretary regarding commencement of works following unexpected finds of asbestos, dated 12 September 2024
- Aconex transmittal Crown Certifier to FDC pursuant to Condition B51, dated 12 November 2024.

## Reports and plans

- Proponent's Review and Response Audit 1, dated 7 January 2025
- Unexpected Finds Protocol, 5 February 2025, Appendix B of the SWMP
- Soil and Water Management Plan, FDC, Rev C2 04 February 2025
- Construction Environmental Management Plan Rev C3, FDC, dated 14 February 2025
- Noise Net Noise and Vibration Monthly Report 27 May to 26 June 2025, 27 May 2025
- Community Consultation Strategy V1.3, FDC, dated 10 June 2025
- Arboricultural Assessment, issued by Martin Peacock Tree Care, dated 21 February 2025
- Green Travel Plan, TTW, Rev 04, dated 25 June 2025
- Proponent Review and Response, FDC, 14 January 2025
- Unexpected Finds Procedure, FDC, Rev C2, 04 February 2025
- Operational Waste Management Plan, Elephants Foot Consulting, Rev C, dated 27 September 2024
- Construction Waste Management Plan Rev C2, FDC Construction, dated 09 January 2025
- Arboricultural Assessment, issued by Martin Peacock Tree Care, dated 4 September 2024
- Arboricultural Assessment, issued by Martin Peacock Tree Care, dated 2 December 2024
- FDC DPHI Submission Report addressing Conditions B5 and B9, dated 09 August 2024
- Modification 1 of The Cutaway State Significant Development Modification Assessment Report (SSD-47498458-Mod-1), DPHI, September 2024
- Independent Audit 001 – Review and Response, FDC, 7 January 2025
- Independent Environmental Audit 1 Report, NGH Pty Ltd, dated 2/12/2024
- Construction Environmental Management Plan Rev C1, FDC Construction, dated 28 April 2024
- Community Communication Implementation Plan version 0.1, FDC Construction, dated 25 March 2024
- Construction Pedestrian and Traffic Management Plan Rev 1, TTW (NSW) Pty Ltd, dated 16 April 2024
- Construction Noise and Vibration Management Plan Rev 1, Acoustic Studio (ACS), dated 18 April 2024
- Flora and Fauna Management Plan, FDC, Rev A 26 April 2024
- Air Quality Management Sub Plan V1, Property Risk Australia Pty Ltd, dated 5 April 2024
- Construction Waste Management Plan Rev C1, Elephant Foot Consulting, dated 26 April 2024
- Hazardous Materials Management Plan, FDC, Rev C1 26 April 2024
- Soil and Water Management Plan Rev C1, FDC, dated 26 April 2024
- Community Consultation Strategy V1.2, FDC, dated 3 April 2024
- Sighted FDC Contract Programme, dated 02 February 2024
- Existing Structure Assessment - CDVC2 - TWW (NSW) Pty Ltd, dated 21 June 2024
- Group DLA BCA Design Compliance Statement GDL240065, dated 29 April 2024
- Barangaroo heritage Interpretation Plan, Curio Projects for iNSW, issue 4, 18 October 2022
- Place Naming Convention, INSW, May 2024
- Green Travel Plan, TTW, Rev 01, dated 29 May 2024
- Dilapidation Report – Void: Perimeter Fencing, Project Solutions, dated 17 April 2024
- Dilapidation Report - Local and State Property, Project Solutions, dated 18 March 2024
- Dilapidation Report - NSW Property, Project Solutions, dated 18 March 2024



- Dilapidation Report - Public Domain, Project Solutions, dated 18 March 2024
- Arboricultural Report (SSD Conditions B54 and B66) issued by Martin Peacock of Martin Peacock Tree Care, dated 11 April 2024
- Dilapidation Reports for affected landowners, Project Solutions, dated April and May 2024
- Dilapidation Report – The Cutaway 14, 20, 28 and 32 Merriman Street, Millers Point, NSW 2000, prepared by TWW, dated 24 May 2024
- Waste Classification Assessment, PRA project Reference J02337 WC01 V1, 6 June 2024
- NSW SafeWork Asbestos Removal Control Plan (ARCP) for Class B (Non-friable) Removal Work, Zoric Group Pty Ltd, 13 June 2024
- EnviroX Consulting, Asbestos Clearance Inspection Report, 27 June 2024
- EnviroX Consulting, Asbestos Clearance Inspection Report, 24 June 2024
- Hazardous Materials Management Plan, FDC, Rev C1 26 April 2024
- Work Health and Safety Management Plan, FDC, Rev C1 26 April 2024
- Level 2 Health Risk Assessment, PRA, V1, 17 June 2024.

## **Design certification, records, monitoring and inspections**

- Photos of noise testing on 28/11/2024
- Site access logs for 6 April 2025, 12 April 2025, 13 April 2025 and 14 April 2025
- Just Skip Waste Management Report, dated February, March, April, May and June 2025
- Sighted Toolbox Talk eForm Report, dated 26 June 2025
- FDC Project - Training Register - The Cutaway, 08 July 2025
- Notice of Works Permits Register
- Induction records of inducted personnel, Labourer, 08 July 2025
- Daily declaration, sighted 8 July 2025
- Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 02 July 2025
- Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 9 April 2025
- Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 22 May 2025
- Site diary, 30 June 2025, geofabric was changed, drain was cleaned
- eForm for June Hoarding Inspection, 26 June 2025
- Mobile hoisting approval, CoS, Licence CP/2025/621, dated 18 June 2025
- Mobile hoisting approval, CoS, Licence CP/2025/282, dated 14 March 2025
- Hoarding Permit Renewal, B/2024/135/2, dated 20 May 2025
- Just Skips monthly waste management reports, February, March April, May and June 2025
- FDC Cutaway Induction, Rev 17
- GTP Stakeholder Meeting Minutes, FDC, 16 April 2025
- BCA Design Compliance Statement Crown Certificate 4 (GDL240065.3), 12 March 2025
- eForm for November Hoarding Inspection, 29 November 2024
- eForm for September Hoarding Inspection, 27 September 2024
- Just Skips delivery dockets, 11 & 24 July, August 1 to September 6, September 9 to September 30, October 9 to October 31, 12 November to 29 November 2024
- Just Skips Waste Management Reports, July, August, September, October and November 2024
- Porfido Porphyry, Sam the Paving Man, 29 July 2015
- Slip Test Results Summary for pavers, no date
- Application for order SW-02026487 Discharge Trade Wastewater, dated 11 June 2024
- Sydney Water submission receipt, application number SW-02026487, dated 17 April 2024
- Ausgrid EGN 068: Environmental Planning Calculator, dated 29 July 2024
- Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 10 January 2025
- Proposed Hoarding Design Plans, Gilcon Structural Engineers Rev C, dated 29 July 2024
- Mobile hoisting approval, CoS, Licence CP/2024/1429, dated 15 November 2024

- Mobile hoisting approval, CoS, Licence CP/2024/1520, dated 5 December 2024
- CoS Hoarding Graphics Design Compliance Statement, Permit B/2024/135, dated 30 August 2024
- KPI Construction Services, Merriman Street Barangaroo Hoarding 8 and Compound, dated 10 April 2024 (KPI0108/24)
- Structural Adequacy Certificate, Gilcon Structural Engineers, dated 5 September 2024
- Hoardings and Scaffolding - installation certification (Structural), CoS, dated 30 August 2024
- Clover Insurance, Certificate of Currency, dated 23 February 2024
- Works Notification FDC, 4 January 2025
- Works Notification INSW, 30 October 2024
- Works Notification INSW, 10 October 2024
- Works Notification INSW, 9 September 2024
- Works Notification INSW, 5 August 2024
- Hoarding Permit Renewal, B/2024/135/1, dated 7 January 2025
- The Cutaway Design Statement - Waste Room - CDVC-3, Fjcstudio, dated 18 June 2024
- Design Statement for Waste Rooms, n2 Engineering Consultants, dated 12 August 2024
- Design Certificate Events Kitchen, MACK Group, dated 8 August 2024
- Letter regarding Construction Certificate Assessment (No. AC03 v1), ARUP, dated 9 July 2024
- Design Certificate for External Waterproofing issued by Cassandra Halpin-Smyth of FJC Studio, dated 05 July 2024
- Certificate of fire test (FNC12283), CSIRO, dated 26 November 2018
- Fire Test Certificate, Warrington Fire, dated 11 October 2021
- FDC Toolbox Talk, dated 24 October 2024
- FDC daily declaration, sighted 13 January 2024
- Group DLA BCA Design Compliance Statement GDL240065.2, dated 23 October 2024
- Noise & Vibration Monthly Report, Noise Net, dated 18 December 2024
- Noise & Vibration Monthly Report, Noise Net, dated 26 November 2024
- Noise & Vibration Monthly Report, Noise Net, dated 31 October 2024
- Noise & Vibration Monthly Report, Noise Net, dated 26 September 2024
- Noise & Vibration Monthly Report, Noise Net, dated 26 August 2024
- External Wall System Disclosure Statement (Design), TTW (NSW) Pty Ltd, dated 14 June 2024
- Long Service Levy receipt, dated 18 March 2024
- Sighted list of registered and project inducted plant in project SIMPEL
- Sighted FDC example of a Subcontractor pre-start checklist
- Sighted Memorandum of Insurance, dated 27 April 2024
- Minutes from City of Sydney Presentation (consultation), dated 08 May 2024
- Minutes from SDRP 3 Presentation (consultation), dated 16 May 2024
- Executive Demolitions Pty Ltd Bingo Industries Monthly Waste Report, June 2024
- Bingo Industries delivery dockets for multiple dates in June 2024
- Adelaide Black Paver Data Sheet, Sam the Paving Man
- Group DLA, Crown No. GDL240065 Information Document for Crown Certificate, 15 April 2004
- Technical Memorandum Stantec, dated 12 April 2024
- Road / Footway Opening Permit Merriman Street Millers Point, CoS, dated 11 April 2024
- Mechanical Design Certificate #CC2, New Edge Group, 3 June 2024
- Statement by FDC for Condition B17, dated 26 June 2024
- Statement of Design - Water Efficient Fixtures and Fittings pursuant to B20, n2 Engineering Consultants, dated 4 June 2024
- Stamped Plan As Built, Ref No. 1882756, dated 10 May 2024
- Design Certificate for Coolroom, PATRA Group Pty Ltd, dated 30 May 2024
- Statement of Design - Grease and Liquid Waste Traps, n2 Engineering Consultants, dated 4 June 2024

- Surveyor Identification Report for Construction Certificate 1, SSD Conditions B30 & B41 issued by Mohsen Rabbaniha of Seam Spatial Pty Ltd, dated 03 April 2024 April
- Registered Surveyor Declaration for Construction Certificate 1 on SSD Condition B32 issued by Mohsen Rabbaniha of Seam Spatial Pty Ltd, dated 03 April 2024
- Barangaroo Signage Style Guide, Corlette for INSW, V8 January 2023
- Utility Detection Plans, Geoscope Utility Detection Services, dated 2 April 2024
- FDC Notice of Works Register, Rev 14, 12 July 2024
- Demolition Works, Statement of Compliance, Executive Demolition Pty Ltd, dated 16 April 2024
- fjc Studio Demolition Plans, Rev 02, first issued 18 May 2023
- Cutaway Demolition Methodology, Executive Demolition, Rev 01
- SafeWork NSW Conditional Restricted Demolition Licence, SafeWork, dated 11 April 2024
- Compliance with Acoustic Assessment, ARUP, dated 4 April 2024
- Induction PowerPoint Presentation, 27 June 2024
- Induction records of inducted personnel, FDC
- Toolbox Talk sign-on, 11 July 2024
- Toolbox Talk eForm Report, 11 July 2024
- Design Certificate - Electrical Services for Conditions B29 and B70, MDE Group, dated 14/06/2024
- Unexpected Finds Protocol for Asbestos, FDC, Rev 0 04 February 2019
- Proposed Temporary Works Plans Masterplan for hoarding and temporary walls, ZAIT Engineering Solutions, Rev 01 & 02, 10 / 19 April 2024
- Sighted hoarding inspection eForms and photographic attachments for the Loading Dock Hoarding, Main Entry Hoarding, Southern Hoarding, dated 28 May 2024
- eForm for July Hoarding Inspection, 10 July 2024
- Works Notification - The Cutaway, INSW, June 2024
- Minutes of The Cutaway Subcontractor's Meeting No. 007, FDC, dated 20 June 2024
- Executive Demolitions Pty Ltd, Delivery Dockets Bingo Waste Industries, Asbestos contaminated material, multiple days in May and June 2024
- Asbestos (licensed removal) SWMS, Zoric Group Pty Ltd 14 June 2024
- NSW SafeWork Notice of Intent to Remove Non-friable Asbestos, expiry 21 November 2026
- Concept Presentation, Barangaroo Cutaway Hoarding Concept INSW, RPS Group, dated 21 March 2024
- Door knock report, May 2024
- Works notification, INSW, June 2024
- Permits 3043 (April 2024), 3056 (2 May 2024), 3057 (2 May 2024), 3058 (2 May 2024), 3059 (2 May 2024) with CoS for hoarding and temporary fencing
- Noise Net Noise and Vibration Monthly Report 13 to 24 June 2024, dated 24 June 2024
- Noise Net Noise and Vibration Monitor Installation Report, dated 24 June 2024
- Noise and vibration Event Logging Record, FDC spreadsheet
- Just Skips waste dockets, May, June and July 2024
- Just Skips Waste Management Report, dated June and July 2024.

### **3.2. Compliance performance**

In summary, the audit found nil non-compliances out of a total of 255 Conditions of Approval, refer to Table 3-1.

Table 3-1 Compliance performance

Condition part	Compliances	Non-compliances	Not triggered
A (30)	19	0	11
B (77)	72	0	5
C (50)	31	0	19
D (32)	-	-	32
E (66)	-	-	66

Note: In relation to the tally above whole Conditions of Approval have been used to generate the tally. i.e., where a condition contains part a), b), c) etc this has been counted as one condition.

### 3.3. Summary of agency notices, orders, penalty notices or prosecutions

There have been no agency notices, orders, penalty notices or prosecutions to date.

### 3.4. Non compliances

Nil non-compliances were raised in this third audit. However, there were four opportunities for improvement raised, refer to Section 4.2.



### 3.5. Previous audit recommendations

#### 3.5.1. Non-compliances

The second audit (January 2024) of the Project recorded eight non-compliances with conditions. Table 3-2 shows the status of each of the audit findings from the second independent audit of the Project.

Table 3-2 Previous audit recommendations

CoA #	Requirement	Audit finding	Applicant response and status
A2	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) in accordance with the EIS, RtS and any RFI; (d) in accordance with the approved plans in the table below (except where amended by the conditions of consent):	The audit found compliance with the majority of conditions. However, the audit found eight non-compliances inclusive of this condition, as detailed below.	Refer to specific non-compliance status below.  <b>Closed</b>
A18	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.	The audit found that the non-compliances from the first audit were not notified to the Department in writing within 7 days after the Applicant becomes aware (Audit 1 Report, dated 2 December 2024, notification 12 December 2024).	The non-compliances for Audit 1 had been notified and no further action was required. The Project has procedure in place with a responsibility matrix to ensure the condition is resolved within the specified timeframe. The matrix is reviewed monthly.  <b>Closed</b>

## Independent Environmental Audit

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CoA #	Requirement	Audit finding	Applicant response and status
A19	The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the noncompliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	The audit found that the Planning Secretary was notified of the non-compliances from the first audit but that this notification did not include the reasons for the non-compliance, or the actions taken or to be taken to address the non-compliance. The Applicant's Response was in draft at the time of the second audit, which contains the non-compliances and details of how they have been addressed.	The non-compliances for Audit 1 had been notified and no further action was required. For Audit 2, once FDC was notified of the non-compliances, they promptly issued the audit report to the Department on 13 January 2025. The non-compliance was closed out on 16 January 2025 with confirmation of receipt from the Department.  <b>Closed</b>
A22	Within three months of: d) the approval of any modification of the conditions of this consent (excluding modifications made under section 4.55(1) of the EP&A Act); or the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.	Modification-1 was determined on 16 September 2024. The audit found that the Planning Secretary had not been notified that a revision of strategies, plans or programs required under the consent were being reviewed following the approval of Mod-1.	Review and notify the Department of the review of strategies, plans and programs within 3 months of a determination of a Modification, audit report etc, specifically notification to the Department of the review following approval of Mod-1. The Project did not issue the notification to the Department for the review of strategies, plans and programs. This is a non-compliance for Audit 3 also.  Closed
B3	If the construction or operation of the development is to be staged, the Department must be notified in writing at	The audit found that the Department was notified of the commencement of each stage subsequently, on	Notification of stage commencement for 2 and 3 were done subsequently. No

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CoA #	Requirement	Audit finding	Applicant response and status
	least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	10 December 2024.	further action required. Notification of commencement of Stage 4 was issued to the Department at least 48 hours prior to commencement. Refer to Appendix C).  <b>Closed</b>
B4	<p>Access to information</p> <p>At least 48 hours before the commencement of any works and until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:</p> <p>Make the following information and documents publicly available:</p> <ul style="list-style-type: none"> <li>the documents referred to in Condition A2 of this consent;</li> <li>all current statutory approvals for the development;</li> <li>all approved strategies, plans and programs required under the conditions of this consent;</li> <li>regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;</li> <li>a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</li> <li>a summary of the current stage and progress of the development; contact details to enquire about the</li> </ul>	The audit found that the website had been updated with the environmental management plans, links to approval documentation, complaints register, noise and vibration monitoring, Project progress updates and works notifications. Although the website contains the audit report for Audit 1, it does not contain the Applicant's Response. Environmental performance documentation is not available on the Project website.	<p>The Project website includes the noise and vibration monitoring reports as required by the CNVMP and the quarterly independent environmental audits.</p> <p>No further action required.</p> <p><b>Closed</b></p>

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CoA #	Requirement	Audit finding	Applicant response and status
	development or to make a complaint; a complaints register, updated monthly		
C48	In accordance with the specific requirements in the Independent Audit Post Approval Requirements, the Applicant must: review and respond to each Independent Audit Report prepared under this consent; submit the response to the Planning Secretary; and	The audit found that the Applicant's Response had not been submitted to the Planning Secretary.	The audit found that the Proponent's Review and Response Audit 1, dated 7 January 2025, was submitted on 16 January 2025 as evidenced by the major project's portal submission receipt, dated 16 January 2025.
C49	Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approvals Requirements (2020) unless otherwise agreed by the Planning Secretary.	The audit found that the audit report for Audit 2 and the Applicant's Response was not submitted to the Planning Secretary within two months of the date of the site audit, being 16 July 2024.	The Project has procedure now place with a responsibility matrix to ensure the condition is resolved within the specified timeframe. The Audit 2 report and Proponent Review and Response was provided within in 2 months of Audit 2.  <b>Closed</b>



### 3.5.2. Previous improvement opportunities

The first and second audits of the project raised 15 opportunities for improvement against the Project's Consent Conditions. Table 3-3 shows the status of each of the improvement opportunities from the first and second independent audits of the Project.

Table 3-3 Response to improvement opportunities from Audit 1 and Audit 2

Condition	Opportunity for improvement	Corrective actions	Status
B34 (a)	Include in the Green Travel Plan whether bike parking is available, and if so, how many bike parking spots are provided and their location.	The Green Travel Plan was revised and submitted for consultation with TfNSW. The revised GTP has these requirements.	Closed
B34 (b)	Identifying the strategies in the Green Travel Plan for reducing car parking usage and providing a link to the relevant sections.	The Green Travel Plan and TAG were revised and submitted for consultation with TfNSW. The revised GTP has these requirements.	Closed
B55 (a) (ii)	Include the 24-hour project phone number in the Community Communication Strategy and the CEMP.	Update all management plans to align with audit 1 opportunities for improvement and site conditions.  The 24-hour project number is available in the CEMP.	Closed
B55 (a) (iv)	Use consistent terminology to describe the plans, for example, refer to the CPTMP in the CEMP not the CTMP.	Update all management plans to align with audit 1 opportunities for improvement and site conditions.  This was considered by the Project team but not implemented.	Closed
B55 (viii)	The Hazardous Materials Management Plan and the CEMP should be updated to reflect the requirements of Conditions C42 and C44 - Planning Secretary must be notified of any Unexpected Finds of contamination.	Update all management plans to align with audit 1 opportunities for improvement and site conditions.  This was considered by the Project team but not implemented.	Closed
B55 (g)	The Hazardous Materials Management Plan and the CEMP should be updated to reflect the requirements of Conditions C42 and C44 - Planning Secretary must be notified of any Unexpected Finds of contamination.	Update all management plans to align with audit 1 opportunities for improvement and site conditions.  This was considered by the Project team but not implemented.	Closed

Condition	Opportunity for improvement	Corrective actions	Status
B55 (h)	Moving the heritage unexpected finds into the CEMP and providing a communications procedure as it does not belong in the Hazardous Materials Management Plan.	Unexpected Finds Protocol moved to Appendix B of the SWMP, and communication procedure provided in Section 22 of the CEMP.	Closed
B55 (i)	Identifying in the CEMP that waste classification and validation is covered in the CWMP.	CEMP will be updated to reflect waste classification and validation are covered in the CWMP.  Validation has been added to the CWMP.	Closed
B63 (c)	Include reference to Table 1 in the CWMP to Condition B63(c) and identify where it is addressed in the document.	SSDA conditions table and contents within the CWMP were updated in line with Condition B63 part (c). The CWMP is now in revision C2.	Closed
C4 (d)	Updating the AQMP Table 6 to identify when (occurrence with stage of works) air quality monitoring will occur. As Table 6 currently reads, PM2.5 and PM10 air quality monitoring should be continuous, and a monthly report produced.	AQMP will be updated to reflect the revised testing and reporting objectives for the project lifecycle.  This was considered by the Project team but not implemented. The text above the table identifies that where real time dust monitoring has been undertaken, air monitoring data will be summarised and documented with a monthly report.	Closed
C4 (e)	In accordance with the WMP, co-mingled recycling receptacles should be implemented in the lunchroom as it is in the site office.	Co-mingled recycling and paper recycling bins have been installed in the lunchroom.	Closed
B4	At least 48 hours before the commencement of any works and until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:  a) make the following information and approved) publicly available on its website:	Organisation of headings and links have been made clearer on the website.  The complaints register provided now has the corrective action and date and time closed out.	Closed

Condition	Opportunity for improvement	Corrective actions	Status
	<ul style="list-style-type: none"> <li>i. the documents referred to in Condition A2 of this consent;</li> <li>viii. a complaints register, updated monthly;</li> <li>ix. audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report;</li> </ul>		
B55	Waste Management Plan	<p>Validation has been added to the CWMP. However, it should explicitly detail that the validation is of the remaining material (to ensure no contamination remains in situ) and that waste classification is relevant to excavated material.</p> <p>This was considered by the Project team but not implemented.</p>	Closed
C4	<p>The Applicant must ensure the requirements and recommendations outlined in the following plans are complied with:</p> <p>(a) CEMP</p>	Flammable liquids should be stored in the flammable liquid cabinet.	Closed
C4	<p>The Applicant must ensure the requirements and recommendations outlined in the following plans are complied with:</p> <p>(a) FFMP</p>	If there is a repeat instance of a threatened animal identified within the site, ensure the Unexpected Species Find Protocol (Appendix C of the FFMP) is followed and the Project ecologist engaged following stop work and notification to HSEQ.	Closed
C4	<p>The Applicant must ensure the requirements and recommendations outlined in the following plans are complied with:</p> <p>(f) SWMP</p>	Geofabric, to prevent sediment / dust entering the drainage system, should extend along the full length of the drain.	Closed

### **3.6. Environmental plans, sub plans and post approval documents**

A summary of the implementation of key environmental management plans relevant to this stage of works is provided below.

All plans required by the CoA are discussed in the audit table (Appendix C) of this report. The suite of environmental management plans includes:

- B55 – Construction Environmental Management Plan (CEMP)
- B56 – Construction Pedestrian and Traffic Management Plan (CPTMP)
- B59 – Construction Noise and Vibration Management Plan (CNVMP)
- B60 – Air Quality Management Plan (AQMP)
- B63 – Construction Waste Management Plan (CWMP)
- B64 – Construction Soil and Water Management Plan (CSWMP).

The construction environmental management plans are publicly available on the Project website as required by Condition B4.

#### **3.6.1. Construction Environmental Management Plan (CEMP) B55**

A review of the CEMP found that it is compliant with the requirements of the condition. The CEMP includes a series of sub plans. The CEMP is underpinned by the following plans:

- Construction Pedestrian and Traffic Management Plan (CTMP) as a standalone plan (Appendix B of the CEMP)
- Construction Noise and Vibration Management Plan (CNVMP) as a sub-plan to the CEMP (Appendix C of the CEMP)
- Air Quality Management Plan as sub-plan to the CEMP (Appendix I of the CEMP)
- Construction Soil and Water Management Plan (CSWMP) as a sub-plan to the CEMP (Appendix D of the CEMP)
- Construction Waste Management Plan (CWMP)
- Flora and Fauna Management Plan (FFMP).

The audit found that the requirements of the CEMP are broadly being implemented with regular inspections, daily declarations and weekly toolbox talks. Adherence to working hours, respite periods and consultation with stakeholders were found to be generally compliant. However, the audit found there were some instances where the respite periods were not honoured, site works commenced prior to 7 am with movement of heavy vehicles and plant, and skylight teams getting ready, triggering a noise exceedance at the sensitive receivers. The following inspections have taken place:

- Weekly site inspection sighted general weekly inspections with environmental aspects
- All construction plant and equipment are inspected, and the details managed in Project SIMPEL to inform of next service dates, risk assessment etc. Evidence sighted for the Boom Lift.
- Tree protection is implemented in accordance with the specifications identified by the Project Arborist in the Arborist reports.
- The FFMP contains information vegetation, fauna and habitat management. It includes an Unexpected Species Finds procedure for listed threatened species, which have been identified in the plan. There were no unexpected threatened species finds in the audit period.

Refer to site photographs in Appendix D and presented in the audit findings in Appendix C.



### **3.6.2. Construction Pedestrian and Traffic Management Plan (CPTMP) B56**

A CTPMP was prepared that meets the requirements of B56. The audit specifically found that:

- Signage was on site
- Non-tonal reversing beepers are used on all mobile plant and construction vehicles
- The site was secured with fencing and hoarding preventing unauthorised access
- Construction vehicles were still able to access and turnaround within the site via the loading dock
- If construction vehicles are required to wait for access, then they wait at the Hickson Road Storage with larger heavy vehicles (e.g. transporting the trees) have been waiting in the holding area at Randwick until they can deliver at 7 am.

Refer to site photographs in Appendix D and presented in the audit findings in Appendix C.

### **3.6.3. Construction Noise and Vibration Management Plan (CNVMP) B59**

The CNVMP recommends that unattended noise monitoring is conducted at two locations along Merriman Street and in the commercial building at 1 Munn Street. Noise Net monthly monitoring reports were sighted for August, September, October, November and December 2024. Exceedances are issued via email and text messages and followed up in accordance with the CNVMP.

A letter was provided by the noise consultants on 27 May 2025, which identified changes to the noise monitoring of the Project due to the internal nature of the finishing works. There is one noise and one vibration monitor remaining, which is located adjacent to the western skylight works along Merriman Street.

The noise and vibration exceedances from this audit period are detailed in Section 3.11.

There were no noise-related complaints in the third audit period.

### **3.6.4. Air Quality Management Plan (AQMP) B60**

An AQMP has been prepared for the site to manage and prevent air quality issues and minimise potential air quality impacts. The primary sources of air emissions for the Project were identified as particulates and dust, exhaust emissions and volatile organic compounds.

The audit acknowledges that Table 6 of the AQMP was not updated. However, the text above the table identifies that where real time dust monitoring has been undertaken, air monitoring data will be summarised and documented with a monthly report.

AQMP mitigation measures are tracked in the Weekly Site Inspection eFORM. Included in the weekly site inspection is the control of environmental hazards, such as dust. All inspections are formally documented weekly via an application used called Project SIMPEL. An eFORM from 2 July 2025 was sighted during the audit.

The audit found that during demolition, the Loading Dock Leader is at the loading dock for construction vehicle ingress and egress and ensures that loads are covered as construction vehicles leave the site. Dust is monitored each day during the daily safety walk.

The loading dock and ground floor are cleaned frequently with a wet cleaner to ensure dust impacts are minimised.

Refer to site photographs in Appendix D.

### **3.6.5. Construction Waste Management Plan (CWMP) B63**

During the site inspection, it was observed that waste was being separated with appropriate waste receptacles available onsite (Conditions A28 / C4). Bins are provided by the waste contractor Just Skips. There are dedicated waste bins being used on site for silica dust as observed during the site inspection. Silica dust is double bagged and placed in the dedicated bin for disposal.

Just Skip monthly waste reports were provided for the third audit period (February, March, April, May and June 2025). The waste reports show segregation of waste types and volumes as required by Section 2.2 of the CWMP. The reports also show the percentage of waste material being recycled compared to the volume going to landfill. In all months except for May, there was greater than 90% of waste material recycled. In May 2025, 10.8% of waste went to landfill.

Refer to site photographs in Appendix D.

### **3.6.6. Construction Soil and Water Management Plan (CSWMP) B64**

A CSWMP has been prepared for the site including sediment control diagrams. The SWMP details site controls for managing sedimentation on site, which includes geotextile coverings on two stormwater pits, with majority of the construction works being internal.

SWMP mitigation measures are tracked in the Weekly Site Inspection eFORM. Included in the weekly site inspection are inspection of sediment controls, control of dust tracking on to local roads, and spill kits available and suitable. All inspections are formally documented weekly via an application used called Project SIMPEL. An eFORM from 2 July 2025 was sighted during the audit.

The auditor noted that spill kits were in place and suitable, no dust or material tracking was visible on local roads and there is a dedicated wash out station on the ground floor of The Cutaway.

Refer to site photographs in Appendix D.

## **3.7. Environmental performance**

FDC operate under an Environmental Management System (EMS) certified to AS/NZS ISO 14001:2015. The certification period for the EMS is 9 June 2023 to 20 September 2026.

Environmental performance of the project is measured via regular inspections, monitoring and reporting. The audit found that the site is well managed, with housekeeping maintained, maintenance of environmental controls and management of dust.

The audit found that key environmental controls are in places including:

- Noise and vibration monitoring devices were mostly removed in May 2025 with one noise and one vibration monitor remaining and stationed on Merriman Street adjacent to the western skylight
- Waste management including waste separation and appropriate disposal of construction waste
- Co-mingled and paper recycling was implemented in the lunchroom
- Concrete wash out bay was available on the ground floor
- Spill kits available and maintained, including a spill station next to the flammable liquid cabinet at the loading dock entrance
- Sediment controls – covered stormwater drain.

Refer to site photographs provided in Appendix D.

### 3.8. Consultation outcomes

Relevant stakeholders were consulted for this second audit as required by the conditions, specifically DPHI, CoS, TfNSW, Heritage NSW, SDRP and PMNSW.

Responses were received from DPHI (25 June 2025) and Heritage NSW (26 June 2025) at the time of reporting. Consultation outcomes and audit responses are provided in Table 3-3. Consultation is provided in Appendix E.

Table 3-4 Agency consultation outcomes and responses

Agency	Consultation outcome	Audit response
DPHI	<ul style="list-style-type: none"> <li>Ensure that the audit is undertaken in accordance with the IAPAR (2020).</li> </ul> <p>For the scope of the upcoming audit, could you please include:</p> <ol style="list-style-type: none"> <li>Out-of-hours works (OOHW) management, including the adequacy of community consultation and notification of OOHW if required.</li> <li>The adequacy of the project's system and/or process used for compliance monitoring and tracking of administrative requirements under the approval.</li> <li>A status update for the eight non-compliances identified in IEA 2.</li> <li>Can you please also confirm that required information is provided on the project website, including but not limited to, the project's response to audit recommendations (RAR).</li> </ol>	<ul style="list-style-type: none"> <li>The audit was undertaken in accordance with the IAPAR (2020).</li> </ul> <ol style="list-style-type: none"> <li>The audit found that there had been no instances of out of hours works during the audit period. There was night works identified in the Notice of Works Permits Register, however, these works did not end up going ahead and instead were completed through approved construction hours. The noise logger results indicated that exceedances of noise criteria outside of approved construction hours. The auditor reviewed site access records, which indicated that the works are not attributed to site works. Specifically records confirmed that no work occurred on the Sunday's when noise exceedances occurred, and no personnel log in through site access gate prior to 7 am on a weekday and 8 am on a Saturday.</li> <li>The Project prepared a conditions matrix following Audit 1. The Project team review and update the matrix at a weekly Project meeting to ensure they are fulfilling the requirements of the Consent Conditions. The matrix was sighted during the audit site inspection.</li> <li>The status update of the non-compliances raised during Audit 2 are provided in Table 3-3.</li> <li>Audit 3 found that all required information is accessible from the Project website, including the response to audit recommendations (<a href="https://www.barangaroo.com/past-present-future/barangaroo-reserve/the-cutaway-project">https://www.barangaroo.com/past-present-future/barangaroo-reserve/the-cutaway-project</a>). Following an improvement opportunity raised during Audit 2, the Project website has been restructured, making it much easier to locate</li> </ol>

Agency	Consultation outcome	Audit response
		relevant documents. There is now a standalone audit tab with the audits and the Applicant's responses.
Heritage NSW	No additional scope as a focus for Audit 3 other than Consent Conditions and management plan detail relevant to heritage.	The audit found that there is an Unexpected Finds Protocol for Aboriginal and non-Aboriginal Heritage contained within the SWMP. There is a communication procedure in the CEMP should there be an unexpected heritage find. The audit found there has not been a heritage unexpected find in the audit period.

### 3.9. Complaints

The audit noted that there is a complaint register, which is available on the Project website. It has been updated to the 28 November 2024. Both INSW and FDC receive complaints. If complaints are received by INSW, the complaints are emailed directly to FDC to address and the complaint detailed on the complaints register. There has been one complaint regarding the Project since the date of the last site audit (Audit 2).

The complaint was received on 1 July 2025 and therefore, has not been updated yet on website. The complaint was received from PMNSW on behalf of their Barangaroo tour guides and involved worker behaviour (predominantly smoking) as tour groups of school children made their way around Barangaroo. The Project team had been addressing the issues identified in the complaint by completing a toolbox talk with all workers regarding this behaviour on 26/06/2025. In addition, since the complaint was made, the Project has placed an employee in this area during peak smoke breaks to help move workers along.

### 3.10. Incidents

The audit noted that there have been no incidents to date.

### 3.11. Actual versus predicted impacts

Section 6 of the Environmental Impact Statement (EIS) provides an assessment of the predicted environmental impacts of the Project (SJB Consulting, 2023). A summary of the impacts as identified in the EIS versus the actual impacts found during this audit is provided below.

#### Built form

Generally, the Project involves the internal alterations and fitout works. External built form is limited to timber feature tree elements at the entry, the enclosure and works to the entry façade, the Harbour Control Tower interpretation element atop of the Cutaway within the Barangaroo Reserve, and the enclosure of the roof voids with glazed skylights.

The project was subject to an extensive design process that established a collaboration between Fjmstudio, Bangawarra and Jake Nash Design to facilitate a design that is embedded with Country. The entry to the Cutaway Cultural Facility will be associated with the internal design elements by extending some of these to the exterior, also providing a presence on Nawi Cove. The internal fitout will improve the quality and amenity of the public domain through an integrated landscape approach.

The aspiration of the Project is to achieve a 6 Star Green Star rating for the building. Daylight will be maximised by the design of the new skylight enclosure to the existing roof voids whilst accommodating the required services and acoustic requirements.

The design will enhance the movement of fresh air from multiple points of the space, and the mechanical systems promote air circulation taking advantage of the existing height by supplying air through the lower level and exhausting at the higher level.

Sustainable and Australian material selections have been prioritised where possible. Due to the future use of the space, durability and longevity was considered and addressed through the design process.

The EIS notes that the Project will not have adverse impacts with regard to visual privacy, wind and overshadowing. The acoustic impacts arising from the Project can be managed and will not increase noise impacts to surrounding development, including residential development.

#### *Actual impacts*

Mitigation measures are not required for built form. The approved design has been prepared to address any impacts to amenity and urban design.

### **Environmental amenity**

Generally, the Project involves the internal alterations and fitout works. The internal works and the limited external works will consequently not result in overshadowing of the adjacent public domain or residences. The EIS notes the Project will not have any impacts on the visual privacy of nearby residences.

#### *Actual impacts*

Mitigation measures are not required for environmental amenity. The approved design has been prepared to address any impacts to environmental amenity.

### **Connecting with Country and Aboriginal Cultural Heritage**

The design of the Project aligns with the Government Architect NSW Designing with Country Principles. The approach to the design was to create a space that is embedded with Country and embraces the natural landscape.

An Aboriginal Cultural Heritage Assessment Report (ACHAR) was prepared for the Project. Stakeholders were able to register as Registered Aboriginal Party (RAP) and provide their feedback and thoughts on the Project. Consultation occurred with the Registered Aboriginal Parties and the Metropolitan Local Aboriginal Land Council.

As identified in the ACHAR, the study area does not contain any previously recorded Aboriginal sites and that extensive land modification has removed all Aboriginal archaeological potential. Therefore, the Project has no potential to impact Aboriginal objects, sites or archaeological features.

The ACHAR identified the study area as retaining intangible cultural values and significance to the Aboriginal Community with general themes of Aboriginal cultural heritage and significance explored and implemented as part of the design of the project.

#### *Actual impacts*

The ACHAR concludes that project works have no potential to impact the intangible values of the study area. An Unexpected Finds Protocol for Aboriginal Cultural Heritage has been included in the environmental management plans to provide direction in relation to actions to be undertaken should unexpected heritage finds of any nature be found or should human remains be found. There were no unexpected Aboriginal heritage finds during the third audit period.

## **Heritage**

The wider Barangaroo precinct and surrounding area contains heritage items and heritage conservation areas, including a number of State heritage listed items. A Heritage Impact Statement was prepared by Curio Projects. The HIS considered the impacts of the Project on the surrounding items of heritage significance in terms of environmental and physical impact.

The HIS concluded that the study area does not contain any heritage listed items, however, is situated in proximity to several State heritage listed heritage conservation area and items. Project works have been designed to align with Designing with Country Principles. The Project will have no physical impact on heritage fabric. The internal alterations and fitout works will have not cause visual impact on nearby heritage listed items. The construction of sculptural trees at the main Nawi Cove entry way to the Cutaway have been assessed to have a low visual impact to nearby heritage items.

### *Actual impacts*

An Unexpected Finds Protocol for non-Aboriginal Heritage has been included in the environmental management plans to provide direction in relation to actions to be undertaken should unexpected heritage finds of any nature be found or should human remains be found. There were no unexpected heritage finds during the third audit period.

## **Social impacts**

The EIS notes that the Social Impact Assessment found that many of the negative impacts of high significance were able to be reduced and many of the positive impacts could be maximised through enhancement measures.

### **Construction impacts**

The EIS notes that construction could impact; existing and future use of the Cutaway; local amenity for neighbours (noise, dust, vibration, traffic impacts); and reduce the accessibility of the Reserve due to construction nuisances.

The mitigation measures included clear and early communication about the process, timeframes, alternative options and the provision of contact numbers and complaints management. Ongoing consultation with hirers to understand potential activation of areas whilst the Project is still under construction. Implementation of environmental management mitigation measures to reduce the potential impacts of noise, vibration, dust and traffic.

The audit found that the Project team consulted with Council and implemented lighting and lighting shrouds on the hoarding around the skylights on Merriman Street for safety reasons, to ensure pedestrians and users of the space could identify the black hoarding at nighttime.

### **Cumulative impacts**

The EIS notes that the Project coincides with the construction of the Barangaroo Metro Station and other ongoing development, which may present a challenge during construction of the Project through additional nuisances for residents and users of the local area, in relation to noise, traffic and dust.

### *Actual impacts*

The Project has prepared several environmental management plans to manage the potential environmental impacts of construction of the Project. The Project team implements ongoing consultation with surrounding development teams, such as Watpac for the metro development, owners of potentially impacted businesses (e.g. the Palisade Hotel) and residents along Merriman Street. Methods of consultation have included a WhatsApp group for the staff of surrounding construction projects, face to face and letterbox drops for business and residents. The Project has a website, which contains the Community Communication Strategy



and the works notifications. Pre-construction dilapidation assessments were offered to the residents in Merriman Street with those having taken up the offer receiving the completed reports.

The Project has implemented QR codes on the hoarding that directs community members directly to the website for information or complaints. Business cards were produced to provide to community members where required. The works notifications which are available on the Project website have contact details for complaints or information, and the site notice has the contact details and mobile numbers of the senior project manager and site managers.

A buggy system is in operation to take people who would use the lift at The Cutaway, either up to the parkland or down to the Nawi Cove entrance. A poster is provided at the two locations with details about booking the buggy and potential wait times. There is a QR code on the posters to take users to the Project website. The buggy was still in operation at the time of the third audit.

## **Biodiversity**

The EIS notes that a Biodiversity Development Assessment Report waiver was approved due to the low likelihood of impacts to biodiversity values arising from the Project. The site contains a small amount of native vegetation that has been planted since 1990 and is not associated with any plant community type. No threatened fauna were observed during the biodiversity site inspection and the site is not considered suitable for microbat roosting. Threatened species identified as most likely to utilise the Barangaroo Reserve include Grey-headed Flying-fox, Powerful Owl, Eastern Osprey and the White-bellied Sea-eagle.

### *Actual impacts*

A Flora and Fauna Management Plan (FFMP) was prepared by FDC (Rev A 26 April 2024) to detail vegetation, fauna and habitat management, particularly through the clearing process. At the time of the second audit there had been no need to implement the tree clearing protocol. The FFMP is Appendix K of the CEMP.

The FFMP outlines induction training to all personnel for the response procedures in the event of an unexpected threatened species find. The FFMP details daily visual surveillance for any threats to animals or unexpected finds of flora and fauna. The Unexpected Species Finds Procedure is located in Appendix C of the FFMP. The Unexpected Species Finds Protocol for threatened species is outlined on slide 23 of the Induction Presentation. There were no unexpected finds of threatened fauna during the third audit period.

## **Transport and accessibility**

The EIS notes that construction of the Project has the potential to impact pedestrians, active transport users (e.g., cyclists) and road users living and commuting in the vicinity of the site. Impacts associated with construction traffic (both heavy and light vehicles) and changes to the road network include increases to road traffic and congestion, reduced parking spaces and potential impacts to cyclists.

Impacts associated with the construction site also include potential impacts to the pedestrian walkways surrounding the site and pedestrian safety particularly around the exterior site works. However, construction driveway crossovers will be fully traffic controlled during all operational periods.

### *Actual impacts*

There is an approved Construction Pedestrian and Traffic Management Plan (CPTMP) that provides the locations of proposed construction vehicle parking, haulage routes, measures to avoid construction worker vehicle movements, pedestrian and traffic management measures, consultation strategy and potential impacts to general traffic, cyclists, pedestrians and bus services during construction.

The details from the CPTMP are included in the Induction presentation and the plan is included in the sub-contractor start up package. During the third audit site inspection, it was observed that site access drawings

were placed on the noticeboard near the lunchroom and on the walls on each level. Works are predominantly interior with minimal impacts of external construction works on traffic and active transport users.

## **Noise and vibration**

The EIS notes that residential receivers along Merriman Street, near the existing roof openings to the Cutaway may be exposed to noise levels exceeding the 'highly affected' management level during some periods of works, experiencing noise levels in excess of Leq(15min) 75 dBA. These periods are likely to be limited in duration and frequency.

Increases to road traffic will be limited and an assessment of road traffic noise from this increase is minor and is represented by an increase of less than 2 dBA.

Reasonable and feasible mitigation measures will need to be implemented during construction as per EPA guidelines.

### *Actual impacts*

As required by the CoA a Construction Noise and Vibration Management Plan has been prepared to manage impacts. Management measures are largely around reducing noise as far as is practicable and working within the approved hours. There is a requirement for ongoing unattended noise monitoring at three locations: two on Merriman Street, one within the commercial building at 1 Munn Street. Exceedances in the NMLs trigger an email and text message notification. This is followed up by FDC.

The following exceedances occurred that exceeded the alarm level for high noise emissions, were investigated, and shown to be associated with construction activities - January (13), February (12), March (18), April (78), May (4) and June (5).

The data in the noise and vibration reports showed that there were two instances in January (24 January 2025 and 30 January 2025) and there were four instances in April where respite periods were not adhered to where the LAeq was above 75 dBA. However, it is noted that the monitors were adjacent to the areas of work within the boundaries of the hoarding, therefore exceedances at residents were considered unlikely. NoiseNet have been engaged to provide expert noise management advice and following these exceedances recommended that monitors be better positioned to record noise at receivers. In addition, it is noted that sound blankets were being used behind the hoarding along Merriman Street. This is reflected in the noise testing that was done on 28 November 2024, which showed that noise within the skylight area was 93.2 dB and reduced to 54.3 dB as measured with a handheld digital sound level meter.

Therefore, although the monitoring indicated exceedances the noise consultant has confirmed that the impact at the receivers would have been less than that recorded directly adjacent to the works due to the residents' distance from the skylights, placement of hoarding and sound blankets. There were no noise complaints during the audit period.

The audit found vibration exceedances during January (15), February (31), March (6), April (21), May (0 - sensors offline except for 2 days and therefore, data not used) and June (0 - no vibration data) 2025.

In all instances, vibration exceedances were found to be the result of the monitors being knocked, moved or works happening in close proximity to the monitors. On review of the data, NoiseNet found that the vibration levels are not expected to pose a potential threat to nearby residential or heritage buildings.

## **Ecologically sustainable development**

The EIS notes that the Project targeted a 6 Star Green Star rating and that the implementation of the strategies will deliver a sustainable development that integrates the principles of Ecologically Sustainable Development (ESD) as defined in Environmental Planning and Assessment Regulation 2021. The ESD strategies include carbon, water, circularity and waste minimisation and community.

*Actual impacts*

The design of the Project has achieved the 6 Star Green Star Rating as confirmed by the Letter of Confidence regarding 6 star Green Star certified rating and demonstration of compliance with Schedule 2 Part B Condition B18 and B19 of the Conditions of Consent, issued by Ian Van Eerden of Northrop (04 April 2024).

## **Lighting**

The EIS notes that the implementation of the *Australian Standard 4282: Control of the obtrusive effects of outdoor lighting* can appropriately mitigate any potential adverse impacts on amenity, visual and flora and fauna, arising from internal and external lighting.

The use of the *Australian Standard 4282: Control of the obtrusive effects of outdoor lighting* is part of the Conditions of Approval for the Project.

*Actual impacts*

Design Certificate - Electrical Services (MDE Group 14/06/2024) indicates that electrical Services are designed in accordance with relevant Australian Standards. Outdoor lighting has been installed at entrance to Nawi Cove only.

## **Flooding**

The EIS notes that a flood risk assessment for the Project indicated that the site is not flood affected from the external catchment and has a low flood risk.

*Actual impacts*

Mitigation measures are not required for flood risk.

## **Water cycle management**

The EIS notes there is an existing stormwater network within the base of the building that discharges into the harbour. The Project will not connect to the City of Sydney's existing stormwater network. There is no requirement for detention as Project works are predominantly interior with minimal excavation. The EIS proposes minimal erosion and sediment control measures that will adequately address the potential impacts during construction of the Project.

*Actual impacts*

Erosion and sediment control drawings are provided in the Soil and Water Management Plan in place of an Erosion and Sediment Control Plan. There are two stormwater pits, one at each access, that are actively managed with sediment protection, specifically geotextile covering the pits.

These sediment controls are inspected weekly during the Weekly Site Inspection and remain in good operating condition. Monitoring records are maintained in Project SIMPEL. Project SIMPEL EFORM records were sighted at the third site audit.

## **Contamination and hazardous material**

The EIS notes that as the Cutaway large concrete shell already exists, the extent of excavation and ground disturbance is limited to previously excavated locations. As such, it is considered that the potential to encounter contaminated material during the works is unlikely and can be managed with an Unexpected Finds Protocol.

*Actual impacts*

An Unexpected Finds Protocol for contamination and asbestos is contained within the Hazardous Materials Management Plan. All material where there is an unexpected find of asbestos containing material or contamination is required to undergo waste classification prior to removal and disposal. Following disposal, a Clearance Inspection Report is required.

The Unexpected Finds Procedure, which is now in Rev C2 dated February 2025, for contamination and asbestos has received endorsement from the EPA accredited Site Auditor (12 February 2025). There were no unexpected contamination finds during the third audit period.

## **Waste management**

The EIS notes that the Project will provide for satisfactory waste management during the demolition, construction and operation phases.

A Construction Waste Management Plan was prepared prior to construction and addresses waste diversion targets, the details and quantities of each waste type generated during construction, waste classification, management of hazardous waste materials, management of excavation waste, site specific waste management provisions and operational measures.

### *Actual impacts*

The audit noted that the CWMP was being implemented with observed waste separation on site (refer to photographic evidence in Appendix D). The audit also notes that co-mingled recycling is available in the lunchroom and FOGO (food organics and garden organics) is also collected and sent for composting. The monthly waste reports provided by Just Skips,

## **3.12. Site inspection**

The site inspection found the site to be tidy, litter-free and well maintained. The entire site was viewed at the inspection on foot and from various locations. The site inspection started at the site office then the second, first and ground floors after stopping by the lunchroom. The basement (carpark) part of the site was inspected, followed by tree protection and hoarding around the skylights along Merriman Street.

During the site inspection, the following areas or items were observed:

- Lunchroom (Photo 3, 4 and 12)
- Second floor, first floor and ground floor (Photos 18 and 26)
- Flammable liquid storage (Photo 16 and 20)
- Hoarding (Photos 1, 2, 5, 6, and 13)
- Washout station (Photo 21)
- Spill kits (Photos 16, 23 and 24)
- Nurse stations (Photos 16 and 22)
- Waste receptacles (Photos 17, 18 and 26)
- Egress points
- Sediment controls
- Site entry points (Photos 14 and 11).

The purpose of the site inspection was to check that environmental controls were implemented and maintained. The site visit found:

- Flammable liquid storage was a bunded cabinet and only contained flammable liquids (Photo 16 and 20)
- Hoarding was in good condition and free of graffiti or third-party material and with shrouds around the hoarding lighting (Photos 1, 2, 5, 6, and 13)
- Concrete washout station was on-site (Photo 21)

- Spill kits were located around the site with appropriate materials and personal protective equipment (Photos 16, 23 and 24)
- Nurse stations with emergency call button and fire extinguisher were located around the site (Photos 16 and 22)
- Exposed surfaces were observed adjacent to western skylight. No other exposed surfaces were observed with current works including interior fitout and refurbishment (Photos 8)
- Waste receptacles are located around the site for waste management where works are occurring (Photos 16, 17, 18 and 26)
- Waste was observed being segregated
- Sediment controls were in place over the stormwater pits
- There was no evidence of mud tracking on public roads
- The wet vacuums were on the floor ready for the daily dust removal (Photo 19)
- The site is clearly fenced
- Site signage was in place (Photo 14 and 11)
- Tidy housekeeping of the site (Photos 18 and 26).

Photos of the site inspection are provided in Appendix D and presented in the audit findings in Appendix C.

### **3.13. Site interviews**

Site interviews occurred with staff from FDC during the course of the audit, including those listed in Section 2.4. The interviews found that staff broadly understood the requirements of the CoA and the Environmental Management Plans. A summary of the evidence gathered from these interviews is provided in Appendix C.

### **3.14. Previous annual review or compliance report recommendations**

This is the third audit of the Project. Compliance reports are not required in the CoA until following occupancy and prepared within 52 weeks of operation.

### **3.15. Key strengths**

The Project has a committed team to undertaking the Project in accordance with the requirements of the Consent Conditions. The conditions matrix that was prepared following Audit 1 is reviewed weekly to keep across the requirements of the Consent Conditions. The Project team are receptive to feedback, which is regarded as a vital strength in the continued improvement of site performance.

Additionally, the Project team maintain a tidy site and ensure all personnel and subcontractors are across the requirements of the Projects Consent Conditions through Project induction material, subcontractor start up package and accessibility to relevant documentation in the lunchroom.

## 4. Recommendations

### 4.1. Recommended actions

Nil non-compliances were raised in this audit.

### 4.2. Improvement opportunities

The audit raised four opportunities for improvement for the Project team's consideration, refer to Table 4-1.

Table 4-1 Opportunities for improvement

Condition	Opportunity for improvement	Recommended action
B4	(iii) all approved strategies, plans and programs required under the conditions of this consent.	At the time of the audit, the CEMP on the Project website did not contain the CPTMP (Appendix B) or AQMP (Appendix I).  Since the audit, the CEMP with all subplans attached has been included on the Project website. No further action is required.
B4	(vi) a summary of the current stage and progress of the development.	Include all Works Notifications on the Project website to ensure the public and near neighbours have access to most recent works occurring that may impact their movements (e.g. Works notifications for the 16/05/2025 and 19/06/2025).
B4	(viii) Complaints Register updated monthly	The complaints register that was updated with a complaint on the 1/07/2025 should be uploaded to the website.
C4	Construction Environmental Management Plan and all appendices required by Condition B55.	An opportunity for improvement exists for site personnel to be reminded that spill kits should be kept free rubbish in case of a spill emergency.



# **Appendix A Auditor CV / Declaration of Independence**

## **A.1 Natascha Arens**

## Natascha Arens | BAppSc (Conservation Mgt), MBEM, CEnvP, MEIANZ, Certified Principal Auditor Principal Environmental Consultant

### GM NSW and Vic

Natascha is an exemplary leader committed to delivering successful projects with sustainable environmental outcomes with clients at the centre. She launched NGH's Sydney branch in 2006 and has over 30 years of professional experience in environmental management and impact assessment. Having worked in both the public and private sector, she has a wealth of experience on large infrastructure projects. The diversity of her planning experience coupled with her onsite and project management experience has equipped her with an excellent understanding of the interplay between client service, sustainable environmental outcomes, and successful projects. Natascha gives clients assurance that NGH will use innovation and breadth of company history to drive sustainable outcomes.



### Focus areas

- Environmental auditing
- Environmental Impact Assessments
- Legislation interpretation
- Environmental Management Plans
- Preliminary Environmental Constraints Assessments & Scoping Reports
- Expert reviewer (CEnvP-EIA)
- Stakeholder and Community Engagement
- Environmental training and workshops

### Professional associations and accreditations

- Environmental Institute of Australia and New Zealand (EIANZ) member
- Certified Environmental Practitioner – CEnvP # 130
- Exemplar Global Certified Principal Environmental Auditor # 105783
- CCRSS Director and Secretary (Voluntary Role)

### Project experience

#### Linear infrastructure

##### **Coffs Harbour Bypass (Ferrovia Gamuda JV) Coffs Harbour NSW**

The 14km Coffs Harbour bypass will take vehicles west of the urban area, from Englands Road in the south to Sapphire in the north. The project is designated as Critical State Significant Infrastructure (CSSI) under the NSW Environmental Planning and Assessment Act 1979 and is part of the Pacific Highway upgrade, funded by the Australian and NSW governments. The project is being constructed by Ferrovia Gamuda Joint Venture.

As the approved **Independent Environmental Auditor** for this project Natascha undertakes compliance audits for this project.

##### **Albion Park Rail Bypass (TFNSW) Albion Park, NSW**

The Albion Park Rail bypass is a \$630 million project funded by the NSW Government that completes the 'missing link' for a high standard road between Sydney and Bomaderry. It is an important freight, bus and tourist route.

As **Project Director** for this project, Natascha worked closely with the TFNSW and Cardno team to prepare the Scoping Report, Biodiversity Assessment and Preferred Activity report. Later in the project she undertook a **Project Management** role for the preparation of the Construction Environmental Management Plans for the early works package.

#### **Pacific Highway Upgrades (Lend Lease) Karuah Bulahdelah, Nabiac, Yelgun-Chinderah, Brunswick -Yelgun, Tugun Bypass , NSW**

The Pacific Highway upgrade is the largest road infrastructure project in Australia. It connects Sydney and Brisbane, and is a major contributor to the country's economic activity. The Australian and NSW governments have been jointly funding the Pacific Highway upgrade since 1996.

Natascha was the **Environmental Manager** on over 100kms of the Pacific Highway upgrade during the first ten years of operation. She undertook regular inspections and audits of these projects to ensure operation of the highway met the TfNSW specifications and standards.

#### **Bringelly Road Upgrade (TfNSW) Bringelly, NSW**

The Australian and NSW governments are upgrading Bringelly Road between Camden Valley Way, Leppington and The Northern Road Bringelly as part of the Western Sydney Infrastructure Plan, a \$3.6 billion road investment program.

Natascha was **Project Director** for Stage 1 of the Bringelly Road upgrade. She led the NGH team who prepared the environmental impact assessment, including specialist studies for biodiversity and heritage.

#### **Empire Bay Drive Upgrade Project REF (AT&L, RMS), Kincumber, NSW**

A significant upgrade to two lanes each direction of a highly trafficked section of the Central Coast, Empire Bay Drive at The Scenic Road, Kincumber. As **Project Director**, Natascha liaised reviewed all outputs associated with the Project REF and specialist biodiversity and Aboriginal Heritage studies, along with an Addendum REF, Submissions Report and Environmental Management Plans.

Natascha worked with the project team to resolve issues and to ensure that deadlines were met and a high-quality document was put on display.

### **Government**

#### **Foxground to Berry (TfNSW & Fulton Hogan), Berry, NSW**

The Foxground to Berry Bypass is a four-lane highway with median separation for 12.5 km of the Princes Highway south of Wollongong. As **Project Director**, Natascha undertook final review of all reports. Natascha worked on this project for five years, reviewing all outputs of the construction and post-construction ecological monitoring. Performance criteria were set at the EIS stage and during the construction phase. Monitoring included weed, aquatic, frog, and fauna surveys (Spotlighting, call playback, camera detection and scat and track surveys) and water quality (including macroinvertebrates). Roadkill was also monitored during construction and the first year of operation. Heat maps of roadkill hotspots were identified and used to make recommendations for further exclusion fencing.

#### **Elizabeth Bay Marina (RMS), Elizabeth Bay, Sydney, NSW**

The 100 year old Elizabeth bay Marina was upgraded in 2018; the marina was vulnerable to flooding and had begun to deteriorate due to its age. Natascha was the **Project Director** overseeing the delivery of the environmental impact assessment and specialist Biodiversity and heritage assessments under an incredibly tight timeline. She also worked with RMS to undertake public consultation both prior to the impact assessment and during the public exhibition of the impact assessment.

### **Renewable energy**

#### **Waratah Super BESS (WSP/Akaysha)**

Waratah a battery energy storage system has been designated as Critical State Significant Infrastructure. It is located at the former Munmorah coal-fired power station and will provide a guaranteed continuous active power capacity of at least

700 megawatts and a guaranteed useable energy storage capacity of at least 1400 megawatt-hours.

The physical size of the of battery is expected to be 850 megawatts / 1680 megawatt-hours which is understood to one of the largest committed battery projects in the world, both in terms of power and energy storage capacity. Natascha is the Department of Planning approved **Independent Environmental Auditor** for this project.

#### **Maxwell Solar Farm (Maxwell), Muswellbrook, NSW**

The \$40m, 25MW solar farm on a rehabilitated coal mine site will produce electricity for the Maxwell infrastructure and export to the grid, the first large scale example in New South Wales. As **Project Director** Natascha undertook the final review of reports, from the initial constraints and Scoping Report to the EIS and Submissions Report. She worked with the project team to overcome challenges with approvals.

#### **Gunning Windfarm (Acciona), Gunning, NSW**

Gunning Wind Farm is a 46.5MW wind farm comprising 31 turbines and located 35km north east of Canberra. Natascha provided was the **Senior Environment Adviser** throughout the construction phase of this project. She ensured management plans complied with the Department of Plannings requirements and the conditions of consent and oversaw effective implementation of the plans on site throughout the construction phase.

#### **Dunedoo Solar Farm (IBVoigt) Dunedoo NSW**

Dunedoo Solar Farm is a 55-MW AC solar farm generally comprising a solar array, access roads, on-site substation and a 66-kV Transmission Line. As **Project Director** for this project, Natascha undertook senior review and final sign off on the EIS. She also worked with the client and the NGH team to navigate some challenging road access and grid connection requirements.

## **Mining and resources**

### **Coraki Quarry (KIS), Coraki, NSW**

Coraki Quarry is a hard rock quarry, classified as State Significant Development (SSD) under the EOA&A Act. As the Department of Planning approved **Independent Environmental Auditor** on the Project, Natascha was responsible for auditing compliance with the operational requirements of the SSD condition of consent and the Environmental Protection Licence.

## **Defence**

### **Holsworthy Barracks Mid-Term Refresh (Beca & Defence), Sydney, NSW**

Holsworthy Barracks Mid-Term Refresh was an interim project aimed as sustaining operations until the Holsworthy Barracks Redevelopment Project. Natascha was the **Project Director** leading the environmental impact assessment. Natascha worked with the client to untangle the planning pathway for the project which occurred on both public and defence land.

### **HMAS Platypus (Sydney Harbour Foreshore Trust), Neutral Bay, NSW**

The former HMAS Platypus site (Platypus) was formally transferred to the Harbour Trust on 23 July 2005 has had a diverse history including as gas works, a Naval torpedo maintenance facility, the HMAS Platypus submarine base and now as an emerging new public park.

Natascha was the **Project Manager** for various projects undertaken on this site by NGH between 2010 and 2016 including marine surveys aquatic biodiversity assessment and subsequent sea horse relocation and management plan.

## **Water**

### **Eurobodalla Shire Southern Storage (Eurobodalla Shire Council)**

This project will provide a second water storage facility for Eurobodalla in the southern part of the shire. It will have a capacity to hold up to 3,000ML of water and is located on an unnamed tributary of the Tuross River. The facility also has a

spillway to allow the dam to release water from heavy rainfall events into the Tuross River. Natascha is the Department of Planning approved **Independent Environmental Auditor** for this project.

### **Murrumbidgee to Googong Pipeline (Iconwater), Canberra, ACT**

A 12-kilometre pipeline that can transfer water from the Murrumbidgee River into the Googong Reservoir, developed as part of a suite of water security projects initiated during the Millennium Drought. Natascha is the Department of Planning approved **Independent Environmental Auditor** for this project. Natascha reviewed the project against the measures committed to in the consent and the operational management plan for the project. She made recommendations to the project team to facilitate continuous improvement.

### **Industrial**

### **St Marys Intermodal (Pacific National), Sydney, St Marys, NSW**

St Marys Freight Hub a State Significant Development project services major retail distribution centres and warehouses across Greater Western Sydney, including major industrial estates. Natascha was the Department of Planning approved **Independent Environmental Auditor** for this project. Natascha undertook compliance audits for this project from the early works phase and throughout the construction of the project.

### **Land development, Schools and Hospitals**

### **Jerrabomberra High School, (Hindmarsh), Jerrabomberra, NSW**

Jerrabomberra High School opened to Years 7, 8 and 9 for Day 1 Term 1 2024 in new permanent modern facilities with the capacity for 500 students. When Stage 2 is complete, Jerrabomberra High School will have capacity to cater for up to 1,000 students.

Natascha has worked with SI and Hindmarsh as the Department of Planning approved **Independent Environmental Auditor** for this project.

### **Shoalhaven Hospital Redevelopment (John Holland), NSW**

The Shoalhaven Hospital Redevelopment will deliver contemporary and expanded hospital services and integrated health facilities for the Illawarra Shoalhaven Local Health District.

The NSW Government has committed \$438 million to redevelop Shoalhaven Hospital and make it the health hub for the entire region, providing the majority of emergency, critical care, acute, subacute and non-admitted services locally, reducing the need to transfer patients to Wollongong and Sydney.

Natascha is the Department of Planning approved **Independent Environmental Auditor** for this project.

### **Sydney Childrens Hospital (Health Infrastructure), Bowral, NSW**

The \$658 million Sydney Children's Hospital Stage 1 and Minderoo Children's Comprehensive Cancer Centre brings world-leading clinical care, research and education together under one roof to transform kids' health. Natascha is the Department of Planning approved **Independent Environmental Auditor** for this project. This project is part of the greater Randwick Campus Redevelopment

### **New Maitland Hospital (Health Infrastructure), Maitland, NSW**

The NSW Government has invested \$470 million in delivering the new Maitland Hospital, to meet the growing health service needs for the surrounding communities of the Hunter Valley now and into the future. Natascha is the Department of Planning approved **Independent Environmental Auditor** for this project. This project was undertaken on a green field site with native vegetation communities and potential Aboriginal deposits present. Natascha undertook

compliance audits for this project from the early works phase through to operation of the hospital.

**Campbelltown Hospital redevelopment (Health Infrastructure),  
Campbelltown, NSW**


The NSW Government has invested 632 million upgrade of Campbelltown Hospital and the redevelopment which will see a new clinical services building as well as refurbishment of existing buildings.. As the approved **Independent Environmental Auditor** for this project Natascha undertook compliance audits for this project from the early works phase through construction. This project was undertaken adjacent to an operating hospital and subject to stringent noise and vibration requirements.

**Royal Hall of Industries (Sydney Swans), Sydney, NSW**

Sydney Swans transformed the historic Royal Hall of Industries into a world-class sporting and community hub for not-for profits and elite training facility for the Sydney Swans and their youth Academy. As the approved **Independent Environmental Auditor** for this project Natascha undertook compliance audits for this project from the early works phase through construction.



# Independent Audit Report Declaration

<b>Project Name</b>	The Cutaway Cultural Facility
<b>Consent Number</b>	SSD-47498458
<b>Description of Project</b>	The fit out and operation of the Cutaway Cultural Facility.
<b>Project Address</b>	29 – 51 Hickson Road, Barangaroo (Part Lot 52 DP 1213772, Part Lot 4 DP 876514, Part Lots 1, 2 and 5 DP 912271, Part Lot 7 DP 43776).
<b>Proponent</b>	Infrastructure NSW
<b>Title of Audit</b>	The Cutaway Independent Environmental Audit 3
<b>Date</b>	25/08/2025
<p>I declare that:</p> <ul style="list-style-type: none"> <li>i. the audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Compliance Requirements (Department 2019)</li> <li>ii. the findings of the audit are reported truthfully, accurately and completely</li> <li>iii. I have exercised due diligence and professional judgement in conducting the audit</li> <li>iv. I have acted professionally, objectively and in an unbiased manner</li> <li>v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child</li> <li>vi. 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</li> <li>vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit</li> <li>viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</li> </ul> <p>Notes:</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>	
<b>Name of Auditor</b>	Natascha Arens
<b>Signature</b>	
<b>Qualification</b>	BAppSc MEBM Exemplar certified lead auditor
<b>Company</b>	NGH (trading as Fyfe Pty Ltd)
<b>Company Address</b>	Suite 9.01, Level 9, 28 Foveaux Street, Surry Hills 2010

## **A.2 Nicola Smith**

## Nicola Smith | BSc MPhil

### Regional Manager - Environmental Management

Nicola leads a team of environmental management consultants. She has over 12 years of experience across multiple disciplines and has worked on planning and approval projects, post-approval environmental management, and a variety of projects in the renewable energy sector, extractive industries, infrastructure, manufacturing, and waste management. Nicola is an experienced project manager and report author for all phases of project development, including field investigations, approval documents, environmental management plans, monitoring programs and auditing.



### Focus areas

- Technical review and quality control
- Stakeholder and client engagement
- Environmental management and monitoring
- Soil and geomorphological investigations
- Contaminated land investigations
- Environmental compliance monitoring programs and reporting
- Preparation of environmental management plans
- Geographical Information Systems (GIS)

### Professional associations and accreditations

- Lead Auditor training in Environmental Management Systems ISO 14001:2015 & ISO 19011:2018
- Environment Institute of Australia and New Zealand (EIANZ) member
- Erosion and Sediment Control – Blue Book Training
- River Styles® Accreditation
- National WHS General Construction Induction Training (White Card)
- First Aid Certificate
- Rail Industry Workers (RIW)

### Project experience

#### Auditing and compliance

##### Griffith Base Hospital Redevelopment (NSW Government), Griffith NSW

The \$250 million Griffith Base Hospital Redevelopment involves the planning, design and delivery of a hospital designed to meet the needs of Griffith and surrounding communities both now and into the future. The project is being delivered in several phases. They include early and enabling works, currently underway on the health campus, and the delivery of a new multi-storey hospital as part of the main phase of works. **Auditor.** Site visit, review of documentation and audit report.

##### Sydney Children's Hospital Stage 1 and Minderoo Children's Comprehensive Cancer Centre Audit (NSW Government), Randwick NSW

The \$658 million Sydney Children's Hospital Stage 1 and Minderoo Children's Comprehensive Cancer Centre brings world-leading clinical care, research and education together under one roof, to transform kids' health. The Project will be delivered as a single project in an integrated facility, to transform pediatric health care locally, nationally and globally. **Lead Auditor.** Audit plan, site visit, review of documentation and audit report.

### **Jerrabomberra High School (NSW Government), Jerrabomberra NSW**

The new Jerrabomberra High School (the Project) has 25 flexible learning spaces including three support learning spaces in modern facilities to accommodate approximately 500 students. The Project was approved as State Significant Development (SSD-24461956) and conditions of consent were issued by the Minister for Planning on the 13 July 2022. **Auditor.** Site visit, review of documentation and audit report.

### **The Sutherland Hospital Redevelopment (NSW Government), Sutherland NSW**

The Sutherland Hospital Operating Theatre involved the construction of a new Clinical Services Building (The Project). The Project was delivered as a combination of new build and refurbishment in a 'live' hospital environment. **Auditor.** Site visit, review of documentation and audit report.

### **Cowra Hospital Redevelopment (NSW Government), Cowra NSW**

Cowra Hospital Redevelopment involves building a new hospital behind the existing hospital on the current campus site, with the aim of delivering high-quality health services accessible to the Cowra community. The new hospital will include upgraded inpatient beds, contemporary facilities and new health services, including Computed Tomography (CT) scanner. **Auditor** Site visit, review of documentation and audit report.

### **Wentworth Hospital Redevelopment (NSW Government), Wentworth NSW**

The Wentworth Hospital Redevelopment involves the planning, design and delivery of a comprehensive, accessible, culturally welcoming and consumer friendly health care service to support the needs of the entire Wentworth community. **Auditor.** Site visit, review of documentation and audit report.

### **The Cutaway Cultural Facility, Barangaroo NSW**

The fit out and operation of the Cutaway Cultural Facility at Barangaroo. The Project was approved as a State Significant Development (SSD-47498458). The Project includes: internal alterations and fit-out of the existing Cutaway space over three levels to accommodate event and gallery spaces, back of house areas, amenities, commercial kitchen, offices and ancillary retail and café; enclosure of existing roof

openings/voids; and new façade and entry treatment from the forecourt adjacent to Nawi Cove, including new landscaping. **Lead Auditor.** Site visit, review of documentation and audit report.

### **Penrith Stadium Refurbishment (NSW Government), Penrith NSW**

The Penrith Stadium Refurbishment (the Project) will involve the design, construction and operation of new western and eastern stands, including grandstand seating, player facilities, amenities, food and beverage facilities, function facilities, media lounges and facilities, and viewing suites and corporate boxes. The Project was approved as State Significant Development (SSD- 68292713) and conditions of consent were issued by the Minister for Planning and Public Spaces on the 4 November 2024. **Lead Auditor.** Site visit, review of documentation and audit report.

### **Forbes Brinecure Annual Compliance Reporting (Loris H Hassall), Forbes NSW**

Forbes Brinecure is a tannery that processes cattle hides. Up to 311,000 cattle hides are processed each year. **Project Manager.** Data analysis and reporting for the Annual System Performance Report in compliance with the Environmental Protection Licence. Data analysis included soil, brine, pasture and nutrient balance.

### **Geelong Leather Annual Compliance Reporting (Loris H Hassall), Culcairn NSW**

Geelong Leather is a tannery that processes cattle hides and kangaroo skins. Geelong Leather produce a high quality 'wetblue' leather product that is shipped around the world for the production of leather goods. **Project Manager.** Data analysis and reporting for the Annual System Performance Report in compliance with the Environmental Protection Licence. Data analysis included soil, groundwater, brine, sludge, pasture and nutrient balance.

### **Renewable energy**

#### **Culcairn Solar Farm (Neoen), Culcairn NSW**

The site will be developed by Neoen and will comprise solar generation capacity of 350 megawatts (MW), as well as a battery with a 100 MW, two-hour capacity. The site also connect to the National Electricity Market via TransGrid's 330 kilovolt transmission line already on site. **Project Manager.** Delivery, authoring and management of the Environmental Impact Assessment (EIA) and associated documentation, as well as technical advice and client contact. Report author and reviewer of post-approval

construction environmental management plans.

#### **Coleambally Battery Energy Storage System (Risen Energy), Coleambally NSW**

The Coleambally Solar Farm is a 150MW renewable electricity project with 567,828 solar panels which will displace 307,800 tonnes of CO2 emissions and power 103,000 homes. **Project Manager.** Delivery, authoring and management of the Environmental Impact Assessment (EIA) and associated documentation, as well as technical advice and client contact. Author of the soil survey assessment report.

#### **Snowy 2.0 Transmission Line Connection Project (UGL), Kosciuszko National Park and Bago State Forest, NSW**

Snowy 2.0 is the largest committed renewable energy project in Australia. The Transmission Connection Project will connect Snowy 2.0 Main Works into the National Electricity Market. **Technical lead and field technician.** Technical lead and field technician for the pre-construction baseline water quality monitoring for the project, which included over 18 months of water sampling at 12 locations associated with the project, a pre-construction water quality monitoring strategy and post-monitoring event reporting.

#### **Linear infrastructure**

##### **Parkes Intermodal Site and Soil Assessment (BG&E), Parkes NSW**

Site and soil analysis for an on-site sewage management system to support the development of the Parkes Logistics Terminal. **Project Manager.** Collection of soil samples from the project site. Analysis of site physical characteristics, laboratory data and project details to determine the site suitability, location and design of an on-site sewage management system in general accordance with the relevant guidelines.

##### **Henry Lawson Drive (Lyall & Associates), Milperra NSW**

The NSW Government is upgrading Henry Lawson Drive to reduce congestion and improve safety and connectivity. **Report author.** Data analysis and report author of a construction and operation surface water assessment for the upgrade of Henry Lawson Drive.

#### **Melbourne Airport SAP3 Signalling Power Supply Upgrade (BG&E), Melbourne VIC**

Contamination assessment prior to signalling power supply upgrades for the rail corridor between Sunshine to Albion for ARTC upgrade works for the commencement of the Melbourne Airport Rail. **Field technician and report author.** Sample collection, data analysis and report preparation of the contamination assessment.

#### **Barton Highway Upgrade (TfNSW), NSW**

The objectives for the Barton Highway align with the objectives in the Long-Term Transport Master Plan. **Field technician.** Collection of soil samples for Optically Stimulated Luminescence (OSL) dating, and preparation of soil logs in proximity to Aboriginal cultural heritage salvage works.

#### **Echuca-Moama Bridge Project – Stage 4 Moama Intersection (TfNSW), Moama NSW**

TfNSW are looking to divest a parcel of land, which is currently used for residential purposes. A Detailed Site Investigation was required to determine the type and extent of contamination at the site. **Field technician and report author.** Sample collection, data analysis and report preparation of the Detailed Site Investigation.

#### **Land management**

##### **Lake Victoria (South Australia Water), Lake Victoria NSW**

Lake Victoria is managed by SA Water as a water reservoir for South Australia domestic water but is overseen by the MDBA. The ancient lake has over 1,000 Aboriginal heritage sites recorded. Due to ongoing water management, an Aboriginal Heritage Impact Permit is required to continue to operate the lake. **Field technician and report author.** Collection of soil samples and landscape descriptions and mapping to support independent recommendations on Lake management that best supports the conservation of Aboriginal cultural heritage. Provision of a geomorphic risk assessment of the new permit area with a focus on the threats of erosion to Aboriginal cultural heritage.

#### **Crookwell Landfill (Upper Lachlan Shire Council), Crookwell NSW**

A Surface Water and Groundwater Assessment, and Management Plan, of the current landfill to meet the requirements of the Environmental Protection Licence. **Project Manager.** Delivery, authoring and management of the Surface Water and Groundwater Assessment and the Surface Water and Groundwater Management Plan. Key client contact.

#### **Crookwell Landfill (Upper Lachlan Shire Council), Crookwell NSW**

A Landfill Closure Plan as required by the NSW EPA and in accordance with the Solid Waste Landfill Guidelines 2016. **Project Manager.** Management of deliverables, landfill surface gas monitoring and author of the Landfill Closure Plan.

#### **North Ridge Materials Facility (Riverina Warehousing Solutions), Wagga Wagga NSW**

The North Ridge Materials Facility would convert an historic liquid waste evaporation pond into a non-putrescible solid waste disposal cell and leachate evaporation pond. The main waste cell would have the capacity to accept about 630,000 m<sup>3</sup> of non-putrescible waste. **Project Manager.** Delivery, authoring and management of the Environmental Impact Assessment (EIA) and associated documentation, as well as technical advice and client contact.

### **Mining and resources**

#### **Tharbogang Landfill and Quarry (Griffith Council), Tharbogang NSW**

The proposed extension to the existing quarry; extracting, processing and transporting between 150,000 and 315,000 tonnes of quarry product by road per year, for up to 25 years; extending landfill operations. **Field technician and report author.** Analysis and reporting of annual groundwater monitoring data.


#### **Mt Bundarbo Quarry (Bald Hill Quarry), Jugiong NSW**

Construction of a hard rock quarry near Jugiong, NSW. The quarry will extract and process 100,00 to 150,000 tonnes per annum with peak demands of up to 450,000 tonnes per annum with material from the quarry supporting local development and maintenance. **Project Manager.** Delivery, authoring and management of the Environmental Impact Assessment (EIA) and associated documentation, as well as technical advice and client contact.

#### **Murray's Crossing Quarry (Bald Hill Quarry), Tumbarumba NSW**

An existing hard rock quarry seeking to increase extraction to 100,000 tonnes per annum with peak periods of 200,000 tonnes per annum over a period of 25 years, with material from the quarry supporting local development and maintenance. **Project Manager.** Delivery, authoring and management of the Environmental Impact Assessment (EIA) and associated documentation, as well as technical advice and client contact. Collection of water quality samples.



<b>Project Name</b>	The Cutaway Cultural Facility
<b>Consent Number</b>	SSD-47498458
<b>Description of Project</b>	The fit out and operation of the Cutaway Cultural Facility.
<b>Project Address</b>	29 – 51 Hickson Road, Barangaroo (Part Lot 52 DP 1213772, Part Lot 4 DP 876514, Part Lots 1, 2 and 5 DP 912271, Part Lot 7 DP 43776).
<b>Proponent</b>	Infrastructure NSW
<b>Title of Audit</b>	The Cutaway Independent Environmental Audit 3
<b>Date</b>	25/08/2025
<p>I declare that:</p> <ul style="list-style-type: none"> <li>i. the audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Compliance Requirements (Department 2019)</li> <li>ii. the findings of the audit are reported truthfully, accurately and completely</li> <li>iii. I have exercised due diligence and professional judgement in conducting the audit</li> <li>iv. I have acted professionally, objectively and in an unbiased manner</li> <li>v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child</li> <li>vi. 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</li> <li>vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit</li> <li>viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</li> </ul> <p>Notes:</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>	
<b>Name of Auditor</b>	Nicola Smith
<b>Signature</b>	
<b>Qualification</b>	B. Sc. M. Phil (phys geog), Lead Auditor training in Environmental Management Systems ISO 14001:2015 & ISO 19011:2018
<b>Company</b>	NGH (trading as Fyfe Pty Ltd)
<b>Company Address</b>	35 Kincaid Street, Wagga Wagga 2650

## **Appendix B DPHI Lead Auditor Approval**

NSW Planning ref: SSD-47498458-PA-23

Benjamin Henry  
Project Manager  
INFRASTRUCTURE NSW  
Level 27 201 Kent Street  
Sydney New South Wales 2000  
07/05/2025

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Sent via the Major Projects Portal only

Subject: The Cutaway Cultural Facility, Barangaroo - Agreement to Independent Auditor

Dear Mr Henry

Reference is made to your post approval matter, SSD-47498458-PA-23, request for the Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Audit of The Cutaway Cultural Facility, Barangaroo - Agreement to Independent Auditor, submitted as required by Schedule 2, Condition C46 of SSD-47498458 as modified (the consent) to NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 24 April 2025.

NSW Planning has reviewed the independent auditor nominations and based on the information you have provided is satisfied that the proposed person/s are suitably qualified, experienced, and independent.

Consequently, as nominee of the Planning Secretary, I endorse Ms Nicola Smith as the independent 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 conditions of consent and the *Independent Audit Post Approval Requirements* (2020). Failure to meet these requirements will require revision and resubmission.

NSW Planning reserves the right to request an alternate auditor or audit team for future audits.

Please note, the Lead Auditor must attend the site inspection/s.

Notwithstanding the endorsement of the above independent auditor for the project, each respective project approval or consent requires a request for endorsement of the independent auditor or audit team be submitted to NSW Planning, for consideration of the Planning Secretary.

Each request is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor or audit team will be considered.

Should you wish to discuss the matter further, please contact Sarah Cavaleri, Compliance Officer, at the following email: [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to read "R. Sherry".

Rob Sherry  
Team Leader Compliance  
Compliance

As nominee of the Planning Secretary

# Appendix C Audit Table

Condition of Consent	Part/ Sub-Part	Condition	Evidence Collected	Comment	Audit Status																																																												
Part A – Administrative Controls																																																																	
Obligation to Minimise Harm to the Environment																																																																	
A1.		In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development.	Site inspection  Site interviews	The Auditor observed the Project to be well managed at the time of the audit and did not consider the Project to present a potential risk of causing material harm to the environment.	Compliant																																																												
Terms of Consent																																																																	
A2.	a)	The development may only be carried out:  in compliance with the conditions of this consent;	Site inspection  Site interviews  Document review	The Auditor identified no non-compliant findings with the consent conditions. However, there were four opportunities for improvement raised.	Compliant																																																												
	b)	in accordance with all written directions of the Planning Secretary;	Site interviews	No written directions from the Planning Secretary.																																																													
	c)	in accordance with the EIS, RTS and any RFI;	Site inspection  Document review	Works are being delivered generally in accordance with the EIS, Response to Submissions, any RFI and Mod-1.																																																													
	d)	in accordance with Section 4.55 (1A) Modification report prepared for SSD 47498458 Mod 1 by SJB Planning Pty Ltd dated 12 July 2024 and;																																																															
	e)	in accordance with the approved plans in the table below (except where amended by the conditions of consent): <table><tr><th colspan="4">Architectural drawings prepared by fjstudio</th></tr><tr><th>Drawing Number</th><th>Rev</th><th>Name of Plan</th><th>Date</th></tr><tr><td>20000</td><td>1</td><td>Ground Floor Plan</td><td>10/07/2024</td></tr><tr><td>20001</td><td>1</td><td>Level 1 Floor Plan</td><td>15/11/2023</td></tr><tr><td>20002</td><td>1</td><td>Level 2 Floor Plan</td><td>10/07/2024</td></tr><tr><td>20004</td><td>1</td><td>Repayment Level 1 Floor Plan</td><td>10/07/2024</td></tr><tr><td>20005</td><td>1</td><td>Detail Roof Plan</td><td>1/31/2023</td></tr><tr><td>20006</td><td>1</td><td>Repayment Level 2 Floor Plan</td><td>10/07/2024</td></tr><tr><td>21000</td><td>1</td><td>Demolition Plan – Ground Floor</td><td>15/11/2023</td></tr><tr><td>40000</td><td>1</td><td>Sections 01 and 02</td><td>30/11/2023</td></tr><tr><td>40001</td><td>1</td><td>Section 03</td><td>15/11/2023</td></tr></table> <table><tr><th colspan="4">Landscape Plans prepared by fjstudio</th></tr><tr><th>Drawing Number</th><th>Rev</th><th>Name of Plan</th><th>Date</th></tr><tr><td>50000</td><td>1</td><td>Landscape and Entry</td><td>15/11/2023</td></tr><tr><td>50100</td><td>1</td><td>Landscape Sections &amp; Details</td><td>15/11/2023</td></tr></table>	Architectural drawings prepared by fjstudio				Drawing Number	Rev	Name of Plan	Date	20000	1	Ground Floor Plan	10/07/2024	20001	1	Level 1 Floor Plan	15/11/2023	20002	1	Level 2 Floor Plan	10/07/2024	20004	1	Repayment Level 1 Floor Plan	10/07/2024	20005	1	Detail Roof Plan	1/31/2023	20006	1	Repayment Level 2 Floor Plan	10/07/2024	21000	1	Demolition Plan – Ground Floor	15/11/2023	40000	1	Sections 01 and 02	30/11/2023	40001	1	Section 03	15/11/2023	Landscape Plans prepared by fjstudio				Drawing Number	Rev	Name of Plan	Date	50000	1	Landscape and Entry	15/11/2023	50100	1	Landscape Sections & Details	15/11/2023	Document review		
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A3.		The Applicant must comply with all written requirements or directions of the Planning Secretary, including in relation to:  a) the environmental performance of the SSD; b) any document or correspondence in relation to the SSD; c) any notification given to the Planning Secretary under the terms of this approval; d) any audit of the construction or operation of the SSD; e) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval); f) the carrying out of any additional monitoring or mitigation measures; and g) in respect of ongoing monitoring and management obligations, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval.	DPHI, Warning Letter Breach of Section 4.2 of the EP&A Act, dated 1/04/2025  <																																																														



A9.			Any advice or notice to the consent authority must be served on the Planning Secretary at the Planning Secretary Address for Service.	Site interviews		Not triggered
Evidence of consultation						
A10.			Where conditions of this consent require consultation with an identified party, the Applicant must:			
	a)		consult with the relevant party prior to submitting the subject document to the Planning Secretary for information or approval; and	As above	Front Entry consultation with CoS, SDRP / PMNSW. Meeting minutes were tabulated with majority of the queries during the presentation being answered during the meetings with stakeholders.  Aconex transmittals, July and august 2024, are regarding the confirmation	Compliant
	b)		provide details of the consultation undertaken including:	Email FDC to GTP stakeholder group, dated 4/04/2025  GTP Stakeholder Meeting Minutes, FDC, 16/04/2025  Email from TNSW identifying comfort with response and close out of B35 and D25, dated 1/07/2025  Aconex correspondence from INSW (FDC_NSW-RF-000578) identifying PMNSW endorsement of the landscaping plans Condition B65, dated 10/03/2025  Letter from CoS, endorsement of Condition B65, dated 26 March 2025	Evidence of consultation within the audit period was provided for the following: * Green Travel Plan consultation was undertaken with stakeholders from FDC, TTW, EY, INSW, ICC and Place Making NSW on 16/04/2025 and evidenced the email thread (04/04/2025) and with meeting minutes (16/04/2025). The following conditions were discussed at the meeting: B34, B35, B36, D25, E24, E48. TNSW confirmed close out of consultation requirements against Conditions B35 and D25, dated 01/07/2025. * PMNSW were consulted on the landscaping plans (condition B65). PMNSW provided endorsement of the landscaping plans and that the plans have met condition requirements as described in Aconex Correspondence from INSW dated 10/03/2025. * Council were consulted on the landscaping plans and provided endorsement of the plans in accordance with Condition B65 on 26 March 2025.	
	i)		the outcome of that consultation, matters resolved and unresolved; and	As above	As above - no matters remain unresolved. TNSW endorse the completion of Conditions B35 and D25. PMNSW and Council endorse the Landscaping Plans as required by Condition B65.	
	ii)		details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Site interviews	No matters remain unresolved and the designs have been submitted to the Planning Secretary.  No matters remain unresolved at the time of the third site audit.	
Structural Adequacy						
A11.			All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the NCC.	Existing Structure Assessment - CDVC2 - TWW (NSW) Pty Ltd, dated 21/06/2024  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024  Group DLA BCA Design Compliance Statement GDL240065.2, dated 23/10/2024  Group DLA BCA Design Compliance Crown Certificate 4 (GDL240065.3), 12/03/2025	The Crown Design Verification Certificates identify that all new buildings and structures and any alterations are in accordance with relevant requirements of the NCC.	Compliant
			Notes: • Part 8 of the EP&A Regulation sets out the requirements for the certification of the development. • Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.			
Operation of Plant and Equipment						
A12.			All plant and equipment used on site, or to monitor the performance of the development must be:	EWP Logbook  Project SIMPEL	SIMPEL system used. QR code on plant and equipment. Inspection once plant arrives at site. Require service records of plant.  Sighted induction material of Electronic Work Platform (EWP) / boom lift with serial number 21 54322. Plant operators manual, service history, risk assessment, log bog, test certificates. Operator scans QR code and signs at daily prestart and it is uploaded to SIMPEL. Sighted daily prestart of the EWP. The induction date of the EMP was 21/05/2025 and the last inspection date was 4/06/2025. SIMPEL provides a notification when any documentation is soon to expire. EWP next 90 day service is due 15 August 2025.  Sighted list of registered and inducted machinery on-site.  Refer to site photographs Photos 9 and 10.	Compliant
	a)		maintained in a proper and efficient condition; and	Project SIMPEL  Sighted SIMPEL pre-start pass for EWP.  Sighted list of registered and project inducted plant (SIMPEL).  Site interviews  Site inspection	The Project SIMPEL system is used to store all the relevant information for each piece of mobile plant and equipment.  A QR code is located on all plant and equipment. When scanning the QR code, it takes the user to the records in SIMPEL. Plant and equipment require inducting on to site.  Sighted induction material of Electronic Work Platform (EWP) / boom lift with serial number 21 54322. Plant operators manual, service history, risk assessment (dated 25/2/2025), log bog, test certificates, SafeWork certificate of plant registration (dated 15/12/2017). Operator scans QR code and signs at daily prestart and it is uploaded to SIMPEL. Sighted daily prestart of the EWP. The induction date of the EMP was 21/05/2025 and the last inspection date was 4/06/2025. SIMPEL provides a notification when any documentation is soon to expire. EWP next 90 day service is due 15 August 2025.  Refer to site photographs Photos 9 and 10.	

	b)		operated in a proper and efficient manner.	Project SIMPEL  Sighted FDC example of a Subcontractor pre-start checklist.  Site interviews	Owners and operators are added to each record of mobile plant. Project SIMPEL is the location where all operating licences and other certifications are maintained for the plant operator following induction of both person and plant.  Induction profile has a list of licences associated to the operator, relevant SWMS required to be signed etc. It also includes a picture of the operators licence. SIMPEL will flag when licences are coming up to expiry.	
Applicability of Guidelines						
A13.			References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	Site interviews  Construction Environmental Management Plan (CEMP), Rev C1, dated 28/04/2024  CDVC2  CDVC3  CDVC4	Environmental Management documents and design certificates reference the most current guidelines, protocols, Australian Standard or policy.	Compliant
A14.			However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	Site interviews	Noted - FRNSW issued a white paper - fire bolts - they were part of the Project and have since been removed.	Compliant
Monitoring and Environmental Audits						
A15.			Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification and independent environmental auditing.	Site interviews  Letter from Acoustic Studio (FDC3564), dated 27 May 2025  CNVMP, Acoustic Studio, Rev 1 18/04/2024	Independent environmental auditing is occurring in accordance with these consent conditions and the IAPAR (2020).  Continuous noise monitoring is occurring in accordance with the CNVMP. Monitoring reports are made publicly available on the Project's website and discussed further under Condition C11 and C16.	Compliant
			Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.			
Incident Notification, Reporting and Response						
A16.			The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.	Site interviews	No incidents in the third audit period.	Not triggered
A17.			Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1.	Site interviews	No incidents in the third audit period.	Not triggered
Non-Compliance Notification						
A18.			The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.	Site interviews  Submission receipt email from DPHI acknowledging receipt of non-compliance notification A18, dated 20/02/2025  Post Approval form, A18, no date	Audit 2 raised 8 non-compliances. These were notified to the Planning Secretary on 20 February 2025, which is within 7 days after they have been identified (Audit 2 Report, NGH, dated 13/02/2025).	Compliant
A19.			The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the noncompliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	Site interviews  Proponent Review and Response, FDC, 14/01/2025	The audit found that the Planning Secretary was notified of the non-compliances and opportunities for improvement from the second audit and that this notification was in the form of the Proponent's Review and Response report.  The Proponent's Response identified the non-compliance and the response to findings. The Proponent's Response also identified the actions against the opportunities for improvement.	Compliant
A20.			A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.		Noted	Not triggered
Compliance						
A21.			The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Site interviews  FDC Cutaway Start Up Package  FDC Cutaway Induction, Rev 17  Site inspection  Daily declaration, sighted 8/07/2025  Toolbox Talk, 03/07/2025	Start-up package is provided to subcontractors prior to starting on site, which includes the environmental management plans, policies and procedures, programme and Start-Up document (Induction). Subcontractors have contractual obligations to comply with the CoC.  Management plans are available on the notice board in the lunch room for all site personnel to read, refer to site photos.  The audit found the Project has daily pre-start meeting, sign off on the daily declaration of issues from previous day. Sighted examples of weekly Toolbox talks where- test and tags featured, result of daily safety / environmental walks, issues around obstructions to emergency equipment, silica dust control. Records of Toolbox talks maintained in Project SIMPEL.  Refer to site inspection photographs Photos 3, 4 and 12.	Compliant
Revision of Strategies, Plans and Programs						
A22.			Within three months of:			Compliant
	a)		the submission of a compliance report under this consent;	Site interviews	No compliance reports.	
	b)		the submission of an incident report under this consent;	Site interviews	No incidents in the audit period.	
	c)		the submission of an Independent Audit under this consent;	Site interviews  Proponent Review and Response, FDC, 14 January 2025	Audit 2 date was 13 February 2025. The audit found that the Planning Secretary received the Proponent Review and Response, FDC, 14 January 2025, that identified the management plans were being updated by 14/02/2025 and would be uploaded within 2 weeks of the 14/02/2025.	
	d)		the approval of any modification of the conditions of this consent (excluding modifications made under section 4.55(1) of the EP&A Act); or	Site interviews	There were no modifications approved of the Project in the auditing period.	
	e)		the issue of a direction of the Planning Secretary under this consent which requires a review.	Site interviews	No directions issued.	
			the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.	Site interviews	Noted	

A23.			If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.	Site interviews	Management plans were updated following 6-monthly review. These updates were not to cater for improved environmental performance but prior to CDVC4.	Not triggered
			Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.		Noted	
Compliance Reporting						
A24.			Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Requirements outlined in the Compliance Reporting Post Approval Requirements.	Compliance Reporting - Post Approval Requirements, DPIE, May 2020	No Compliance Reporting - Post Approval Requirements for construction phase of Project.	Not triggered
A25.			Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements, unless otherwise agreed to by the Planning Secretary.	As above		Not triggered
A26.			The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary, unless otherwise agreed by the Planning Secretary.	As above		Not triggered
A27.			Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements, the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.		Noted	Not triggered
Waste and Recycling Management - General						
A28.			The proposal must comply with the relevant provisions of Council's Guidelines for Waste Management in New Developments 2018 which requires facilities to promote the efficient storage, separation, collection and handling of waste to maximise resources recovery.	Site interviews  Site inspection  Construction Waste Management Plan (CWMP), Rev C2, dated 9/01/2025  Just Skips monthly waste management reports, February, March April, May and June 2025	The CWMP Rev C1 is prepared generally in accordance with the relevant provisions of Council's Guidelines for Waste Management in New Developments 2018 by detailing the report objectives, waste diversion targets, waste storage areas and segregation of wastes, waste management and bin requirements. Section 1.3 of the CWMP addresses this condition directly.  Just Skips are the waste contractor.  The auditor observed during the site inspection that waste was generally segregated and stored in waste skips or covered bins.  Just Skips monthly waste management reports show the tonnage of waste disposed of each month and the breakdown in waste segregation.	Compliant
Paving Materials						
A29.			The surface of any material used or proposed to be used for the paving of colonnades, thoroughfares, plazas, arcades and the like which are used by the public must comply with AS/NZS 4586:2004 (including amendments) "Slip resistance classification of new pedestrian surface materials".	Site interviews  Adelaide Black Paver Data Sheet and Italia Porphyry Data Sheet, Sam the Paving Man  Slip Test Results Summary for pavers, no date  Porfido Porphyry, Sam the Paving Man, 29 July 2015	FDC are currently going through the process of choosing the paving and determining correct colours.  Slip test for the following paver was carried out at a NATA accredited laboratory, Austral black paver - exfoliated, Austral black paver - bushhammer, Austral black paver - honed. All were placed in the same location and on a slope of 10.3 degrees. The slip test was in accordance with AS 4586-2013.	Compliant
Harbour Control Tower Void						
A30.			The final design of the northern most void area shown on the Roof Plan (Drawing Number 20003, rev. J, dated 30 November 2023) in the approved location of the future Harbour Control Tower interpretive structure must be developed in consultation with Council, Heritage NSW, PMNSW and the SDRP in conjunction with the final resolution of the HCT interpretive structure and submitted to the Planning Secretary for approval.	Site interviews  Aconex correspondence FDC and THW, dated 29/05/2024  Approved Plans, f3studio, dated 27/09/2024, Rev L  Letter DPHI Approval of A30, dated 21 January 2025	INSW ran a design competition for architects. Tribe Architects were awarded the tender and are currently going through design and development. FDC were requested to provide for structural loads for the HCTV (Aconex correspondence 29/05/2024).  Designs have received approval from DPHI on 21 January 2025, following submission on 4/10/2024. The approval letter and approved plans are accessible from the Project website.	Compliant
			Note: The final design must be accompanied by confirmation from a Suitably Qualified Noise Consultant that the acoustic assumptions and noise criteria outlined in the Noise and Vibration Impact Assessment, prepared by Arup dated 26 January 2023 remain relevant or a revised Noise and Vibration Impact Assessment which reflects the revised design.	Site interviews  Aconex correspondence FDC and ARUP, dated 23/05/2024	Arup (from an Acoustic Lead) advised following changes to the new slab infill, that no acoustic absorptive treatments were required for the underside of the soffit, dated 23/05/2024.	
Part B - Prior to the Commencement of Construction						
Crown Building Work						
B1.			Crown building work cannot be commenced unless the relevant Crown Building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws in force as at:	Group DLA, Crown No. GDL240065, 15 April 2004  Group DLA BCA Design Compliance Statement GDL240065.1, dated 29/04/2024  Group DLA BCA Design Compliance Statement GDL240065.1, dated 22/07/2024  Group DLA BCA Design Compliance Statement GDL240065.2, dated 23/10/2024  Group DLA BCA Design Compliance Crown Certificate 4 (GDL240065.3), 12/03/2025		Compliant
	a)		the date of the invitation for tenders to carry out Crown building work; or			
	b)		in the absence of tenders, the date on which the Crown building work commences.	Email DPHI to FDC, dated 2/05/2024	FDC received an email from DPHI acknowledging receipt of the Notification of Commencement for the Project, dated 2/05/2024.	
Notice of Commencement						



B5.				<p>Prior to the commencement of construction works at the entrance adjacent to Nawi Cove, the Applicant must submit revised plans of the entrance design to the Planning Secretary for approval. The revised plans must show the detailed design of the entrance forecourt area, including etchings and engravings, and be developed in consultation with Bangawarra and Jake Nash Design and reviewed by Council, PMNSW and the SDRP. The revised plans must be accompanied by evidence demonstrating how the advice from Council, PMNSW and the SDRP has been addressed.</p>	<p>Site interviews</p> <p>Minutes from City of Sydney Presentation (consultation), dated 08/05/2024</p> <p>Email from FDC to CoS with presentation minutes, dated 9/05/2024</p> <p>Minutes from SDRP 3 Presentation (consultation), dated 16/05/2024</p> <p>Email correspondence INSW and DPHI, dated 25/07/2024</p> <p>FDC DPHI Submission and all appendices, dated 09/08/2024</p> <p>FDC DPHI Submission #2 and all appendices, dated 10/09/2024</p> <p>Letter DPHI of Approval for Conditions B5 and B8, dated 20 September 2024</p>	<p>Front Entry consultation with CoS, SDRP / PMNSW. Evidence of consultation with TNSW, Sydney Metro (under TNSW) and PMNSW is provided in Appendix A of the CPTMP. Response to comments from consultation is provided in Table 2.2 of the CPTMP. Meetings occur regularly with PMNSW.</p> <p>The audit found that SDRP advice response was submitted to the Planning Secretary on 25/07/2024. FDC prepared a submission response for DPHI to satisfy Conditions B5 and B8, dated 09/08/2024. The document contains a summary of, and the consultation, taken for entrance design and structural details and the reviewed and final plans (FJC).</p> <p>The audit notes that a RFI was received from the DPHI requesting further information on 12/08/2024. The RFI was addressed in DPHI Submission #2, dated 10/09/2024, addressing the RFI requests.</p> <p>Landscaping consultation for the front entrance will fall within the third audit period.</p> <p>As of the second audit, works at the entrance had not commenced.</p> <p>DPHI approved the entrance design on 20 September 2024.</p>	Compliant	
Design Excellence and Integrity								
B6.			<p>The architectural design team comprising fjc studio (the Design Team) is to have direct involvement in the design documentation, contract documentation and construction stages of the project. In addition:</p>	<p>Letter FJC Studio to DPHI, dated 05/04/2024</p>	<p>FJC Studio are the design team that has been engaged for the Project.</p>	Compliant		
	a)		<p>evidence of the Design Team's engagement is to be provided to the Certifier prior to the commencement of construction, and</p>	<p>Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024</p>	<p>Letter from FJC Studio to DPHI provided to Certifier, evidenced through the BCA Certificate, 29/04/2024.</p>			
	b)		<p>the design team is not to be changed without prior written notice and approval of the Planning Secretary.</p>	<p>Site interviews</p>	<p>Design team has not been changed. Remains FJC Studio.</p>			
B7.			<p>The Planning Secretary is to determine whether any proposed modifications to the approved architectural drawings require review by the State Design Review Panel or other appropriate person(s).</p>	<p>Modification 1 of The Cutaway State Significant Development Modification Assessment Report (SSD-47498458-Mod-1), DPHI, September 2024</p>	<p>Noted. Modification 1 for internal design changes was determined 19 September 2024. The Mod-1 DA was placed on public review and referred to Council. SDRP was not engaged.</p>		Not triggered	
Materials and Finishes								
B8.			<p>Prior to the commencement of construction works at the entrance, the Applicant must submit to the satisfaction of the Planning Secretary details of final materials and finishes. The details must include:</p>	<p>Site interviews</p> <p>Minutes from City of Sydney Presentation (consultation), dated 08/05/2024</p> <p>Email from FDC to CoS with presentation minutes, dated 9/05/2024</p> <p>Minutes from SDRP 3 Presentation (consultation), dated 16/05/2024</p> <p>Email correspondence INSW and DPHI, dated 25/07/2024</p> <p>FDC DPHI Submission and all appendices, dated 09/08/2024</p> <p>FDC DPHI Submission #2 and all appendices, dated 10/09/2024</p>	<p>Front Entry consultation with CoS, SDRP / PMNSW. The audit found that SDRP advice response was submitted to the Planning Secretary on 25/07/2024. FDC prepared a submission response for DPHI to satisfy Conditions B5 and B8, dated 09/08/2024. The document contains a summary of, and the consultation, taken for entrance design and structural details.</p> <p>The audit notes that a RFI was received from the DPHI requesting further information on 12/08/2024. The RFI was addressed in DPHI Submission #2, dated 10/09/2024, addressing the RFI requests.</p> <p>DPHI approved the entrance design on 20 September 2024.</p> <p>As of the second audit, works at the entrance had not commenced.</p>	Compliant		
	a)		<p>evidence that the following elements have been reviewed by the SDRP and how their advice has been addressed:</p>	<p>Letter DPHI of Approval for Conditions B5 and B8, dated 20 September 2024</p>				
	i)		<p>a sample board showing the proposed timber finishes to be used for the entry sculptural tree</p>	<p>As above</p>				
	ii)		<p>3D digital visualisations that show the detailing and connection of the entry sculptural tree to the existing concrete column</p>	<p>As above</p>				
	iii)		<p>full-scale mock-ups that show the proposed sandstone and GRC finishing at the entrance, including jointing and junction details</p>	<p>As above</p>				
	b)		<p>specifications and sample boards for all external finishes, colours and glazing including annotated drawings and computer-generated imagery of their application</p>	<p>As above</p>				
	c)		<p>confirmation of the process and methods in arriving at the final choice for all materials and finishes</p>	<p>As above</p>				
	d)		<p>detailed architectural drawings of the facade details. This must include snapshots at different points in the facade in plan, elevation and section to a scale of 1:20 or 1:50 as necessary.</p>	<p>As above</p>				
			<p>The plans lodged to satisfy this consent must include final specifications of colour, material and, where relevant, manufacturer.</p>		<p>Noted</p>			
Long Service Levy								
B9.			<p>Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier details confirming payment of a Long Service Levy. For further information on the current levy rate and methods of payment, please contact the Long Service Payments Corporation Helpline on 131 441 or visit <a href="https://www.longservice.nsw.gov.au/bcilevy/about-the-levy">https://www.longservice.nsw.gov.au/bcilevy/about-the-levy</a>.</p>	<p>Levy receipt, dated 18/03/2024</p> <p>Email from FDC to INSW, dated 10/04/2024</p> <p>Site interviews</p>	<p>Long Service Levy was paid on 18/03/2024, prior to commencement of construction.</p>		Compliant	
Structural Details								
B10.			<p>Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with:</p>	<p>Site interviews</p> <p>Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024</p> <p>Existing Structure Assessment - CDVC2 - TWW (NSW) Pty Ltd, dated 21/06/2024</p> <p>Group DLA BCA Design Compliance Crown Certificate 4 (GDL240065.3), 12/03/2025</p>	<p>CDVC5 is coming in mid-2025.</p>	Compliant		
	a)		<p>the relevant clauses of the NCC; and</p>					

b)		this development consent.				
External Walls and Cladding						
B11.			The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the NCC.	External Wall System Disclosure Statement (Design), TTW (NSW) Pty Ltd, dated 14/06/2024	TTW engineers for many parts of the Project. Submitted as part of CDVC2.	Compliant
B12.			Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the NCC.	Site interviews Design Certificate for External Waterproofing issued by Cassandra Halpin-Smyth of FJC Studio, dated 05/07/2024  Fire Test Certificate, Warrington Fire, dated 11/10/2021  Certificate of fire test (FNC12283), CSIRO, dated 26/11/2018  External Wall System Disclosure Statement (Design), TTW (NSW) Pty Ltd, dated 14/06/2024  Group DLA BCA Design Compliance Statement GDL240065.2, dated 23/10/2024	The audit found that all documented evidence that the products and systems proposed for use or used in construction of external walls including finishes and claddings, comply with the requirements of the NCC.  The documentation is listed in CDVC3.	Compliant
Access and Facilities for people with disabilities						
B13.			Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier details prepared by a suitably qualified professional demonstrating that the building has been designed and will be constructed to provide access and facilities for people with a disability in accordance with the NCC.	Site interviews  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024	Prior to the commencement of construction, the plans were submitted to the satisfaction of the Certifier as evidenced with the BCA Certificate, dated 29/04/2024.	Compliant
Mechanical Ventilation						
B14.			The premises must be ventilated in accordance with the NCC and applicable Australian Standards.	Mechanical Design Certificate #CC2, New Edge Group, 3/06/2024  Group DLA BCA Design Compliance Statement GDL240065.2, dated 23/10/2024	The Mechanical Design Certificate is listed in CDVC3 under "Information previously relied upon in Crown Certificate GDL240065.1, dated 22/07/2024".	Compliant
B15.			Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier details that any mechanical ventilation and/or air conditioning system for the development complies with the NCC and applicable Australian Standards, prepared by a suitably qualified person certified in accordance with clause A2.2(a)(ii) of the NCC, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection.		As above	Compliant
Site Stability and Construction Work						
B16.			Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier a report obtained from a suitably qualified and experienced professional engineer/s, which includes the following:	Site interviews  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024		Compliant
a)			geotechnical details which confirm the suitability and stability of the site for the development and relevant design and construction requirements to be implemented to ensure the stability and adequacy of the development and adjacent land	Technical Memorandum Stantec, dated 12/04/2024	Stantec Australia were engaged by FDC to perform an impact assessment on the proposed glass frame footings construction along the Merriman Street sandstone wall.	
b)			details to demonstrate that the proposed methods of support and construction in relation to the bulk excavation and demolition works that are the subject of this consent are suitable for the site and will not result in any damage to the adjoining premises, buildings or any public place, as a result of the works and any associated vibration		Not applicable as it is sandstone.	
c)			the adjoining land and buildings located upon the adjoining land must be adequately supported at all times throughout building work	Road Opening Permit Merriman Street Millers Point, CoS, dated 11/04/2024  Site interviews	Adjoining owner CoS Council, FDC in process of purchasing the land. Road Opening Permit to excavate the land. Following survey report, it was identified that CoS owned 2 metre of land and now undergoing purchase.	
d)			details of written approvals that have been obtained from the owners of the adjoining land to install any ground or rock anchors underneath the adjoining premises (including any public roadway or public place).	As above	As above	
Crime Prevention through Environmental Design						
B17.			Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier evidence demonstrating that the design of the development has incorporated the Crime Prevention Through Environmental Design Assessment (CPTED) management and mitigation measures included within the CPTED report prepared by Urbis and dated 16 February 2023.	Statement by FDC for Condition B17, dated 26/06/2024.  Interviews	FDC confirm that the current plans and specifications at this stage of the development incorporate all the Crime Prevention Through Environmental Design (CPTED) management and mitigation measures documented in the CPTED report prepared by Urbis (dated 16 Feb 2023).  The plans are being reviewed by Counter Terrorism. Mostly cameras and lighting for the Project. This condition will be picked up in CDVC4.  The audit found that this was submitted to the satisfaction of the Certifier prior to commencement of Stage 2, CDVC2.	Compliant
Ecologically Sustainable Development						
B18.			Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier evidence demonstrating the development incorporates all design, construction and operation measures as identified in the Barangaroo Cutaway SSDA Report - ESD prepared by ARUP, dated 25 January 2023.	Letter of Confidence regarding 6 star Green Star certified rating and demonstration of compliance with SSD Condition B18 and B19 issued by Ian Van Eerden of Northrop, dated 04/04/2024		Compliant
B19.			Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier evidence demonstrating that the development will achieve a minimum 6 Star Green Star Buildings v1 rating in accordance with the Green Star Design and As-Built V.1.3 (Green Building Council Australia).	Letter of Confidence regarding 6 star Green Star certified rating and demonstration of compliance with SSD Condition B18 and B19 issued by Ian Van Eerden of Northrop, dated 04/04/2024  Group DLA BCA Design Compliance Statement GDL240065.1, dated 22/07/2024  Group DLA BCA Design Compliance Statement GDL240065.2, dated 23/10/2024	The audit found that the report by Northrop (04/04/2024) was submitted to the satisfaction of the Certifier, prior to Stage 2, CDVC2 (also contained in CDVC3).	Compliant
Installation of Water Efficient Fixtures and Fittings						

B20.			Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier evidence demonstrating:	Site interviews  Group DLA BCA Design Compliance Statement GDL240065.2, dated 23/10/2024	The Statement of Design - Water Efficient Fixtures and Fittings, n2 Engineering Consultants, dated 4/06/2024 is listed in CDVC3 under "Information previously relied upon in Crown Certificate GDL240065.1, dated 22/07/2024".	Compliant
	a)		all toilets installed within the development will be of water efficient dual-flush capacity with at least 4-star rating under the Water Efficiency and Labelling Scheme (WELS)	Statement of Design - Water Efficient Fixtures and Fittings, n2 Engineering Consultants, dated 4/06/2024	Design statement from n2 Engineering Consultants confirms hydraulic services design in accordance with Condition B20 (a), (b), (c) and (d).	
	b)		all taps and shower heads installed within the development will be water efficient with at least a 3-star rating under the WELS, where available	As above		
	c)		new urinal suites, urinals and urinal flushing control mechanisms installed within the development will utilise products with at least a 4 star rating under the WELS	As above		
	d)		systems will reduce unnecessary flushing and will not involve the use of continuous flushing systems.	As above		
Mechanical Plant Noise Mitigation						
B21.			Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier details of noise mitigation measures for all mechanical plant (as detailed on relevant drawings) and certification from an appropriately qualified acoustic engineer that the proposed measures will achieve compliance with the Noise Policy for Industry and other guidelines applicable to the development.	Letter regarding Construction Certificate Assessment (No. AC03 v1), ARUP, dated 9/07/2024  Group DLA BCA Design Compliance Statement GDL240065.1, dated 22/07/2024	Letter from Arup, dated 9/07/2024, identifying that as this Condition pertains to the 'mechanical plant noise' achieving compliance with the Npft, only mechanical design elements used for daily operations were assessed.  This letter confirmed that the mechanical design of the development will comply with the noise emissions criteria established in the Noise and Vibration Impact Assessment with the incorporation of the acoustic performance requirements, engineering assumptions and mitigation recommendations contained in this Design Statement.  The assessment was accepted by the Certifier in CDVC2.	Compliant
Sydney Water Assets						
B22.			Prior to the commencement of construction, the approved plans must be submitted to the Sydney Water Tap in™ online service, to determine whether the development will affect Sydney Water's wastewater and water mains, stormwater drains and/or easements, and if any further requirements need to be met. All building, plumbing and drainage work must be carried out in accordance with the requirements of the Sydney Water Corporation.	Site interviews  Stamped Plan As Built, Ref No. 1882756, dated 10/05/2024  Sydney Water submission receipt, application number SW-02026487, dated 17/04/2024  Application for order SW-02026487 Discharge Trade Wastewater, dated 11/06/2024	Stamped Plan by accredited supplier to Sydney Water identifies that the asset is not affected. Sydney Water Tap In have received application and plans for discharge of trade wastewater.  At the time of the third audit, Sydney Water has not come back with approval of the plans and certificate for the grease arrestor in a slab.	Compliant
			Note: Sydney Water's Tap in™ in online service is available at: <a href="https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm">https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm</a>		Noted	
			A Water Servicing Coordinator must be engaged as soon as possible and a feasibility application must be lodged with Sydney Water prior to development. The feasibility application should include a detailed concept servicing proposal. An inception meeting should be held with Sydney Water after the Applicant has prepared a detailed concept servicing proposal for potable water and wastewater services.	Site interviews	Not required as building infrastructure had already been designed to allow for the fitout as required by Project.	
Construction and Fit-out of Food Premises						
B23.			The construction, fit-out and finishes of the food premises must comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code under the Food Act 2003 and AS 4674 – 2004 Design, Construction and Fitout of Food Premises.	Design Certificate Events Kitchen, MACK Group, dated 8/08/2024  Group DLA BCA Design Compliance Statement GDL240065.2, dated 23/10/2024	The Design Certificate, MACK Group dated 08/08/2024, identified that the design of the event kitchen for the Project is in accordance with the requirements of AS 4674-2004, the Food Regulations 2010 and BCA / NCC.  Submitted to Certifier and listed on CDVC3.	Compliant
			Note: Copies of AS 4674-2004 may be obtained from the Standards Australia Customer Service on telephone 1300 65 46 46 or by visiting the website <a href="http://www.standards.com.au">www.standards.com.au</a>		Noted	
			Copies of the Food Standards Code (Australia) may be obtained by contacting the Food Standards Australia and New Zealand Authority on telephone (02) 6271 2222, email <a href="mailto:info@foodstandards.gov.au">info@foodstandards.gov.au</a> or by visiting the website <a href="http://www.foodstandards.gov.au">www.foodstandards.gov.au</a>		Noted	
Sanitary Facilities - Food Premises						
B24.			The sanitary facilities must be separated from all food handling areas via an airlock, self-closing door or mechanical ventilation in accordance with the provisions of the National Construction Code (previously known as Building Code of Australia), Part F 3.1, 4.8 and 4.9.	Design Certificate Events Kitchen, MACK Group, dated 8/08/2024  Group DLA BCA Design Compliance Statement GDL240065.2, dated 23/10/2024	The Design Certificate, MACK Group dated 08/08/2024, identified that the design of the event kitchen for the Project is in accordance with the requirements of AS 4674-2004, the Food Regulations 2010 and BCA / NCC.  Submitted to Certifier and listed on CDVC3.	Compliant
Personal Lockers						
B25.			Clothing lockers or change rooms for staff must be provided in the premises or a dedicated, separate and isolated space for personal items must be provided in a separate location to the food handling and storage areas, in accordance with AS4674 - Design, Construction and Fit out of Food Premises.	Design Certificate Events Kitchen, MACK Group, dated 8/08/2024  Group DLA BCA Design Compliance Statement GDL240065.2, dated 23/10/2024	The Design Certificate, MACK Group dated 08/08/2024, identified that the design of the event kitchen for the Project is in accordance with the requirements of AS 4674-2004, the Food Regulations 2010 and BCA / NCC.  Submitted to Certifier and listed on CDVC3.	Compliant
Waste Storage Area						
B26.			Prior to the commencement of construction on the ground floor, detailed plans and specifications for the construction of the waste storage area must be submitted to and approved by the Certifier. To ensure the adequate storage and collection of waste from the food premises, all garbage and recyclable materials emanating from the premises must be stored in a designated waste storage area. The waste storage area must be designed and constructed in accordance with AS 4674 – Design, Construction and Fit-out of Food Premises, Australia New Zealand Food Standards Code 3.2.3 – Food Premises and Equipment and comply with the Council Policy for Waste Minimisation in New Developments, and must be:	The Culaway Design Statement - Waste Room - CDVC-3, Fjcostudio, dated 18/06/2024  Design Statement for Waste Rooms, n2 Engineering Consultants, dated 12/08/2024  Group DLA BCA Design Compliance Statement GDL240065.2, dated 23/10/2024	Design Statement, Fjcostudio, dated 18/06/2024, confirms that the waste storage area and waste rooms are designed and complies with the conditions set out under B26 and B29.  Submitted to Certifier for CDVC3.	Compliant
	a)		Provided with a hose tap connected to the water supply.			
	b)		Paved with impervious floor materials.			
	c)		Coved at the intersection of the floor and walls.			
	d)		Graded and drained to a waste disposal system in accordance with the requirements of the relevant regulatory authority (Sydney Water)		Approved in CDVC3.	
	e)		Adequately ventilated (mechanically or naturally) so that odour emissions do not cause offensive odour or air pollution as defined by the Protection of the Environment Operations Act 1997 or a nuisance.			
	f)		Provided with the appropriate number and size of bins adequate for the storage of waste generated by the business, including recycling.			



	g)		Appropriately managed to PMNSW's satisfaction so that it does not attract pests or create litter.	Operational Waste Management Plan, Elephants Foot Consulting, Rev C, dated 27 September 2024	Operational Waste Management Plan		
			Note: Fitted with appropriate interventions to meet fire safety standards in accordance with the Building Code of Australia.		Noted		
Coolrooms							
B27.			Coolrooms, refrigerated chambers and strong-rooms must be constructed in accordance with G 1.2 of the National Construction Code (previously known as Building Code of Australia), and:	Design Certificate for Coolroom, PATRA Group Pty Ltd, dated 30/05/2024  Group DLA BCA Design Compliance Statement GDL240065.1, dated 22/07/2024	PATRA confirmed compliance of the design of the coolroom with Clause A2.2 of the BCA, volume 1 and Condition B27, and in accordance with the following Australian Standards AS 4674 - 2004, AS 1677.2-1998, AS1668.1- 2015.  Submitted to Certifier for CDVC2.	Compliant	
	a)		The floor of the coolroom must be graded to the door and a floor trapped waste outlet must be located outside the coolroom as near as possible to the door opening.	As above			
	b)		All proposed shelving in the coolroom must be free-standing, constructed of galvanised steel angle section or other approved material with the lowest shelf at least 150mm clear of the floor.	As above			
	c)		The floor of the coolroom must be constructed of impermeable concrete or coated, topped or otherwise finished with an impervious material to a smooth even surface and coved at the intersections with the walls to a minimum radius of 25mm.	As above			
	d)		Must be fitted with a door that can be opened at all times from inside without a key.	As above			
	e)		An approved audible alarm device must be located outside the coolroom(s) but controllable only from within the coolroom(s) and must be able to achieve a sound pressure level outside the chamber or coolroom(s) of 90 dB(A) when measured 3 metres from a sounding device.	As above			
Grease and Liquid Waste Traps							
B28.			Prior to the commencement of construction, plans and details of a grease trap installed in accordance with the relevant Sydney Water requirements are to be submitted to and approved by the Registered Certifier showing the following:	Statement of Design - Grease and Liquid Waste Traps, n2 Engineering Consultants, dated 4/06/2024  Group DLA BCA Design Compliance Statement GDL240065.2, dated 23/10/2024	Design statement from n2 Engineering Consultants confirms design of grease and liquid waste traps are in accordance with Condition B28 (a), (b) and (c).  Approved by Certifier in CDVC3.	Compliant	
	a)		The grease trap is not located in any kitchen, food preparation or food storage areas.	As above			
	b)		The grease trap is constructed and installed in a location which allows it to be easily and effectively cleaned and emptied; and	As above			
	c)		The grease trap is constructed and located as not to encourage the harbourage of pests and be effectively pest proofed.	As above			
			Note: In-sink and in-floor waste bucket traps must be installed in all sinks and floor wastes in all commercial kitchens and food preparation areas. The installation of any grease traps and treatment equipment must be carried out by a suitably qualified and licensed plumber in accordance with the Plumbing Code of Australia.		Noted		
Waste Rooms (General Waste Areas)							
B29.			Prior to the commencement of construction, detailed plans and specifications for the construction of the waste storage area must be submitted to and approved by the Certifier. To ensure the adequate storage and collection of waste from the occupation of the building, all garbage and recyclable materials emanating from the premises must  NSW Government 13 The Cutaway Cultural Facility, Barangaroo Department of Planning and Environment (SSD 47498458) be stored in the designated waste storage area. The waste storage area must be designed and constructed in accordance with the following requirements to minimise odours, deter vermin, and protect surrounding areas:	Mechanical Design Certificate #CC2, New Edge Group, 3/06/2024  The Cutaway Design Statement - Waste Room - CDVC-3, Fjcostudio, dated 18/06/2024  Design Statement for Waste Rooms, n2 Engineering Consultants, dated 12/08/2024  Group DLA BCA Design Compliance Statement GDL240065.2, dated 23/10/2024	Mechanical Design Certificate for CC2 identifies compliance of designs with B29 issued with CDVC3.  Fjcostudio Design Certificate, dated 18/06/2024, submitted and issued with CDVC3.	Compliant	
	a)		Provided with a hose tap connected to the water supply.				
	b)		Paved with impervious floor materials.				
	c)		Coved at the intersection of the floor and walls.				
	d)		Graded and drained to a waste disposal system in accordance with the relevant regulatory authority (Sydney Water).				
	e)		Adequately ventilated (mechanically or naturally) so that odour emissions do not cause offensive odour as defined by the Protection of the Environment Operations Act 1997.				
	f)		An adequate lighting system must be provided (natural or artificial) to the waste room to aid with cleaning and the detection of pest activity.	Design Certificate - Electrical Services, MDE Group, dated 14/06/2024	Electrical Services are designed in accordance with relevant standards for conditions B29 and B70.		
	g)		Fitted with appropriate interventions to meet fire safety standards in accordance with the National Construction Code (previously known as Building Code of Australia).				
B30.			A design certification report for floor levels of buildings and structures must be submitted to the Registered Certifier prior to the commencement of construction.	Site interviews  Surveyor Identification Report for Construction Certificate 1, SSD Conditions B30 & B41 issued by Mohsen Rabbaniha of Seam Spatial Pty Ltd, dated 03/04/2024  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024	Surveyor report by Seam Spatial for CC1, conditions B30 and B41, submitted to the Certifier prior to commencement of construction.		Compliant
Survey Infrastructure - Identification and Recovery							
B31.			Under Section 24 of the Surveying and Spatial Information Act 2002, it is an offence to remove, damage, destroy, displace, obliterate or deface any survey mark unless authorised to do so by the Surveyor-General. Accordingly, the applicant must, where possible, ensure the preservation of existing survey infrastructure undisturbed and in its original state or else provide evidence of the Surveyor-General's authorisation to remove or replace marks.	Registered Surveyor Declaration for Construction Certificate 1 on SSD Condition B32 issued by Mohsen Rabbaniha of Seam Spatial Pty Ltd, dated 03/04/2024	No Reference Marks or Permanent Survey Marks identified as a Reference Marks affected by this project.	Compliant	



B39.			<p>Prior to the commencement of any excavation on or near the site, the Applicant must submit to the satisfaction of the Certifier written confirmation from NSW Dial Before You Dig Service that the proposed excavation will not conflict with any underground utility services or rail services.</p>	<p>Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024</p> <p>Email from FDC to Group DLA identifying that Dial Before You Dig will not issue a signed letter, dated 25/02/2024</p> <p>Utility Detection Plans, Geoscope Utility Detection Services, dated 2/04/2024</p>	<p>Endorsed by the Certifier in BCA certificate.</p>	Compliant
B40.			<p>While building work is being carried out, a registered surveyor is to measure and mark the positions of the following and provide them to the Certifier —</p>	<p>Surveyor Identification Report for Construction Certificate 1, SSD Conditions B30 &amp; B41 issued by Mohsen Rabbaniha of Seam Spatial Pty Ltd, dated 03/04/2024</p> <p>Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024</p>	<p>This document was provided to the Certifier and is listed in the BCA Certificate.</p>	Compliant
	a)		All footings/ foundations			
	b)		At other stages of construction – any marks that are required by the principal certifier.		Surveyor required to review paving once complete at Nawi Cove perimeter footing.	
B41.			<p>Prior to the commencement of works, the Applicant must submit to the satisfaction of the Certifier a Registered Surveyor's certificate detailing the setting out of the proposed building on the site, including the relationship of the set out building to property boundaries.</p>	<p>Surveyor Identification Report for Construction Certificate 1, SSD Conditions B30 &amp; B41 issued by Mohsen Rabbaniha of Seam Spatial Pty Ltd, dated 03/04/2024</p> <p>Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024</p>	<p>Surveyor report by Seam Spatial for CC1, conditions B30 and B41, submitted to the Certifier prior to commencement of construction.</p>	Compliant
No Obstruction of the Public Domain without Approval						
B42.			<p>A Work Zone Permit must be sought and issued by the relevant roads authority to allow any obstructions of the public way, footpaths, road reserves and the like, by any mobile cranes, materials, vehicles, refuse, skips, loading and unloading or the like. Where supported by the relevant authority, the Work Zone Permit should be given for the shortest possible time, so as to not restrict movement or use of the public domain. Consideration should be given to issuing the permit for a specific time period(s) or specific works.</p>	<p>Hoarding Permit Renewal, B/2024/135/2, dated 20/05/2025</p> <p>Hoarding Permit Renewal B/2024/135/1, dated 7/01/2025</p> <p>Mobile hoisting approval, CoS, Licence CP/2024/1429, dated 15 November 2024</p> <p>Mobile hoisting approval, CoS, Licence CP/2024/1520, dated 5 December 2024</p>	<p>The hoarding permit was renewed and extended to August 2025, dated 20/05/2025, which authorises the holder to maintain for on-going use the hoarding structure along Merriman Street.</p> <p>Permits are in place for material delivery for the skylights, on Merriman Street.</p> <p>Mobile hoisting licences, 1429 and 1520, were approved by CoS for partial road / lane closures. Approval is given in accordance with Section 68 (E(1)) of the Local Government Act 1993 and Section 108 of The Crown Lands Act 1989. Licence 1429 was for a telehandler and 1520 for mobile crane.</p>	Compliant
Community Consultation Strategy						
B43.			<p>Before the commencement of works, the Applicant must update the Community Communication Strategy (CCS) for the development to provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the construction of the development and for a minimum of 12 months following the completion of construction.</p>	<p>Community Consultation Strategy V1.3, FDC, dated 10/06/2025</p>	<p>Hoarding have QR codes that takes community members directly to the website / complaints. Business cards available to provide to community members where required.</p>	Compliant
B44.			<p>The CCS for the development must:</p>	<p>Community Communication Implementation Plan, version 0.1 dated 25 March 2024.</p> <p>Community Consultation Strategy V1.3, FDC, dated 10/06/2025</p> <p>DPHI approval of Plan V1.2 letter, dated 17/04/2024</p> <p>DPHI email acknowledging receipt of the Community Consultation Strategy, June 2025, and that there are no comments at this time, dated 1/07/2025</p>	<p>The approval of plan letter from DPHI identifies that the CCS meets the requirements of the condition.</p> <p>The Department has acknowledged receipt of v2.1 of the Strategy on 1/07/2025, and had no comments on the document.</p>	Compliant
	a)		Identify people to be consulted during the construction phases;	As above		
	b)		set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;	As above		
	c)		provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;	As above		
	d)		<p>set out procedures and mechanisms:</p> <ul style="list-style-type: none"> <li>• through which the community can discuss or provide feedback to the Applicant;</li> <li>• through which the Applicant will respond to enquiries or feedback from the community; and</li> <li>• to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation.</li> </ul>	As above		
B45.			<p>The updated CCS must be submitted to the Planning Secretary for approval no later than one month before the commencement of construction.</p>	<p>DPHI approval of Plan letter, dated 17/04/2024</p> <p>Aconex transmittal between EY and FDC, dated 2/04/2024</p> <p>DPHI email acknowledging receipt of the Community Consultation Strategy, June 2025, and that there are no comments at this time, dated 1/07/2025</p>	<p>Community communication strategy and accompanying documents were provided on 2/4/2024, one month prior to commencement of construction. DPHI approved CCS 17/04/2024.</p> <p>The updated CCS V2.1 was provided the Department for review. The Department acknowledged receipt and no comments on 1/07/2025.</p> <p>CCS is in V2.1 at the time of the third audit.</p>	Compliant
B46.			<p>Construction must not commence until the updated CCS has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.</p>	<p>DPHI approval of Plan letter, dated 17/04/2024.</p>	<p>The Plan was approved prior to the commencement of construction.</p>	Compliant

B47.			<p>The CCS, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.</p>	<p>Site interviews</p> <p>Works Notification for noisy works and unavailability of lifts, 28 February 2025</p> <p>Works Notification for intermittent temporary road closure, 6 May 2025</p> <p>Works Notification for intermittent temporary road closure, 19 June 2025</p> <p>Photos of February Works Notification being letterbox dropped</p> <p>Photos of letterbox drops for May and June temporary road closures</p>	<p>The plan is currently being implemented with works notifications issued on the website and letterbox dropped. Community cards are handed out to those who have comments or feedback.</p> <p>GPS Tracker is used by FDC personnel door knocking and delivering works notifications.</p> <p>Due to the internal nature of works in the third audit period, there was only one works notification issued on the website, which was for noisy works and unavailability of lifts, dated 28/02/2025.</p> <p>Works notifications were issued to near neighbours regarding intermittent temporary road closures with skylight works occurring and the use of mobile cranes.</p>	Compliant
Demolition						
B48.			<p>Demolition work must comply with Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifier before the commencement of works.</p>	<p>Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024</p> <p>Demolition Works, Statement of Compliance, Executive Demolition Pty Ltd, 16/04/2024</p> <p>fjc Studio Demolition Plans, Rev 02, first issued 18/05/2023</p> <p>Cutaway Demolition Methodology, Executive Demolition, Rev 01.</p> <p>SafeWork NSW Conditional Restricted Demolition Licence, SafeWork, dated 11/04/2024</p>	<p>The documentation was reviewed as part of the assessment and has been relied upon in confirming compliance for this condition as identified in the BCA Certificate.</p> <p>There was no demolition work in the third audit period.</p> <p>Only demolition that remains on site is the lunchroom, which FDC installed ('defit').</p>	Compliant
Pre-construction Dilapidation Reports						
B49.			<p>Prior to the commencement of any construction, the Applicant must submit to the satisfaction of the Certifier a Pre-Construction Dilapidation Report, prepared by a suitably qualified person.</p>	<p>Dilapidation Report - Void: Perimeter Fencing, Project Solutions, dated 17/04/2024</p> <p>Dilapidation Report - Local and State Property, Project Solutions, dated 18/03/2024</p> <p>Dilapidation Report - NSW Property, Project Solutions, dated 18/03/2024</p> <p>Dilapidation Report - Public Domain, Project Solutions, dated 18/03/2024</p> <p>Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024</p>	<p>The Dilapidation Reports by Project Solutions were prepared by a suitably qualified person as identified in the report - <i>the inspection and report compilation has been conducted by the undersigned who has a Bachelor of Building (UNSW 1993) and has been conducting construction reporting since 2000</i>.</p> <p>All Dilapidation Reports were submitted to the satisfaction of the Certifier as evidenced by the BCA Certificate.</p>	Compliant
B50.			<p>The Pre-Construction Dilapidation Report is to detail the current structural condition of all adjoining buildings, infrastructure and roads (including the public domain site frontages, the footpath, kerb and gutter, driveway NSW Government 15 The Cutaway Cultural Facility, Barangaroo Department of Planning and Environment (SSD 47498458) crossovers and laybacks, kerb ramps, road carriageway,</p>	<p>Dilapidation Report - Void: Perimeter Fencing, Project Solutions, dated 17/04/2024</p> <p>Dilapidation Report - Local and State Property, Project Solutions, dated 18/03/2024</p> <p>Dilapidation Report - Public Domain, Project Solutions, dated 18/03/2024</p> <p>Aconex transmittal regarding letters to residents for dilapidation surveys, dated 5/04/2024</p> <p>Emails between FDC to impacted adjoining residents for 14, 20, 28 and 32 Merriman Street, Millers Point, dated April and May 2024.</p> <p>Dilapidation Reports, Project Solutions, dated April and May 2024</p>	<p>Out of the seven private properties, three were not occupied. Owner did not want to take up Dilapidation Report. Four owners took the dilapidation report.</p> <p>Emails between FDC to impacted adjoining residents for 14, 20, 28 and 32 Merriman Street, Millers Point, dated April and May 2024. Dilapidation reports for Residents who took up the offer, prepared by Project Solutions.</p> <p>Aconex, 4/06/2024, identifies Merriman Street Residential Dilapidation Reports for the four interested owners who took up the opportunity. Three letter box drops were completed regarding the dilapidation survey opportunity.</p>	

			street trees and plantings, parking restrictions and traffic signs, and all other existing infrastructure along the street) within the 'zone of influence'. Any entry into private land is subject to the consent of the owner of the land and any inspection of buildings on privately affected land must include details of the whole building where only part of the building may fall within the 'zone of influence'. A copy of the report is to be forwarded to each of the affected property owners.	Dilapidation Report - NSW Property, Project Solutions, dated 18/03/2024  Aconex transmittal FDC to EY, dated 4/06/2024.  Dilapidation Report – The Cutaway 14, 20, 28 and 32 Merriman Street, Millers Point, NSW 2000, prepared by TWW, dated 24 May 2024  Email correspondence FDC and CoS, dated 18/11/2024  Email correspondence FDC and 14-16 Merriman Street, dated 18/11/2024  Email correspondence FDC and 28 Merriman Street, dated 18/11/2024  Email correspondence FDC and 32 Merriman Street, dated 18/11/2024 and response dated 10/07/2025	The auditor notes that this condition was a non-compliance for Audit 1. Audit 2 found that in November 2024, the Pre-construction Dilapidation reports were emailed to the requesters, namely, CoS, 14-16, 28 and 32 Merriman Street residents.  There is one residence where no notification has been received to show they have seen the report. Community team members have called and door knocked to follow up on resident who has not responded for dilapidation report.	Compliant
B51.			In the event that access for undertaking a Pre-Construction Dilapidation Report is denied by an adjoining owner, the Applicant must demonstrate, in writing, to the satisfaction of the Certifier that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the report and that these steps have failed.	Aconex transmittal Crown Certifier to FDC, dated 12/11/2024  Aconex transmittal FDC to EY, dated 4/06/2024.	Three letter box drops were completed regarding the dilapidation survey opportunity.  Out of the seven properties, three were not occupied. Owner did not want to take up Dilapidation Report. Four owners took the dilapidation report.  The audit found that the Certifier confirmed that attempts by FDC to obtain access and advise the property owners was satisfactory prior to commencement of construction as evidenced by Aconex transmittal dated 12/11/2024.	Compliant
B52.			Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must be made safe and functional by the Applicant to the satisfaction of the public authority responsible for the public way.	Site interviews	The audit found that no damage to the public way at the time of audit 3. Any damage will be picked up during the post-construction dilapidation surveys.	Not triggered
B53.			Prior to a Certificate of Completion being issued for Public Domain Works or prior to occupation, whichever is the sooner, the damage must be fully rectified by the Applicant in accordance with:	Site interviews	Following removal of hoarding. Not triggered in the third audit period. Project has a bond with Council for this aspect.	Not triggered
	a)		Council's standards for Council owned adjoining buildings, infrastructure and roads			
	b)		INSW's standards for INSW owned adjoining buildings, infrastructure and roads.			
Protection of Public Infrastructure and Street Trees						
B54.			Prior to the commencement of any works, the Applicant must:			Compliant
	a)		consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure	Site interviews  Hoarding Permit Renewal, B/2024/135/2, dated 20/05/2025	Consultation was undertaken with Council regarding hoarding permits as the only works required impacting Council.	
	b)		prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths) and submit a copy of the dilapidation report to the Certifier and Council	Dilapidation Report - Public Domain, Project Solutions, dated 18/03/2024  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024  Email correspondence FDC and CoS, dated 18/11/2024	The Dilapidation report for the Public Domain was submitted to the Certifier evidenced by the BCA Certificate and prior to any works.	
	c)		ensure all street trees directly outside the site not approved for removal are retained and protected in accordance with the applicable Australian Standards.	Arboricultural Report (SSD Conditions B54 and B66) issued by Martin Peacock of Martin Peacock Tree Care, dated 11/04/2024  Arboricultural Assessment, issued by Martin peacock Tree Care, dated 4/09/2024  Arboricultural Assessment, issued by Martin peacock Tree Care, dated 2/12/2024  Arboricultural Assessment, issued by Martin Peacock Tree Care, dated 21/02/2025  Site inspection	The report identifies the street trees to be protected in accordance with the recommendations of Australian Standard AS4970 (2009) Protection of trees on development sites (AS4970) and the location of the trees. The report provides the recommendations for street tree protection and includes photos identifying the street trees to be protected.  The audit site inspection noted that trees are protected in accordance with the Arborist report and Australian Standards and that the tree damaged in a storm that was posing a safety and damage risk the the Project (Arborist assessment, 21/02/2025) had been removed with two trees planted in its place. The damaged tree was not in the Project boundary and was removed by an Arborist engaged by Placemaking NSW.  Refer to site photographs Photo 13.	
Construction Environmental Management Plan						
B55.			Prior to the commencement of any works, the Preliminary Construction Environmental Management Plan (CEMP) prepared by EY and dated 22 December 2022 must be updated, submitted to and approved by the Certifier. The CEMP must address, but not be limited to, the following matters where relevant:	Construction Environmental Management Plan Rev C3, FDC , dated 14/02/2025  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024  Crown Design Verification Certificate 4 (GDL240065.3), 12/03/2025	CEMP original issue (O) 9/02/2024, updated to Rev A on 10/04/2024. Current version is Rev C3, 14/02/2025.  The CEMP Rev A, dated 10/04/2024 was submitted to and approved by the Certifier as evidenced in the BCA Certificate.	
	a)		Details of:			
		i)	hours of work	pg 10 of CEMP	Construction hours are provided on page 10 of the CEMP.	
		ii)	24 hour contact details of the site manager	CEMP, Rev C3	The CEMP contains the mobile numbers of key FDC staff, including the senior site manager and site manager, on page 21, which addresses the OFI of including 24-hour numbers.	

iii)	community consultation and complaint handling procedure	SWMP, Rev C2 CCS, Rev 1.3	The SWMP, Rev C2, contains FDC's complaint handling procedure on page 17 of the plan.  The CCS, Rev 1.3, contains FDC's complaint handling procedure on page 22 of the strategy.
iv)	traffic management	Appendix B - CTPMP  Construction Pedestrian and Traffic Management Plan Rev 1, TTW (NSW) Pty Ltd, dated 16/04/2024	Traffic management is addressed in the CPTMP, Appendix B of the CEMP.  Opportunity for improvement - the auditee should consider using consistent terminology to describe the plans. For example, in the CEMP the CPTMP is referred to as the CTMP. This was considered by the Project team but not implemented.
v)	noise and vibration management, prepared by a suitably qualified person	Appendix C - CNVMP  Construction Noise and Vibration Management Plan, Acoustic Studio, Rev 1 18/04/2024  Letter from Acoustic Studio (FDC3564), dated 27 May 2025	Acoustic Studio and its personnel are suitably qualified acoustic consultants as required by this condition and noted in Section 1.2 of the CNVMP. The personnel preparing the plan both have a Bachelor of Engineering.  Noise and Vibration is addressed in the CNVMP, Appendix C of the CEMP.
vi)	management of dust and odour to protect the amenity of the neighbourhood	Appendix I - AQMP  Air Quality Management Plan, Property Risk Australia, V1, 5/04/2024	Implementation of dust monitoring and auditing is provided on page 45 of the CEMP.  Dust and odour management measures are identified in the AQMP, Appendix I of the CEMP. The AQMP does note that Odour is unlikely to be an impact of works associated with the Project.
vii)	stormwater control and discharge, including measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site	Appendix D - SWMP  Soil and Water Management Plan, FDC, Rev C2 04/02/2025	The SWMP contains a mitigation measure for control tracking mud and soil material onto local roads by using shakers, rubble pads or washdown areas.  The SWMP contains mitigation measures for stormwater control and discharge including sediment controls around inlet pits, measures to prevent pollution of stormwater, ensuring that water is treated before it is discharged and meets the specific criteria for pH, TSS and oil/grease.
viii)	contamination management, including any unexpected contamination finds protocol	Appendix D - SWMP  Soil and Water Management Plan, FDC, Rev C2 04/02/2025  Unexpected Finds Protocol, 5/02/2025, Appendix B of the SWMP	Unexpected Find Protocol in Appendix B of the SWMP.  CEMP contains Emergency Management Protocols that includes a Dangerous Goods Spill or Leak Response and details the containment and management of the spill.  The OFI to integrate the requirements of Conditions C42 and C44 into the UFP were not included in the plan updates. However, these conditions are tracked in the condition matrix that is addressed monthly by the Project team.  Opportunity for improvement - the Hazardous Materials Management Plan and the CEMP should be updated to reflect the requirements of Conditions C42 and C44 - Planning Secretary must be notified of any Unexpected Finds of contamination. This was considered by the Project team but not implemented and has been closed.
xi)	waste management	Appendix F - CWMP  Construction Waste Management Plan, Elephants Foot Consulting, Rev C2 09/01/2025	
x)	external lighting in compliance with applicable Australian Standards	CEMP, page 16	The following Australian Standard is listed in the CEMP on page 16 relevant to external lighting - AS4282:2019 <i>Control of the Obtrusive Effect of Outdoor Lighting</i> .
xi)	flora and fauna management.	Appendix K - FFMP  Flora and Fauna Management Plan, FDC, Rev A 26/04/2024	The FFMP contains an Unexpected Species Finds Protocol for threatened species and a fauna Spotter Catcher Protocol.
b)	Construction Traffic and Pedestrian Management Sub-Plan	Appendix B - CTPMP  Construction Pedestrian and Traffic Management Plan Rev 1, TTW (NSW) Pty Ltd, dated 16/04/2024	
c)	Construction Noise and Vibration Management Sub-Plan	Appendix C - CNVMP  Construction Noise and Vibration Management Plan, Acoustic Studio, Rev 1 18/04/2024	
d)	Air Quality Management Sub-Plan	Appendix I - AQMP  Air Quality Management Plan, Property Risk Australia, V1, 5/04/2024	
e)	Construction Waste Management Sub-Plan	Appendix F - CWMP  Construction Waste Management Plan, Elephants Foot Consulting, Rev C2 09/01/2025	
f)	Construction Soil and Water Management Sub-Plan	Appendix D - SWMP  Soil and Water Management Plan Rev C2, FDC, dated 4 February 2025	

Compliant

	g)		an unexpected finds protocol for contamination and associated communications procedure	Unexpected Asbestos Find Protocol in Appendix B of the SWMP.  Section 21 of the CEMP for unexpected finds of Asbestos or contaminated land.	The UFP in Section 21 of the CEMP includes communication required: - notify the FDC Construction Project Managers - FDC Project Manager will initiate FDC Incident Communication Notices notify any other parties such as, INSW, EY, WHS Manager, and Project Hygienist PRA. - notification to INSW and Authorities.  Opportunity for improvement - consider including notification to the Planning Secretary for unexpected contamination finds. This was considered by the Project team but not implemented and has been closed.	
	h)		an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure	Section 4.2 of SWMP, FDC, Rev C2 dated 4 February 2025	The auditor located an Unexpected Finds Protocol for heritage or archaeological objects in Appendix B of the SWMP, Section 4.2 UFP, which somewhat addresses the OFI to move the UHFP from the Hazardous Material Plan.  The communications procedure for Aboriginal or non-Aboriginal heritage unexpected finds is reduced to Section 22 hazardous chemicals.  The communication procedure is provided on page 20 of the CEMP.	
	i)		waste classification (for materials to be removed) and validation (for materials to remain) to be undertaken to confirm the contamination status in these areas of the site.	Appendix F - CWMP Construction Waste Management Plan, Elephants Foot Consulting, Rev C2 09/01/2025	Waste classification in mentioned in the Environmental Risk Assessment Aspect and Impact Register. The auditor located information about waste classification in the CWMP.  The CEMP does not contain information regarding validation (of material to remain) to be undertaken to confirm the contamination status of these areas of the site.  Opportunity for improvement - the audit notes that Validation has been added to the CWMP. However, it should explicitly detail that the validation is of the remaining material (to ensure no contamination remains in situ) and that waste classification is relevant to excavated material. This was considered by the Project team but not updated in the plan.	
Construction Pedestrian and Traffic Management Plan						
B56.			Prior to commencement of any works, the Applicant must submit to the satisfaction of TNSW a final detailed Construction Pedestrian and Traffic Management Plan (CPTMP), prepared by a suitably qualified person in consultation with TNSW, Sydney Metro and PMNSW. The CPTMP must be endorsed by TNSW and submitted to the Planning Secretary for information prior to the commencement of works. The CPTMP must address, but not be limited to, the following matters:	Construction Pedestrian and Traffic Management Plan (CPTMP), Rev 1, TTW (NSW) Pty Ltd, dated 16 April 2024  <a href="https://www.ttw.com.au/traffic/">https://www.ttw.com.au/traffic/</a>  Email from TNSW to TTW, dated 22 April 2024  Email chain FDC, INSW and Property NSW, dated 16 - 23 April 2024.  Site interviews  Submission Receipt DPHI, dated 9/12/2024	The CPTMP was prepared by Taylor Thomson Whitting (TTW) NSW Pty Ltd who have traffic engineers to develop traffic management plans to manage and mitigate disruption during on site works, with an aim to minimise risk, delays, and inconvenience to users.  TNSW provided email endorsement for the CPTMP to TTW on 22/04/2024.  Evidence of consultation with TNSW, Sydney Metro (under TNSW) is provided in Appendix A of the CPTMP. Response to comments from consultation is provided in Table 2.2 of the CPTMP. Emails from FDC to INSW and Property NSW identifies the ongoing consultation of the CPTMP, 16 - 23 April 2024.  No evidence was provided that the CPTMP was submitted to the Planning Secretary prior to the commencement of works during Audit 1. Evidence was provided in Audit 2 that the Planning Secretary received the CPTMP on 9/12/2024.  There were no updates to the CPTMP during the third audit period.	
	a)		a description of the development	Section 2.2		
	b)		proposed construction program and construction methodology	Section 4.1 and 4.2		
	c)		proposed construction hours	Section 6.1	Monday to Friday 7 am to 6 pm Saturdays 8 am to 5 pm Sundays / Public holidays no work	
	d)		a detailed plan of any proposed hoarding and/or scaffolding	Section 4.2		
	e)		details of crane arrangements, including location of any crane(s)	Section 4.2		
	f)		location(s) where it is proposed to park construction vehicles	Section 5.1	Construction workers are not permitted to park in on-site car parking facilities. If they access the work site by vehicle, they are required to park in available permitted parking and adhere to the signposted parking restrictions.	
	g)		location of any proposed work zone(s)	Section 4.5	No work zones or road closures are anticipated under the CPTMP.	
	h)		haulage routes	Section 6.3.2	Construction vehicle routes have been provided for northern and western approach and departure.	
	i)		predicted number of construction vehicle movements, detail of vehicle types and demonstrate that proposed construction vehicle movements can work within the context of road changes in the surrounding area, noting that construction vehicle movements are to be minimised during peak periods	Section 5.2 and 6.3  Site interviews	Project SIMPEL - booking system that is monitored and reviewed each month. Sighted booking system. Timing of deliveries shown.	
	j)		measures to avoid construction worker vehicle movements	Section 5.1 and 6.3	Alternative transport arrangements are outlined in the document. Construction vehicle routes have been provided for northern and western approach and departure.	Compliant
	k)		measures to ensure the arrival of construction vehicles to the site do not cause additional queuing on public roads	Section 6.3 and 6.0	Staff member on gate has control of booking system - Project SIMPEL. Bookings for the following day are discussed. Bookings are held within the property and not on public roads. Designed so there should be no queues. Large steel deliveries limited to two trucks per day and within designated hours.	
	l)		pedestrian and traffic management measures	Section 7.1	Pedestrians and cyclists will be rerouted around any footpath closures with clearly marked detours and appropriate signage.	
	m)		details of construction vehicle routes and entry and exit to and from the site, including evidence of consultation with TNSW and PMNSW on preferred construction routes and routing construction traffic and deliveries along Towns Place where possible to minimise exposure to residences	Section 6.3.2 and 2.3	Construction vehicle routes have been provided for northern and western approach and departure. These details are provided in the subcontractor start up package.  As detailed above.	
	n)		details of roads that may be excluded from use by construction traffic i.e. roads with load limits, quiet residential streets or access/turn restricted streets	Section 6.4	Construction vehicle routes have been provided for northern and western approach and departure.	
	o)		details of the monitoring regime for maintaining the simultaneous operation of buses, light rail and construction vehicles on roads surrounding the site	Section 7.2	No impact to public transport.	
	p)		consultation strategy for liaison with surrounding stakeholders, including other developments under construction	Section 8.1	refer to ( r )	
	q)		identify any potential impacts to general traffic, cyclists, pedestrians, bus services within the vicinity of the site from construction vehicles during the construction of the proposed works	Section 7.1		



	f)		cumulative construction impacts of projects within Barangaroo. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure the coordination of work activities are managed to minimise impacts on the surrounding road network, and	Section 8.0 Site interviews	Cumulative impacts with existing CPTMPs in proximity to the development site have been detailed in section 8.0 of the CPTMP.  FDC Site Manager's details are passed on to surrounding projects, e.g., Walpac for Sydney Metro - emails are circulated as well as a WhatsApp group with the Foremen involved from each site.	
	g)		should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and must be enforced throughout the duration of works.	Section 7.0 Photos by FDC of vehicle waste register	Construction driveway crossovers are the locations identified where there could be construction impact to general traffic, public transport, pedestrians and cyclists. Pedestrians and cyclists will be rerouted around any footpath closures with clearly marked detours and appropriate signage.  No impact to public transport.	
B57.			The CPTMP approved under Condition B56 must be complied with during any works associated with this consent.	Site interviews Project SIMPEL Induction PowerPoint Presentation, Rev 17 Induction records, Labourer, 08/07/2025 Contractor Pre-start package	Construction worker parking statement that excludes them from parking around areas around shops to ensure that public parking in well used areas is not taken up by construction worker vehicles. Staff member assigned to walking around to confirm worker parking.  SIMPEL - when delivery drivers are booking deliveries into the system, the routes are available in the booking system. Sub-contractors received all the information in Induction and Start-up pack.  Site access routes are also included on staff noticeboard and on the ground floor of the site. Construction traffic can only enter the site if they have booked via Project SIMPEL.  There have been no issues with contractor parking. Either contractors pay for their own parking in the Wilson's Carpark or make use of the Metro or other form of public transport.	Compliant
B58.			Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and the Transport Management Centre and Transport for NSW (development.CTMP.CJP@transport.nsw.gov.au) to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The Applicant is responsible for ensuring the builder's direct contact number is current during any stage of construction.	Site interviews Works Notification FDC, 28 February 2025 Photos of February Works Notification being letterbox dropped	Palisade only identified as impacted small business in proximity to site. Project Manager had meeting with Palisade and provided contact details.  Site notice board has contact details for site managers and senior project manager. Letterbox drop with 1800 number which have answering machine after hours.  FDC delivered the February Works Notification, which they evidenced by providing photos showing the notification being delivered to letterboxes.	Compliant
<b>Construction Noise and Vibration Management Sub-Plan</b>						
B59.			Prior to the commencement of any works, a Construction Noise and Vibration Management Sub-Plan (CNVMP) must be prepared by a suitably qualified acoustic consultant and approved by the Certifier. The CNVMP must include but not be limited to the following:	Construction Noise and Vibration Management Sub Plan Rev 1, ACS, dated 18 April 2024.  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024  Letter from Acoustic Studio (FDC3564), dated 27 May 2025  Aconex transmittal snip of monitor removal letter to Certifier, no date  Site interviews	Acoustic Studio Pty Ltd (ACS) and its personnel are suitably qualified acoustic consultants as noted in Section 1.2 of CNVMP. ACS is a member of the Association of Australasian Acoustical Consultants. The personnel involved in the preparation of the plan both have Bachelor of Engineering degrees.  Evidence of approval by the Certifier is the BCA Certificate.  Acoustic Studio provided a letter to FDC, 27/05/2025, outlining changes to the ongoing monitoring program as detailed in the CNVMP_v1.0 due to internal nature of the finishing works. Changes to the monitoring program include: * Remove 3 of the 4 long-term unattended noise monitors * Remove 3 of the 4 long-term unattended vibration monitors * Relocate the remaining noise and vibration monitors to a location at the top of the enclosed skylights in the vicinity of the nearest residential receivers in Merriman Street, Millers Point.  The Acoustic Studio letter, 27/05/2025, will be part of CDVC 5. A snip of the Aconex transmittal with the letter as an attachment to the Certifier was provided.	
	a)		any recommendations made in the Noise and Vibration Impact Assessment prepared by ARUP and dated 26 January 2023 including specification of the actual equipment to be used during construction and updated estimates of the likely noise and vibration impacts;	Section 6.1		
	b)		identification of the specific activities that will be carried out and associated noise sources at the site;	Sections 5.2 and 5.3		
	c)		identification of all potentially affected sensitive residential receiver locations;	Section 3.2		
	d)		a representative background noise measurement (LA90, 15 minute) should be submitted, assessed in the vicinity of any potentially affected receiver locations and measured in accordance with AS 1055:1.2.1997	Section 3.3		
	e)		the construction noise, ground-borne noise and vibration objectives derived from an application of the EPA Interim Construction Noise Guideline (ICNG), as reflected in conditions of approval;	Section 4		
	f)		what plant and equipment is to be used on site and proposed number of high noise intrusive appliances intended to be operated onsite	Sections 5.2 and 5.3		
	g)		prediction and assessment of potential noise, ground-borne noise (as relevant) and vibration levels from the proposed construction methods expected at sensitive receiver premises against the objectives identified in the ICNG and conditions of approval;	Section 5		
	h)		where objectives are predicted to be exceeded, an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise and vibration impacts;	Section 6		
	i)		the required scheduling of activities and works having regard to the nearest sensitive receivers	Section 5.1		
	j)		the preferred location of plant and equipment to behind structures to maximise shielding of receivers	Sections 6.1, 6.2 and Appendix C.4		
	k)		use and maintenance of the preferred equipment	Section 6.7	The equipment owners maintain the noise and vibration equipment and can do it with remote log in.	Compliant
	l)		description of management methods and procedures, and specific noise mitigation treatments/measures that can be implemented to control noise and vibration during construction;	Section 6	Acoustic blankets within work areas, noise and vibration monitoring	
	m)		where objectives cannot be met, additional measures including, but not necessarily limited to, the following must be implemented; reduce hours of construction, the provision of respite from noise/vibration intensive activities, acoustic barriers/enclosures, alternative excavation methods or other negotiated outcomes with the affected community;	Section 6	Continuous monitoring, email and text to site managers and WHS and specific noise and vibration staff. Time lapse camera used for exceedances. Handheld measurements taken to confirm noise outputs.	
	n)		where night-time noise management levels cannot be satisfied, a report must be submitted to the Planning Secretary outlining the mitigation measures applied, the noise levels achieved and justification that the outcome is consistent with best practice;	Section 6.5 Site interviews	No night time noise in audit period. A mitigation measure in place if after hour works occur to inform near neighbours.	

		o)	measures to identify non-conformances with the requirements of the Sub-Plan, and procedures to implement corrective and preventative action;	Sections 6.9 and 7		
		p)	suitable contractual arrangements to ensure that all site personnel, including sub-contractors, are required to adhere to the noise management provisions in the Sub-Plan;	Section 1.3, 6.10 and 7		
		q)	procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity;	Section 6.8		
		r)	confirmation of the level of community consultation that has/is and will be undertaken with Building Managers/ occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phase;	Section 6.8		
		s)	measures to monitor noise performance	Section 7 Letter from Acoustic Studio (FDC3564), dated 27 May 2025	Acoustic Studio provided a letter to FDC, 27/05/2025, outlining changes to the ongoing monitoring program as detailed in the CNVMP, v1.0 due to internal nature of the finishing works. Changes to the monitoring program include: • Remove 3 of the 4 long-term unattended noise monitors • Remove 3 of the 4 long-term unattended vibration monitors • Relocate the remaining noise and vibration monitors to a location at the top of the enclosed skylights in the vicinity of the nearest residential receivers in Merriman Street, Millers Point.	
		t)	measures to respond to complaints, including what course of action will be undertaken following receipt of a complaint concerning offensive noise;	Section 6.9		
		u)	measures to reduce noise related impacts associated with offsite vehicle movements on nearby access and egress routes from the site;	Section 6.3		
		v)	procedures to allow for regular professional acoustic input to construction activities and planning; and	Section 7		
		w)	effective site induction, and ongoing training and awareness measures for personnel (e.g. toolbox talks, meetings etc).	Section 6.10 and Appendix C.1 Induction PowerPoint Presentation, Rev 17 Induction records, Labourer, 08/07/2025 Contractor Pre-start package.	All project personnel and subcontractors with training on the environmental obligations through project inductions, toolbox talks and through Safety Works Methods (SWMS). Contractual arrangements will also be put in place to ensure adherence to noise management measures.	
<b>Air Quality Management Plan</b>						
B60.			Prior to the commencement of any works, the Applicant must submit to the satisfaction of the Certifier an Air Quality Management Sub-Plan (AQMP) for the development. The Sub-Plan must include, as a minimum, the following elements:	Air Quality Management Sub Plan V1, property Risk Australia Pty Ltd, dated 5 April 2024 Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024 Silica Awareness and Safety Course through NSW Government. FDC Project - Training Register - The Cutaway, 08/07/2025.	Evidence of approval by the Certifier is the BCA Certificate. Training for silica awareness and safety also included methods of minimising silica dust, hierarchy of controls to eliminate or reduce exposure to dust. FDC undertake this training as evidenced by the FDC Project training register. Air quality monitoring will be triggered with completion of Nawi Cove in CDVC 5.	
		a)	be prepared by a suitably qualified and experienced expert in accordance with the EPA's Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (the Approved Methods);		Property Risk Australia are a consultancy that specialise in work, health, safety, environment and quality. The document reviewer has over 14 years of experience in the work health, safety and environment field. Scott has professional qualifications in environmental science, hazardous materials, environmental due diligence, contaminated site assessment and management (including waste classification) and validation, groundwater, mould and indoor air quality and work health and safety, including audits, investigations, training, and is currently a CEnvP, AHCA and LAA. The AQMP is in accordance with the NSW EPA 2016 Approved Methods.	Compliant
		b)	relevant environmental criteria to be used in the day-to-day management of dust and volatile organic compounds (VOC/odour);	Table 7 - Air Quality Monitoring Site interviews Level 2 Health Risk Assessment, PRA, V1, 17 June 2024.	Sandstone excavation with silica dust will be most important in regards to air quality and health, and information on this will form part of high risk workshop.	
		c)	mission statement;	Section 1.2		
		d)	dust and VOCs/odour management strategies consisting of:	Table 7 - Air Quality Monitoring Level 2 Health Risk Assessment, PRA, V1, 17 June 2024.		
		i)	objectives and targets;	Section 1.3		
		ii)	risk assessment;	Section 9		
		iii)	suppression improvement plan;	Table 7 - Air Quality Monitoring		
		iv)	monitoring requirements including assigning responsibility (for all employees and contractors);	Table 5 - Mitigation Measures, reporting and reactive management strategy and Table 7 - Air Quality Monitoring	Table 5 includes the roles with responsibility and accountability for the monitoring requirements.	
		v)	communication strategy; and	Section 8.1		
		vi)	system and performance review for continuous improvements.	Section 4		
B61.			The AQMP must detail management practices to be implemented for all dust and VOC/odour sources at the site. The AQMP must also detail the dust, odour, VOC and semi-volatile organic compounds (SVOC) monitoring program (e.g. frequency, duration and method of monitoring) to be undertaken for the project.	Section 10 of AQMP V1, dated 5/04/2024		Compliant
B62.			The Applicant must also develop and implement an appropriate comprehensive Reactive Air Quality and Odour Management Plan which will incorporate an Ambient Air Monitoring Program and Reactive Management Strategy to ensure that the assessment criteria are met during the works.	Section 10 of AQMP V1, dated 5/04/2024 Site interviews Level 2 Health Risk Assessment, PRA, V1, 17 June 2024.	Table 5 includes the Mitigation Measures, reporting and reactive management strategy	Compliant
<b>Construction Waste Management Sub-Plan</b>						
B63.			Prior to the commencement of any works, the Applicant must submit to the satisfaction of the Certifier a final Construction Waste Management Sub-Plan (CWMP) for the development. The Sub-Plan must include, as a minimum, the following elements:	Construction Waste Management Plan Rev C2, FDC Construction, dated 09/01/2025. Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024.	Revision B of the CWMP by Elephants Foot Consulting Pty Ltd, dated 28 March 2024 was updated on 09/01/2025 to revision C2. Satisfaction of the Certifier as evidenced in BCA Certificate for the CEMP, as the CWMP was submitted as Appendix F of the CEMP.	

	a)	require that all waste generated during the project is assessed, classified and managed in accordance with the EPA's "Waste Classification Guidelines Part 1: Classifying Waste";	Section 4.6		Compliant
	b)	demonstrate that an appropriate area will be provided for the storage of bins and recycling containers and all waste and recyclable material generated by the works;	Section 4.10		
	c)	procedures for minimising the movement of waste material around the site and double handling;	Section 4.5	The sub-part of this Condition has not been included in Table 1 SSDA requirements.  The OFI identified in Audit 1, to update Table 1, has been completed.	
	d)	waste (including concrete waste, rinse litter, debris or other matter) is not caused or permitted to enter any waterways;	Section 4.8		
	e)	any vehicle used to transport waste or excavation spoil from the site is covered before leaving the premises;	Section 4.9  Site interviews  Photos by FDC of vehicle loads covered and vehicle waste register	FDC vehicle Waste Register and accompanying photos show that was is not leaving the site uncovered.	
	f)	the wheels of any vehicle, trailer or mobilised plant leaving the site are cleaned of debris prior to leaving the premises;	Section 4.9		
	g)	details in relation to the transport of waste material around the site (on-site) and from the site, including (at a minimum): • a traffic plan showing transport routes within the site; • a commitment to retain waste transport details for the life of the project to demonstrate compliance with the Protection of the Environment Operations Act 1997; and • the name and address of each licensed facility that will receive waste from the site (if appropriate);	Section 4.8 Appendix A Section 2.2		
	h)	on-site general waste and co-mingled recycling waste bins are available for waste generated by workers and suitably located (e.g. break out areas)	Section 4.8 Site Inspection		
	i)	all waste generated by the development is treated and/or disposed of at a facility that has sufficient capacity to and may lawfully accept that waste.	Section 4.6		
Construction Soil and Water Management Sub-Plan					
B64.		Prior to the commencement of any works, the Applicant must submit to the satisfaction of the Certifier a Construction Soil and Water Management Sub-Plan (CSWMP) which must be prepared by a suitably qualified expert and address, but not be limited to, the following:	Soil and Water Management Plan Rev C1, FDC, dated 4 February 2025  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024	To the satisfaction of the Certifier is evidenced by the inclusion of the plan in the BCA Certificate, dated prior to commencement of any works.  The plan was prepared by FDC, industry specialist contractors in construction, interior fitout, refurbishment, data centres and building services. The reviewer of the document in the project manager. The Project is generally interior in nature and therefore low risk to soil and water impacts	Compliant
	a)	describe all erosion and sediment controls to be implemented during construction	Appendix A	There are only two stormwater pits, one at each access, that require the need for sediment controls. These pits are covered with a geofabric and are maintained.	
	b)	provide a plan of how all construction works will be managed in a wet-weather event (i.e. storage of equipment, stabilisation of the Site)	Appendix D	The heavy rainfall event procedure documents how works will be managed during wet-weather events in multiple categories - light (up to 2.2 mm/hr), moderate (2.2 mm/hr to 6.2 mm/hr), heavy (6.22 mm/hr to 50 mm/hr) and violent (>50 mm/hr).	
	c)	detail all off-Site flows from the Site	SWQMP15	This mitigation measure details the separation of clean and dirty water. Works undertaken are interior.	
	d)	describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI	Appendix D	Heavy rainfall event procedure.	
Landscaping Plans					
B65.		Prior to the commencement of construction, a detailed landscape design including plans and details drawn to scale and technical specification by a registered landscape architect is to be prepared in consultation with Council and PMNSW and approved by PMNSW. These documents must include:	Minutes from SDRP (PMNSW) 3 Presentation (consultation), dated 16/05/2024  Minutes from City of Sydney Presentation (consultation), dated 08/05/2024  Email from FDC to CoS with presentation minutes, dated 9/05/2024  Aconex correspondence from INSW (FDC, NSW-RF-000578) identifying PMNSW endorsement of the landscaping plans Condition B65, dated 10/03/2025  Letter from CoS, endorsement of Condition B65, dated 26 March 2025	Consultation minutes following presentation delivery on landscape design with Council and PMNSW.  * PMNSW were consulted on the landscaping plans (condition B65). PMNSW provided endorsement of the landscaping plans and that the plans have met condition requirements as described in Aconex Correspondence from INSW dated 10/03/2025. * Council were consulted on the landscaping plans and provided endorsement of the plans in accordance with Condition B65 on 26 March 2025.	Compliant
	a)	Location of existing and proposed planting on the site including existing and proposed trees, and planting in natural ground, on structure and in pots;	FJC-80000_LANDSCAPE PLANS_[H] FJC-80001_LANDSCAPE PLANS - EXTERNAL FORECOURT_[I] FJC-80002_LANDSCAPE PLANS - EXTERNAL FORECOURT SETOUT_[D] FJC-80003_LANDSCAPE PLANS - WARANARA TERRACE AND SKYLIGHTS_[G] FJC-80001_LANDSCAPE SECTIONS & DETAILS_[G]		
	b)	Location and details of existing and proposed surface materials and structures on the site including, but not limited to, paved areas, infill pit lids, furniture, removable bollards, bike racks, light poles, signage, drainage, services, shade structures, other features, and all associated footings;	As above		
	c)	Coordinated services plan including location and approximate depth of all existing and proposed pits, services (electricity, gas, sewer, potable water), proposed plaza drainage, sculptural tree, wall and fence footings, sign posts, lights and GPO if applicable;	As above		
	d)	Detailed grading plan with existing and proposed levels, falls, and pits;	As above		
	e)	Details of GRC cladding to walls including capping, GRC specification and samples to colour match sandstone;	As above		
	f)	Interface details for landscape to skylights in Stargazer Lawn;	As above		
	g)	Details of earthworks and soil depths including finished levels and any mounding. The minimum soil depths for planting on slab must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers, excluding mulch and drainage layers;	As above		
	h)	Planting details, and location, numbers, type and supply size of plant species, with reference to Australian Standards and preference for drought resistant species that contribute to habitat creation and biodiversity;	As above		

	i)		Landscape maintenance plan. This plan is to be compiled with during occupation of the property and	As above		
	j)		Details of drainage, waterproofing and watering systems.	As above		
<b>Tree Protection Plan / Arborist Report</b>						
B66.			Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier a detailed site-specific Tree Protection Plan (TPP) prepared by a qualified Arborist (minimum AQF Level 5) and must identify all potentially impacted trees and appropriate protection measures. The TPP is to be prepared in accordance with the Australian Standards AS4970 'Protection of trees on development sites' and implemented throughout all construction and development works.	<p>Site interviews</p> <p>Arboricultural Report (SSD Conditions B54 and B66) issued by Martin Peacock Tree Care, dated 11/04/2024</p> <p>Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024</p> <p>Site inspection</p> <p>Arboricultural Assessment, issued by Martin Peacock Tree Care, dated 4/09/2024</p> <p>Arboricultural Assessment, issued by Martin Peacock Tree Care, dated 2/12/2024</p> <p>Arboricultural Assessment, issued by Martin Peacock Tree Care, dated 21/02/2025</p>	<p>The Tree Protection Plan is provided in Appendix B of the Arboricultural Report. It was accepted by the Certifier as evidenced in the BCA Certificate.</p> <p>In the audit period, the Arborist had made a second site visit on 19 February 2025 to inspect tree protection and TPZ barriers for the trees on the western side of Merriman Street, and vegetation within the vicinity of the skylights. The report noted that tree protection had been installed on one Cabbage Palm and the pruning of one sea Hibiscus in accordance with the Arboricultural Report (2/12/2024) had been undertaken. The Arborist noticed damage sustained to one Grey Gum from recent storms and recommended FDC have the damaged limb(s) removed by a qualified Arborist.</p> <p>The auditor observed tree protection on street trees to be retained along Merriman Street during the site inspection.</p> <p>The damaged tree was not in the Project boundary and was removed by an Arborist engaged by Placemaking NSW.</p> <p>It was observed during the site inspection that two trees had been planted in its place.</p> <p>Refer to site photographs Photo 13.</p>	Compliant
<b>Compliance with Acoustic Assessment</b>						
B67.			Prior to the commencement of construction, the Applicant must submit evidence to the Certifier from a Suitably Qualified Acoustic Consultant which confirms that the design of the development has incorporated all performance parameters, requirements, engineering assumptions and recommendations contained in the Noise and Vibration Impact Assessment, prepared by ARUP, dated 26 January 2023.	<p>Site interviews</p> <p>Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024</p> <p>Compliance with Acoustic Assessment, ARUP, dated 4/04/2024</p>	<p>The compliance letter with acoustic assessment from Arup identifies that the design elements of the development have been assessed and comply with the Noise and Vibration Impact Assessment and with this condition. The letter was submitted to the Certifier as evidenced by the BCA Certificate.</p>	Compliant
<b>Construction Parking</b>						
B68.			Prior to the commencement of any works, the Applicant must submit to the satisfaction of the Certifier evidence that sufficient off-street parking has been provided for heavy vehicles and for site personnel (where required), to ensure that construction traffic associated with the development does not utilise on-street parking or public parking facilities.	<p>Site interviews</p> <p>CPTMP, TTW, Rev 1 16/04/2024</p> <p>Email correspondence between FDC and TTW, April 2024.</p> <p>Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024</p>	<p>CPTMP - no on-site parking for personnel. Refer to plan for heavy vehicles parking and Project SIMPEL Worker parking section 5.1 of CPTMP.</p> <p>Certifier is satisfied that there is sufficient off-street parking for heavy vehicles and site personnel as evidenced by the BCA certificate.</p>	Compliant
<b>Compliance</b>						
B69.			Prior to the commencement of any works, the Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	<p>Induction PowerPoint Presentation, 27/06/2024</p> <p>Induction records, FDC</p> <p>Contractor Pre-start package</p> <p>Site interviews</p> <p>Toolbox Talk sign-on, 11/07/2024</p> <p>Toolbox Talk eForm Report, 11/07/2024</p> <p>Aconex - all plans are available</p> <p>Project SIMPEL - plans are made available</p>	<p>FDC personnel and Services Design Team. WHS Plan has communication plan for the workers and includes worker consultation (section 12). Daily coordination meeting with daily prestart.</p> <p>Inductions are required and management plan material is provided for reading prior to any contractors, personnel starting works on site. Induction records identify the names of all inducted staff, the date they were inducted and who they were inducted by.</p> <p>Toolbox talks include a run through of relevant activities and required actions.</p>	Compliant
<b>Outdoor Lighting</b>						
B70.			Prior to commencement of any lighting installation, evidence must be submitted to the satisfaction of the Certifier that all outdoor lighting within the site has been designed to comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.	<p>Design Certificate - Electrical Services, MDE Group, dated 14/06/2024</p> <p>Group DLA BCA Design Compliance Statement GDL240065.1, dated 22/07/2024</p>	<p>Electrical Services are designed in accordance with relevant standards for conditions B29 and B70.</p> <p>Documentation was submitted to the Certifier as is listed under CDVC2.</p>	Compliant
<b>Public Liability Insurance</b>						
B71.			Prior to the commencement of any earthwork or construction over, on or below Council land, the Applicant must submit to the satisfaction of the Certifier evidence of Public Liability Insurance, with a minimum liability of \$10 million. A copy of the Insurance cover is to be provided to Council.	<p>Memorandum of Insurance for Public &amp; Products Liability issued by Gavin Parkinson of Arthur J. Gallagher &amp; Co (Aus) Pty Ltd, dated 29/04/2023</p> <p>Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024</p> <p>Clover Insurance, Certificate of Currency, dated 23/02/2024</p> <p>Email Re Waranara Terrace Hoarding Application, FDC to Property NSW, dated 12/04/2024</p> <p>Email Re Hoarding and Crane Lifting to Nawi Cove, FDC to Property NSW, dated 01/08/2024</p>	<p>Memorandum of Insurance for \$20,000,000.00 was organised prior to commencement of works. Clover Insurance cover 04/03/2024 to 04/03/2025.</p> <p>To the satisfaction of the Certifier as evidenced by the BCA Certificate.</p> <p>Approved permits for hoarding and temporary fencing require Council to have a copy of the insurance certificate.</p>	Compliant
<b>Remediation - Unexpected Finds Protocol</b>						

B72.			<p>Prior to the commencement of any earthwork or remediation works, the Applicant must submit to the satisfaction of the Certifier an Unexpected Finds Protocol which has been reviewed and endorsed by an EPA accredited site auditor. The protocol must outline contingency measures and the procedures to be followed in the event unexpected finds of contaminated material are encountered during works.</p>	<p>Unexpected Finds Protocol for Asbestos, FDC, Rev 0 04/02/2019</p> <p>Unexpected Finds Procedure, FDC, Rev C2, 04/02/2025</p> <p>Letter from Enviroview to FDC, Site Auditor approval of UFP, dated 12/02/2025</p> <p>Aconex transmittal from Certifier (FDC, NSW-GCOR, 005826), dated 13/02/2025</p>	<p>FDC's contract included demolition only and not excavation with the understanding from Geotech investigations that the Stair 3 slab was sitting directly on top of rock. However, during demolition of Stair 3 base slab, it was identified that fill material was beneath the slab.</p> <p>The material was excavated and a waste classification done. It was identified as asbestos containing fill and disposed of accordingly. Removal of the fill identified the asbestos pipe. Although this was unexpected, the Unexpected Finds Protocol should have been reviewed and endorsed by the EPA accredited Site Auditor for instances such as this.</p> <p>The Unexpected Finds Protocol for Asbestos has received verbal endorsement from the EPA accredited site auditor at the time of the audit. The site auditor provided written endorsement of the Unexpected Finds Procedure (now in Rev C2, 04/02/2025) on 12/02/2025. The endorsement has been submitted to the Certifier's satisfaction on 13/02/2025.</p>	Compliant
Barricade Permit						
B73.			<p>Where construction/building works require the use of a public place including a road or footpath, approval under section 138 of the Roads Act 1993 for a Barricade Permit is to be obtained from the relevant authority prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of the relevant authority.</p>	<p>Mobile hoisting approval, CoS, Licence CP/2024/1429, dated 15 November 2024</p> <p>Mobile hoisting approval, CoS, Licence CP/2024/1520, dated 5 December 2024</p> <p>Mobile hoisting approval, CoS, Licence CP/2025/282, dated 14 March 2025</p> <p>Mobile hoisting approval, CoS, Licence CP/2025/621, dated 18 June 2025</p>	<p>Barricade permits not required for second audit period. However, permits are in place for material delivery for the skylights, on Merriman Street.</p> <p>Mobile hoisting licences, 1429, 1520, 282 and 621 were approved by CoS for partial road / lane closures. Approval is given in accordance with Section 68 (E(1)) of the Local Government Act 1993 and Section 108 of The Crown Lands Act 1989. Licence 1429 was for a telehandler and 1520 for mobile crane.</p>	Compliant
Hoarding						
B74.			<p>Prior to the commencement of works, the final design and masterplan for the construction hoarding is to be provided to PMNSW for review and endorsement.</p>	<p>Site interviews</p> <p>Temporary Works Application - Barangaroo, 19/04/2024</p> <p>Proposed Temporary Works Plans for hoarding and temporary walls, ZAIT Engineering Solutions, Rev 01/ 02, 10/04/2024 &amp; 19/04/2024</p> <p>Notice of Works Register, FDC REV 14 12/7/2024</p> <p>Concept Presentation, Barangaroo Cutaway Hoarding Concept INSW, RPS Group, dated 21 March 2024</p>	<p>The auditor notes that PMNSW reviews and discusses hoardings and construction activities in weekly meetings with the Project team. As a result, permits have been provided indicating endorsement.</p>	Compliant
B75.			<p>An application under section 138 of the Roads Act 1993 is to be made to the relevant road authority to erect a hoarding and/or scaffolding in a public road (if required) and such application is to include:</p>	<p>Hoarding Permit Renewal, B/2024/135/2, dated 20/05/2025</p> <p>Hoarding Permit Renewal, B/2024/135/1, dated 7/01/2025</p> <p>Hoarding construction Permits 3043 (April 2024), 3056 (2 May 2024), 3057 (2 May 2024), 3058 (2 May 2024), 3059 (2 May 2024)</p>		Compliant
	a)		<p>architectural, construction and structural details of the design as well as any proposed artwork</p>	<p>KPI Construction Services, Merriman Street Barangaroo Hoarding 8 and Compound, dated 10/04/2024 (KPI0108/24)</p> <p>CoS Hoarding Graphics Design Compliance Statement, Permit B/2024/135, dated 30/08/2024</p> <p>Email correspondence CoS and FDC, approval of graphic, dated 30/08/2024</p> <p>Proposed Hoarding Design Plans, Gilcon Structural Engineers Rev C, dated 29/07/2024</p>	<p>Artwork approved by Council, 30/08/2024.</p>	
	b)		<p>structural certification prepared and signed by an appropriately qualified practising structural engineer.</p>	<p>Hoardings and Scaffolding installation certification (Structural), CoS, dated 30/08/2024</p> <p>Structural Adequacy Certificate, Gilcon Structural Engineers, dated 5/09/2024</p>	<p>All hoarding was inspected by an Engineer, who signed off the installation certification, 30/08/2024, for permit number B/2024/135.</p> <p>The audit also found that a Structural Adequacy Certificate had been provided, 05/09/2024, for the elements posts, platform framing and bracing. All elements demonstrated compliance with relevant Australian Standards.</p>	

B76.			Where an approval (Permit) is granted allowing the placement of temporary structures on or above a public road the structures must comply fully with the conditions of approval (Permit) granted including:	eForm for June Hoarding Inspection, 26/06/2025  Hoarding construction permits 3043 (April 2024), 3056 (2 May 2024), 3057 (2 May 2024), 3058 (2 May 2024), 3059 (2 May 2024)  Site inspection	The auditor observed that the hoarding that was currently in place was being maintained, specifically the hoarding at the entrance to Nawi Cove and around the skylights on Merriman Street.	
	a)		maintaining a current and valid approval for the full duration that the temporary structure/s is in place;	Hoarding Permit Renewal, B/2024/135/1, dated 7/01/2025  Hoarding Permit Renewal, B/2024/135/2, dated 20/05/2025		
	b)		maintaining temporary structure/s in a structurally sound and stable condition for the full duration of installation (Clause 2.11.1);	Site interviews  eForm for June Hoarding Inspection, 26/06/2025  Site inspection	Refer to photos from site inspections. eForm from June 2025 identifies that there were no tasks to follow up on following the inspection.	Compliant
	c)		bill posters and graffiti being removed within 24 hours of their placement (Clause 2.11.2);	As above	There have been few instances of graffiti tags, predominantly with markers. The audit found staff removed these immediately, either by cleaning or painting over.  Refer to site photographs Photos 1, 2, 5, 6, 13 and 14.	
	d)		maintaining temporary structures and the public place adjoining the work site in a clean and tidy condition including repainting and/or repair of graphics (Clauses 2.11.1, 2.11.4, 2.14.1 and 3.9.3);	As above	Weekly hoarding inspection. Refer to eForm for hoarding inspection detailed above.	
	e)		maintaining a watertight deck (Type B hoardings) to prevent liquids including rainwater, falling onto the footway/roadway surfaces (Clauses 3.9.1 and 3.9.4);	As above	No B Type hoarding. Covered walkway for fire emergency exit.	
	f)		approved site sheds on the decks of a Type B hoarding being fully screened from the public place (Clause 3.9.5);	As above	No B type hoarding.	
	g)		material and equipment not being placed or stored on the deck of Type B hoardings, unless specifically approved (Clause 3.9.4);	As above	No B type hoarding.	
	h)		providing and maintaining operational artificial lighting systems under Type B hoardings including at highbay truck entry points (Clause 3.9.9); and	As above	No B type hoarding.	
	i)		ensuring all required signage, artwork or historic images are provided and fully maintained (Clauses 3.4, 3.9.3, 3.9.6, 3.9.8, 3.10.1 and 4.2);	As above	Refer to site photographs Photos 1, 2, 5, 6, 13 and 14.	
B77.			If it is proposed to operate a hoisting device including a building maintenance unit above a public road which swings, hoists material/equipment and/or slews/wind vanes any part of the device over the public road, a separate application under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993 must be made to Council to obtain approval.	Site interviews	No requirement for hoisting device permits.	Not triggered
			Note: 'Building maintenance unit' means a power-operated suspended platform and associated equipment on a building specifically designed to provide permanent access to the faces of the building for maintenance (Work Health and Safety Regulation 2017).		Noted	
<b>Part C - During Construction</b>						
<b>Approved Plans to be On-Site</b>						
C1.			A copy of the approved and certified plans, specifications and documents incorporating conditions of approval, modifications and certification must be kept on the Site at all times and must be readily available for perusal by any officer of the Department, PMNSW or the Certifier.	Site interviews  Sighted documents register in Aconex  Site inspection	All documents are stored in Aconex and made available upon request to noted agencies. Also Aconex field App so accessible via phone.  Management plans are available to review in the lunch room.  Policies are displayed on a noticeboard in the lunch room.  Refer to site photographs Photos 3, 4 and 12.	Compliant
<b>Site Notice</b>						
C2.			A site notice(s) must be erected in a prominent position on the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifier and Structural Engineer. The notice(s) is to satisfy all, but not be limited to, the following requirements:	Site inspection  Site interviews	The site notice is erected at the site entrance at eye level at several site entrances, including on Merriman Street, Nawi Cove and the main site entrance. The audit found that the site notice at the main site entry, and in the most publicly accessible area, is the one that has all the information inclusive of Certifier details and approved work hours.  Refer to site inspection photographs Photos 11 and 14.	Compliant
	a)		state the name, address and telephone number of the principal certifier for the work	Site inspection	The site notice contains the name, address and number of the Principal Certifier.	
	b)		state the name of the principal contractor (if any), its address and 24-hour contact phone number for any inquiries, including construction/noise complaints	Site inspection	Refer to site inspection photographs Photos 11 and 14.	
	c)		state the approved hours of work	Site inspection	The site notice contains the approved hours of work.	
	d)		state that unauthorised entry to the work site is prohibited	Site inspection	The site notice states "authorised personnel only".	
	e)		the minimum dimensions of the notice are to measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size	Site inspection	Refer to site inspection photographs Photos 11 and 14.	
	f)		the notice is to be durable and weatherproof and is to be displayed throughout the works period	Site inspection	Refer to site inspection photographs Photos 11 and 14.	
	g)		the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing.	Site inspection	Refer to site inspection photographs Photos 11 and 14.	
<b>Contact Telephone Number</b>						
C3.			The 24-hour contact telephone number must be continually attended by a person(s) with authority over the works for the duration of the development.	Site interviews  Works Notification - The Cutaway, FDC, 28 February 2025	Five or six people with authority maintain the 24-hour contact telephone number.  The Works Notification provides the 1800 number, email and website address. The Works Notifications are provided on the Project website.  The mobile numbers of Site Managers and the Senior Project Manager are provided on the site notice	Compliant
<b>Implementation of Management Plans / Compliance with Management Plans</b>						
C4.			The Applicant must ensure the requirements and recommendations outlined in the following plans are complied with:			

a)		Construction Environmental Management Plan and all appendices required by Condition B55	<p>Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 02/07/2025</p> <p>Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 9/04/2025</p> <p>Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 22/05/2025</p> <p>Site access logs for 6 April 2025, 12 April 2025, 13 April 2025 and 14 April 2025</p> <p>Site inspection Site interviews</p> <p>Induction PowerPoint Presentation, Rev 13</p> <p>Induction records, FDC</p> <p>Contractor Pre-start package</p> <p>Sighted Toolbox Talk eForm Report, dated 26/06/2025</p> <p>Aconex - all plans are available</p> <p>Project SIMPEL - plans are made available</p>	<p>The auditor found that the Plans are broadly being implemented during the third audit period. The auditor sighted examples of weekly site inspections that covers off on the weekly environmental monitoring required under the plans, for example, mud tracking of materials on to public roads, ERSED controls, fire extinguisher and nurse call station checks, spill kits, waste management, control of environmental hazards (dust, noise, vibration, housekeeping).</p> <p>Hazardous material storage is generally being adhered to. The audit found spill stations scattered around the work site, with a spill station adjacent to the flammable liquids cabinet.</p> <p>There were no unexpected finds during the audit period of threatened species, contamination or heritage.</p> <p>There was one complaint regarding worker behaviour, which has been closed out. The Project team had been addressing the issues identified in the complaint by completing a toolbox talk with all workers regarding this behaviour on 26/06/2025. In addition, since the complaint was made, the Project has placed an employee in this area during peak smoke breaks to help move workers along.</p> <p>The opportunities for improvement that were raised at the last audit have been addressed.</p> <p>The audit found during the site inspection that spill kits are being maintained and are generally free from rubbish. One spill kit was observed to be used as a waste storage area. An <b>opportunity for improvement</b> exists for site personnel to be reminded that spill kits should be kept free rubbish in case of a spill emergency.</p> <p>Noise results for the audit period show that there were several instances where noise exceedances were triggered prior to 7 am. Descriptions of noise before 7 am included general plant movement, heavy machinery, noise from scaffolding to the skylights, skylight team setting up - there is an example from 12/04/2025 where noise was triggered at monitor 5048 from 6.20 am and another from 14/04/2025 from 6.00 am. However, site access logs for 6 April 2025, 12 April 2025, 13 April 2025 and 14 April 2025 were sighted showing no out of hours works and that this noise was associated with general public's movement along the street and in the park adjacent to the skylights.</p> <p>Refer to site photographs Photo 16, 24, 25 and 26.</p>	Compliant
b)		Construction Pedestrian and Traffic Management Sub-Plan required by Condition B56	<p>Project SIMPEL</p> <p>Site interviews</p> <p>Site inspection</p>	<p>Project SIMPEL is used for construction vehicle bookings. Construction traffic can only attend site if prior booking.</p> <p>Site access routes are provided near the luncheon, on the ground floor of the site and in the Project induction material.</p> <p>The Loading Dock Leader outlined the process for deliveries if the delivery had to wait. Trucks wait at the Hickson Road storage until the loading dock is free. Delivery of the big trees are a larger load, with trucks waiting at the Randwick holding area until time for delivery, which is usually around 7.00 am.</p>	
c)		Construction Noise and Vibration Management Sub-Plan required by Condition B59	<p>Site inspection</p> <p>Site interviews</p> <p>Noise Net Noise and Vibration Monthly Reports refer to C11 and C16.</p> <p>Noise Net Noise and Vibration Monitor Installation Report, dated 24/06/2024</p> <p>Noise Net Noise and Vibration Monthly Report 27 April to 26 May 2025, 26/05/2025</p> <p>FDC Complaints Register, last complaint 01/07/2025</p>	<p>The audit found that the noise and vibration monitors were offline for May and June 2025.</p> <p>Multiple instances of noise exceedances were recorded during the third audit period. These were investigated and discussed in the monthly Noise and Vibration Monitoring Reports. Refer to Condition C11 and C16 for details of exceedances, mitigation measures. Generally, respite periods were adhered to, however, there were several instances where the respite period was not honoured and work continued in proximity to the residential receivers on Merriman Street with LAeq of more than 75 dBA. However, it is noted that the monitors were adjacent to the areas of work within the boundaries of the hoarding, therefore exceedances at residents were considered unlikely. Mitigation measures such as sound blankets (sighted during the site inspection) and the wooden hoarding are used when works are occurring around the skylights.</p> <p>There were no receivers who permitted FDC to install monitors on there property.</p> <p>No noise complaints were made in the audit period.</p>	
d)		Air Quality Management Sub-Plan required by Condition B60	<p>Site inspection</p> <p>Site interviews</p> <p>Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 02/07/2025</p> <p>Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 9/04/2025</p> <p>Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 22/05/2025</p>	<p>Dust observed during daily safety walk. Dust is controlled daily on all three levels with a wet scrubber. Dust is also observed and documented during weekly inspections.</p> <p>The auditor notes that as demolition works ceased during the audit 1 period, no air quality monitoring was required during the third audit period. Air monitoring will commence with CDVC 5.</p> <p>Training for silica awareness and safety also included methods of minimising silica dust, hierarchy of controls to eliminate or reduce exposure to dust. FDC undertake this training as evidenced by the FDC Project training register.</p> <p>Refer to site inspection photographs Photo 19.</p> <p>The opportunity for improvement was considered by the Project team. However, the update was not made to the plan.</p>	



	e)		Construction Waste Management Sub-Plan required by Condition B63	Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 02/07/2025  Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 9/04/2025  Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 22/05/2025  Site interviews  Site inspections  Just Skip Waste Management Report, dated February, March, April, May and June 2025	Just Skip Waste Management Reports for February, March, April, May and June 2025 were provided and detail segregation information of waste types and volumes as required by Section 2.2 of the CWMP.  No requirement for waste classification during the third audit period.  The audit found one wash bay available on the ground floor at the time of the audit. Wash out operates as settlement tanks. Drums are replaced once full and left for the liquid to evaporate. The residue is disposed.  Refer to site inspection photographs Photos 16, 17, 18 and 21.	
	f)		Construction Soil and Water Management Sub-Plan required by Condition B64.	Site inspection  Site interviews  Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 02/07/2025  Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 9/04/2025  Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 22/05/2025  Site diary, 30/06/2025, geofabric was changed, drain was cleaned.	No need for site inspections following rainfall as all work is still inside. Checking of ERSED controls and mud tracking on roads is included in the weekly site inspection. Currently there are no exposed surfaces or material stockpiles. Stockpiled construction material is stored neatly and under cover.  Implementation of daily floor cleaning on all levels using a wet scrubber to prevent any dust leaving site attached to vehicle tyres or to air.  The auditor did not observe any material tracked on to public roads.  Geotextile lines the stormwater pits at each entrance and are located beneath the grate to prevent vehicle damage to the fabric. Fabric catches dust. Sighted site diary entry with photos of changes to the geofabric, 30/06/2025.	
Hours of Construction						
C5.			All work, including demolition, excavation and building work, and activities in the vicinity of the site generating noise associated with the commencement of work (e.g. loading and unloading of goods, transferring of tools, delivery of materials or machinery to and from the site), may only be carried out between the following hours:	Site interviews  Works Notification, Noisy Works and Unavailability of Lifts, FDC, 28 February 2025  Notice of Works Permits Register	There were no out of work hours notifications in the audit period. There were lift shutdowns that were notified to residents. However, no work was undertaken outside of approved hours.  Notification - letter drops to near neighbours and then community liaison by the community liaison manager for the lift shutdown.  The audit found that the register contained an entry for night works for the 13/06/2025 B1 Night Works Main Switch Board Shut Down. Night works were initially scheduled due to safety concerns. However, through ongoing consultation, the works were able to occur during daytime work hours.	
	a)		between 7am and 6pm, Mondays to Fridays inclusive; and	Site interviews  Noise Net Noise and Vibration Monthly Report 27 April to 26 May 2025, 26/05/2025  Site access logs for 12/04/2025 and 14/04/2025	Safety walk done prior to construction starting at 7 am. However, in the audit period there were instances where set up works were occurring and were audible, and heavy machinery and movement of plant created noise exceedances.  Noise results for the audit period show that there were several instances where noise exceedances were triggered prior to 7 am. Descriptions of noise before 7 am included general plant movement, heavy machinery, noise from scaffolding to the skylights, skylight team setting up - there is an example from 12/04/2025 where noise was triggered at monitor 5048 from 6.20 am and another from 14/04/2025 from 6.00 am. However, site access reports for these days were provided as evidence that the first sign on was at 7:01 am on 14/04/2025 and 8:07 am on 12/04/2025.	Compliant
	b)		between 8am and 5pm, Saturdays.	Site interviews	Safety walk done prior to construction starting at 8 am.	
C6.			No work may be carried out on Sundays or public holidays.	Site interviews	No works on Sundays or Public Holidays.  The noise and vibration report for April 2025 had two instances where noise exceedances were triggered on a Sunday (6/04/2025 and 13/04/2025). An interview with the Project team identified that no works have occurred on any Sunday during construction.  Site access reports for these days were provided as evidence that there were no personnel sign ons (access through site entry) on 6/04/2025 or the 13/04/2025.	Compliant
C7.			Activities may be undertaken outside of these hours if required:			
	a)		by the Police or a public authority for the delivery of vehicles, plant or materials; or	Site interviews	Not applicable in the third audit period.	Compliant
	b)		in an emergency to avoid the loss of life, damage to property or to prevent environmental harm.		No out of hours work required for the third audit period as a result of an emergency.	
C8.			Notification of activities undertaken in the circumstances in Condition C7 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.	Site interviews	There were no out of hours works for the third audit period.	Compliant

C9.			The operation of high noise emission appliances, plant and/or machinery such as pile drivers, rock breakers and hydraulic hammers and those which are not listed in Groups B, C, D, E and F of Schedule 1 of the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436-2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites and/or any other work generating high noise impact (i.e. work exceeding a NML of 75dB(A)) are restricted to the following hours:	Site interviews Induction PowerPoint Presentation, Rev 17  Induction records of induced personnel, Labourer, 08/07/2025  Noise Net Noise and Vibration Monthly Report 27 April to 26 May 2025, 26/05/2025  Works Notification, Noisy Works and Unavailability of Lifts, FDC, 28 February 2025  Daily declaration, sighted 8/07/2025  Photos of noise testing on 28/11/2024	A Works Notification was provided to receivers detailing the period of noisy works and lift shutdown in February 2025. Works commenced 10 March 2025 and were scheduled for a period of 7 weeks.  During the audit period the skylights and glass were installed. Works were in close proximity to the residential receivers. There were two instances in January (24/01/2025 and 30/01/2025) and there were four instances in April where respite periods were not adhered to where the LAeq was above 75 dBA. Drilling and / or jackhammering were the common noises heard in the audio files. The exceedances were found to be attributed to the proximity of the monitors measuring noise at the source, rather than noise at receivers. This is reflected in the noise testing that was done on 28 November 2024, which showed that noise within the skylight area was 93.2 dB and reduced to 54.3 dB as measured with a handheld digital sound level meter.  Following discussions NoiseNet recommended the relocation of the monitors, to be closer to noise receivers. Mitigation measures such as sound blankets (sighted during the site inspection) and the wooden hoarding are used when works are occurring around the skylights. There were no receivers who permitted FDC to install monitors on there property.	Compliant
a)		9am to 12pm, Monday to Friday;	Site interviews	Induction and on-site on noticeboard in lunch room. Daily declaration		
b)		2pm to 5pm Monday to Friday; and	Site interviews	Induction and on-site on noticeboard in lunch room. Daily declaration		
c)		9am to 12pm, Saturday.	Site interviews			
			Where these activities are undertaken for a continuous three-hour period and exceed the construction noise management levels at noise sensitive receivers, a minimum respite period of at least one hour must be scheduled before activities recommence. For the purposes of this condition, 'continuous' includes any period during which there is less than a one-hour respite between ceasing and recommencing any of the work the subject of this condition.	Site interviews  Site inspection  Daily declaration, sighted 8/07/2025  Works Notification, Noisy Works and Unavailability of Lifts, FDC, 28 February 2025  Photos of February Works Notification being letterbox dropped  Noise Net Noise and Vibration Monthly Report 27 April to 26 May 2025, 26/05/2025  Induction PowerPoint Presentation, Rev 17	The audit found that respite periods were generally implemented during periods of noisy works through the audit period. Stage of works includes finishing the skylights and internal defect and final fitout. The last notified period of noisy works was for the lift works in March 2025.  FDC have undertaken consultation with a near neighbours regarding Works Notification February 2025 for the noisy works and unavailability of the lifts whilst they were being replaced. FDC delivered the February Works Notification, which they evidenced by providing photos showing the notification being delivered to letterboxes.  However, during the audit period, particularly in April 2025, respite periods were not always adhered to with four periods of high-noise >75 dBA LAeq within respite periods. Additionally, on 11/04/2025, power tools were used from 7.20 am to 11.00 with the LAeq for the period of 81 dBA, which is beyond the three hours of continuous high noise. Refer to detail above regarding the proximity of these monitors to location of works and mitigation measures in place to reduce noise impacts for receivers.  Noisy works periods are reiterated to staff with a poster on the noticeboard in the lunchroom, constant reminder in the Daily Declaration, induction material.  Refer to site photographs Photo 3.	
Notification of Excavation Works or use of High Noise Emission Appliances / Plant						
C10.			The immediately adjoining neighbours must be given a minimum of 48 hours' notice that excavation, shoring or underpinning works or use of high noise emission appliances / plant are about to commence.	Site interviews  Works Notification, Noisy Works and Unavailability of Lifts, FDC, 28 February 2025	The audit found that there were no instances where there was excavation, shoring or underpinning, or use of high noise emission appliances /plant in the audit period.  There was a Works Notification, February 2025, issued to receivers for noisy works associated with the lift upgrades.  Theses works notifications are available on the community and neighbours page - <a href="https://www.barangaroo.com/community-and-neighbours/development-and-construction-notifications">https://www.barangaroo.com/community-and-neighbours/development-and-construction-notifications</a>	Compliant
Construction Noise Limits						
C11.			The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be	Site interviews  CNVMP, Acoustic Studio, Rev 1 18/04/2024  Letter from Acoustic Studio (FDC3564), dated 27 May 2025  Noise Net Noise and Vibration Monitor Installation Report, dated 24 June 2024  Noise Net Noise and Vibration Monthly Report 19 December 2024 to 26 January 2025, 29/01/2025  Noise Net Noise and Vibration Monthly Report 27 May to 26 June 2025, 27/05/2025	Noise and vibration monitors were installed about the project site on 13 June 2024. The Installation Report, 24/06/2024, identifies when alerts and alarms are received and to who, information about the sensors, links the dashboards and when reports will be provided.  Noise Net monitored noise and vibration, and have provided monitoring reports for each month of the audit period.  The following exceedances occurred that exceeded the alarm level for high noise emissions, were investigated, and shown to be associated with construction activities - January (13), February (12), March (18), April (78), May (4) and June (5).  Mitigation measures were implemented, such as sound blankets adjacent to the hoarding around the skylights, works notifications of noisy works (February 2025), plant and equipment maintenance (Project SIMPEL) and generally respite periods.	Compliant

		identified and managed in accordance with the management and mitigation measures identified in the approved CNVMP.	<p>Noise Net Noise and Vibration Monthly Report 27 January to 26 February 2025, 27/02/2025</p> <p>Noise Net Noise and Vibration Monthly Report 27 February to 26 March 2025, 31/03/2025</p> <p>Noise Net Noise and Vibration Monthly Report 27 March to 26 April 2025, 29/05/2025</p> <p>Noise Net Noise and Vibration Monthly Report 27 April to 26 May 2025, 26/05/2025</p> <p>Letter from Acoustic Studio (FDC3564), dated 27 May 2025</p>	<p>Once there is a noise exceedance, the procedure in the CNVMP is followed. Mitigation measures have included works notifications to residents outlining the periods of noisy works and the activities to be undertaken / plant to be used.</p> <p>A letter was provided by the noise consultants on 27 May 2025, which identified changes to the noise monitoring of the Project due to the internal nature of the finishing works. There is one noise monitor remaining, which is located adjacent to the skylight works along Merriman Street.</p> <p>There were no noise complaints made during the audit period.</p> <p>Refer to site inspection photographs Photo 7.</p>	
C12.		The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the subject site or surrounding residential precincts outside of the construction hours of work outlined under this consent.	<p>Site interviews</p> <p>Project SIMPEL</p>	<p>Booking system on Project SIMPEL does not allow for deliveries to be made prior to construction hours. Managed throughout the day by site team, no longer dock manager. Very few throughout the day due to nature of current works.</p>	Compliant
C13.		The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.	<p>Site interviews</p>	<p>No alarms should be removed from vehicles working within The Cutaway. The crane tonal alarm can be turned on / off where required for reducing noise impacts to receivers.</p>	Compliant
C14.		The Applicant must ensure that any work generating high noise impact (i.e. work exceeding a NML of LAeq 75dBA) as measured at any sensitive receiver is only undertaken in continuous blocks of no more than 3 hours, with at least a 1 hour respite between each block of work generating high noise impact, where the location of the work is likely to impact the same receivers. For the purposes of this condition 'continuous' includes any period during which there is less than 1 hour respite between ceasing and recommencing any of the work the subject of this condition.	<p>Site interviews</p> <p>Site inspection</p> <p>As above</p> <p>Noise Net Noise and Vibration Monthly Report 27 April to 26 May 2025, 26/05/2025</p> <p>Works Notification, Noisy Works and Unavailability of Lifts, FDC, 28 February 2025</p>	<p>Site manager responsible to ensure that high noise impact work is investigated if they receive an exceedance notification by email or text, if it's due to on-site work, mitigation measures are implemented.</p> <p>Works during the reporting period were generally not works generating high noise. However, there was a period starting on 10 March 2025 where core hole drilling and rock sawing activities would take place to support the lift replacement. The Works Notification, issued 28 February 2025, identified the respite hours during these activities that would be followed.</p> <p>During April there were 78 noise exceedances of which some were not associated with the development. However, during the audit period, particularly in April 2025, respite periods were not always adhered to with four periods of high-noise &gt;75 dBA LAeq within respite periods. Additionally, on 11/04/2025, power tools were used from 7.20 am to 11.00 with the LAeq for the period of 81 dBA, which is beyond the three hours of continuous high noise. The issue of having the monitors so close to the works area was discussed with Noise Net, which triggered the relocation of the monitors. However, it is noted that the monitors were adjacent to the areas of work within the boundaries of the hoarding, therefore exceedances at residents were considered unlikely. Mitigation measures such as sound blankets (sighted during the site inspection) and the wooden hoarding are used when works are occurring around the skylights.</p> <p>There were no receivers who permitted FDC to install monitors on there property.</p>	Compliant
C15.		Any noise generated during construction of the development must not be offensive noise within the meaning of the Protection of the Environment Operations Act 1997 or exceed approved noise limits for the site.	<p>Site interviews</p> <p>Noise Net Noise and Vibration Monitor Installation Report, dated 24 June 2024</p> <p>Noise Net Noise and Vibration Monthly Report 19 December 2024 to 26 January 2025, 29/01/2025</p> <p>Noise Net Noise and Vibration Monthly Report 27 May to 26 June 2025, 27/05/2025</p> <p>Noise Net Noise and Vibration Monthly Report 27 January to 26 February 2025, 27/02/2025</p> <p>Noise Net Noise and Vibration Monthly Report 27 February to 26 March 2025, 31/03/2025</p> <p>Noise Net Noise and Vibration Monthly Report 27 March to 26 April 2025, 29/05/2025</p> <p>Noise Net Noise and Vibration Monthly Report 27 April to 26 May 2025, 26/05/2025</p> <p>Letter from Acoustic Studio (FDC3564), dated 27 May 2025</p>	<p>Refer to commentary and mitigation measures identified in Condition C10, C11 and C14.</p> <p>Due to the internal nature of finishing works, the Noise and Vibration Consultant approved the removal of 3 of the 4 noise monitoring devices with one remaining on Merriman Street.</p>	Compliant
Vibration Criteria					
C16.		Vibration caused by works at any residence or structure outside the Site must be limited to:			

	a)		for structural damage, the latest version of DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures (German Institute for Standardisation, 1999)	<p>Site interviews</p> <p>Noise Net Noise and Vibration Monitor Installation Report, dated 24 June 2024</p> <p>Noise Net Noise and Vibration Monthly Report 19 December 2024 to 26 January 2025, 29/01/2025</p> <p>Noise Net Noise and Vibration Monthly Report 27 May to 26 June 2025, 27/05/2025</p> <p>Noise Net Noise and Vibration Monthly Report 27 January to 26 February 2025, 27/02/2025</p> <p>Noise Net Noise and Vibration Monthly Report 27 February to 26 March 2025, 31/03/2025</p> <p>Noise Net Noise and Vibration Monthly Report 27 March to 26 April 2025, 29/05/2025</p> <p>Noise Net Noise and Vibration Monthly Report 27 April to 26 May 2025, 26/05/2025</p> <p>Letter from Acoustic Studio (FDC3564), dated 27 May 2025</p>	<p>Noise was monitored noise and vibration, and have provided monitoring report for January, February, March, April, May and June 2025.</p> <p>A letter was provided by the noise and vibration consultants on 27 May 2025, which identified changes to the vibration monitoring of the Project due to the internal nature of the finishing works. There is one vibration monitor remaining, which is located adjacent to the skylight works along Merriman Street.</p> <p>Vibration monitoring for the Project commenced on 13 June 2024. When the monitors note an exceedance, a notification is sent to FDC personnel.</p> <p>The audit found that there were exceedances during January (15), February (31), March (6), April (21), May (0 - sensors offline except for 2 days and therefore, data not used) and June (0 - no vibration data) 2025.</p> <p>In all instances, vibration exceedances were found to be the result of the monitors being knocked, moved or works happening in close proximity to the monitors. On review of the data, NoiseNet found that the vibration levels are not expected to pose a potential threat to nearby residential or business buildings.</p> <p>The audit notes that there were times throughout the audit period where the vibration monitors were offline or moved. The audit found that the May and June monthly reports identify that there is no vibration data for those periods. There were various reasons why the monitors were offline, including no power available for the monitors during the period of skylight construction.</p> <p>Refer to site inspection photographs Photo 7.</p>	Compliant
	b)		for human exposure to vibration, the evaluation criteria set out in the Environmental Noise Management Assessing Vibration: a Technical Guideline (Department of Environment and Conservation, 2006) (as may be updated or replaced from time to time).	Site interviews	As above	
C17.			Vibratory compactors must not be used within 30 metres of residential or heritage buildings unless vibration monitoring confirms compliance with the vibration criteria specified above. These limits apply unless otherwise outlined in the CNMVP required by under Condition B59 of this consent.	Site interviews	There has not been a need to use vibratory compactors during the second audit period. There will not be a need to use vibratory compactors for construction or operation this Project.	Not triggered
Air Quality						
C18.			The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent. During construction, the Applicant must ensure that:			
	a)		exposed surfaces and stockpiles are suppressed by regular watering;	Site interviews	There were no exposed surfaces or soil material stockpiles on site.	
	b)		all trucks entering or leaving the site with loads have their loads covered;	Site inspection		
	c)		trucks associated with the development do not track dirt onto the public road network;	Site interviews	The audit found that the Loading Dock Leader ensures all load are covered on trucks that leave the loading dock after a delivery or during waste collection. During demolition is when traffic control staff would taken photos and include information including loads covered as they left.	
				Site inspection		
				Sighted Weekly inspections on Project SIMPEL	There are no exposed surfaces. Implementation of daily floor cleaning - dry cleaning and wet cleaning, to prevent any dust leaving site attached to vehicle tyres. The loading dock is wet scrubbed daily and dry swept frequently throughout the day.	
				Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 02/07/2025	The auditor did not observe any material tracked on to public roads. This is also checked at weekly inspections. Geotextile lines the stormwater drains at each entrance and is checked weekly during weekly inspections. The geotextile has been recently replaced and drains cleaned. Base Build manage the driveway access and clean it regularly. At the time of the site inspection, Base Build were wetting and scrubbing the driveway access.	Compliant
	d)		public roads used by these trucks are kept clean; and	Site interviews	As above	
	e)		land stabilisation works are carried out progressively on site to minimise exposed surfaces.	Site inspection	There were no exposed surfaces during the site inspection of the second audit. Majority of works are at fitout stage and are carried out internally.	
Construction Lighting						
C19.			Any construction lighting must be designed to comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.	Site interviews	External construction lighting has been installed on the hoarding on Merriman Street. The audit found that a complaint was made by a resident on Merriman Street on 06/09/2024 due to hoarding lighting shining into the bedroom. The lights was turned off and shrouds made for all hoarding lighting that meets Australian Standards. Consultation had been undertaken with Council for including the lighting after a risk assessment showed there was a need for them.	Compliant
				Complaints Register, 6/09/2024		
				Design Certificate - Electrical Services, MDE Group, dated 14/06/2024		
C20.			Lighting of the site while any work is undertaken outside of Council's standard hours of construction must ensure that at no time must the intensity, hours of illumination or location of the lighting cause objectionable glare or injury to the amenity of the neighbourhood or Obtrusive Light in accordance with the definition in Australian Standard AS4282-1997 Control of the obtrusive effects of outdoor lighting. If in the opinion of Council, injury is likely to be caused, the intensity, hours of illumination and location of the lighting must be varied so that it does not cause injury to nearby residents	As above	Refer to above. Lighting is not required for out of hours work, however, it is required to light the black hoarding overnight. The audit found that the Project had responded to a complaint about night time lighting of the hoarding by turning off the lights impacting the resident and making shrouds for the lights. The shrouds have been installed.	Compliant
Safe/Work Requirements						



C29.				Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.	Site inspection  Site interviews  Sighted EFORMs, F049 - weekly site inspection, during site inspection, dated 02/07/2025	At the time of the audit's site inspection the only exposed surface was adjacent to the western skylight and surrounded by hoarding. Works are predominantly contained within The Cutaway (site) / undercover. Implementation of daily wet scrubber floor cleaning, to prevent any dust leaving site attached to vehicle tyres. The wet cleaner is moved between floors by the materials hoist. The wet scrubber is used daily where possible on all three levels, during construction hours through the week and on weekend. The dry scrubber is no longer used as it kicks too much dust into the air.  The auditor did not observe any material tracked on to public roads. At the time of the site inspection, Base Build, who maintain the driveway access, were wetting and scrubbing the driveway.  The loading dock is scrubbed every hour. A dry brush is undertaken mid-morning each day.  Geotextile lines the stormwater pits at each entrance and was recently updated, eFORM 02/07/2025.	compliant
Disposal of Seepage and Stormwater						Refer to site photographs Photos 1 and 6.	
C30.				Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the EPA in accordance with the Protection of the Environment Operations Act 1997. Options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.	Site interviews	Existing dewatering system - sub-surface groundwater drainage system. Cushmon Wayfield building manager controls the seepage and performs the testing. FDC request reports - testing occurred two weeks ago and FDC will receive a report to ensure no contamination occurring from construction activities. The report should be available for the next audit.	Not triggered
C31.				Adequate provisions must be made to collect and discharge stormwater drainage during construction of the development. Prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.	Site interviews		Not triggered
C32.				A separate written approval from Council is required to be obtained in relation to any proposed discharge of groundwater into Council's drainage system external to the site, in accordance with the requirements of section 138 of the Roads Act 1993.	Site interviews		Not triggered
Construction Traffic							
C33.				All construction vehicles are to be contained wholly within the Site, except if located in an approved on-street work zone, and vehicles must enter the Site before stopping.	Site inspection  Site interviews  Construction Pedestrian and Traffic Management Plan (CPTMP), Rev 1, TTW (NSW) Pty Ltd, dated 16 April 2024	All construction vehicles were contained wholly within the site. There are no approved work zones in the CPTMP and are not anticipated for the Project.  Construction vehicles make a booking via the Project SIMPEL software. The Loading Dock Leader on the access maintains a no booking, no access policy. Booked construction traffic can enter the site and use the turnaround areas provided.  The Loading Dock Leader outlined the process for deliveries if the delivery had to wait. Trucks wait at the Hickson Road storage until the loading dock is free. Delivery of the big trees are a larger load, with trucks waiting at the Randwick holding area until time for delivery, which is usually around 7.00 am.  Contractor parking is used in the Wilsons Carpark with contractors paying to park.	Compliant
C34.				All loading and unloading associated with the works must be accommodated on-site, unless in accordance with a Work Zone Permit (see Condition B42).	Mobile hoisting approval, CoS, Licence CP/2024/1429, dated 15 November 2024  Mobile hoisting approval, CoS, Licence CP/2024/1520, dated 5 December 2024  Mobile hoisting approval, CoS, Licence CP/2025/282, dated 14 March 2025  Mobile hoisting approval, CoS, Licence CP/2025/621, dated 18 June 2025	Mobile hoisting licences, 1429 and 1520, were approved by CoS for partial road / lane closures. Approval is given in accordance with Section 68 (E(1)) of the Local Government Act 1993 and Section 108 of The Crown Lands Act 1989. Licence 1429 was for a telehandler and 1520 for mobile crane.  Mobile hoisting approvals for the audit period were for utilising a crane to install glazing on the skylights on 8/05/2025 to 19/05/2025 and 23/06/2025.	Compliant
Road Occupancy Licence							
C35.				A Road Occupancy Licence must be obtained from the relevant transport authority for any works that impact on traffic flows during construction activities.	Site interviews  Road / Footway Opening Permit, CoS, 11/04/2024	As of the second audit, the permit (11/04/2024) is still current.	Compliant
No Obstruction of Public Way							
C36.				The public way must not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances. Non-compliance with this requirement may result in the issue of a notice by the Planning Secretary to stop all work on site.	Site inspection  Site interviews	The Auditor did not observe any obstructions to the public way by any materials, vehicles, waste skips etc. All works are contained wholly within the site.  Refer to site photographs Photos 1 and 6.	Compliant
Damage to the Public Way							
C37.				Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must be made safe and functional by the Applicant to the satisfaction of the public authority responsible for the public way.	Site inspection  Site interviews	There has been no damage to the public way reported during the third audit period. 360 Photos of the site were taken prior to works commencing that indicate the damage of a complaint was there prior to works commencing.	Not triggered
Protection of Public Infrastructure							
C38.				Unless the Applicant and the applicable authority agree otherwise, the Applicant must:	Site interviews  Pre-construction Dilapidation Reports	Pre-construction dilapidation report. No reported damage to public infrastructure within the third audit period. Post-dilapidation report will be following construction.	Not triggered
	a)			repair, or pay the full costs associated with repairing any public infrastructure that is damaged by the carrying out of the development; and			
	b)			relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.			
Uncovering Relics or Aboriginal Objects							
C39.				All works in the immediate area must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The Applicant must notify the Heritage Council of NSW and PMNSW in respect of a relic and notify the Planning Secretary, PMNSW and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Planning Secretary.		No unexpected finds.	Not triggered
C40.				In this condition: "relic" means any deposit, artefact, object or material evidence that:		No unexpected finds.	Not triggered
	a)			relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and			
	b)			is of State or local heritage significance; and			

C41.			"Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.		Noted	Not triggered
Notification - New Contamination Evidence						
C42.			The Planning Secretary must be notified of any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination.	Aconex transmittals between FDC, INSW and Ernst and Young, dated May and June 2024  C42 and C44 Post Approval Submission Receipt, dated 6/6/2024	Contractors identified an existing conduit in the process of demolition and excavation of stair 3 footings that appeared to be asbestos containing material. This triggered the Unexpected Finds Protocol for Asbestos, and all work ceased. Testing confirmed bonded asbestos material. The area was cordoned off according to NSW SafeWork guidelines. FDC engaged PRA to prepare a Removal Control Plan.  Planning were notified of the unexpected asbestos find on the 6/6/2024 through the post approval portal.  No new unexpected contamination finds during the third audit period following completion of demolition during Audit 1 period.	Not triggered
Asbestos and Hazardous Waste Removal						
C43.			The Applicant must ensure that any asbestos or hazardous waste encountered on site is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including:	Site interviews  Waste Classification Assessment, PRA project Reference J02337 WC01 V1, 6/06/2024  Asbestos (licensed removal) SWMS, Zoric Group Pty Ltd 14 June 2024  NSW SafeWork Notice of Intent to Remove Non-friable Asbestos, expiry 21/11/2026  NSW SafeWork Asbestos Removal Control Plan (ARCP) for Class B (Non-friable) Removal Work, Zoric Group Pty Ltd, 13/06/2024  EnviroX Consulting, Asbestos Clearance Inspection Report, 27/06/2024  EnviroX Consulting, Asbestos Clearance Inspection Report, 24/06/2024	Property Risk Australia (PRA) prepared a waste classification for Stair 3 footing excavation, eastern extent, where an unexpected asbestos containing pipe was identified and confirmed. A waste classification for ~3.2 cubic metres of stockpiled ex-situ soil material was undertaken by PRA. CoPCs included asbestos and an analytical suite associated with former gas works. Bonded asbestos was identified. Chemical characterisation of the soil showed it meets the limits for General Solid Waste. The Waste Classification identifies the waste as Special Waste (Asbestos) mixed with General Solid Waste SCC1/TCLP1 (non-putrescible).  EnviroX Consulting are licensed asbestos assessors and provided two asbestos clearance inspection reports, prepared for Zoric Group, which both contained the lab certificates and results of air monitoring during the removal. The report on 24/06/2024 was clearing: 1. Site interior, northern extent, adjacent rock wall, top of soil to former asbestos cement sheeting pipe; and 2. Transit route. Report on 27/06/2024 was clearing: 1. Site interior, northern extent, adjacent rock wall, excavated section of concrete, top of surfaces only to former asbestos containing soil; 2. Site interior, northern extent, adjacent rock wall, excavator Kubota U35-4, top of bucket to former asbestos containing soil; 3. Transit route. Asbestos air monitoring undertaken during both reporting periods of the removal works, showed concentrations of airborne fibres were below 0.01 fibre/mL.  The audit found that there were no unexpected finds of contamination and no requirement for removal of contaminated / hazardous waste during the third audit period.	Not triggered
a)		Work Health and Safety Regulation 2017;	As above	NSW SafeWork Asbestos Removal Licence is held by Zoric Group Pty Ltd, expiry 21/11/2025 with work notified to commence 19/06/2024 and finish 28/06/2024. Mitigation measures for removal include Fencing, Barriers, Signage, Water, PVA, 200 µm plastic, Class H asbestos vacuum cleaners.  No requirement for use of licence during the Audit 3 period.		
b)		SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace September 2016;	As above	Mitigation measures for removal include Fencing, Barriers, Signage, Water, PVA, 200 µm plastic, Class H asbestos vacuum cleaners, PPE. Photos of tape, fencing, signage provided in the Asbestos Removal Control Plan.  No requirement for use of licence during the Audit 3 period.		
c)		SafeWork NSW Code of Practice – How to Safely Remove Asbestos September 2016; and	As above	No requirement for use of licence during the Audit 3 period.		
d)		Protection of the Environment Operations (Waste) Regulation 2014.	Executive Demolitions Pty Ltd, Delivery Dockets Bingo Waste Industries, Asbestos contaminated material, multiple days in May and June 2024	Bingo Eastern Creek proposed authorised asbestos waste disposal site as identified in the Asbestos Removal Control Plan.  Audit 2 found that Bingo are no longer used as they were engaged by the demolition contractor. Demolition was completed in the Audit 1 period. There was no requirement to dispose of contaminated waste.		
Contamination Evidence						
C44.			The Applicant must implement the Unexpected Finds Protocol outlined within the CEMP required by Condition B55 for the duration of works. Should any new information come to light during demolition which has the potential to alter previous conclusions about site contamination, the Planning Secretary must be immediately notified and works must cease. Works must not recommence on the site until the Planning Secretary confirms works can recommence.	Site interviews  Aconex transmittals between FDC, INSW and Ernst and Young, dated May and June 2024  C42 and C44 Post Approval Submission Receipt, dated 6/6/2024  Letter correspondence from Planning Secretary, dated 12/09/2024	Planning were notified of the unexpected asbestos find on the 6/6/2024 through the post approval portal. The auditor notes that the Planning Secretary was notified immediately following the waste classification of the unexpected find, which was the end of May 2024. The waste classification report is dated the 6/6/2024.  A letter from the Planning Secretary, dated 12/09/2024, identified the post approval submission and confirmed that works could recommence. No works had occurred prior to receipt of the letter from the Planning Secretary.  Audit 3 found that there were no unexpected contamination finds and therefore, no requirement to implement the Unexpected Finds Procedure and stop works.	Not triggered
Independent Environmental Audit						
C45.			Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements.		The audit is conducted and carried out in accordance with the IAPAR (DPIE, 2020)	Compliant
C46.			Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	Site interviews  Appointment of Experts approval letter from Planning Secretary, dated 07/05/2025	Approval of proposed auditors Natascha Arens (Alternate Lead Auditor) and Nicola Smith (Lead Auditor) from the Planning Secretary was received on 07 May 2025.	Compliant
C47.			The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least 4 weeks' notice (or timing) to the Applicant of the date upon which the audit must be commenced.	Site interviews		Not triggered
C48.			In accordance with the specific requirements in the Independent Audit Post Approval Requirements, the Applicant must:			



	a)		review and respond to each Independent Audit Report prepared under this consent;	Independent Audit – Proponent Review and Response, FDC, 14 February 2025	The audit found that the Proponent's Response has been prepared.	Compliant
	b)		submit the response to the Planning Secretary; and	Submission receipt email from DPHI acknowledging receipt of non-compliance notification C49 and B4, dated 20/02/2025  Post Approval form, A18, no date	At the time of the third audit, the Proponent's Response had been submitted to the Planning Secretary on 20/02/2025.	
	c)		make each Independent Audit Report, and response to it, publicly available 60 days after submission to the Planning Secretary.	Independent Environmental Audit 2 Report, NGH Pty Ltd, dated 13/02/2025  Independent Audit – Proponent Review and Response, FDC, 14 February 2025  Aconex correspondence INSW (FDC, NSW-GCOR-006427), dated 23/04/2025	The Independent Audit Report and Proponent's Response is available on the Project website under 'Ongoing Monitoring' heading.  The IEA 2 Report and the Proponent Review and Response were uploaded to the Project website on 14/03/2025 as identified in the Aconex from INSW (23/04/2025), which is within 60 days of the final audit report date, 13/02/2025.	
C49.			Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approvals Requirements (2020) unless otherwise agreed by the Planning Secretary.	Submission receipt email from DPHI acknowledging receipt of non-compliance notification C49 and B4, dated 20/02/2025  Post Approval receipt, C49 and B4, no date	The auditor notes that the second Independent Audit, and the Proponent's Response, were submitted to the Planning Secretary on 20/02/2025, which is within 2 months of the date of the site audit being 13 January 2025.	Compliant
C50.			Notwithstanding the requirements of the Independent Audit Post Approvals Requirements (2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.		The project is still within construction phase.	Not triggered
Part D – Prior to Occupation or Commencement of Use						
Resolution of Harbour Control Tower Void						
D1.			The design resolution of the void area, in the location of the former Harbour Control Tower (approved under Condition A30) must be implemented prior to the occupation or commencement of use.			Not triggered
Works-as-Executed Plans and any other Documentary Evidence						
D2.			Prior to the occupation or commencement of use, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the satisfaction of the Certifier.			Not triggered
Notification of Occupation						
D3.			The Department must be notified in writing at least one month prior to the proposed occupation of the development.			Not triggered
D4.			If the occupation or use of the development is to be staged, the Department must be notified in writing at least one month before the commencement of the occupation of each stage, of the date of commencement of the occupation of the relevant stage.			Not triggered
External Walls and Cladding Flammability						
D5.			Prior to the occupation or commencement of use, evidence must be submitted to the Certifier demonstrating all external walls of the new building, including cladding, comply with the relevant requirements of the NCC, consistent with the requirements of this consent.			Not triggered
D6.			The Applicant must provide a copy of the documentation to the Planning Secretary within seven days after the Certifier accepts it.			Not triggered
Heritage Interpretation						
D7.			Prior to the occupation or commencement of use, the Applicant must provide evidence to the Certifier that heritage interpretation has been implemented in accordance with Condition B33.			Not triggered
Operational Waste Management						
D8.			Prior to the occupation or commencement of use, PMNSW must prepare an Operational Waste Management Plan (OWMP) for the development in consultation with Council and enforced by INSW. The OWMP must:			Not triggered
	a)		be prepared in consultation with Council			
	b)		confirm the location of waste collection and establish appropriate routes to the collection point			
	c)		provide confirmation of the engagement of a qualified private waste collection contractor			
	d)		detail the type and quantity of waste to be generated during operation of the development			
	e)		describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (EPA)			
	f)		detail the materials to be reused or recycled, either on or off site			
	g)		include the Management and Mitigation Measures included in the EIS.			
Waste Storage Area						
D9.			Prior to the occupation or commencement of use, evidence that waste storage areas associated with the development have been constructed in accordance with the detailed plans and specifications outlined in Condition B26 must be submitted to and approved by the Certifier.			Not triggered
Survey Infrastructure - Restoration						
D10.			Prior to the occupation or commencement of use, documentary evidence of restoration must be prepared by a Registered Surveyor and submitted to and approved by the Surveyor-General. This evidence must include:			Not triggered
	a)		Certification that all requirements requested under the Surveyor-General's Approval for Survey Mark Removal or by the City's Principal Surveyor under condition "Survey Infrastructure – Identification and Backsight" have been complied with;			
	b)		Certification that all requirements requested under any Surveyor-General's Approval for Deferment of Survey Marks from condition "Survey Infrastructure – Pre Subdivision Certificate works" have been complied with and;			
	c)		Time-stamped photographic records of all new survey infrastructure relating to the site clearly showing the mark itself and sufficient context to aid in identifying the mark on site.			
Protection of Public Infrastructure						
D11.			Unless the Applicant and the applicable authority agree otherwise, the Applicant must:			
	a)		repair/reconstruct, or pay the full costs associated with repairing/reconstructing, any public infrastructure that is damaged by carrying out the development.			

	b)		relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a <u>result of the development</u> .			Not triggered
	c)		infrastructure includes, but is not limited to, ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the <u>street footpath area</u> .			
Mechanical Ventilation						
D12.			Prior to occupation or commencement of use, the Applicant must provide evidence to the satisfaction of the Certifier that the installation and performance of the mechanical <u>ventilation systems complies with:</u>			Not triggered
	a)		<u>any conditions of this consent</u>			
	b)		<u>the NCC</u>			
	c)		<u>any applicable Australian Standards</u>			
	d)		<u>any dispensation granted by Fire and Rescue NSW.</u>			
Post-Construction Dilapidation Report						
D13.			Prior to the occupation or commencement of use, a suitably qualified engineer must prepare a post-construction dilapidation report, to the satisfaction of the Certifier, detailing <u>whether:</u>			Not triggered
	a)		<u>after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings, infrastructure or roads; and</u>			
	b)		<u>where there has been structural damage to any adjoining buildings, infrastructure or roads, that it is a result of the building work approved under this development consent; and</u>			
	c)		<u>relevant authorities have confirmed that there is no adverse structural damage to their infrastructure and roads</u>			
D14.			Prior to the occupation or commencement of use, the Certifier is to provide a copy of the post-construction dilapidation report to the consent authority and to the relevant <u>adjoining property owner(s)</u> .			
Road Damage						
D15.			Prior to the occupation or commencement of the use, the cost of repairing any damage caused to Council or other public authority's assets in the vicinity of the site as a result of construction works associated with the approved <u>development is to be paid in full by the Applicant.</u>			Not triggered
Fire Safety Certification						
D16.			Prior to the occupation or commencement of use, a Fire Safety Certificate must be obtained for all the relevant Essential Fire or Other Safety Measures forming part of the development. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Certifier and be <u>prominently displayed in the building</u> .			Not triggered
Structural Inspection Certificate						
D17.			Prior to the occupation or commencement of use, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifier. A copy of the Certificate with an electronic set of final <u>drawings must be submitted to the Planning Secretary after:</u>			Not triggered
	a)		<u>the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and</u>			
	b)		<u>the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.</u>			
Outdoor Lighting						
D18.			Prior to the occupation or commencement of use, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent <u>sensitive receivers and</u>			Not triggered
	a)		<u>complies with the latest version of AS 4282-2019 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and</u>			
	b)		<u>has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.</u>			
Sydney Water Compliance						
D19.			Prior to the occupation or commencement of use, the Applicant must submit to the satisfaction of the Certifier a Section 73 Compliance Certificate under the Sydney Water Act 1994, obtained from Sydney Water Corporation.			Not triggered
Utility Providers						
D20.			Prior to the occupation or commencement of use, the Applicant must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of <u>the relevant authority.</u>			Not triggered
D21.			Prior to the occupation or commencement of use, the Certifier must receive written confirmation from the relevant <u>authority that the relevant services have been completed.</u>			Not triggered
Environmental Performance						
D22.			Prior to the occupation or commencement of use, the Applicant is to provide documentation to the Certifier demonstrating the development has incorporated, and would operate in accordance with, the environmental sustainability objectives, measures and initiatives required under <u>this consent.</u>			Not triggered
Acoustic Verification Report						
D23.			Prior to the occupation or commencement of use, the Applicant must submit a written Acoustic Verification Report, prepared by a Suitably Qualified Acoustic Consultant, to the satisfaction of the Certifier that the noise mitigation recommendations in the report titled 'Barangaroo – Cutaway Cultural Facility Noise and Vibration Impact Assessment' prepared by ARUP and dated 26 January 2023 (as amended by conditions of this consent) have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels. All physical aspects of the building's structure installed to meet the performance parameters must be maintained at <u>all times</u> .			Not triggered
Operational Noise Management Plan						
D24.			Prior to the occupation or commencement of use, an Operational Noise Management Plan (ONMP) must be prepared in consultation with Council and approved by the Planning <u>Secretary which includes, but is not limited to:</u>			Not triggered
	a)		<u>Details of how the operational noise management measures recommended in the report titled 'Barangaroo – Cutaway Cultural Facility Noise and Vibration Impact Assessment' prepared by ARUP and dated 26 January 2023 (as amended by conditions of this consent) have been incorporated into the design</u>			
	b)		<u>Compliance with all other operational conditions of this consent, hours of operation, noise and security management</u>			
	c)		<u>Mitigation measures to manage operational noise impacts, including from events, bump in and out activities, use of the loading dock, and patrons entering and exiting the venue</u>			



E1.			The maximum number of persons (including staff, patrons and performers) permitted in the Cutaway premises at any one time is 2,995 persons. The manager/licensee is responsible for ensuring the number of persons in the premises does not exceed that specified above.			Not triggered
E2.			A sign in letters not less than 25mm in height must be fixed at the main entry point to the premises alongside the Licensee's name stating the maximum number of persons, as specified in the development consent, that are permitted in the building. Details are to be provided to the satisfaction of the Certifier prior to issue of a Construction Certificate and the Principal Certifier is to confirm compliance prior to the issue of an Occupation Certificate. Note: Clause 73 of the Environmental Planning and Assessment Regulation 2021 requires a sign specifying maximum number of persons permitted in the building to be displayed in a prominent position for the following types of premises: a) entertainment venue, b) function centre, c) pub, d) registered club, e) restaurant.			Not triggered
Hours of Operation						
E3.			24-hour operation is allowed for overnight cleaning, kitchen operation and security. Noise impacts during 24-hour operations must comply with the Project Noise Trigger Levels based on the Noise Policy for Industry outlined in the Noise and Vibration Impact Assessment prepared by Arup and dated 26 January 2023.			
E4.			Events are permitted to operate for the following hours and in accordance with the noise criteria specified in Condition E5 to Condition E9: a) General events: 8am to 6pm, any day of the week b) 5-hour Medium Scale Event: 10am to 11pm, up to a maximum of 15 times per year c) Single Day Medium Event: 10am to 10pm, up to a maximum of 6 times per year d) Major Events: 7am to 11pm, up to a maximum of 4 times per year e) New Years Events: 10am to 2am, once per year.			
General Events (Category 3)						
E5.			General events must operate in accordance with the following conditions: a) General events must occur between 8am and 6pm, any day of the week b) The cumulative, broadband LAeq, 10 minute noise level emitted from entertainment, patrons and amplified noise associated with the use must not exceed the project noise trigger levels outlined in the Noise and Vibration Impact Assessment prepared by Arup and dated 26 January 2023 between the hours of 8am and 6pm when assessed at the boundary of any noise sensitive receivers identified in this report.			Not triggered
5-Hour Duration Medium Scale Events (Category 4)						
E6.			5-Hour Duration Medium Scale Events must operate in accordance with the following conditions: a) 5-Hour Duration Medium Scale Events must operate between 10am and 11pm, any day of the week, with a maximum of 5 hours overall event duration. b) There must be no more than 15 5-Hour Duration Medium Scale Events per calendar year. c) The cumulative, broadband LAeq, 10 minute noise level emitted from entertainment, patrons and amplified noise associated with the use must not exceed the following at the boundary of any noise sensitive commercial premise or residential premise: i) 55 dB(A) during the hours of 10am to 10pm on any day. As a guideline to resolving low frequency noise issues, the LCeq, 10 minute must not exceed 65 dB(C) during these times. ii) 50 dB(A) between the hours of 10pm and 11pm. As a guideline to resolving low frequency noise issues, the LCeq, 10 minute must not exceed 60 dB(C) during these times.			Not triggered
Single Day Medium Scale Events (Category 2)						
E7.			Single Day Medium Scale Events must operate in accordance with the following conditions: a) Single Day Medium Scale Events must operate between 10am and 10pm, any day of the week. b) There must be no more than 6 Single Day Medium Scale Events per calendar year. c) The cumulative, broadband LAeq, 10 minute noise level emitted from entertainment, patrons and amplified noise associated with the use must not exceed the following at the boundary of any noise sensitive commercial premise or residential premise: i) 55 dB(A) during the hours of 10am to 10pm on any day. As a guideline to resolving low frequency noise issues, the LCeq, 10 minute must not exceed 65 dB(C) during these times. ii) Amplified noise, music and other entertainment noise (excluding patron noise) is to be inaudible outside the above hours at all times.			Not triggered
Major Event (Category 1)						
E8.			Major Events must operate in accordance with the following conditions: a) Major Events must operate between 7am and 11pm, any day of the week. b) There must be no more than 4 Major Events per calendar year. c) The cumulative, broadband LAeq, 10 minute noise level emitted from entertainment, patrons and amplified noise associated with the use must not exceed the following at the boundary of any noise sensitive commercial premise or residential premise: i) 65 dB(A) during the hours of 10am to 10pm on any day. As a guideline to resolving low frequency noise issues, the LCeq, 10 minute must not exceed 75 dB(C) during these times. ii) 55 dB(A) during the hours of 7am to 10am and 10pm to 11pm. As a guideline to resolving low frequency noise issues, the LCeq, 10 minute must not exceed 65 dB(C) during these times. iii) Amplified noise, music and other entertainment noise (excluding patron noise) is to be inaudible outside the above hours at all times.			Not triggered
New Years Events (Category 1)						
E9.			New Years Events must operate in accordance with the following conditions: a) New Years Events must operate between 7am to midnight, on the last day of the year, and midnight to 2am on the first day of the year. b) There must be no more than one New Years Event per calendar year.			

	c)	The cumulative, broadband LAeq, 10 minute noise level emitted from entertainment, patrons and amplified noise associated with the use must not exceed the following at the boundary of any noise sensitive commercial premise or residential premise:			Not triggered
	i)	65 dB(A) during the hours of 10am and midnight on New Years Eve. As a guideline to resolving low frequency noise issues, the LCEq, 10 minute must not exceed 75 dB(C) during these times.			
	ii)	55 dB(A) during the hours of midnight and 2am on new Years Day. As a guideline to resolving low frequency noise issues, the LCEq, 10 minute must not exceed 65 dB(C) during these times.			
	iii)	Amplified noise, music and other entertainment noise (excluding patron noise) is to be inaudible outside the above hours at all times.			
Loading Dock / Bump in and out Activities					
E10.		Heavy and medium vehicle movements associated with the loading dock must only be undertaken between 7am and 10pm.			Not triggered
E11.		Deliveries are restricted to between 7am and 10pm.			Not triggered
E12.		Notwithstanding Condition E10 and Condition E11, time critical bump in and bump out activities may be undertaken for events up to a maximum of four times per calendar year between 10pm and 7am. All work associated with bump in and bump out activities must comply with the noise limits prescribed by the City of Sydney Code of Practice for Construction Hours/Noise 1992 and methodologies and be in accordance with the Australian Standard 2436 – 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites. This noise criteria is applicable at any residential or commercial premise.			Not triggered
All Events to be planned and approved by PMNSW, a Register of Details kept and Notifications are to occur.					
E13.		All event operations held at the Cutaway premise must be planned and organised and operated in consultation with and to the satisfaction of PMNSW.			Not triggered
E14.		Prior to, during the occurrence of, and after any event being held at the Cutaway, PMNSW must ensure the following is carried out:			Not triggered
	a)	An accurate and documented hard copy record of events are kept and available for review by any person during normal business hours at the PMNSW offices. The record is to include the following at a minimum:			
	i)	The Event type (i.e. general event, major event, medium event)			
	ii)	The details of the organisation or individual who held the event, including a contact person			
	iii)	The date the event is/was scheduled and held			
	iv)	An overview of the activities the planned event will encapsulate.			
	b)	In addition to the above, PMNSW is to establish and maintain the following on its website:			
	j)	An overview of planned events to be held in the next three calendar months. Planned Major Events, New Years Events and Single Day Medium Events are to be marked with an asterisk (*) referencing potential audible noise off-site and referring the reader to the events hotline.			
	ii)	An overview of planned events held in the calendar year to date.			
PMNSW to Establish Record of Complaints					
E15.		PMNSW is to establish a written record of complaints which is to be kept for the duration of this consent. The following details of all complaints received in relation to the operation of or bump-in and bump-out of any event are to be kept:			Not triggered
	i)	The complainants name, address and a return phone number (where provided).			
	ii)	The nature of the complaint e.g. music, noise, noise from patrons, noise from setup, crowds of people blocking the road etc.			
	iii)	The results of an investigation conducted into the complaint, inclusive of whom actioned the			
	iv)	An overview of any information conveyed to the complainant in discussion following an investigation into their complaint.			
Complaints Handling					
E16.		The Applicant must operate a noise complaint handling procedure for the operation of the site in accordance with the approved Operational Noise Management Plan (Condition D24). The Applicant must provide a bi-annual (six monthly) register of complaints received by the public to the Department. The register shall detail the date the complaint was received and the actions taken to address the source of the complaint.  Should a noise complaint be received by PMNSW and/or the Department that is substantiated, the use of the site for events must cease until the noise emissions from the use can comply with the noise criteria outlined in this consent.			Not triggered
E17.		Prior to any planned Major Events or New Years Events, the Applicant must notify and consult with neighbouring noise sensitive receivers in accordance with Condition D24.			Not triggered
E18.		The Applicant is responsible for investigating and reacting to any complaints made during events.			Not triggered
Noise Monitoring and Reporting					
E19.		Prior to any Major Event, New Years Event or Single Day Medium Scale Event being held with an amplified noise aspect (excluding public announcement systems used for crowd announcements), the Applicant must appoint a Suitably Qualified Acoustic Consultant. The Acoustic Consultant must:			Not triggered
	a)	Review and familiarise themselves with:			
	i)	the 'Barangaroo – Cutaway Cultural Facility Noise and Vibration Impact Assessment' prepared by ARUP and dated 26 January 2023			
	ii)	the Operational Noise Management Plan prepared in accordance with Condition D24			
	iii)	the proposed event and surrounding environment.			
	b)	Provide advice as to the setup of the proposed event for the purpose of minimising noise impact			
	c)	Undertake appropriate attended noise monitoring on the day of the event and verify that the noise emanating from the event, at the nearest residential boundary, does not exceed the noise criteria established in this consent.			
	d)	If necessary, make recommendations to ensure that the noise emanating from the premises complies with the noise criteria established in this consent			
	e)	Additionally, the Suitably Qualified Acoustic Consultant, the site operator and the proprietor of the planned event must:			
	i)	Ensure that the planned event complies with the noise criteria			
	ii)	The site operator and the proprietor of the planned event must follow all instructions given by the Suitably Qualified Acoustic Consultant in relation to noise control			
	iii)	Adequately staff the event to ensure compliance with (i) and (ii) above			

		iv)	Respond to any complaints in accordance with the complaints handling procedure developed as part of Condition D24.		
		v)	Report on the event to the site operator.		
	f)		Prepare an Acoustic Report detailing the results of acoustic monitoring during the event which must be submitted to PMNSW within 7 days after the event.		
	g)		If the Acoustic Consultant recommends that additional treatment or works be undertaken to satisfy part (d) above, those recommendations must be implemented to the Acoustic Consultant's satisfaction within one (1) month of the date of the Acoustic Consultant's report.		
			If the Acoustic Consultant's recommendations are not implemented in accordance with this condition, no Major Events, New Years Events or Single Day Medium Scale Events may occur until such time as the recommendations are implemented and verified.		
			N.		
Noise - Commercial Plant / Industrial Development					
E20.			Noise from commercial plant must not exceed a project amenity/intrusiveness noise level or maximum noise level in accordance with relevant requirements of the NSW EPA Noise Policy for Industry 2017 (NPII). Further:		
	a)		background noise monitoring must be carried out in accordance with the long-term methodology in Fact Sheet B of the NPII		Not triggered
	b)		commercial plant is limited to heating, ventilation, air conditioning, refrigeration and energy generation equipment.		
E21.			An LAeq, 15 minute (noise level) emitted from the commercial plant associated with the development must not exceed the LA90, 15 minute (background noise level) by more than 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises at any time. Further:		
	a)		the noise level and the background noise level must both be measured with all external doors and windows of the affected residence closed.		Not triggered
	b)		background noise measurements must not include noise from the development but may include noise from necessary ventilation at the affected premise.		
			Note: Corrections in Fact Sheet C of the NPII are applicable to relevant noise from the development measured in accordance with this condition, however duration corrections are excluded from commercial noise.		
No Speakers or Music outside					
E22.			Speakers and/or noise amplification equipment must not be installed and music must not be played in any of the outdoor areas associated with the premises. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.		Not triggered
Noise from Glass Removal					
E23.			Glass must not be emptied or transferred from one receptacle to another anywhere in a public place. All glass must be emptied / transferred inside of the building on the premises and removed in containers.		Not triggered
Implementation of Operational Management Plans					
E24.			The following operational management plans (and any updates to those plans) must be implemented and adhered to at all times by the Applicant following the occupation or commencement of use:		
	a)		Operational Waste Management Plan (Condition D8)		Not triggered
	b)		Operational Noise Management Plan (Condition D24)		
	c)		Green Travel Plan (Condition B34)		
	d)		Loading and Servicing Management Plan (Condition D27)		
	e)		Events and Operations Management Plan (Condition D28)		
	f)		Landscape Maintenance Plan (Condition D29)		
E25.			The use must always be operated and managed in accordance with the approved final Events and Operations Management Plan (Condition D28). In the event of any inconsistency, the conditions of this consent prevail over the Operational Management Plan.		Not triggered
Annual Fire Safety Statement					
E26.			During occupation and ongoing use of the building(s), the Applicant must provide an annual fire safety statement to Council and the Commissioner of Fire and Rescue NSW in accordance with Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.		Not triggered
Fire Safety Certification					
E27.			The development must operate in accordance with the Fire Safety Certificate obtained in accordance with Condition D16.		Not triggered
Maintenance of Wastewater and Stormwater Treatment Device					
E28.			During occupation and ongoing use of the building, the Applicant must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective and in accordance with any positive covenant (if applicable).		Not triggered
Storage and Handling of Waste					
E29.			All waste management and waste collection services must be undertaken in accordance with this consent and the requirements of the Operational Waste Management Plan approved under Condition D8.		Not triggered
E30.			The collection of waste and recycling must only occur between 7:00am and 8:00pm weekdays and 9:00am and 5:00pm weekends and public holidays, to avoid noise disruption to the surrounding area.		Not triggered
E31.			Prior to the occupation or commencement of use, whichever is earlier, the building owner must ensure that there is a contract with a licensed contractor for the removal of all waste. Waste is to be stored and collected from within the curtilage of the site at all times.		Not triggered
E32.			Waste storage and the collection of waste and recycling must only occur during the designated zone collection times as outlined in the City's Waste Policy - Local Approvals Policy for Managing Waste in Public Places 2017.		Not triggered
E33.			Waste and recycling bins must not be placed on the street for collection. Services must be conducted within the property boundary or as a wheel-out/wheel-back service.		Not triggered
E34.			Waste must not be placed for collection in a public place e.g. footpaths, roadways and reserves under any circumstances.		Not triggered
E35.			Unimpeded access must be provided for collection vehicles to set down within 10 metres of waste storage areas during zone collection times on collection days.		Not triggered
E36.			Adequate provisions are to be made within the premises for the storage, collection and disposal of waste and recyclable materials to the satisfaction of Council.		Not triggered
E37.			Trade/commercial waste materials must not be disposed via council's domestic garbage service. All trade/commercial waste materials must be collected by Council's Trade Waste Service or a waste contractor authorised by the Waste Service of New South Wales and details of the proposed waste collection and disposal service are to be submitted to the satisfaction of Council prior to commencing operation of the business.		Not triggered
Loading and Servicing Management					

E38.			All loading and unloading operations associated with the site must be carried out in accordance with the Loading and Servicing Management Plan approved under Condition D27, and:			
	a)		within the confines of the site, at all times and must not obstruct other properties or the public way; and			Not triggered
	b)		in a manner so as not to cause inconvenience to the public or detrimentally impact the amenity of the locality			
E39.			The service vehicle docks, car parking spaces and driveways must be kept clear of goods at all times and must not be used for storage purposes, including waste storage.			Not triggered
Environmental Amenity and Environmental Health						
E40.			External lighting to the premises must be designed and located to minimise light-spill beyond the property boundary or cause a public nuisance. Notwithstanding this consent, should any outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.			Not triggered
E41.			The use and operation of the premises must not give rise to an environmental health or public nuisance.			Not triggered
E42.			There are to be no emissions or discharges from the premises which give rise to a public nuisance or result in an offence under the Protection of the Environment Operations Act 1997 and Regulations.			Not triggered
E43.			Signs must be placed in clearly visible positions within the premises requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area. The signage must be in bold letters not less than 25mm in height on a contrasting background.			Not triggered
E44.			The management/licensee must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood.			Not triggered
Operation of Plant and Equipment						
E45.			All plant and equipment used in the development, or used to monitor the performance of the development must be:			Not triggered
	a)		maintained in a proper and efficient condition; and			
	b)		operated in a proper and efficient manner.			
Community Communication Strategy						
E46.			The CCS, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.			Not triggered
Ecologically Sustainable Development						
E47.			Unless otherwise agreed by the Planning Secretary, within 18 months of commencement of operation, Green Star certification must be obtained demonstrating the development operating in accordance with this consent achieves the minimum ESD sustainability targets in accordance with Condition B18. Evidence of the certification must be provided to the Certifier and the Planning Secretary.			Not triggered
Green Travel Plan						
E48.			The Green Travel Plan and Transport Access Guide approved in accordance with Condition B34 and Condition D25 must be implemented following occupation of the development and must be displayed throughout the site. The plans are to be reviewed and updated annually.			Not triggered
External Lighting						
E49.			All outdoor lighting must operate in compliance with AS 1158.3.1-2005 Pedestrian Area (Category P) Lighting and AS 4282: 1997 Control of the Obtrusive Effectives of Outdoor Lighting.			Not triggered
Odour Requirements						
E50.			The use of the premises must not give rise to the emission of gases, vapours, dusts or other impurities which are a nuisance, injurious or prejudicial to health.			Not triggered
E51.			Gaseous emissions from the development must comply with the requirements of the Protection of the Environment Operations Act, 1997 and Regulations. Uses that produce airborne particulate matter must incorporate a dust collection system.			Not triggered
Treatment of Runoff						
E52.			Any run-off from, either from stormwater or irrigation systems, must be captured and treated on-site to ensure that chemical products are not discharged to the stormwater network.			Not triggered
Parking and Drop-off Review						
E53.			Parking (including accessible parking), drop-off and traffic needs of the development must be reviewed within 12 months and three years of occupation.			Not triggered
Public Way to be Unobstructed						
E54.			The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.			Not triggered
Incidents - Recording and Notification						
E55.			The manager/licensee must ensure that all incidents involving staff members (including security personnel) are recorded in the incident register maintained on site, including incidents involving physical contact between staff and patrons, physical restraint of patrons and/or the ejection of patrons from the premises.			Not triggered
Copies of Consent and Management Plans						
E56.			A full and current copy of all current development consents for the operation of the licensed premises, and the Operational Management Plan (Condition D28) must be kept on-site and made available to Police or Special Investigator upon request.			Not triggered
Surveillance Cameras						
E57.			CCTV surveillance cameras must be strategically installed, operated and maintained throughout the premises with particular coverage to:			Not triggered
	a)		principal entrance/s and exits;			Not triggered
	b)		all areas within the premise occupied by the public (excluding toilets);			Not triggered
	c)		staircases in multilevel premises; and			Not triggered
	d)		the area within a 10m radius external to the public entrance(s) to the premise.			Not triggered
E58.			Suitable and clearly visible signage must be displayed at the principal entrance(s) to the premise and in a prominent position on each floor accessible to the public, in lettering not less than 50mm in height with the words "Closed Circuit Television in use on these premises"			Not triggered
E59.			All CCTV recording equipment and cameras must be of high grade digital quality capable of establishing the population and identification of patrons, offenders and incidents within the depth of field view of the cameras. In this NSW Government 36 The Cutaway Cultural Facility, Barangaroo Department of Planning and Environment (SSD 47498458) respect each surveillance camera must be capable of recording a minimum rate of 10 frames per second and at high resolution.			Not triggered



E60.		CCTV recording discs or hard drive recordings must be retained for 28 days before being re-used, destroyed or deleted. Time and date must be auto recorded on the disc or hard drive. The CCTV recording equipment must be capable of reproducing a CD, DVD, USB or other appropriate digital copy of recorded footage on demand of PMNSW or Police Officers either immediately or within 12 hours of the request being made. Stored digital copies of CCTV recordings must be handed to Council, Police Officer or <del>Special Inspectors as required.</del>			Not triggered
E61.		All CCTV recording devices and cameras must be checked daily to ensure the equipment is operating correctly. The Licensees must record this daily checking activity in the security/incident register book that meets the standards required by the Licensing Police and PMNSW. If it is discovered at any time that the equipment is not in full operating order all reasonable steps must be taken to repair the system as soon as practicable. Where the system will not be functioning in full operating order for a period of longer than 24 hours the manager/licensee is to notify <del>the relevant Local Area Commander of the NSW Police</del>			Not triggered
E62.		All CCTV recording devices and cameras must be operated at all times when the premises are open to the public and, where premises do not operate 24 hours a day, continuously for at least 1 hour prior to opening and closing <del>times of the premises.</del>			Not triggered
E63.		The CCTV recording device must be secured within the premises and only be accessible to senior management personnel so as to maintain the integrity of the recorded footage. When the premises is operating there must be at least one staff member present at the premises who is authorised to access the CCTV system and able to <del>immediately review recordings and produce copies.</del>			Not triggered
E64.		Camera views are not to be obstructed by temporary or permanent <del>structures, signage or other impediments.</del>			Not triggered
Ventilation - Minor Works					
E65.		The premises must be ventilated in accordance with the Building Code of Australia and AS1668.1-1998 and AS1668.2-1991.			Not triggered
General Site Requirements					
E66.		Access for emergency vehicles shall be provided to and within the site area at all times for the duration of the <del>event, including bump in and bump out periods.</del>			Not triggered

## Appendix D Site photographs



Photo 1 – Hoarding with no graffiti or third party signage, Deep Excavation warning sign along Merriman Street.



Photo 2 – Shrouded lights on hoarding along Merriman Street.



Photo 3 – General information including noisy working hours.

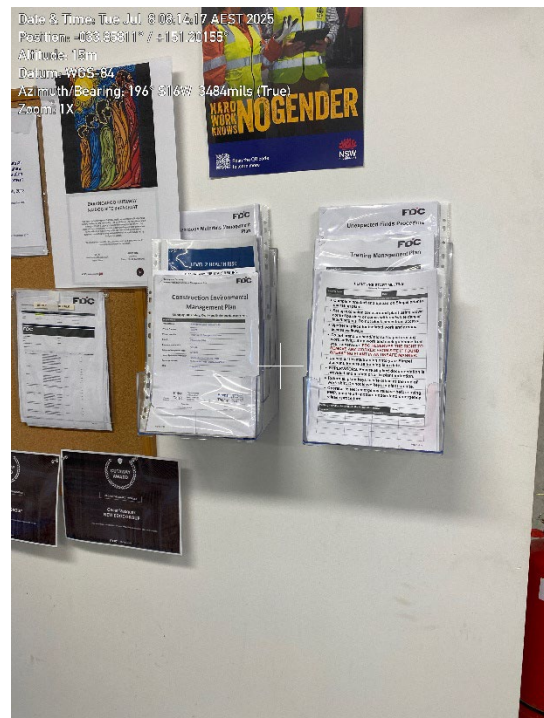


Photo 4 – Construction Management Plans on wall in lunchroom.





Photo 5 – Trees to be removed. Hoarding displaying PPE, authorised personnel and site contact signage.



Photo 6 – Hoarding, light shrouds and tree protection along Merriman Street.



Photo 7 – Noise and vibration monitor adjacent to a skylight on Merriman Street.



Photo 8 – Works occurring adjacent to western skylight. Noise blankets available when required.



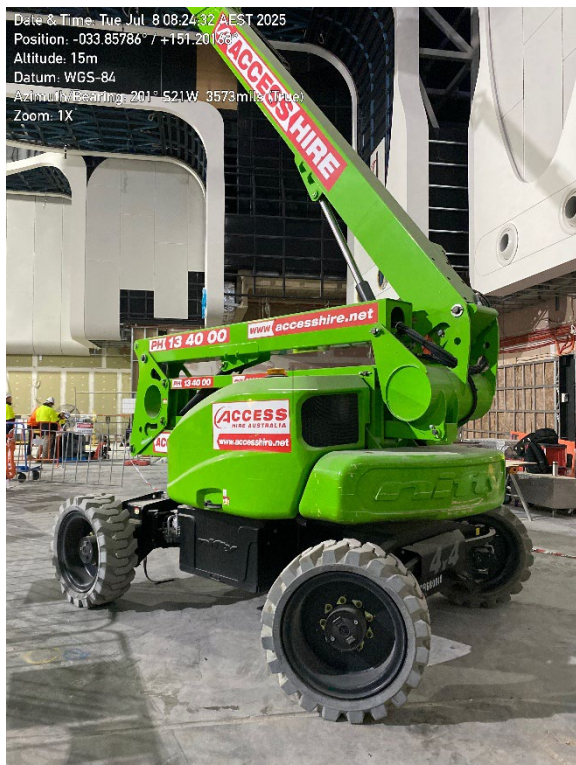


Photo 9 – Nifty HR12 4x4 Boom Lift checked for logbook and prestart.

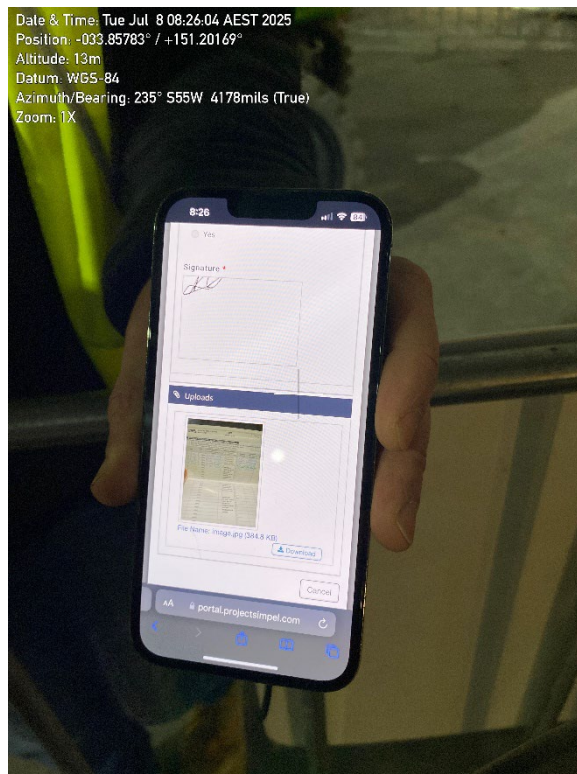


Photo 10 – Each prestart uploaded into Project SIMPEL with photo of signed logbook. Last use date 8/07/2025.

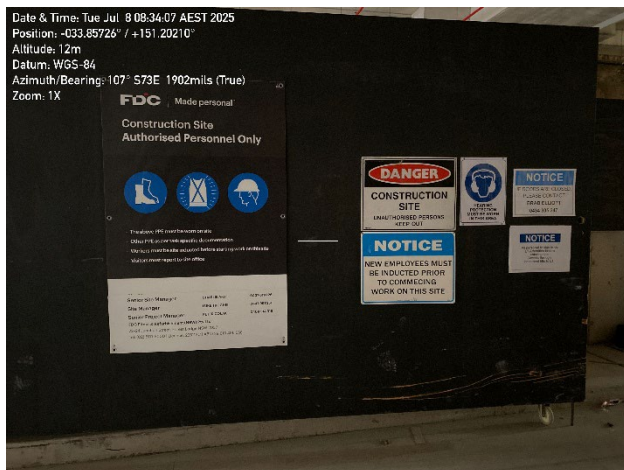


Photo 11 – Site notice on site access through loading dock.

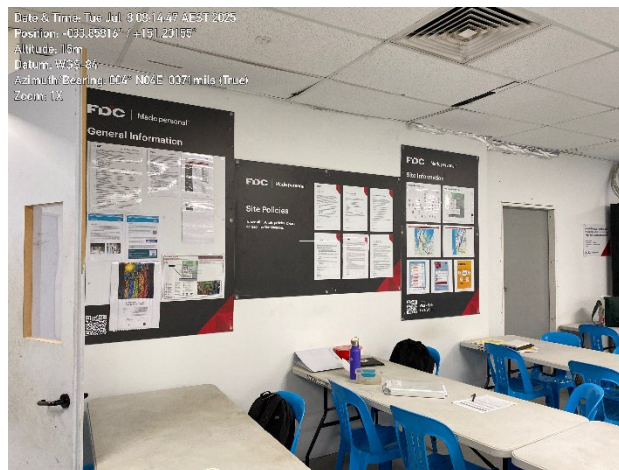


Photo 12 – Lunchroom noticeboard with Environmental Policy, site information and general information including emergency evacuation.





Photo 13 – Two new planted trees where storm damaged one was removed.



Photo 14 – Site notice at personnel entry.



Photo 15 – Buggy for transporting public from Nawi Cove to street level whilst lifts are closed.

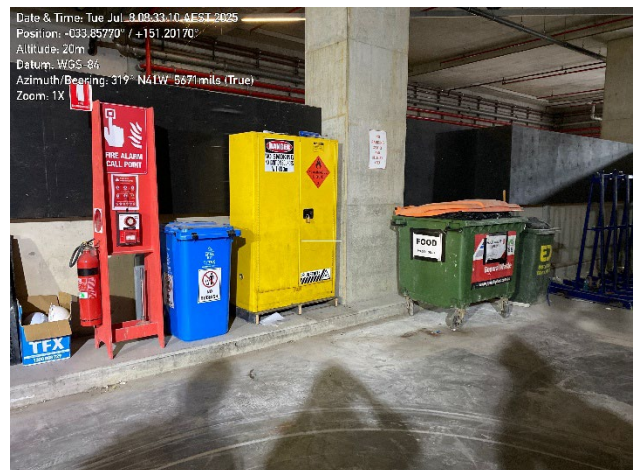


Photo 16 – Flammable liquids cabinet with adjacent emergency station and spill kit, FOGO bin located at loading dock.

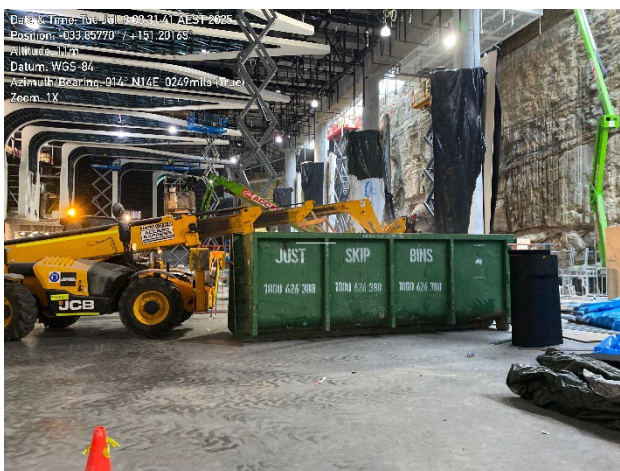


Photo 17 – Telehandler emptying waste skips into the larger skip bin on ground floor.



Photo 18 – Ground floor predominantly where works are still occurring. Adequate waste receptacles.





Photo 19 – Scrubber on the ground floor, which is used as required to remove dust.



Photo 20 – Contents of flammable liquids cabinet.



Photo 21 – Wash bay on bundled crates.



Photo 22 – Nurse call station with site contacts and construction vehicle routes.





Photo 23 – Spill kit with no rubbish sign.



Photo 24 – Spill kit with rubbish on it.



Photo 25 – Evacuation diagram on Level 1.

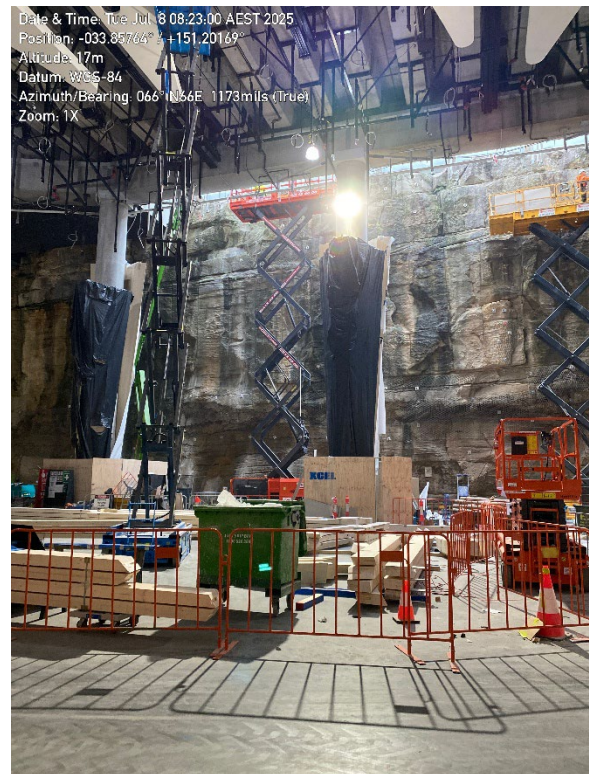


Photo 26 – Tidy housekeeping.



## **Appendix E Audit consultation**



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**SSD-47498458 The Cutaway Cultural Facility, Barangaroo - Consultation Audit 3**

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**From** Nicola Smith <nicola.s@nghconsulting.com.au>

**Date** Tue 2025-06-24 6:10 PM

**To** council@cityofsydney.nsw.gov.au <council@cityofsydney.nsw.gov.au>

**Cc** Natascha Arens <natascha.a@nghconsulting.com.au>

To whom it may concern,

I am the lead auditor for the independent environmental audits of the above Project (SSD- 47498458). We will be conducting the site audit on the 8 July 2025.

The scope of this audit will broadly include:

- Conditions of consent applicable to the pre-construction and construction phases of the project
- All post approval documents required by the conditions of consent (e.g. implementation of environmental management plans and sub plans)
- All environmental licences and approvals applicable to the development
- An assessment of the environmental performance of the development.

As required by the Independent Audit Post Approvals Requirements (2020), I am consulting with relevant stakeholders. Are there any other matters that the City of Sydney Council would like addressed as part of this third construction audit?

Best regards,  
Nicola

**Nicola Smith**  
NSW Regional Lead - Environmental Management

a. 35 Kincaid Street (PO Box 5464), Wagga Wagga, NSW 2650

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Outlook

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**SSD-47498458 The Cutaway Cultural Facility, Barangaroo Consultation Audit 3**

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From Rob Sherry <Rob.Sherry@planning.nsw.gov.au>

Date Wed 2025-06-25 11:10 AM

To Nicola Smith <nicola.s@nghconsulting.com.au>

Good morning, Nicola

Thank you for the opportunity to provide input into the Independent Environmental Audit for The Cutaway Cultural Facility audit (SSD- 47498458 – the **Consent**).

Please ensure that the audit is conducted by approved auditor and in accordance with the relevant conditions within the Consent and the NSW Department of Planning, Housing and Infrastructures (NSW Planning) Independent Audit Post Approval Requirements (IA PAR).

For the scope of the upcoming audit, could you please include:

1. Out-of-hours works (OOHW) management, including the adequacy of community consultation and notification of OOHW if required.
2. The adequacy of the project's system and/or process used for compliance monitoring and tracking of administrative requirements under the approval.
3. A status update for the eight non-compliances identified in IEA 2.

Can you please also confirm that required information is provided on the project website, including but not limited to, the project's response to audit recommendations (RAR).

Should you wish to discuss the matter further, please contact me on 02 9274 6306 or email [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Regards

**Rob Sherry**

**Team Leader Compliance – Government Projects**

NSW Planning | Department of Planning, Housing and Infrastructure

Locked Bag 5022 | PARRAMATTA NSW 2124

[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)



**NSW**

GOVERNMENT

*Please note that I work flexibly. I'm sending this message now because it's a good time for me, but I don't expect that you will read, respond to or action it outside of your own regular hours.*

*If you are submitting a compliance document or request as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au).*

*The Department has recently upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).*

**Our Vision:** Together, we create thriving environments, communities and economies.

---

**From:** Nicola Smith <[nicola.s@nghconsulting.com.au](mailto:nicola.s@nghconsulting.com.au)>  
**Sent:** Tuesday, 24 June 2025 6:13 PM  
**To:** DPE PSVC Compliance Mailbox <[compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)>  
**Cc:** Natascha Arens <[natascha.a@nghconsulting.com.au](mailto:natascha.a@nghconsulting.com.au)>  
**Subject:** SSD-47498458 The Cutaway Cultural Facility, Barangaroo Consultation Audit 3

Hi there,

I am the lead auditor for the second independent audit for the above project (SSD- 47498458). We will be conducting the site audit on 8 July 2025.

The scope of this audit will broadly include:

- Conditions of consent applicable to the pre-construction and construction phases of the project
- All post approval documents required by the conditions of consent (e.g. implementation of environmental management plans and sub plans)
- All environmental licences and approvals applicable to the development
- An assessment of the environmental performance of the development.

As required by the Independent Audit Post Approvals Requirements (2020), I am consulting with relevant stakeholders. Are there any other matters that the Department would like addressed as part of this third construction independent audit?

Best regards,  
Nicola

**Nicola Smith**  
NSW Regional Lead - Environmental Management

m:

e. [nicola.s@nghconsulting.com.au](mailto:nicola.s@nghconsulting.com.au)

a. 35 Kincaid Street (PO Box 5464), Wagga Wagga, NSW 2650

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Our ref: HMS ID 10910

Nicola Smith  
nicola.s@nghconsulting.com.au

Letter provided by return email

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## Independent Environmental Audit – State Significant Development

**Proposal:** Barangaroo Harbour Park (The Cutaway)

**Major Project reference:** SSD-47498458

**Received:** 24 June 2025

Dear Nicola,

Thank you for your referral seeking comment from Heritage NSW on the scope for the Independent Environmental Audit for your project. Please consider as a part of your audit scope any conditions relating to heritage within the Conditions of Consent for the project and any approved Management Plans. It is recommended that the Department of Climate Change, Energy, the Environment and Water Compliance Team be contacted via [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) to determine if there is any non-compliance with Conditions of Consent for the project.

If you have any questions regarding these comments, please contact [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au).

Yours sincerely,

*Alison Lamond*

Alison Lamond  
Manager  
Major Projects  
Heritage NSW  
Department of Climate Change, Energy, the Environment and Water  
As Delegate under *National Parks and Wildlife Act 1974*  
26 June 2025



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## SSD-47498458 The Cutaway Cultural Facility, Barangaroo - Consultation Audit 3

---

From Nicola Smith <nicola.s@nghconsulting.com.au>

Date Tue 2025-06-24 6:18 PM

To contactustherocks@property.nsw.gov.au <contactustherocks@property.nsw.gov.au>

Cc Natascha Arens <natascha.a@nghconsulting.com.au>

To whom it may concern,

I am the lead auditor for the third independent audit of the above Project (SSD- 47498458). We will be conducting the site audit on 8 July 2025.

The scope of this audit will broadly include:

- Conditions of consent applicable to the pre-construction and construction phases of the project
- All post approval documents required by the conditions of consent (e.g. implementation of environmental management plans and sub plans)
- All environmental licences and approvals applicable to the development
- An assessment of the environmental performance of the development.

As required by the Independent Audit Post Approvals Requirements (2020), I am consulting with relevant stakeholders. Are there any other matters that Placemaking NSW would like addressed as part of this third construction independent audit?

Best regards,  
Nicola

**Nicola Smith**  
NSW Regional Lead - Environmental Management

e. [nicola.s@nghconsulting.com.au](mailto:nicola.s@nghconsulting.com.au)

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## SSD-47498458 The Cutaway Cultural Facility, Barangaroo Consultation Audit 3

From Nicola Smith <nicola.s@nghconsulting.com.au>

Date Tue 2025-06-24 6:20 PM

To info@service.nsw.gov.au <info@service.nsw.gov.au>

Cc Natascha Arens <natascha.a@nghconsulting.com.au>

To whom it may concern,

I am the lead auditor for the third independent audit for the above project (SSD- 47498458). We will be conducting the site audit on 8 July 2025.

The scope of this audit will broadly include:

- Conditions of consent applicable to the pre-construction and construction phases of the project
- All post approval documents required by the conditions of consent (e.g. implementation of environmental management plans and sub plans)
- All environmental licences and approvals applicable to the development
- An assessment of the environmental performance of the development.

As required by the Independent Audit Post Approvals Requirements (2020), I am consulting with relevant stakeholders. Are there any other matters that the SDRP would like addressed as part of this third construction independent audit?

Best regards,  
Nicola

**Nicola Smith**  
NSW Regional Lead - Environmental Management

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---

## SSD-47498458 The Cutaway Cultural Facility, Barangaroo - Consultation Audit 3

---

From Nicola Smith <nicola.s@nghconsulting.com.au>

Date Tue 2025-06-24 6:14 PM

To development.CTMP.CJP@transport.nsw.gov.au <development.ctmp.cjp@transport.nsw.gov.au>

Cc Natascha Arens <natascha.a@nghconsulting.com.au>

To whom it may concern,

I am the lead auditor for the independent audit of the above Project (SSD- 47498458). We will be conducting the site audit on 8 July 2025.

The scope of this audit will broadly include:

- Conditions of consent applicable to the pre-construction and construction phases of the project
- All post approval documents required by the conditions of consent (e.g. implementation of environmental management plans and sub plans)
- All environmental licences and approvals applicable to the development
- An assessment of the environmental performance of the development.

As required by the Independent Audit Post Approvals Requirements (2020), I am consulting with relevant stakeholders. Are there any other matters that TfNSW would like addressed as part of this third construction independent audit?

Best regards,  
Nicola

**Nicola Smith**  
NSW Regional Lead - Environmental Management

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