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NGH

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

December 2024

Project Number: 240009



## Document verification

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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 Consent (CoC) were issued by the Minister of Planning on 22 December 2023.

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.

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 Consent. Construction commenced on the 3 May 2024. This is the first independent audit of the project.

The audit period for this first audit is from 3 May 2024 (date of commencement of construction) to the date of the site inspection component of the first audit, that being 16 July 2024.

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 Consent.

In summary the audit found eight non-compliances out of a total of 255 Conditions of Consent.

# 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 Consent (CoC) were issued by the Minister of Planning on 22 December 2023.

The Project includes:

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- 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.

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 an estimated completion date within 15 to 16 months (July - August 2025).

## 1.2. Audit team

FDC nominated Natascha Arens as the Lead Independent Auditor for project and provided her CV and independence declaration to DPHI (refer Appendix A). Natascha was approved by DPHI as the Independent Lead Auditor on the 29 November 2024 (refer Appendix B).

The audit team comprised these members:

- Natascha Arens – Technical and QA Review, Lead Auditor
- Nicola Smith – Audit Assistant.

## 1.3. Objectives

The objective of this Independent Audit is to assess compliance with the Conditions of Consent, 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 CoC 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:
  - 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)



## **Independent Environmental Audit**

*The Cutaway Cultural Facility SSD-47498458*



- 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 first audit is from 3 May 2024 (commencement of construction) to the site inspection component of the first audit, that being 16 July 2024.

## **2. Audit methodology**

### **2.1. Independent audit scope development**

The audit scope was developed by reviewing the SSD-47498458 CoC 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.

### **2.2. 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 Consent relevant to the stage of works of the Project and all environmental management plans and sub plans.

An opening meeting was held on 16 July 2024 at 8.05 am.

Present at the opening meeting were:

- Marc Anthony (FDC HSEQ Site Coordinator)
- Daniel Cho (FDC Cadet)
- Luke Trochei (FDC Site Manager)
- Hilton Palmer (FDC Project Manager)
- Peter Colak (FDC Senior Project Manager)
- Taylor Bertram (FDC HSEQ Manager)
- Nicola Smith (NGH Auditor).

Document review occurred throughout the day and offsite until report completion.

### **2.3. Site interviews**

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

- Daniel Cho (FDC Cadet)
- Hilton Palmer (FDC Project Manager)
- Marc Anthony (FDC HSEQ Site Coordinator)
- Fernando Arrua (FDC WHS Coordinator)



## 2.4. Site inspections

A site inspection was undertaken at 8.20 am on the 16 July 2024. The entire site was inspected including exit and entry points, concrete washout areas, active areas of the construction site, sedimentation controls, notice boards, noise and vibration monitoring equipment and spill response kits.

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

## 2.5. 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), Sydney Metro, Heritage NSW, Placemaking NSW (PMNSW) and NSW State Design Review Panel (SDRP) regarding the audit scope. A copy of the correspondence is provided in Appendix E.

## 2.6. 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

#### Design plans and approval documentation

- 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
- FJC Studio Design Plans Sheets 1 to 10, stamped approval DPHI 22 December 2023.

## Correspondence

- 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

- 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**

- 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
- 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 eight non-compliances out of a total of 255 Conditions of Consent, refer to Table 3-1.

Table 3-1 Compliance performance

Condition part	Compliances	Non-compliances	Not triggered
A (30)	11	1	18
B (77)	43	4	30
C (50)	25	3	22
D (32)	-	-	32
E (66)	-	-	66



Note: In relation to the tally above whole conditions of consent 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

Eight non-compliances were raised in this first audit, refer to Table 3-2.

Table 3-2 Non-compliances

CoC #	Requirement	Audit finding
<b>A2</b>	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 that compliance with the majority of conditions. However, the audit found eight non-compliances inclusive of this condition, as detailed below.
<b>B4</b>	<p><b>Access to information</b></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>a) Make the following information and documents publicly available:</p> <ul style="list-style-type: none"> <li>i. the documents referred to in Condition A2 of this consent;</li> <li>ii. all current statutory approvals for the development;</li> <li>iii. all approved strategies, plans and programs required under the conditions of this consent;</li> <li>iv. regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;</li> <li>v. a comprehensive summary of the monitoring results of the development, reported in accordance with the</li> </ul>	The audit found that the website does not contain the documentation required under this condition. The Project has a Project website, and it contains access links to the Community Communication Strategy, two works notifications and one project update. However, it does not contain any of the approved management plans, the complaint register, a number to contact in case of a complaint, regular environmental performance reporting, summaries of monitoring results, the documents as referred to in Condition A2.

CoC #	Requirement	Audit finding
	<p>specifications in any conditions of this consent, or any approved plans and programs;</p> <p>vi. a summary of the current stage and progress of the development; contact details to enquire about the development or to make a complaint;</p> <p>vii. a complaints register, updated monthly;</p>	
<b>B50</b>	<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, 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.</p>	<p>Out of the seven private properties, three were not occupied. Four owners took the Pre-construction dilapidation reports.</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>Pre-construction dilapidation reports for Residents who took up the offer, prepared by Project Solutions.</p> <p>Aconex, 4/06/2024, identifies Merriman Street Residential Pre-construction dilapidation reports for the four interested owners who took up the opportunity. Three letter box drops were completed regarding the dilapidation survey opportunity.</p> <p>The auditor notes that no evidence was provided that a copy of the report was forwarded to each of the affected property owners. While it is understood that FDC's interpretation of the condition was that no construction works with potential vibratory impacts had occurred in the first audit period, these conditions are relevant prior to the commencement of any construction works. Therefore, the reports should have been provided to the affected property owners prior to the commencement of any construction.</p>
<b>B56</b>	<p><b>Construction Pedestrian and Traffic Management Plan</b></p> <p>Prior to commencement of any works, the Applicant must submit to the satisfaction of TfNSW a final detailed Construction Pedestrian and Traffic Management Plan (CPTMP), prepared by a suitably qualified person in consultation with TfNSW, Sydney Metro and PMNSW. The CPTMP must be endorsed by TfNSW 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:</p>	<p>The auditor noted that no evidence was provided that showed the CPTMP was submitted to Planning Secretary prior to commencement of any works.</p>

CoC #	Requirement	Audit finding
<b>B72</b>	<p><b>Remediation – Unexpected Finds Protocol</b></p> <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>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 auditor notes that the protocol has not been endorsed by the NSW EPA accredited site auditor.</p> <p>The Unexpected Finds Protocol for Asbestos will need to be endorsed by an EPA accredited site auditor and submitted to the Certifier.</p>
<b>C2</b>	<p><b>Site Notice</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>a) state the name, address and telephone number of the principal certifier for the work</li> <li>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</li> <li>c) state the approved hours of work</li> <li>d) state that unauthorised entry to the work site is prohibited</li> <li>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</li> <li>f) the notice is to be durable and weatherproof and is to be displayed throughout the works period</li> <li>g) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing.</li> </ul>	<p>The auditor found that the site notice did not contain the name, address or telephone number of the Principal Certifier for the work or state the approved hours of work.</p>
<b>C25</b>	<p>While building work is being carried out, the Certifier must be satisfied all soil removed from or imported to the Site is managed in</p>	<p>The auditor notes that FDC followed the process required for excavated material in sub-part (a) of this condition for the fill discovered under the slab</p>

CoC #	Requirement	Audit finding
	<p>accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>a) all excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and</li> <li>b) the classification and the volume of material removed must be reported to the Certifier.</li> </ul>	<p>during the demolition of Stair 3. However, subpart (b) of the condition requires the waste classification and volume of excavated material removed from site must be reported to the Certifier.</p>
<b>C46</b>	<p>Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.</p>	<p>Prior approval from the Planning Secretary was not received prior to this first audit.</p>



### **3.5. Previous audit recommendations**

This is the first audit.

### **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 CoC 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 were required to be made publicly available on the Project website prior to the commencement of construction as required by Condition B4. There was no evidence that these were available for public viewing at the time of the site audit. However, since the first site audit, the management plans are available on the Project website.

#### **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. Adherence to working hours and consultation with stakeholders were found to be generally compliant. The following inspections have taken place:

- Weekly site inspection sighted 9 July 2024
- Sighted vehicle waste register, with entries from 1 to 11 July 2024
- Dated and time stamped photographs of trucks leaving site with load covered, 6, 7, 8 July 2024
- 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 forklift.
- The FFMP contains information vegetation, fauna and habitat management. It includes an Unexpected Species Finds protocol for listed threatened species, which have been identified in the plan.

Refer to site photographs in Appendix D.

### **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.

Refer to site photographs in Appendix D.

### **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 June monthly monitoring report, and the Noise Net Noise and Vibration Installation Report, were sighted. A monthly report is provided on the 25<sup>th</sup> of every month. Exceedances are issued via email and text messages and followed up in accordance with the CNVMP.

The audit found that there have been no vibration exceedances and three noise exceedances within the first audit period (July 2024). Attended noise monitoring was triggered following each exceedance with the investigations identifying leaf blowers and rock work close to the monitors as the cause of the exceedances. These are documented in FDC's noise and vibration monitoring spreadsheet.

No noise complaints were made during the first 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.

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.

During the first audit period, air quality was monitored during removal of Asbestos Containing Material (ACM) pipe and soil from Stair 3. Air quality lab certificates are provided in the Clearance Inspection Reports by EnviroX Consulting.

The auditor noted that the vehicle waste register contains the date, registration number, time in/out, company, type of truck, and whether the load is covered. This is completed by the staff at the access gate.

During the site inspection, the auditor noted that heavy demolition dust is able to be controlled by wetting down and then use of sweeper and wet vacuum suction system. These were observed on site. Dust is monitored each day during the daily safety walk.

Refer to site photographs in Appendix D.

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

During the site audit inspection, it was observed that waste was being separated and appropriate waste receptacles were available onsite (A28 / C4). Bins are provided by the waste contractor Bingo Industries (Executive Demo) and Just Skips.

Whilst Just Skip waste dockets were provided, the waste records could not be produced that detailed information of waste types and volumes as required by Section 2.2 of the CWMP pursuant to Condition C4.

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 mud tracking and dust material on to local roads, and spill kits available and suitable. All inspections are formally documented weekly via an application used called Project SIMPEL.

The auditor noted that spill kits were in place and suitable, no mud or material tracking was visible on local roads and there is a dedicated wash out drum and dedicated concrete wash out bin, within the interior 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:

- Waste management including waste separation and appropriate disposal of construction and demolition waste
- Concrete wash out bin
- Spill kits available and maintained
- Noise and vibration (required during demolition) monitoring devices
- Erosion and sediment controls – two covered stormwater pits.

Refer to site photographs provided in Appendix D.

## **3.8. Consultation outcomes**

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

Responses were received from Sydney Metro (10 July 2024), CoS (9 July 2024) and Heritage NSW (6 July 2024) at the time of reporting with all acknowledging the consultation had been received. Heritage NSW had no comments regarding the scope of the first audit. Sydney Metro noted that the Project would have negligible impacts on the Metro rail corridor as it does not involve excavations in excess of two metres. CoS are interested in continued consultation for the Harbour Control Tower void design (Condition A30) and the entrance design (Condition B5), as well as any potential noise and traffic issues during construction.

Consultation is provided in Appendix E.

### **3.9. Complaints**

The audit noted that there is a complaint register. There have been no complaints regarding the Project since commencement of construction on 3 May 2024. However, the complaints register was not made publicly available by the time of the site audit, which is required by Condition B4.

### **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 are 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 Fjmtstudio, 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.

## **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.

## **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 may of the positive impacts could be maximised through enhancement measures.

### **Construction impacts**

The EIS notes that construction could impact; existing and future hirers 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.

### **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.

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.

### **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 first audit all the works were internal and there has been no need to implement the tree clearing protocol. The FFMP is Appendix K of the CEMP.

During the first site audit, what was thought to be a Grey-headed Flying-fox was observed to be hanging from the netting of the one of the voids. The Grey-headed Flying-fox is listed as a vulnerable species under the *Biodiversity Conservation Act 2016* (BC ACT) and *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and accordingly FDC have a duty of care to ensure there is no impact to the individual.

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

The auditor will follow up on the actions that were taken by FDC personnel to ensure no harm to the threatened species.

## **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 first audit period the works have been interior and therefore, impacts of external construction works on traffic and active transport users has not been realised.

## **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 CoC 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 during heavy main works (demolition and excavation) at three proposed 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.

There were four noise exceedances within the first audit period. Attended noise monitoring following the exceedances identified that they were likely caused by traffic and bird noise close to the monitor. Vibration

monitoring undertaken during heavy demolition works. No exceedances in vibration during the first audit period.

## **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 (04/04/2024).

## **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 Consent 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. However, lighting has not yet been installed.

## **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 first 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.

An unexpected find of asbestos was identified during the fifth audit period. The asbestos containing pipe was lab analysed and returned with a positive result for asbestos. PRA undertook a waste classification of around 3 m<sup>3</sup> of surrounding soil. The soil was not contaminated with asbestos fibres and received a result of General Solid Waste. The Unexpected Finds Protocol was enacted, licenced asbestos removalists (Zoic) removed the asbestos containing material and surrounding soil for disposal. EnviroX Consulting provided two Clearance Inspection Reports. The Planning Secretary was not notified of the unexpected asbestos find, which is not in accordance with Schedule 2 Part C Condition C42 or C44 of the Conditions of Consent. The removal of asbestos waste was done in accordance with Schedule 2 Part C Condition C43 of the Conditions of Consent.

## **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).

## **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 and atop the Cutaway around the voids where future construction work will take place. A Grey-headed Flying-fox was observed to be hanging into the void from the safety netting, which is listed as a vulnerable species under the BC Act and EPBC Act, as described in Section 3.11. During the next site audit, auditor will follow up on the actions that were taken by FDC personnel to ensure no harm to the threatened species.

The site inspection then continued through the main construction worker entrance and through to the lunchroom area where multiple noticeboards were located containing FDC policies, management plans available for review, approved plan for the Project, emergency procedures etc. The site inspection ended with a walkthrough of the main Cutaway area and then to the entrance where the hoarding is currently erected.

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

- Hoarding was in good condition and free of graffiti or third-party material
- Concrete washout bins were on-site
- Spill kits were located around the site with appropriate materials and personal protective equipment
- Nurse stations with emergency call button and fire extinguisher were located around the site
- No exposed surfaces observed as current stage of works only includes interior fitout and refurbishment
- Waste receptacles are located around the site for waste management where works are occurring
- 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 and dry vacuums were on the floor ready for the daily dust removal
- The site is clearly fenced
- Site signage was in place.

Photos of the site are provided in Appendix D.

### **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 CoC and the Management Plans.

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

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

### **3.15. Key strengths**

The key strength of this Project is the committed team. FDC have an eagerness to undertake the project in accordance with the requirements of the consent conditions and are receptive to feedback. This is regarded as a vital strength in the continued improvement of site performance. Additionally, the Project team are organised and maintain a tidy site and ensure all personnel and subcontractors are across the requirements of the Projects Conditions of Consent through the Project induction material and subcontractor start up package.

### **3.16. Improvement opportunities**

The audit found the following opportunities for improvement for the Project team's consideration:

- Include in the Green Travel Plan whether bike parking is available, and if so, how many bike parking spots are provided and their location
- Identifying the strategies in the Green Travel Plan for reducing car parking usage and providing a link to the relevant sections
- Include the 24-hour project phone number in the Community Communication Strategy and the CEMP
- Use consistent terminology to describe the plans, for example, refer to the CPTMP in the CEMP not the CTMP
- 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

- Moving the heritage unexpected finds into the CEMP and providing a communications procedure as it does not belong in the Hazardous Materials Management Plan
- Include reference to Table 1 in the CWMP to Condition B63(c) and identify where it is addressed in the document
- In accordance with the WMP, co-mingled recycling receptacles should be implemented in the lunchroom as it is in the site office
- Identifying in the CEMP that waste classification and validation is covered in the CWMP (refer to B55(i))
- 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.

## 4. Summary of compliance and recommended actions

### 4.1. Summary of compliance

The audit found eight non-compliances with the Conditions of Consent. The document review found that Environmental Management Plans and sub plans are relevant to the site and are generally being implemented.

Table 5-1 Compliance performance

Condition part	Compliances	Non-compliances	Not triggered
A (30)	11	1	18
B (77)	43	4	30
C (50)	25	3	22
D (32)	-	-	32
E (66)	-	-	66

### 4.2. Summary of non-compliances against conditions

Eight non-compliances were raised in this audit. Refer to Table 4-1 for a summary of the non-compliance and the recommended action.

Table 4-2 Summary of non-compliances

CoC #	Requirement	Audit finding	Recommendations
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 that 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.
B4	<b>Access to information</b> 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:	The audit found that the website does not contain the documentation required under this condition. The Project has a Project website, and it contains access links to the Community	Ensure the website is updated with the relevant documentation in accordance with this condition.



CoC #	Requirement	Audit finding	Recommendations
	<p>b) Make the following information and documents publicly available:</p> <ul style="list-style-type: none"> <li>i. the documents referred to in Condition A2 of this consent;</li> <li>ii. all current statutory approvals for the development;</li> <li>iii. all approved strategies, plans and programs required under the conditions of this consent;</li> <li>iv. regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;</li> <li>v. a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</li> <li>vi. a summary of the current stage and progress of the development; contact details to enquire about the development or to make a complaint;</li> <li>vii. a complaints register, updated monthly;</li> </ul>	<p>Communication Strategy, two works notifications and one project update. However, it does not contain any of the approved management plans, the complaint register, a number to contact in case of a complaint, regular environmental performance reporting, summaries of monitoring results, the documents as referred to in Condition A2.</p>	
<b>B50</b>	<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, 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.</p>	<p>Out of the seven private properties, three were not occupied. Four owners took the Pre-construction dilapidation reports.</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>Pre-construction dilapidation reports for Residents who took up the offer, prepared by Project Solutions.</p> <p>Aconex, 4/06/2024, identifies Merriman Street Residential Pre-construction dilapidation reports for the four interested owners who took up the opportunity. Three letter box drops were completed</p>	<p>Provide evidence that the Pre-construction dilapidation reports were provide to each affected property owner.</p>

CoC #	Requirement	Audit finding	Recommendations
		<p>regarding the dilapidation survey opportunity.</p> <p>The auditor notes that no evidence was provided that a copy of the report was forwarded to each of the affected property owners. While it is understood that FDC's interpretation of the condition was that no construction works with potential vibratory impacts had occurred in the first audit period, these conditions are relevant prior to the commencement of any construction works. Therefore, the reports should have been provided to the affected property owners prior to the commencement of any construction.</p>	
<b>B56</b>	<p><b>Construction Pedestrian and Traffic Management Plan</b></p> <p>Prior to commencement of any works, the Applicant must submit to the satisfaction of TfNSW a final detailed Construction Pedestrian and Traffic Management Plan (CPTMP), prepared by a suitably qualified person in consultation with TfNSW, Sydney Metro and PMNSW. The CPTMP must be endorsed by TfNSW 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:</p>	<p>The auditor noted that no evidence was provided that showed the CPTMP was submitted to Planning Secretary prior to commencement of any works.</p>	<p>Submit the CPTMP to the Planning Secretary.</p>
<b>B72</b>	<p><b>Remediation – Unexpected Finds Protocol</b></p> <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>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</p>	<p>The Unexpected Finds Protocol for Asbestos will need to be endorsed by an EPA accredited site auditor and submitted to the Certifier.</p>

CoC #	Requirement	Audit finding	Recommendations
		<p>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 auditor notes that the protocol has not been endorsed by the NSW EPA accredited site auditor.</p> <p>The Unexpected Finds Protocol for Asbestos will need to be endorsed by an EPA accredited site auditor and submitted to the Certifier.</p>	
<b>C2</b>	<p><b>Site Notice</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>a) state the name, address and telephone number of the principal certifier for the work</li> <li>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</li> <li>c) state the approved hours of work</li> <li>d) state that unauthorised entry to the work site is prohibited</li> <li>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</li> <li>f) the notice is to be durable and weatherproof and is to be displayed throughout the works period</li> <li>g) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing.</li> </ul>	<p>The auditor found that the site notice did not contain the name, address or telephone number of the Principal Certifier for the work or state the approved hours of work.</p>	<p>Update the sign to include the details required of the Principal Certifier and the approved hours of work.</p>
<b>C25</b>	<p>While building work is being carried out, the Certifier must be satisfied all soil removed from or imported to the Site is managed in accordance with the following requirements:</p>	<p>The auditor notes that FDC followed the process required for excavated material in sub-part (a) of this condition for the fill</p>	<p>Provide the waste classification and volume of soil removed from Stair</p>

CoC #	Requirement	Audit finding	Recommendations
	<p>a) all excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and</p> <p>b) the classification and the volume of material removed must be reported to the Certifier.</p>	<p>discovered under the slab during the demolition of Stair 3. However, subpart (b) of the condition requires the waste classification and volume of excavated material removed from site must be reported to the Certifier.</p>	<p>3 to the Certifier.</p>
<b>C46</b>	<p>Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.</p>	<p>Approval from the Planning Secretary was not received prior to this first audit.</p>	<p>Seek approval from the Planning Secretary for this audit, and subsequent audits prior to undertaking the audit.</p>

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

## **A.1 Natascha Arens**



## Natascha Arens | BAppSc (Conservation Mgt), MBEM, CEnvP, MEIANZ, Certified Lead Auditor

### Principal Environmental Consultant

#### Systems Manager

Natascha launched the Sydney Branch of NGH in 2006. She has around 30 years of professional experience in environmental management and impact assessment and began her career as an ecologist in South Eastern NSW.

She has worked in both the public and private sector. Natascha has a wealth of experience in environmental impact assessment for large infrastructure projects. She is an Exemplar Global Lead Environmental Auditor and has extensive auditing experience across a range of industries.

The diversity of her planning experience coupled with her onsite and project management experience has equipped her with an excellent understanding of environmental issues, legislation and planning in regional and urban environments. Natascha gives clients assurance that NGH will use innovation and breadth of company history to drive sustainable outcomes for projects.

Natascha has a leading role in the operational performance of the company. Instigating improved environmental performance is something Natascha pursues with enthusiasm.



#### Focus areas

- Environmental auditing
- Environmental Impact Assessments
- Legislation interpretation
- Environmental Management Plans
- Preliminary Environmental Constraints Assessments & Scoping Reports
- Expert reviewer (CEnvP-IA)
- 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
- NGH Director
- CCRSS Director and Secretary (Voluntary Role)

## Project experience

### Renewable energy

#### 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 gird connection requirements.

### Linear infrastructure

#### 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, Napiac, 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.

## 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 at 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. It 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.

## 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.

## Water

### 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

### **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.

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## 6. Appendices

### Appendix A – Declaration of Independence Form Template

#### Declaration of Independence - Auditor

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Project Name    The Cutaway Cultural Facility, Barangaroo

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Consent Number    SSD-47498458

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Description of Project    Fitout and enclosure of the existing roof openings in the Cutaway to accommodate cultural facility

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Project Address    The Cutaway, Barangaroo within City of Sydney, Part Lot 52 in DP 1213772

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Proponent    Infrastructure NSW

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Date    08 March 2024

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I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an



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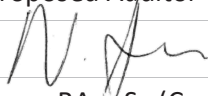
approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and

b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

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Name of Proposed Auditor      Natascha Arens

Signature



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Qualification      BAppSc (Conservation Mgt), MBEM, CEnvP, MEIANZ, Certified Lead Auditor

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Company      NGH Pty LTD

## **A.2 Nicola Smith**

## Nicola Smith | BSc MPhil

### Regional Manager - Environmental Management

Nicola leads a team of environmental management consultants. She has over 10 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 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. **Support 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 paediatric health care locally, nationally and globally. **Support 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. **Support 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. **Support 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. **Support 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. **Support 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 **Support 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.

### **Beryl Solar Farm (Tranex Solar), Gulgong NSW**

When completed, the 309,000 advanced solar modules on the Beryl Solar Farm will produce energy to run approximately 25,000 average NSW homes, displacing more than 167,000 metric tons of carbon dioxide emissions per year. **Workstage Manager.** Managing the deliverables associated with post-approval environmental management, which includes the implementation of agri-trials to determine the most appropriate method of groundcover management for the site.

### **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 Contamination Assessment (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. The objectives for the Barton Highway are: Improve liveability and reduce social disadvantage, improve economic growth and productivity, provide scope for regional development and accessibility, improve sustainability, improve safety and security, and improve transport integration process. **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 Detailed Site Investigation (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 Geomorphological and Erosion Assessment (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 Surface Water and Groundwater Assessment and Management Plan (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 Closure Plan (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 Groundwater Compliance Reporting (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.



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## 6. Appendices

### Appendix A – Declaration of Independence Form Template

#### Declaration of Independence - Auditor

Project Name    The Cutaway Cultural Facility, Barangaroo

Consent Number    SSD-47498458

Description of Project    Fitout and enclosure of the existing roof openings in the Cutaway to accommodate cultural facility

Project Address    The Cutaway, Barangaroo within City of Sydney, Part Lot 52 in DP 1213772

Proponent    Infrastructure NSW

Date    08 March 2024

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an

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approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and

b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

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Name of Proposed Auditor Nicola Smith

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Signature



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Qualification Bachelor Science, Masters of Philosophy (Phys Geog)

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Company NGH Pty LTD

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

NSW Planning ref: SSD-47498458-PA-9

Infrastructure NSW

Via the Major Projects Portal only

Attention: Benjamin Henry, Project Manager

29/11/2024

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Subject: The Cutaway Cultural Facility, Barangaroo – Agreement to independent auditor

Dear Benjamin

I refer to your submission on 25 November 2024, SSD-47498458-PA-9, requesting the Planning Secretary's agreement to suitably qualified, experienced and independent persons as independent auditors for The Cutaway Cultural Facility, Barangaroo (**Project**), under SSD-47498458 (**Consent**), for the construction phase of the Project.

The NSW Department of Planning, Housing and Infrastructure (**NSW Planning**) has reviewed the independent auditor nominations and based on the information you have provided is satisfied that Natascha Arens is suitably qualified, experienced and independent.

In accordance with Schedule 2, Condition C46 of the Consent and the *Independent Audit Post Approval Requirements (2020)* (**IAPAR**), as nominee of the Planning Secretary, I agree to the following lead auditor:

- Natascha Arens, NGH Pty Ltd

Please ensure this correspondence is appended to the independent audit report.

This agreement applies to all construction phase audits for the Project and will require the approved auditor to submit a declaration of independence with each independent audit report.

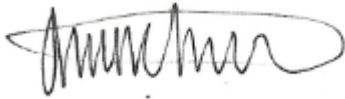
Please note that auditors must have lead or principal auditor accreditation for the Planning Secretary's consideration as per section 3.1 of the IAPAR. Further, conditions C45 and C46 of the Consent and the IAPAR do not require agreement of the Planning Secretary for nominations of audit assistants.

The independent audits must be prepared, undertaken, and finalised in accordance with the conditions of the Consent and the IAPAR.

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

Should you wish to discuss the matter further, please contact [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to read "Minchin", enclosed within a horizontal oval.

Thomas Minchin  
A/Team Leader Compliance - Government Projects  
Compliance

*As nominee of the Planning Secretary*

# Appendix C Audit Table



Condition of Consent	Part/		Condition	Evidence Collected	Comment	Audit Status	
	Sub-Part						
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.			The development may only be carried out:			Non compliant	
	a)		in compliance with the conditions of this consent;	Site inspection  Document review	The Auditor identified 8 non-compliant findings inclusive of this condition, which includes the following conditions: B4, B50, B56, B72, C2, C25 and C46.		
	b)		in accordance with all written directions of the Planning Secretary;	Site interviews			
	c)		in accordance with the EIS, RfS and any RFI;	Site inspection  Document review	Works are being delivered generally in accordance with the EIS, Response to Submissions and any RFI.		
	d)		in accordance with the approved plans in the table below (except where amended by the conditions of consent):	Document review			
A3.			The Applicant must comply with all written requirements or directions of the Planning Secretary, including in relation to:			Not triggered	
	a)		the environmental performance of the SSD;		Noted		
	b)		any document or correspondence in relation to the SSD;		Noted		
	c)		any notification given to the Planning Secretary under the terms of this approval;		Noted		
	d)		any audit of the construction or operation of the SSD;		Noted		
	e)		the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval);		Noted		
	f)		the carrying out of any additional monitoring or mitigation measures; and		Noted		
	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.		Noted		
A4.			The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in Condition A2. In the event of an inconsistency, NSW Government 6 The Cutaway Cultural Facility, Barangaroo Department of Planning and Environment (SSD 47498458) ambiguity or conflict between any of the documents listed in Condition A2, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.		Noted	Not triggered	
Limits on Consent							
A5.			This consent will lapse five years from the date the consent is published on the NSW Planning Portal unless the works associated with the development have physically commenced.	Sighted FDC Contract programme, dated 02/02/2024  FDC Construction Program, Rev 8, dated 18/06/2024  Email from DPHI to FDC, 2/05/2024  Site interviews	Construction work commenced on 3 May 2024. FDC received an email from DPHI acknowledging receipt of the Notification of Commencement for the Project, dated 2/05/2024.	Compliant	
A6.			The consent does not approve the following:				
	a)		any future entry marker structure for the site, including the general location, size and form	Site interviews	Not included in the Project scope.	Compliant	
	b)		any interpretation device associated with the former Harbour Control Tower	Site interviews	Not included in the Project scope.		
	c)		the detailed fit-out and operation of the café on level two	Site interviews	Not included in the Project scope.		
	d)		the installation of external signage.	Site interviews	Not included in the Project scope.		
			Where required, separate approvals must be obtained from the relevant consent authority (except where exempt and/or complying development applies).		Noted		
Prescribed Conditions							
A7.			The Applicant must comply with all relevant prescribed conditions of development consent under Part 4, Division 1 of the EP&A Regulation.	Crown Design Verification Certificate 1	The Project is subject to a Crown Design Verification Certificates (CDVC). The Certificates include verification of compliance with relevant building codes.	Compliant	
Planning Secretary as Moderator							
A8.			In the event of a dispute between the Applicant and a public authority, in relation to a requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter will be binding on the parties.	Site interviews	There have been no disputes during the first audit period.	Not triggered	
Legal Notices							
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:	Minutes from City of Sydney Presentation (consultation), dated 08/05/2024  Email from FDC to CoS with presentation minutes, dated 9/05/2024  Minutes from SDRP 3 Presentation (consultation), dated 16/05/2024  Email from TfNSW to TTW, dated 22 April 2024  Construction Pedestrian and Traffic Management Plan (CPTMP), Rev 1, TTW (NSW) Pty Ltd, dated 16 April 2024	Front Entry consultation with CoS, SDRP / PMNSW  Evidence of consultation with TfNSW, Sydney Metro (under TfNSW) 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.		
	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		



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	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	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.		Noted	Not triggered
			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 first 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 first 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	No non-compliances in the first audit period.	Not triggered
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	No non-compliances in the first audit period.	Not triggered
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  Transmittal of The Cutaway Construction Start-Up Pack, dated 29/04/2024  Site inspection	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.	Compliant
Revision of Strategies, Plans and Programs						
A22.			Within three months of:			Not triggered
	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	This is the first Independent Environmental Audit.	
	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	No modification determined.	
	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	Not triggered
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		
			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 C1, dated 26/04/2024  Executive Demolitions Pty Ltd Bingo Industries Monthly Waste Report, June 2024  Bingo Industries delivery dockets, 25/06/2024, 26/06/2024 and 27/06/2024  Just Skips delivery dockets, 15 & 22 May 2024, 12 & 26 June 2024	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.  Bingo are the waste contractors for skip bins for the demolition contractors. They have been used for the last month. Just Skips issued as waste contractor.  The auditor observed during the site inspection that waste was generally segregated and stored in waste skips or covered bins.	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, Sam the Paving Man	FDC are currently going through the process of choosing the paving and determining correct colours.	Not triggered
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	Concept drawing only at this stage.	Not triggered
			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		
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, dated 29/04/2024		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						
B2.			The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.	Email DPHI to FDC, dated 2/05/2024  Major projects email acknowledgment, dated 2/05/2024.	FDC received an email from DPHI acknowledging receipt of the Notification of Commencement for the Project, dated 2/05/2024.  The site was secured on Friday 3 May 2024. Physical on-site works began on Monday 6 May 2024. All prior activities were related to the FDC office tenancy located off-site.  The notification of commencement of construction to the Department was at least 48 hours prior to commencement of physical on-site works on 6 May 2024.	Compliant
B3.			If the construction or operation of the development is to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.		Noted. There are three stages for the Project.	Compliant
Access to Information						
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 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>	Managed by iNSW.	Non compliant
	a)		make the following information and documents (as they are obtained or approved) publicly available on its website:	Site interviews		
		i)	the documents referred to in Condition A2 of this consent;		Planning approval documents referred to in Condition A2 are not available on the Project website.	
		ii)	all current statutory approvals for the development;		The approvals are not available on the website.	
		iii)	all approved strategies, plans and programs required under the conditions of this consent;		Only the Community Communications Strategy is available on the website.	
		iv)	regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;		Reporting on environmental performance are not available on the website.	
		v)	a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;		There are currently no monitoring results of the development available on the website.	
		vi)	a summary of the current stage and progress of the development;		There is no summary of the current stage and progress of the development on the website. There is a works notification for 13 June and 5 August 2024 for how upcoming works might impact community / neighbours.	
		vii)	contact details to enquire about the development or to make a complaint;		There are no details available to enquire about the development or to make a complaint.	
		viii)	a complaints register, updated monthly;		The complaints register is not available.	

		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;		This is the first audit.	
		x)	any other matter required by the Planning Secretary; and		There have been no other matters requested by the Planning Secretary	
		b)	keep such information up to date, to the satisfaction of the Planning Secretary.		Noted	
		c)	address any other matter relating to compliance with the terms of this consent or requested by the Planning Secretary.		Noted	
Entrance Design						
B5.			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.	Site interviews  Minutes from City of Sydney Presentation (consultation), dated 08/05/2024  Email from FDC to CoS with presentation minutes, dated 9/05/2024  Minutes from SDRP 3 Presentation (consultation), dated 16/05/2024	Construction works at the entrance adjacent to Nawi Cove have not commenced. These works have been moved to CDVC2.  Front Entry consultation with CoS, SDRP / PMNSW  Evidence of consultation with TfNSW, Sydney Metro (under TfNSW) 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.	Not triggered
Design Excellence and Integrity						
B6.			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:	Letter FJC Studio to DPHI, dated 05/04/2024	FJC Studio are the design team that has been engaged for the Project.	Compliant
	a)		evidence of the Design Team's engagement is to be provided to the Certifier prior to the commencement of construction, and	Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024	Letter from FJC Studio to DPHI provided to Certifier, evidenced through the BCA Certificate, 29/04/2024.	
	b)		the design team is not to be changed without prior written notice and approval of the Planning Secretary.	Site interviews	Design team has not been changed. Remains FJC Studio.	
B7.			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).		Noted	Not triggered
Materials and Finishes						
B8.			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:	Site interviews	All finishes to be finalised in CDVC3. Consultation has occurred in presentations provided to CoS and PMNSW for the front entry.	Not triggered
	a)		evidence that the following elements have been reviewed by the SDRP and how their advice has been addressed:		Revert back for prior to CDVC3.	
	i)		a sample board showing the proposed timber finishes to be used for the entry sculptural tree		Revert back for prior to CDVC3.	
	ii)		3D digital visualisations that show the detailing and connection of the entry sculptural tree to the existing concrete column		Revert back for prior to CDVC3.	
	iii)		full-scale mock-ups that show the proposed sandstone and GRC finishing at the entrance, including jointing and junction details		Revert back for prior to CDVC3.	
	b)		specifications and sample boards for all external finishes, colours and glazing including annotated drawings and computer-generated imagery of their application		Revert back for prior to CDVC3.	
	c)		confirmation of the process and methods in arriving at the final choice for all materials and finishes		Revert back for prior to CDVC3.	
	d)		detailed architectural drawings of the façade 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.		Revert back for prior to CDVC3.	
			The plans lodged to satisfy this consent must include final specifications of colour, material and, where relevant, manufacturer.			
Long Service Levy						
B9.			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/bci/levy/about-the-levy">https://www.longservice.nsw.gov.au/bci/levy/about-the-levy</a> .	Levy receipt, dated 18/03/2024  Email from FDC to INSW, dated 10/04/2024  Site interviews	Long Service Levy was paid on 18/03/2024, prior to commencement of construction.	Compliant
Structural Details						
B10.			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:	Site interviews  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024  Existing Structure Assessment - CDVC2 - TWW (NSW) Pty Ltd, dated 21/06/2024		Compliant
	a)		the relevant clauses of the NCC; and			
	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  Site interviews	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.	As above	CDVC2 - not up to commencement of stage of construction	Not triggered
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 suitability 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	The Mechanical Design Certificate must be submitted to the satisfaction of the Certifier for CDVC2.	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)(iii) of the NCC, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection.		Moved to CDVC2. To be addressed for Audit 2.	Not triggered
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.	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 evidence needs to be submitted to the Certifier.	Not triggered
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	Relevant to CDVC2	Not triggered
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	Submitted to prior to construction of Stage 2, to the satisfaction of the Certifier.	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	Requires submission and to the satisfaction of the Certifier.	Not triggered
	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.	Site interviews	Relevant to CDVC2	Not triggered
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	Relevant to CDVC2. Requires submission to the Sydney Water Tap In online service.  Stamped Plan by accredited supplier to Sydney Water identifies that the asset is not affected.	Not triggered
			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.	
<b>Construction and Fit-out of Food Premises</b>						
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.		Relevant to CDVC2	Not triggered
			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>		Relevant to CDVC2	
<b>Sanitary Facilities - Food Premises</b>						
B24.			The sanitary facilities must be separated from all food handling areas via an airtight, 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.		Relevant to CDVC2	Not triggered
<b>Personal Lockers</b>						
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.		Relevant to CDVC2	Not triggered
<b>Waste Storage Area</b>						
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:		Relevant to CDVC2	Not triggered
	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).			
	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.			
			Note: Fitted with appropriate interventions to meet fire safety standards in accordance with the Building Code of Australia.			
<b>Coolrooms</b>						
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	PATRA confirmed compliance of the design of the coolroom with Caluse A2.2 of the BCA, volume 1 and Consition B27, and in accordance with the following Australian Standards AS 4674 - 2004, AS 1677.2-1998, AS1668.1- 2015.	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		
<b>Grease and Liquid Waste Traps</b>						
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	Design statement from n2 Engineering Consultants confirms design of grease and liquid waste traps are in accordance with Condition B28 (a), (b) and ( c ).  Require approval by the Cerifier.	Not triggered
	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	
<b>Waste Rooms (General Waste Area)</b>						

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	Mechanical Design Certificate for CC2 identifies compliance of designs with B29.  Detailed plans must be submitted and approved by the Certifier.	Not triggered
	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
B32.			Prior to the commencement of construction, documentary evidence must be prepared by a Registered Surveyor and submitted to and approved by the Certifier. This evidence must include either:	Registered Surveyor Declaration for Construction Certificate 1 on SSD Condition B32 issued by Mohsen Rabbaniha of Seam Spatial Pty Ltd, dated 03/04/2024  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024	No Reference Marks or Permanent Survey Marks identified as a Reference Marks affected by this project.	Compliant
	a)		A copy of any Surveyor-General’s Approval for Survey Mark Removal granted by NSW Spatial Services for the subject site, including all documentation submitted as part of that application (for example the survey mark audit schedule, strategy plan and strategy report); or	As above		
	b)		A letter, signed by a current NSW Registered Land Surveyor and including his or her Board of Surveying and Spatial Information (BOSSI) identification number, stating that all investigations required under Surveyor-General’s Direction No.11 have been made for the subject site and that no survey infrastructure will be affected by the proposal.	As above		
Heritage Interpretation						
B33.			Prior to the commencement of construction, plans identifying opportunities for heritage interpretation (in accordance with the Barangaroo Heritage Interpretation Plan 2022, prepared by Curio Projects) including opportunities to integrate First Nations culture and history into the proposal such as through naming and wayfinding must be submitted to and approved by the Certifier.	Letter from Curio Projects to INSW, dated 08/05/2024.  Barangaroo heritage Interpretation Plan, Curio Projects for INSW, issue 4, 18/10/2022  Place Naming Convention, INSW, May 2024  Barangaroo Signage Style Guide, Corlette for INSW, V8 January 2023  Letter from INSW to Group DLA, dated 08/05/2024  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024	Curio Projects reviewed Infrastructure NSW’s proposed Place Naming Convention: Barangaroo Cutaway (dated May 2024) that is intended to be utilised for the Barangaroo Cutaway Cultural Facility, and confirms that Infrastructure NSW’s Place Naming Convention is consistent with the place naming protocols as recommended in Section 7: Interpretive and Cultural Tourism Recommendations – Recommendation 2: Place Naming Convention (2022:87-88) of the Barangaroo Heritage Interpretation Plan prepared by Curio Projects on behalf of Infrastructure NSW in 2022.  Letter from INSW to Group DLA confirming that additional wayfinding signage will be in accordance with the Barangaroo Style Guide and meets the requirements of this condition.  All evidence identified for this condition has been received and approved by the Certifier.	Compliant
Green Travel Plan						
B34.			Prior to the commencement of construction, the Applicant must update the Green Travel Plan (GTP) in consultation TfNSW. The GTP must consider:	Green Travel Plan, TTW, Rev 01, dated 29/05/2024	Preliminary Plan under review. Relevant to Stage 2.	
	a)		Bicycle Parking and end of trip facilities for use by staff		Section 7.9 - Bicycle Parking and End of Trip Facilities - identifies the female and male shower locations but does not identify any bike parking.  An opportunity for improvement - consider including whether bike parking is available or not and if so, how many bike parking spots are provided and their location.	

	b)		Parking - Reduce car parking usage by encouraging use of sustainable modes such as public transport;		Section 5.4 - Reduce Car Parking Usage - identifies that to reach the objectives of the GTP will be by reducing parking demand. No strategies are offered or references to relevant sections.  <b>An opportunity for improvement - consider identifying the list of strategies and providing a link to relevant sections.</b>	Not triggered
	c)		Initiatives to encourage more staff and visitors to participate in sustainable transport options;		Section 7 - Travel Plan Outputs - provides initiatives for staff and visitors to participate in for sustainable transport options.	
	d)		A Travel Access Guide (TAG) - TAG as an appendix for staff, performers and visitors who will be using the proposed development.		A note in the GTP in Appendix A - Travel Access Guide - states <i>The Travel Access Guide (TAG) shall be provided in a future revision of this GTP and submitted to TfNSW three (3) months prior to occupation.</i>	
B35.			The Applicant must submit a copy of the final plan via development.sco@transport.nsw.gov.au for TfNSW, three (3) months prior to the occupation. The GTP must be approved by the Certifier prior to the commencement of construction.	Site interviews	It will be triggered 3 months prior to occupation.  The Plan must be approved by the Certifier prior to commencement of construction of Stage 2.	Not triggered
B36.			The GTP must be implemented and updated as required to ensure sustainable transport outcomes and achieve the overall strategic planning objectives in the Future Transport 2056 and provide an Implementation Strategy that commits to specific management actions, including operational procedures to be implemented along with timeframes.	Site interviews		Not triggered
<b>Utilities and Services</b>						
B37.			Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers. Any costs in the relocation, adjustment or support of services are the responsibility of the Applicant.	Site interviews	Utility works e.g. Ausgrid will be triggered in CDVC3.	Not triggered
B38.			Prior to the commencement of any works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.	Site interviews	Utility works e.g. Ausgrid will be triggered in CDVC3.	Not triggered
<b>Dial Before You Dig Service</b>						
B39.			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.	Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024  Email from FDC to Group DLA identifying that Dial Before You Dig will not issue a signed letter, dated 25/02/2024  Utility Detection Plans, Geoscope Utility Detection Services, dated 2/04/2024	Endorsed by the Certifier in BCA certificate.	Compliant
B40.			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 —	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	This document was provided to the Certifier and is listed in the BCA Certificate.	Compliant
	a)		All footings/ foundations			
	b)		At other stages of construction – any marks that are required by the principal certifier.			
B41.			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.	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
<b>No Obstruction of the Public Domain without Approval</b>						
B42.			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.	FDC Notice of Works register, rev 14, 12/07/2024.	Relevant for hoarding for CDVC2.	Not triggered
<b>Community Consultation Strategy</b>						
B43.			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.	Community Consultation Strategy V1.2, FDC, dated 03/04/2024	Hoarding have QR codes that takes community members directly to the website / complaints. Business cards available to provide to community members where required.	Compliant

B44.			The CCS for the development must:	Community Communication Implementation Plan, version 0.1 dated 25 March 2024.  Community Consultation Strategy V1.2, FDC, dated 03/04/2024  DPHI approval of Plan letter, dated 17/04/2024.	The approval of plan letter from DPHI identifies that the CCS meets the requirements of the condition.	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)		set out procedures and mechanisms: • through which the community can discuss or provide feedback to the Applicant; • through which the Applicant will respond to enquiries or feedback from the community; and • 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.	As above		
B45.			The updated CCS must be submitted to the Planning Secretary for approval no later than one month before the commencement of construction.	DPHI approval of Plan letter, dated 17/04/2024.  Aconex transmittal between EY and FDC, dated 2/04/2024.	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.	Compliant
B46.			Construction must not commence until the updated CCS has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.	DPHI approval of Plan letter, dated 17/04/2024.	The Plan was approved prior to the commencement of construction.	Compliant
B47.			The CCS, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.	Site interviews	The plan is currently being implemented.	Compliant
<b>Demolition</b>						
B48.			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.	Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024  Demolition Works, Statement of Compliance, Executive Demolition Pty Ltd, 16/04/2024  fjc Studio Demolition Plans, Rev 02, first issued 18/05/2023  Cutaway Demolition Methodology, Executive Demolition, Rev 01.  SafeWork NSW Conditional Restricted Demolition Licence, SafeWork, dated 11/04/2024	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.	Compliant
<b>Pre-construction Dilapidation Reports</b>						
B49.			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.	Dilapidation Report - Void: Perimeter Fencing, Project Solutions, dated 17/04/2024  Dilapidation Report - Local and State Property, Project Solutions, dated 18/03/2024  Dilapidation Report - NSW Property, Project Solutions, dated 18/03/2024  Dilapidation Report - Public Domain, Project Solutions, dated 18/03/2024  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024	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> .  All Dilapidation Reports were submitted to the satisfaction of the Certifier as evidenced by the BCA Certificate.	Compliant

B50.			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, 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 - Void: Perimeter Fencing, Project Solutions, dated 17/04/2024  Dilapidation Report - Local and State Property, Project Solutions, dated 18/03/2024  Dilapidation Report - NSW Property, Project Solutions, dated 18/03/2024  Dilapidation Report - Public Domain, Project Solutions, dated 18/03/2024  Aconex transmittal regarding letters to residents for dilapidation surveys, dated 5/04/2024  Emails between FDC to impacted adjoining residents for 14, 20, 28 and 32 Merriman Street, Millers Point, dated April and May 2024.  Dilapidation Reports, Project Solutions, dated April and May 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	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.  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.  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.  The auditor notes that no evidence was provided that a copy of the report was forwarded to each of the affected property owners. While it is understood that FDC's interpretation of the condition was that no construction works with potential vibratory impacts had occurred in the first audit period, these conditions are relevant prior to the commencement of any construction works. Therefore, the reports should have been provided to the affected property owners prior to the commencement of any construction.	Non 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 diapidation 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	No damage to the the public way at this stage.	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		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	Consultation is booked in for 22 August 2024, and awaiting approval from Council, which is prior to any works occurring for the skylights.	
	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	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	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.	
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 C1, FDC , dated 28/04/2024  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024	CEMP original issue (O) 9/02/2024, updated to Rev A on 10/04/2024. Current version is Rev C1, 28/04/2024.  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 26 of CEMP	Construction hours are provided on page 26 of the CEMP.	

	ii)	24 hour contact details of the site manager	CEMP refers to Community Consultation Strategy (CCS), FDC, V1.2 dated 3/04/2024 - page 23	The CCS provides the daytime 1800 phone number for the Project. The CEMP and the CCS, along with several other documents, mention the 24-hour Project phone number. However, the auditor has not found this phone number in any of the CEMP or the CCS.  <b>Opportunity for improvement - the auditee should consider including the 24-hour Project phone number in the CEMP and the CCS.</b>
	iii)	community consultation and complaint handling procedure	CEMP refers to Community Consultation Strategy (CCS), FDC, V1.2 dated 3/04/2024	The CCS provides a section 5.4 Complaints, Enquiries and Compliments Management. Within this section there is a Standard Complaints Managing Flow Chart and an On-site Enquiries and Complaints Management Flow Chart. There is a proposed complaints report template in Appendix B if required by the Consultation Manager.
	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.  <b>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.</b>
	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	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 C1 26/04/2024	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 C1 26/04/2024  Unexpected Finds Protocol, Appendix B of the SWMP  Hazardous Materials Management Plan, FDC, Rev C1 26/04/2024	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.  Standalone Hazardous Materials Management Plan contains the Unexpected Finds Protocol, spill response and chemical clean up, hazardous materials work plans.  <b>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.</b>
	xi)	waste management	Appendix F - CWMP  Construction Waste Management Plan, Elephants Foot Consulting, Rev C1 26/04/2024	
	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 Control of the Obtrusive Effect of Outdoor Lighting.
	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 C1 26/04/2024	

Compliant

	f)		Construction Soil and Water Management Sub-Plan	Appendix D - SWMP  Soil and Water Management Plan, FDC, Rev C1 26/04/2024		
	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.  Section 7 of Hazardous Materials Management Plan, FDC, Rev C1 26/04/2024	Unexpected Find Protocol in Appendix B of the SWMP and Section 21 of the CEMP.  The UFP in Section 21 of the CEMP and Section 7 of the Hazardous Materials Management Plan 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.  <b>Opportunity for improvement - consider including notification to the Planning Secretary for unexpected contamination finds.</b>	
	h)		an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure	Section 7 of Hazardous Materials Management Plan, FDC, Rev C1 26/04/2024  Appendix L of CEMP, Environmental Risk Register	The auditor located an Unexpected Finds Protocol for heritage or archaeological objects in Section 7 of the Hazardous Materials Management Plan. The communications procedure for Aboriginal or non-Aboriginal heritage unexpected finds is reduced to Section 8 Notification on unexpected finds (INSW and Authorities) which is written for hazradous substance.  <b>Opportunity for improvement - the auditee should consider moving the heritage unexpected finds into the CEMP and providing a communications procedure as it does not belong in the Hazardous Materials Management Plan.</b>	
	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 C1 26/04/2024	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.  <b>Opportunity for improvement - the auditee should consider identifying in the CEMP that waste classification and validation is covered in the CWMP.</b>	
Construction Pedestrian and Traffic Management Plan						
B56.			Prior to commencement of any works, the Applicant must submit to the satisfaction of TfNSW a final detailed Construction Pedestrian and Traffic Management Plan (CPTMP), prepared by a suitably qualified person in consultation with TfNSW, Sydney Metro and PMNSW. The CPTMP must be endorsed by TfNSW 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 TfNSW to TTW, dated 22 April 2024  Email chain FDC, INSW and Property NSW, dated 16 - 23 April 2024.  Site interviews	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.  TfNSW provided email endorsement for the CPTMP to TTW on 22/04/2024.  Evidence of consultation with TfNSW, Sydney Metro (under TfNSW) 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.  <b>No evidence was provided that the CPTMP was submitted to the Planning Secretary prior to the commencement of works.</b>	
	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 avialable 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.	
	k)		measures to ensure the arrival of construction vehicles to the site do not cause additional queueing 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 TfNSW 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		
		r)	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., Watpac for Sydney Metro - emails are circulated as well as a Whatsapp group with the Foremen involved from each site.	
		s)	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, 27/06/2024  Induction records, FDC  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. No issue to date. Key indicators during the parking audit include vests in cars, cars always in same location etc. Weekly random inspections. Letters on windows. Pending update to CPTMP.  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.	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  Door knock report, May 2024  Works notification, INSW, June 2024  Emails to stakeholders with the works notification attached, June 2024	Pallisade only identified as impacted small business in proximity to site. Project Manager had meeting with Pallisade 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 have a door knock report, which shows that initial contact was made in May 2024, stakeholder comments and the documentation provided to the stakeholder, as well as the details such as address, date contact type.  Works notification, June 2024, has the project details and contacts on it.	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	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.	
		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.	
		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.	Compliant

	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  Door knock report, May 2024  Works notification, INSW, June 2024  Emails to stakeholders with the works notification attached, June 2024		
	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	Continuous noise monitoring.	
	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, 27/06/2024  Induction records, FDC  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	Evidence of approval by the Certifier is the BCA Certificate.	
	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 NVMP is in accordance with the NSW EPA 2016 Approved Methods.	
	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.	Compliant
	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 (eg. 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

Construction Waste Management Sub-Plan						
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 C1, FDC Construction, dated 26 April 2024.  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 26/04/2024 to revision C1.  Satisfaction of the Certifier as evidenced in BCA Certificate for the CEMP, as the CWMP was submitted as Appendix F of the CEMP.	Compliant
	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		
	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.  <b>Opportunity for improvement - consider including this sub part and where it is addressed in Table 1.</b>	
	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 26 April 2024  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	SWMP15	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	Consultation minutes following presentation delivery on landscape design with Council and PMNSW. Presentation pack for CDVC3 - consultation as part of the pack. Detailed design has not yet been completed - CDVC3.	Not triggered
	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;			
	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;			
	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;			
	d)		Detailed grading plan with existing and proposed levels, falls, and pits;			
	e)		Details of GRC cladding to walls including capping, GRC specification and samples to colour match sandstone;			
	f)		Interface details for landscape to skylights in Stargazer Lawn;			
	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;			

	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;			
	i)		Landscape maintenance plan. This plan is to be complied with during occupation of the property; and			
	j)		Details of drainage, waterproofing and watering systems.			
<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.	Site interviews  Arboricultural Report (SSD Conditions B54 and B66) issued by Martin Peacock of Martin Peacock Tree Care, dated 11/04/2024  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024	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.	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.	Site interviews  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024  Compliance with Acoustic Assessment, ARUP, dated 4/04/2024	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.	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.	Site interviews  CPTMP, TTW, Rev 1 16/04/2024  Email correspondence between FDC and TTW, April 2024.  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024	CPTMP - no on-site parking for personnel. Refer to plan for heavy vehicles parking and Project SIMPEL Worker parking section 5.1 of CPTMP.  Certifier is satisfied that there is sufficient off-street parking for heavy vehicles and site personnel as evidenced by the BCA certificate.	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.	Induction PowerPoint Presentation, 27/06/2024  Induction records, FDC  Contractor Pre-start package  Site interviews  Toolbox Talk sign-on, 11/07/2024  Toolbox Talk eForm Report, 11/07/2024  Aconex - all plans are available  Project SIMPEL - plans are made available	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 prestarts.  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.  Toolbox talks include a run through of relevant activities and required actions.	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.	Site interviews  Design Certificate - Electrical Services, MDE Group, dated 14/06/2024	Electrical Services are designed in accordance with relevant standards for conditions B29 and B70.  Documentation will be required to be to the satisfaction of the Certifier prior to CDVC2.	Not triggered
<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.	Memorandum of Insurance for Public & Products Liability issued by Gavin Parkinson of Arthur J. Gallagher & Co (Aus) Pty Ltd, dated 27/04/2023  Group DLA BCA Design Compliance Statement GDL240065, dated 29/04/2024  Permits 3043 (April 2024), 3056 (2 May 2024), 3057 (2 May 2024), 3058 (2 May 2024), 3059 (2 May 2024)	Memorandum of Insurance for \$20,000,000.00 was organised prior to commencement of works.  To the satisfaction of the Certifier as evidenced by the BCA Certificate.  Approved permits for hoarding and temporary fencing require Council to have a copy of the insurance certificate.	Compliant
<b>Remediation - Unexpected Finds Protocol</b>						

B72.			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.	Unexpected Finds Protocol for Asbestos, FDC, Rev 0 04/02/2019	<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 auditor notes that the protocol has not been endorsed by the NSW EPA accredited site auditor.</p> <p>The Unexpected Finds Protocol for Asbestos will need to be endorsed by an EPA accredited site auditor and submitted to the Certifier.</p>	Non compliant
Barricade Permit						
B73.			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.	Site interviews		Not triggered
Hoarding						
B74.			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>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 NSW, RPS Group, dated 21 March 2024</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.	Compliant
B75.			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:	Site interviews	Not until CDVC2	Not triggered
	a)		architectural, construction and structural details of the design as well as any proposed artwork	Site interviews	Not until CDVC2	
	b)		structural certification prepared and signed by an appropriately qualified practising structural engineer.	Site interviews	Not until CDVC2	
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:	<p>Sighted hoarding inspection eForms and photographic attachments for the Loading Dock Hoarding, Main Entry Hoarding, Southern Hoarding, dated 28/05/2024</p> <p>eForm for July Hoarding Inspection, 10/07/2024</p> <p>Permits 3043 (April 2024), 3056 (2 May 2024), 3057 (2 May 2024), 3058 (2 May 2024), 3059 (2 May 2024)</p> <p>Site inspection</p>	The auditor observed that the hoarding that was currently in place was being maintained, specifically the hoarding at the entrance to Nawi Cove.	Compliant
	a)		maintaining a current and valid approval for the full duration that the temporary structure/s is in place;	Site interviews		
	b)		maintaining temporary structure/s in a structurally sound and stable condition for the full duration of installation (Clause 2.11.1);	<p>Site interviews</p> <p>Sighted hoarding inspection eForms and photographic attachments for the Loading Dock Hoarding, Main Entry Hoarding, Southern Hoarding, dated 28/05/2024</p> <p>eForm for July Hoarding Inspection, 10/07/2024</p> <p>Site inspection</p>	Refer to photos from site inspections.	
	c)		bill posters and graffiti being removed within 24 hours of their placement (Clause 2.11.2);	As above	Refer to photos from site inspections.	
	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.	
	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 photos from site inspections.	
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	
Part C - During Construction						
Approved Plans to be On-Site						
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.  Management plans are available to review in the lunch room.  Policies are displayed on a noticeboard in the lunch room, refer to site photographs.	Compliant
Site Notice						
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, refer to site photographs.	Non compliant
	a)		state the name, address and telephone number of the principal certifier for the work	Site inspection	The site notice does not contain 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 photos.	
	c)		state the approved hours of work	Site inspection	The site notice does not contain 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 photos.	
	f)		the notice is to be durable and weatherproof and is to be displayed throughout the works period	Site inspection	Refer to site photos.	
	g)		the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing.	Site inspection	Refer to site photos.	
Contact Telephone Number						
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, INSW, June 2024	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
Implementation of Management Plans / Compliance with Management Plans						
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	EFORM, F049 - weekly site inspection, 9/07/2024  Site inspection  Site interviews  Induction PowerPoint Presentation, 27/06/2024  Induction records, FDC  Contractor Pre-start package  Toolbox Talk sign-on, 11/07/2024  Toolbox Talk eForm Report, 11/07/2024  Aconex - all plans are available  Project SIMPEL - plans are made available	The auditor found that the Plans are broadly being implemented during the first audit period. The auditor sighted an example of a weekly site inspection the 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).  Refer to site photographs.	
	b)		Construction Pedestrian and Traffic Management Sub-Plan required by Condition B56	As above		
	c)		Construction Noise and Vibration Management Sub-Plan required by Condition B59	EFORM, F049 - weekly site inspection, 9/07/2024  Site inspection  Site interviews  Noise Net Noise and Vibration Monthly Report 13 to 24 June 2024, 24/06/2024  Noise Net Noise and Vibration Monitor Installation Report, dated 24/06/2024  Noise and vibration Event Logging Record, FDC	Noise Net monitored noise and vibration from 13 to 24 June 2024. No exceedances of noise and vibration were identified.  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 recieved and to who, information about the sensors, links the the dashboards and when reports will be provided.  When the monitors note an exceedance, a notification is sent to FDC personnel. Three exceedances notified since commencement of construction (July 2024). All investigated to be either vehicles or birds close to the monioring devices in accordance with the NVMP.  When noise exceedances are followed up, the details are recorded in the Cutaway Noise and Vibration Monitoring spreadsheet. on the 4/7/2024 and 11/7/2024, noise exceedances were investigated. These were due to leaf blower being used directly below one monitor and works on rocks completed within 1 m of monitor sensors on 11/7/2024.	

	d)	Air Quality Management Sub-Plan required by Condition B60	<p>Site inspection</p> <p>Site interviews</p> <p>EnviroX Consulting, Asbestos Clearance Inspection Report, 27/06/2024</p> <p>EnviroX Consulting, Asbestos Clearance Inspection Report, 24/06/2024</p> <p>Sighted vehicle waste register, with entries from 1/07/2024 to 11/07/2024</p> <p>Dated and time stamped photographs of trucks leaving site with load covered, 6, 7, 8 July 2024</p>	<p>Observed during daily safety walk. Heavy demolition dust was able to be controlled by wetting down and then use of sweeper and wet vacuum suction system.</p> <p>Air quality was monitored during removal of ACM pipe and soil from Stair 3. Air quality lab certificates are provided in the Clearance inspection reports by EnviroX Consulting.</p> <p>The auditor noted that the vehicle waste register contains the date, registration number, time in/out, company, type of truck, and whether the load is covered. This is completed by the staff at the access gate.</p> <p>Refer to site photographs.</p> <p><b>Opportunity for improvement - consider 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.</b></p>	Compliant
	e)	Construction Waste Management Sub-Plan required by Condition B63	<p>Weekly site inspection records maintained in Project SIMPEL</p> <p>Construction Waste Management Plan (CWMP), Rev C1, dated 26/04/2024</p> <p>Site interviews</p> <p>Site inspections</p> <p>Photos by FDC of vehicle loads covered and vehicle waste register</p> <p>Executive Demolitions Pty Ltd, Delivery Dockets Bingo Waste Industries, multiple days in May and June 2024</p> <p>Waste Classification Assessment, PRA project Reference J02337 WCO1 V1, 6/06/2024</p> <p>Just Skip Waste Dockets, May, June, July 2024</p> <p>Just Skip Waste Management Report, dated June and July 2024</p>	<p>Whilst Just Skip waste dockets, and Waste Management Reports for June 2024 and July 2025 were provided, that detailed information of waste types and volumes as required by Section 2.2 of the CWMP.</p> <p>Waste classification carried out for unexpected finds - asbestos containing material during stair 3 demolition and excavation. Waste classification available in PRA report, refer to Condition C43. Asbestos containing material - Stair 3 - removed - remains of harbour control tower. 30t of waste.</p> <p>FDC vehicle Waste Register and accompanying photos show that was is not leaving the site uncovered.</p> <p>The CWMP states that beverage container recycling (p 17) and that comingled recycling will be provided in the lunchroom and site office (p19). The auditor observed that co-mingled recycling was available in the site office, however, there was no co-mingled recycling offered in the lunchroom.</p> <p>Refer to site photographs.</p> <p><b>Opportunity for improvement - The auditee should consider implementing co-mingled recycling receptacles in the lunchroom.</b></p>	Compliant
	f)	Construction Soil and Water Management Sub-Plan required by Condition B64.	<p>Site inspection</p> <p>Site interviews</p> <p>EFORM, F049 - weekly site inspection, 9/07/2024</p>	<p>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.</p> <p>Implementation of daily floor cleaning - dry cleaning and wet cleaning, to prevent any dust leaving site attached to vehicle tyres.</p> <p>The auditor did not observe any material tracked on to public roads.</p> <p>Geotextile lines the stormwater pits at each entrance and have been recently changed. The change due to vehicular traffic across the medium not build up of debris.</p> <p>The Unexpected Finds Protocol was implemented for the demolition and excavation works for Stair 3</p>	Compliant
<b>Hours of Construction</b>					
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		Compliant
	a)	between 7am and 6pm, Mondays to Fridays inclusive; and	Site interviews	Safety walk done prior to construction starting at 7 am.	
	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		Compliant
C7.		Activities may be undertaken outside of these hours if required:	Site interviews	No activities of this nature during the first audit period.	Not triggered
	a)	by the Police or a public authority for the delivery of vehicles, plant or materials; or	Site interviews		
	b)	in an emergency to avoid the loss of life, damage to property or to prevent environmental harm.	Site interviews		
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	C7 not triggered.	Not triggered
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:	<p>Site interviews</p> <p>Induction PowerPoint Presentation, 27 June 2024</p> <p>Induction records of inducted personnel, FDC</p>	Induction and on-site on noticeboard in lunch room.	Compliant
	a)	9am to 12pm, Monday to Friday;	Site interviews	Induction and on-site on noticeboard in lunch room.	
	b)	2pm to 5pm Monday to Friday; and	Site interviews	Induction and on-site on noticeboard in lunch room.	
	c)	9am to 12pm, Saturday.	Site interviews	Induction and on-site on noticeboard in lunch room.	



		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	Likely requirement for respite periods during excavation of sandstone in a couple of months.	
<b>Notification of Excavation Works or use of High Noise Emission Appliances / Plant</b>					
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		Not triggered
<b>Construction Noise Limits</b>					
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 identified and managed in accordance with the management and mitigation measures identified in the approved CNVMP.	Site interviews CNVMP, Acoustic Studio, Rev 1 18/04/2024 Noise Net Noise and Vibration Monthly Report 13 to 24 June 2024, 24/06/2024 Noise Net Noise and Vibration Monitor Installation Report, dated 24/06/2024	Noise Net monitored noise and vibration from 13 to 24 June 2024. No exceedances of noise and vibration were identified. 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 the dashboards and when reports will be provided. Three exceedances notified since commencement of construction (July 2024). All investigated to be either vehicles or birds close to the monitoring devices. Once there is a noise exceedance, the procedure in the CNVMP is followed.	Compliant
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.	Site interviews Project SIMPEL	Booking system on Project SIMPEL does not allow for deliveries to be made prior to construction hours.	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.	Site interviews	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.	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.	Site interviews	Site Manager responsibility 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. As described above, the three exceedances that occurred within the first audit period were investigated to be either vehicles or birds close to the monitoring devices.	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.	Site interviews Noise Net Noise and Vibration Monthly Report 13 to 24 June 2024, 24/06/2024 Noise Net Noise and Vibration Monitor Installation Report, dated 24/06/2024	Noise monitoring for the Project commenced on 13 June 2024. When the monitors note an exceedance, a notification is sent to FDC personnel. There have been three exceedances in the first audit period that were investigated to be caused by vehicles or birds close to the monitoring devices. The monthly report for June, 24/06/2024, did not identify exceedances.	Compliant
<b>Vibration Criteria</b>					
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)	Site interviews Noise Net Noise and Vibration Monthly Report 13 to 24 June 2024, 24/06/2024 Noise Net Noise and Vibration Monitor Installation Report, dated 24/06/2024	Vibration monitoring for the Project commenced on 13 June 2024. When the monitors note an exceedance, a notification is sent to FDC personnel. The monthly report for June, 24/06/2024, did not identify vibration exceedances.	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	Continuous vibration monitoring occurs. There have been no exceedances of vibration in the first audit period.	
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 CNVMP required by under Condition B59 of this consent.	Site interviews	There has not been a need to use vibratory compactors during the first audit period.	Not triggered
<b>Air Quality</b>					
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 Site inspection	There were no exposed surfaces or stockpiles on site.	
	b)	all trucks entering or leaving the site with loads have their loads covered;	Site interviews Sighted vehicle waste register, with entries from 1/07/2024 to 11/07/2024 Dated and time stamped photographs of trucks leaving site with load covered, 6, 7, 8 July 2024	The auditor noted that the vehicle waste register contains the date, registration number, time in/out, company, type of truck, and whether the load is covered. This is completed by the staff at the access gate.	Compliant
	c)	trucks associated with the development do not track dirt onto the public road network;	Site inspection	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 auditor did not observe any material tracked on to public roads. Geotextile lines the stormwater drains at each entrance.	
	d)	public roads used by these trucks are kept clean; and	Site inspection	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 first site audit. Majority of works 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 lighting not currently required. Lighting will be required on hoarding on Merrimen Street.	Not triggered
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.	Site interviews	External lighting not currently required. Lighting will be required on hoarding on Merrimen Street.	Not triggered
SafeWork Requirements					
C21.		To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.	Interview  Site inspection  Hazardous Materials Management Plan, FDC, Rev C1 26/04/2024  Work Health and Safety Management Plan, FDC, Rev C1 26/04/2024	CCTV cameras in building that are monitored by external company from 6 am to 6 pm. PMNSW has control room on ground floor of site office building and if any issues after hours then someone comes to respond. During times of public events in the area, additional security guards are employed to ensure site safety is maintained.  PPE is required for personnel to access the works area. FDC have a WHS Management Plan and a Hazardous Materials Management Plan. The WHS Management Plan and Policy are provided in the lunch room for staff to read and as part of the Induction package.	Compliant
Tree Protection					
C22.		No street tree is to be trimmed or removed unless prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property.	Site interviews	There has not been a need to remove or trim any trees in the first audit period.	Not triggered
C23.		All street trees must be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council.	Site interviews	Tree protection not yet required until hoarding is installed.	Not triggered
Erosion and Sediment Control					
C24.		All erosion and sediment control measures must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment. Erosion and sediment control techniques, as a minimum, are to be in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004) commonly referred to as the 'Blue Book'.	Site inspection  Site interviews	During the first audit period there has only been a requirement to maintain geofabric over two stormwater pits - one at site entrance and one at the loading dock. The geofabric has been replaced over the loading dock pit due to damage by vehicle movements.	Compliant
Cut and Fill					
C25.		While building work is being carried out, the Certifier must be satisfied all soil removed from or imported to the Site is managed in accordance with the following requirements:			Non compliant
a)		all excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and	Site interviews  Waste Classification Assessment, PRA project Reference J02337 WC01 V1, 6/06/2024	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).	
b)		the classification and the volume of material removed must be reported to the Certifier.	Aconex transmittal FDC and Certifier, dated 20/08/2024	Aconex transmittal, 20/08/2024, regarding compliance requirements for any material that leaves site and any fill that arrives at site.  The auditor notes that FDC followed the process required for excavated material in sub-part (a) for the fill discovered under the slab during the demolition of Stair 3. However, this subpart of the condition requires the waste classification and volume of excavated material removed from site must be reported to the Certifier.	
C26.		All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the EPA.		Not applicable for first audit period.	Not triggered
Stockpiles					
C27.		All stockpiles of soil or other materials must:			Compliant
a)		not be placed on footpaths or nature strips unless prior approval has been obtained from Council	Site inspection	The auditor noted that there were no stockpiles of soil on-site at the time of the site audit.  Construction material stockpiles were neatly placed in area cordoned off and away from drainage lines, gutters, stormwater pits and inlets. No material stockpiles were dust or odour generating. All waste material was contained in skips or covered bins.	
b)		be placed away from drainage lines, gutters or stormwater pits or inlets.	Site inspection	As above	
c)		be covered if likely to generate dust or odours	Site inspection	As above	
d)		if contaminated, be stored in a secure area and be covered if remaining for more than 24 hours.	Site inspection	As above	
Covering of loads					

C28.			All vehicles involved in the excavation and / or demolition process and departing from the site with materials, spoil or loose matter must have their loads fully covered before entering the public roadway.	Site inspection  Site interviews  Sighted vehicle waste register, with entries from 1/07/2024 to 11/07/2024  Dated and time stamped photographs of trucks leaving site with load covered, 6, 7, 8 July 2024	The auditor noted that the vehicle waste register contains the date, registration number, time in/out, company, type of truck, and whether the load is covered. This is completed by the staff at the access gate.	Compliant
<b>Vehicle Cleansing</b>						
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	At the time of the site audit there were no exposed surfaces and all works were still inside / undercover. Implementation of daily floor cleaning - dry cleaning and wet cleaning, to prevent any dust leaving site attached to vehicle tyres.  The auditor did not observe any material tracked on to public roads.  Geotextile lines the stormwater pits at each entrance.	compliant
<b>Disposal of Seepage and Stormwater</b>						
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
<b>Construction Traffic</b>						
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  Minutes of The Cutaway Subcontractor's Meeting No. 007, FDC, dated 20/06/2024	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.	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).	Site interviews	No requirement for permit loading and unloading off-site. All unloading and loading occurs within the site.	Not triggered
<b>Road Occupancy Licence</b>						
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		Compliant
<b>No Obstruction of Public Way</b>						
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	Refer to site photos. The Auditor did not find any obstructions to the public way by any materials, vehicles, waste skips etc. All works are contained wholly within the site.	Compliant
<b>Damage to the Public Way</b>						
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 during the first audit period. 360 Photos of the site were taken prior to works commencing that indicate the damage of a compliant was there prior to works commencing.	Not triggered
<b>Protection of Public Infrastructure</b>						
C38.			Unless the Applicant and the applicable authority agree otherwise, the Applicant must:	Site interviews  Pre-construction Diplapidation Reports	Pre-construction delapidation report. No damage to public infrastructure within the first audit period.	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.			
<b>Uncovering Relics or Aboriginal Objects</b>						
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
<b>Notification - New Contamination Evidence</b>						

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.	Compliant
<b>Asbestos and Hazardous Waste Removal</b>						
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:	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/TCPL1 (non-putrescible).  EnviroX Consulting are licenced 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.	Compliant
	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.	
	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.	
	c)		SafeWork NSW Code of Practice – How to Safely Remove Asbestos September 2016; and	As above		
	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.	
<b>Contamination Evidence</b>						
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.	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.	Compliant
<b>Independent Environmental Audit</b>						
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 IPAR (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	Approval of proposed auditors Natascha Arens (Lead Auditor) and Nicola Smith (Support Auditor) from the Planning Secretary was did not occur prior to the audit. Approval was received on 29 November 2024.	Non 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:		The auditor notes that this is the first Independent Environmental Audit.	Not triggered
	a)		review and respond to each Independent Audit Report prepared under this consent;			
	b)		submit the response to the Planning Secretary; and			
	c)		make each Independent Audit Report, and response to it, publicly available 60 days after submission to the Planning Secretary.			
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 auditor notes that this is the first Independent Environmental Audit.	Not triggered

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
<b>Part D - Prior to Occupation or Commencement of Use</b>						
<b>Resolution of Harbour Control Tower Void</b>						
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
<b>Works-as-Executed Plans and any other Documentary Evidence</b>						
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
<b>Notification of Occupation</b>						
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
<b>External Walls and Cladding Flammability</b>						
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
<b>Heritage Interpretation</b>						
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
<b>Operational Waste Management</b>						
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 endorsed 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.			
<b>Waste Storage Area</b>						
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
<b>Survey Infrastructure - Restoration</b>						
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 Recovery" 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.			
<b>Protection of Public Infrastructure</b>						
D11.			Unless the Applicant and the applicable authority agree otherwise, the Applicant must:			Not triggered
	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 result of the development.			
	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 street footpath area.			
<b>Mechanical Ventilation</b>						
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 ventilation systems complies with:			Not triggered
	a)		any conditions of this consent			
	b)		the NCC			
	c)		any applicable Australian Standards			
	d)		any dispensation granted by Fire and Rescue NSW.			
<b>Post-Construction Dilapidation Report</b>						

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 whether:			Not triggered
	a)		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			
	b)		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			
	c)		relevant authorities have confirmed that there is no adverse structural damage to their infrastructure and roads.			
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 adjoining property owner(s).			Not triggered
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 development is to be paid in full by the Applicant.			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 prominently displayed in the building.			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 drawings must be submitted to the Planning Secretary after:			Not triggered
	a)		the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and			
	b)		the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.			
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 sensitive receivers and:			Not triggered
	a)		complies with the latest version of AS 4282-2019 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and			
	b)		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.			
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 the relevant authority.			Not triggered
D21.			Prior to the occupation or commencement of use, the Certifier must receive written confirmation from the relevant authority that the relevant services have been completed.			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 this consent.			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 all times.			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 Secretary which includes, but is not limited to:			Not triggered
	a)		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			
	b)		Compliance with all other operational conditions of this consent, hours of operation, noise and security management			
	c)		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			

	d)		Provide a definitive list of streets for which residents and businesses whom occupy the adjacent land will be notified prior to any Major Event, New Years Event or Single Day Medium Event			
	e)		A community notification and complaints handling procedure.			
Transport Access Guide						
D25.			The Applicant must prepare a Transport Access Guide in consultation with TfNSW, implemented and maintained by the operators of the premises and be made available to staff, guests, clients, customers and visitors at all times. The following information must be submitted to the Certifier prior to the occupation or commencement of use: The Transport Access Guide is to include (but not be limited to) the following:			Not triggered
	a)		information regarding lack of off-street car parking and passenger pick-up and set down areas at the development site;			
	b)		suitable nearby drop-off/pick-up locations;			
	c)		identify areas where drop-off/pick-up is prohibited and instruct visitors to avoid use of these areas; and			
	d)		suitable nearby Taxi Zones.			
Landscape Practical Completion Report						
D26.			Prior to the occupation or commencement of use, the Applicant must submit to the satisfaction of the Certifier a Landscape Practical Completion Report prepared by the consultant responsible for the landscape design plan. The Report is to verify that all landscape works have been carried out generally in accordance with the comprehensive landscape design plan and specifications that were required under Condition B65 and is to verify that an effective maintenance program has been commenced.			Not triggered
Loading and Servicing Management Plan						
D27.			Prior to the occupation or commencement of use, the Applicant must submit to the satisfaction of the Certifier, a Loading and Servicing Management Plan prepared by a suitably qualified professional in consultation with TfNSW and PMNSW. The Plan needs to specify, but not be limited to, the following:			Not triggered
	a)		details of the development's loading and servicing profile, including the forecast loading and servicing traffic volumes by vehicle size, frequency, time of day and duration of stay;			
	b)		details of measures to manage any potential traffic and safety impacts of the loading dock operation; and			
	c)		details of how vehicles larger than a 6.4m SRV delivering to the site must be managed.			
			The Loading and Servicing Management must be implemented by the Applicant following the issue of the Occupation Certificate.			
Events and Operations Management Plan						
D28.			Prior to the occupation or commencement of use, the draft Operational Management Plan must be updated by PMNSW in consultation with INSW and Council and approved by the Planning Secretary. The final Events and Operational Management Plan (EOMP) must include, but not be limited to:			Not triggered
	a)		patron capacity and operational hours			
	b)		public access			
	c)		special events including bump in/bump out procedures and management			
	d)		event management including a description of the events to be held at the site, relevant patron capacities for each event, programming, activation principles and event layouts of internal spaces			
	e)		a clear strategy to coordinate community access and use of the forecourt with events within the Cutaway			
	f)		strategies for encouraging First Nations access and use of the site through the programming of the site			
	g)		strategies for providing First Nations employment opportunities (both direct and indirect)			
	h)		noise management including noise limits, noise monitoring, community consultation and complaints handling procedure			
	i)		security management including general security measures and event security			
	j)		emergency management and incident response			
	k)		management of food and alcohol			
	l)		work health and safety practices and considerations			
	m)		waste management including waste storage and event waste management			
	n)		transport and parking management, including for events			
	o)		sustainability, including a ventilation strategy to support mixed-mode ventilation			
	p)		stakeholder and community engagement procedure.			
Landscape Management Plan						
D29.			Prior to the occupation or commencement of use, the Applicant must prepare a Landscape Maintenance Plan in consultation with PMNSW and to the satisfaction of the Certifier.			Not triggered
Additional Requirements on Plans - Sinks and Hand Wash Basins						
D30.			Prior to the commencement of operation, amended scale plans confirming the position of all sinks and hand wash basins within the food premises must be submitted to and approved by Council's Health and Building Unit. The location and accessibility of sinks and hand wash basins must comply with the requirements of AS4674 Design, Construction and Fit-out of Food Premises and Australia New Zealand Food Standards Code 3.2.3 – Food Premises and Equipment.			Not triggered
Toilets for Food Handlers						
D31.			Prior to the commencement of operation, details of the location of toilets which are provided exclusively for the use of food handlers and staff working at the business must be submitted to and approved by the Certifier. The Certifier must confirm that:			Not triggered
	a)		toilets and associated facilities are provided in accordance with AS4674 – Design, Construction and Fit-out of Food Premises and the Australia New Zealand Food Standards Code, 3.2.3 - Food Premises and Equipment			



	b)		the toilet(s) are provided with a hand wash basin, with hot and cold running water mixed through a common spout, hand wash soap, hygienic hand drying facilities and hands-free taps.			
Food premises - Detailed Plans						
D32.			Prior to the commencement of operation, detailed and scaled plans of all kitchen, bar, food preparation, waste and storage areas, food handler toilets and all areas associated with the food business must be prepared in accordance with the Australia New Zealand Food Standards Code – 3.2.3 – Food Premises and Equipment under the Food Act 2003 and AS 4674 - Design, Construction and Fit-out of Food Premises and approved by the Certifier.			Not triggered
Part E - Occupation and Ongoing Use						
Patron Capacity						
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.			Not triggered
			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.			
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.			Not triggered
E4.			Events are permitted to operate for the following hours and in accordance with the noise criteria specified in Condition E5 to Condition E9:			Not triggered
	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:			Not triggered
	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.			
5-Hour Duration Medium Scale Events (Category 4)						
E6.			5-Hour Duration Medium Scale Events must operate in accordance with the following conditions:			Not triggered
	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.			
Single Day Medium Scale Events (Category 2)						
E7.			Single Day Medium Scale Events must operate in accordance with the following conditions:			Not triggered
	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.			
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
<b>New Years Events (Category 1)</b>					
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:			
	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.			Not triggered
<b>Loading Dock / Bump in and out Activities</b>					
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
<b>All Events to be planned and approved by PMNSW, a Register of Details kept and Notifications are to occur.</b>					
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:			
	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:			
	i)	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.			Not triggered
<b>PMNSW to Establish Record of Complaints</b>					
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:			
	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.			Not triggered
<b>Complaints Handling</b>					



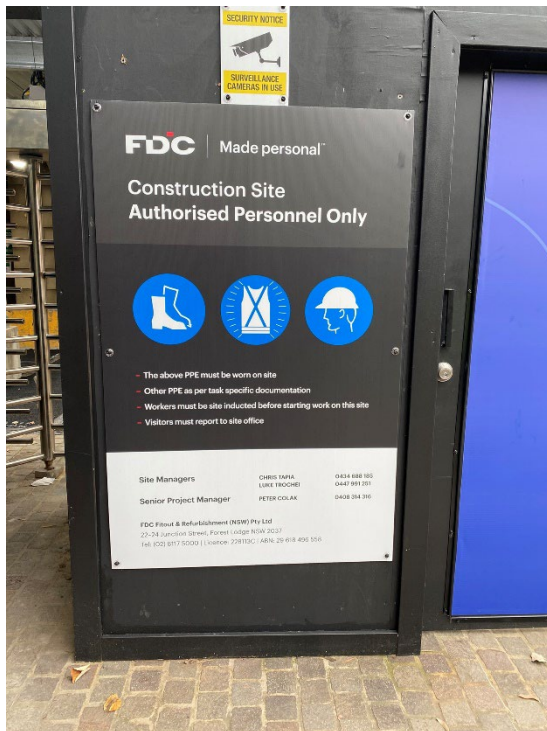
E24.			The following operational management plans (and any updates to those plans) must be implemented and adhered to at all times by the Applicant following the occupation or commencement of use:			Not triggered
	a)		Operational Waste Management Plan (Condition D8)			
	b)		Operational Noise Management 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:			Not triggered
	a)		within the confines of the site, at all times and must not obstruct other properties or the public way; and			
	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.			

<b>Community Communication Strategy</b>					
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
<b>Ecologically Sustainable Development</b>					
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
<b>Green Travel Plan</b>					
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
<b>External Lighting</b>					
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 Effects of Outdoor Lighting.		Not triggered
<b>Odour Requirements</b>					
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
<b>Treatment of Runoff</b>					
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
<b>Parking and Drop-off Review</b>					
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
<b>Public Way to be Unobstructed</b>					
E54.			The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.		Not triggered
<b>Incidents - Recording and Notification</b>					
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
<b>Copies of Consent and Management Plans</b>					
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
<b>Surveillance Cameras</b>					
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 Special Inspectors as required.		Not triggered
E61.			All CCTV recording devices and cameras must be checked daily to ensure the equipment is operating correctly. The Licensee 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 the relevant Local Area Commander of the NSW Police.		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 times of the premises.		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 immediately review recordings and produce copies.			Not triggered
E64.			Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.			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 event, including bump in and bump out periods.			Not triggered



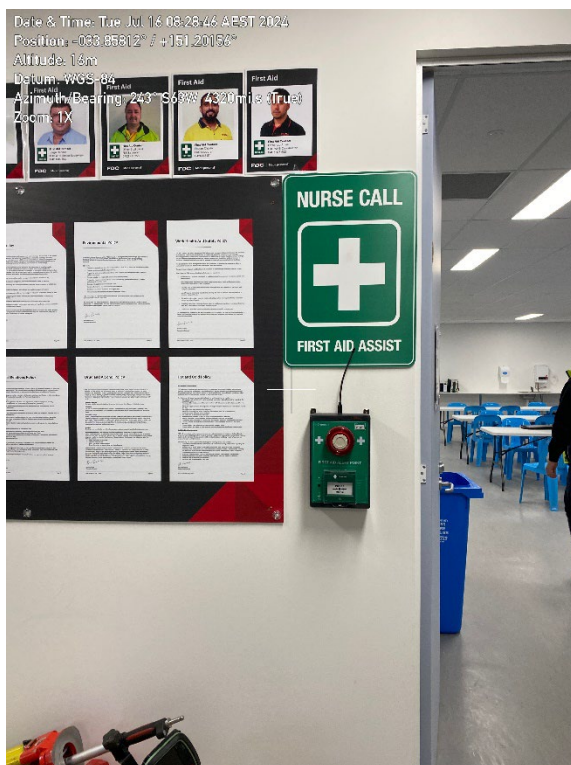
## Appendix D Site photographs



Project site notice.



Presumed Grey-headed Flying-fox  
Flying fox hanging from the netting of one of the skylight voids.

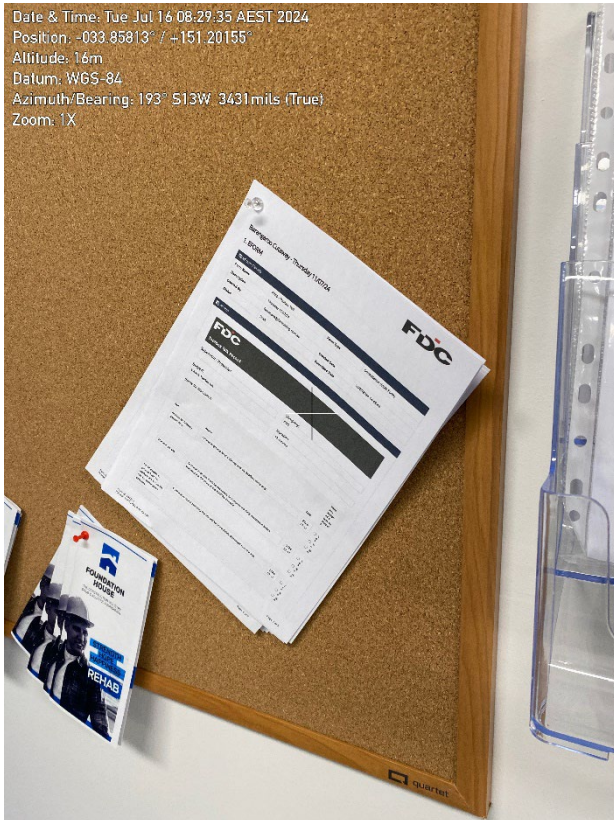


Nurse call station and environmental policy among other policies next to the lunchroom entrance.



Waste receptacles in the lunchroom, no comingled recycling offered.





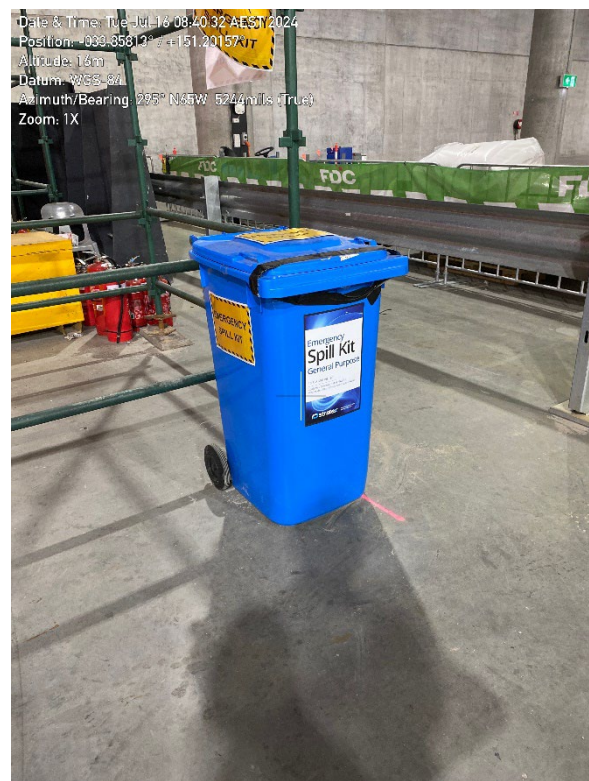
Weekly Toolbox summary on the notice board for staff to access, adjacent to lunch room.



Acoustic blankets lining the internal room currently under construction.

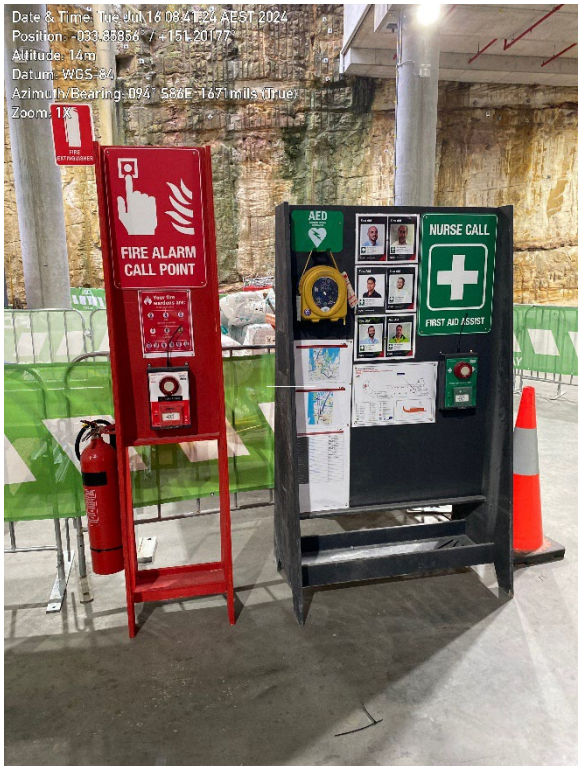


Tidy site for confined space.

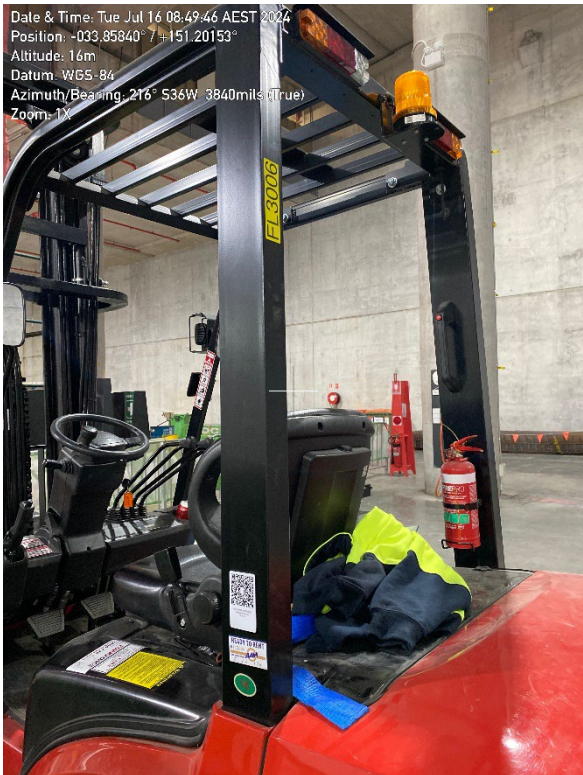


Spill kit, taped closed to prevent workers from placing rubbish inside it.

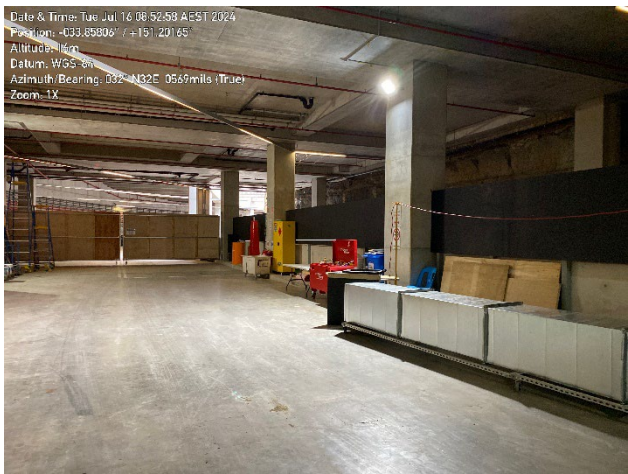




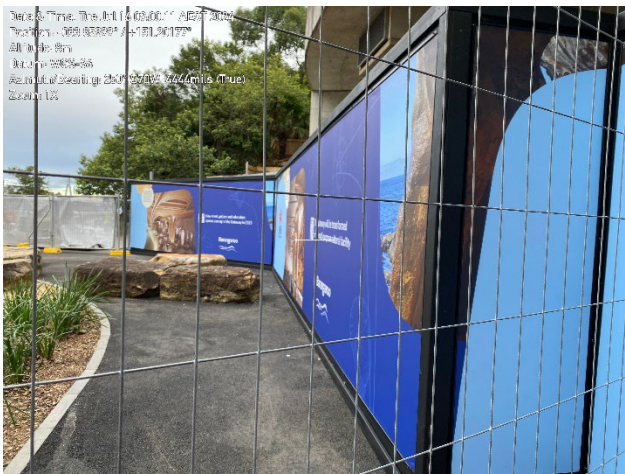
Nurse call station and fire safety station.



QR code for daily prestart on forklift.

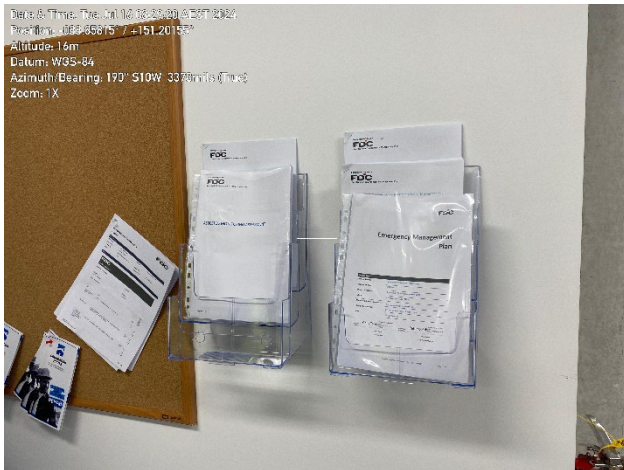


Extraction fan, metal rectangle on right side of photo.

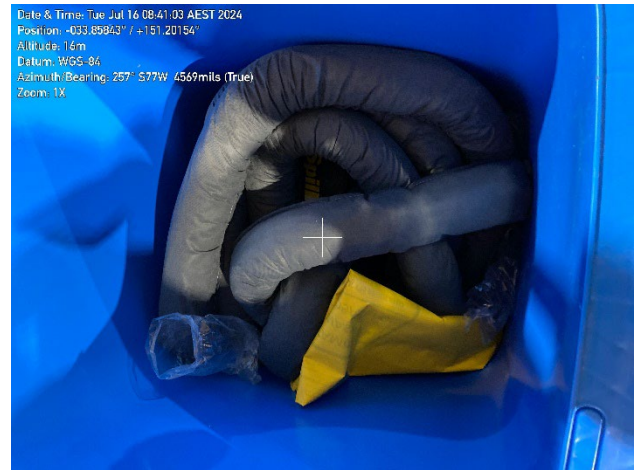


Hoarding.

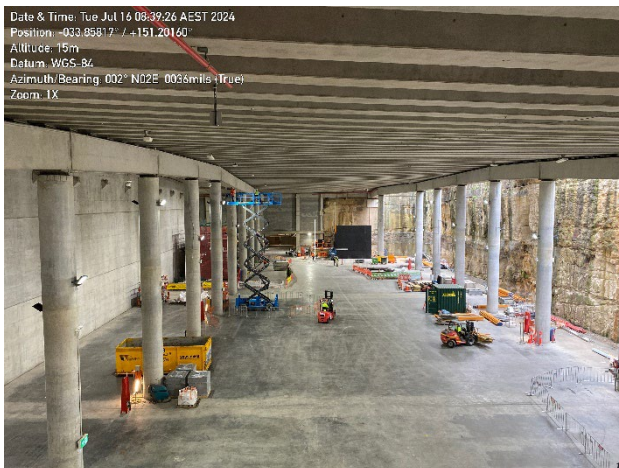




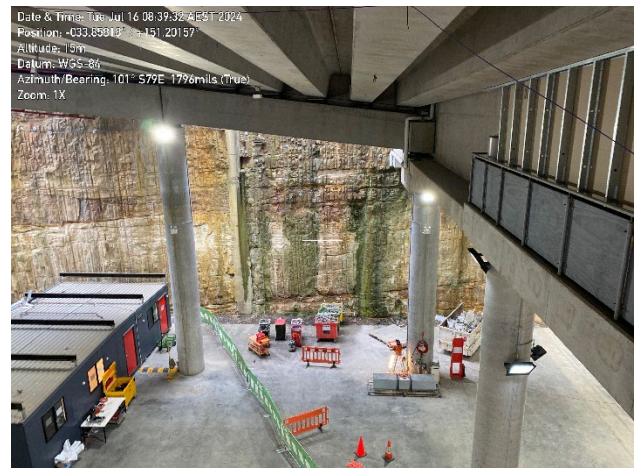
Management plans and monitoring reports, accessible on the wall near the lunchroom, for staff to review (Emergency Management Plan and Asbestos Monitoring Report shown in the front).



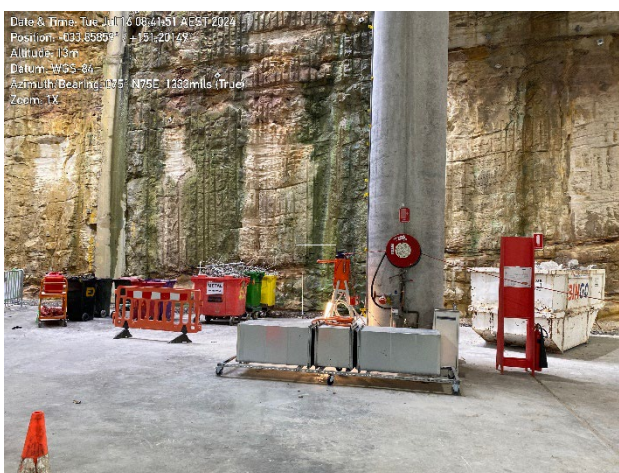
Bunding and absorbent material for cleaning and retaining spills.



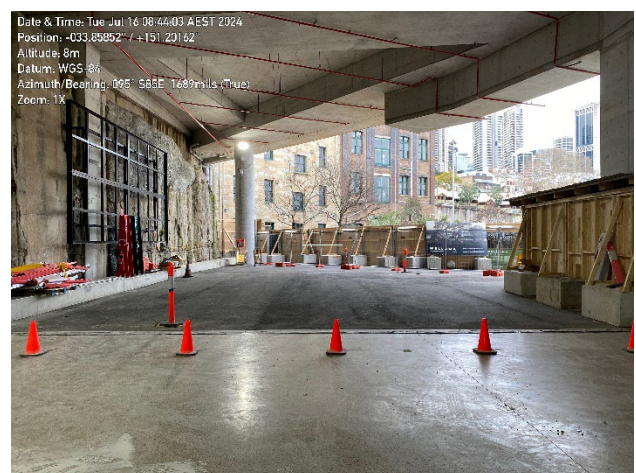
Maintained tidy site of the Cutaway.



Separated waste in skips.

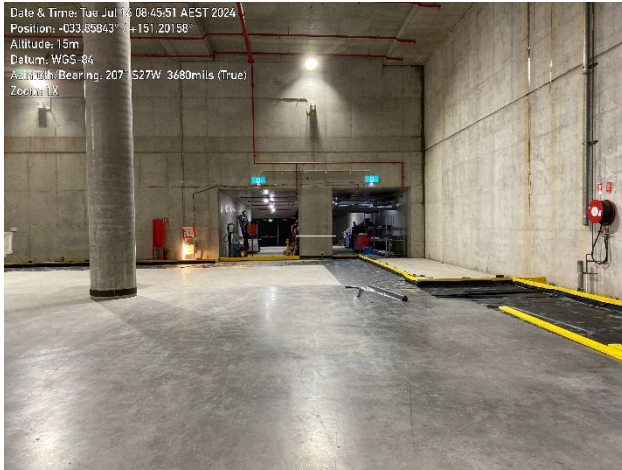


Metal recycling bins and Bingo waste skips, fire safety station.



Hoarding at entrance with nurse call station and fire safety station to the left of the photo.





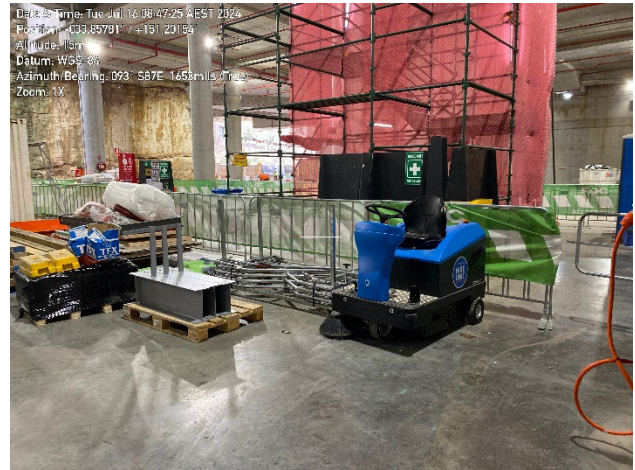
Equipment and material storage rooms.



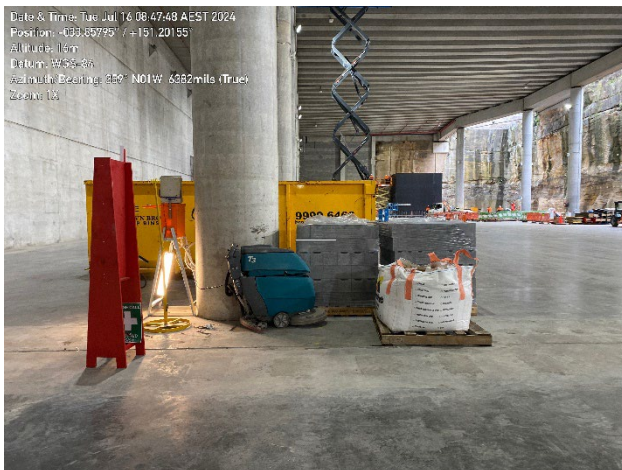
General waste and two food waste bins.



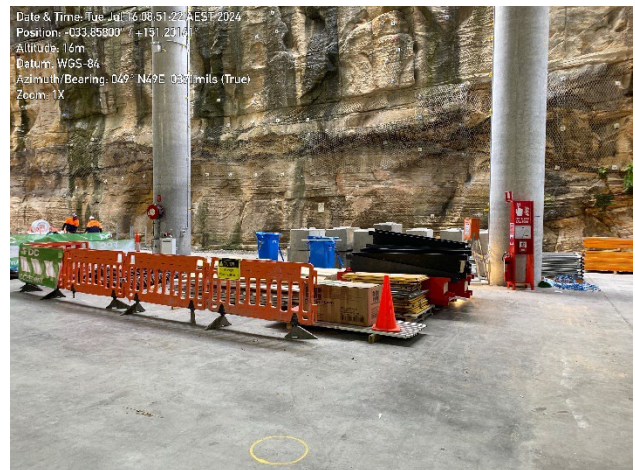
Washout drums.



Wet cleaner for removing dust from floors.



Dry vacuum for dust removal, emergency station, skip bin, material stockpile.



Material stockpiles tidy and cordoned off.

## **Appendix E Audit consultation**

**From:** [Nicola Smith](#)  
**To:** ["Mia Music"](#)  
**Cc:** [Natascha Arens](#)  
**Bcc:** ["58e0640e-6bbe-4191-8f71-c6d9eadc3bb4.metaPublish@nghconsultingmx.deltekpim.com"](#)  
**Subject:** RE: SSD-47498458 The Cutaway Cultural Facility, Barangaroo - Consultation  
**Date:** Tuesday, 9 July 2024 5:05:38 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[58e0640e-6bbe-4191-8f71-c6d9eadc3bb4.png](#)

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Hi Mia,

Thanks for your return email regarding consultation for the first independent audit for the above project.

This audit is within 12 weeks from the commencement of construction with construction commencing on 3 May 2024.

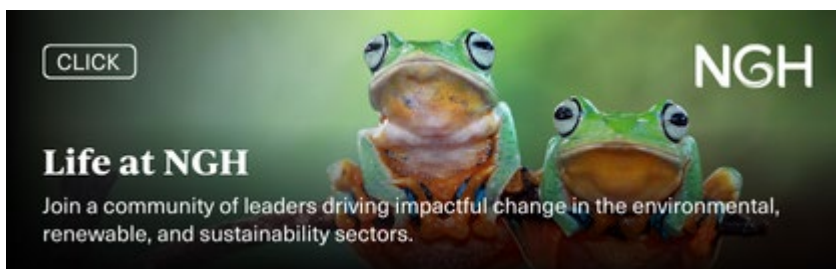
I will relay Council's interests in continued consultation with the City for the items you have raised in your email when we address A30 and B5, as well as conditions relevant to traffic and noise impacts.

If you have any questions, please contact me.

Best regards,

**Nicola Smith**  
Technical Lead & Regional Manager

m: p: 02 6923 1537  
e. [nicola.s@nghconsulting.com.au](mailto:nicola.s@nghconsulting.com.au)  
a. 35 Kincaid Street, Wagga Wagga, NSW 2650  
w. [nghconsulting.com.au](http://nghconsulting.com.au) | [Our commitment to reconciliation](#)



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**From:** Mia Music <MMusic@cityofsydney.nsw.gov.au>  
**Sent:** Tuesday, July 9, 2024 10:22 AM  
**To:** Nicola Smith <nicola.s@nghconsulting.com.au>  
**Subject:** RE: SSD-47498458 The Cutaway Cultural Facility, Barangaroo - Consultation

Hi Nicola,

Thank you for your email.



At what stage of construction are they up to?

The City would be interested in continued consultation for the Harbour Control Tower void design (Condition A30), and the entrance design (Condition B5), as well as any potential traffic and noise issues during construction.

Let me know if you have any queries.

Kind regards,

Mia Music (she/her)  
Senior Planner  
Planning Assessments



Telephone: [+612 9246 7283](tel:+61292467283)  
[cityofsydney.nsw.gov.au](http://cityofsydney.nsw.gov.au)



The City of Sydney acknowledges the Gadigal of the  
Eora nation as the Traditional Custodians of our local area.

---

**From:** Nicola Smith <[nicola.s@nghconsulting.com.au](mailto:nicola.s@nghconsulting.com.au)>  
**Sent:** Saturday, July 6, 2024 10:07 AM  
**To:** City of Sydney <[council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.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

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To whom it may concern,

I am the independent support auditor for the above project (SSD- 47498458). We will be conducting the site audit in the next couple of weeks.

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 first construction independent audit?



Best regards,  
Nicola

**Nicola Smith**

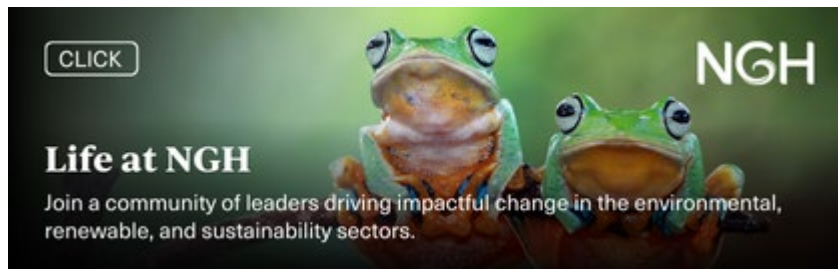
Technical Lead & Regional Manager

m: p: 02 6923 1537

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

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\_\_\_\_\_

**From:** [Nicola Smith](#)  
**To:** [DPE PSVC Compliance Mailbox](#)  
**Cc:** [Natascha Arens](#)  
**Bcc:** [30950f28-7aa6-40fe-a861-30c44d9e8d79.metaPublish@nghconsultingmx.deltেকpim.com](mailto:30950f28-7aa6-40fe-a861-30c44d9e8d79.metaPublish@nghconsultingmx.deltেকpim.com)  
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Hello there,

I am the independent support auditor for the above project (SSD- 47498458). We will be conducting the site audit in the next couple of weeks.

The scope of this audit will broadly include:

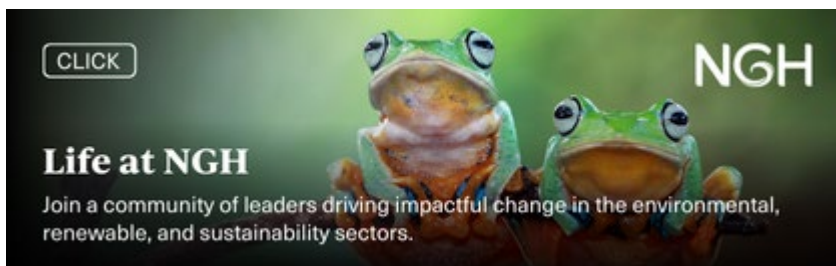
- Conditions of consent applicable to the pre-construction and construction phases of the project
- All post approval documents required by the conditions of consent (e.g. implementation of environmental management plans and sub plans)
- All environmental licences and approvals applicable to the development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

Best regards,  
Nicola

**Nicola Smith**  
Technical Lead & Regional Manager

m: p: 02 6923 1537  
e. [nicola.s@nghconsulting.com.au](mailto:nicola.s@nghconsulting.com.au)  
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w. [nghconsulting.com.au](https://www.nghconsulting.com.au) | [Our commitment to reconciliation](#)



Our ref: DOC24/537197

Your ref: SSD-47498458

Nicola Smith

Technical Lead and Regional Manager

NGH Consulting

nicola.s@nghconsulting.com.au

---

## Independent Environmental Audit – State Significant Infrastructure

**Proposal:** The Cutaway Cultural Facility, Barangaroo

**Major Project reference:** SSD-47498458

**Received:** 6 July 2024

Dear Nicola,

Thank you for your referral seeking comment from Heritage NSW on the scope for the Independent Environmental Audit for the above State Significant Infrastructure. Thank you for the continued opportunity to comment on the project.

In respect to the scope of audit for Aboriginal cultural heritage, Heritage NSW notes Conditions B55 and C39-41. It is recommended that the Department of Planning, Housing and Infrastructure's Compliance Team be contacted ([compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)) to determine if there is any known non-compliance with Conditions of Consent for the project. In future, please refer all requests for advice on audits to Heritage NSW through the Major Project Portal.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions regarding these comments, please contact Corey O'Driscoll, Senior Assessments Officer, at Heritage NSW on 9873 8500 or [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au).

Yours sincerely

*Corey O'Driscoll*

Corey O'Driscoll

Senior Assessments Officer

Heritage NSW

Department of Climate Change, Energy, the Environment and Water

17 July 2024

**From:** [Nicola Smith](#)  
**To:** [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au)  
**Cc:** [Natascha Arens](#)  
**Bcc:** [957f6ce0-7363-4956-aa82-e6384b96b918.metaPublish@nghconsultingmx.deltexpim.com](mailto:957f6ce0-7363-4956-aa82-e6384b96b918.metaPublish@nghconsultingmx.deltexpim.com)  
**Subject:** SSD-47498458 The Cutaway Cultural Facility, Barangaroo - Consultation  
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To whom it may concern,

I am the independent support auditor for the above project (SSD- 47498458). We will be conducting the site audit in the next couple of weeks.

The scope of this audit will broadly include:

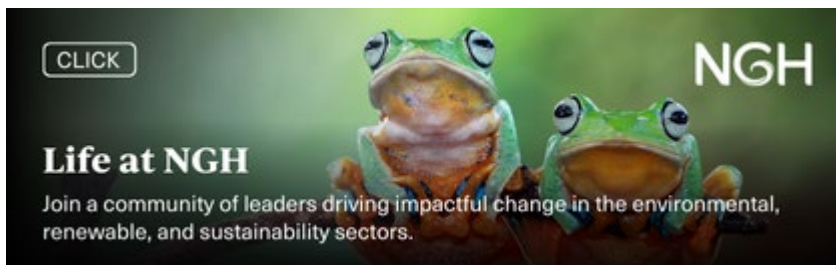
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- An assessment of the environmental performance of the development.

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

Best regards,  
Nicola

**Nicola Smith**  
Technical Lead & Regional Manager

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e. [nicola.s@nghconsulting.com.au](mailto:nicola.s@nghconsulting.com.au)  
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**From:** [Nicola Smith](#)  
**To:** ["contactustherocks@property.nsw.gov.au"](mailto:contactustherocks@property.nsw.gov.au)  
**Cc:** [Natascha Arens](#)  
**Bcc:** ["99cd5a74-05e7-4953-b1a2-21de68de0c01.metaPublish@nghconsultingmx.deltapim.com"](mailto:99cd5a74-05e7-4953-b1a2-21de68de0c01.metaPublish@nghconsultingmx.deltapim.com)  
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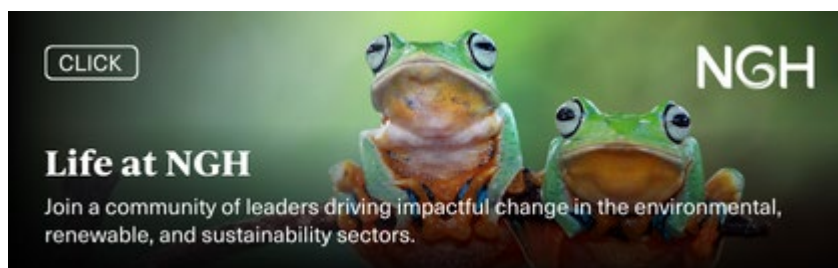
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Best regards,  
Nicola

**Nicola Smith**  
Technical Lead & Regional Manager

m: p: 02 6923 1537  
e. [nicola.s@nghconsulting.com.au](mailto:nicola.s@nghconsulting.com.au)  
a. 35 Kincaid Street, Wagga Wagga, NSW 2650  
w. [nghconsulting.com.au](https://nghconsulting.com.au) | [Our commitment to reconciliation](#)



**From:** [Nicola Smith](#)  
**To:** ["info@service.nsw.gov.au"](mailto:info@service.nsw.gov.au)  
**Cc:** [Natascha Arens](#)  
**Bcc:** ["611d3292-517a-4c3a-8e1f-c181142653cd.metaPublish@nghconsultingmx.deltkepim.com"](#)  
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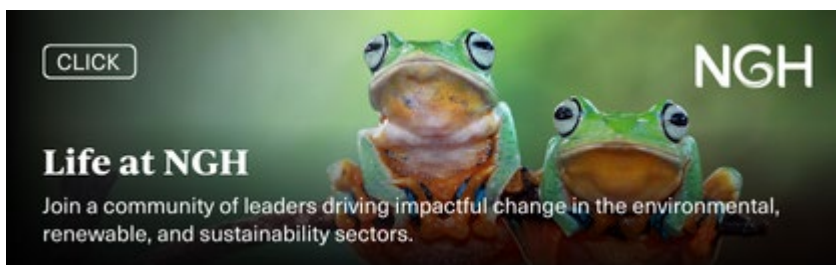
- Conditions of consent applicable to the pre-construction and construction phases of the project
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As required by the Independent Audit Post Approvals Requirements (2020), I am consulting with relevant stakeholders. Are there any other matters that the SDRP would like addressed as part of this first construction independent audit?

Best regards,  
Nicola

**Nicola Smith**  
Technical Lead & Regional Manager

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e. [nicola.s@nghconsulting.com.au](mailto:nicola.s@nghconsulting.com.au)  
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w. [nghconsulting.com.au](http://nghconsulting.com.au) | [Our commitment to reconciliation](#)



**From:** [Sydney Metro Corridor Protection](#)  
**To:** [Nicola Smith](#); [Sydney Metro Corridor Protection](#)  
**Cc:** [Natascha Arens](#)  
**Subject:** RE: SSD-47498458 The Cutaway Cultural Facility, Barangaroo - Consultation  
**Date:** Wednesday, 10 July 2024 3:52:39 PM  
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[image011.png](#)  
[image012.png](#)

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Hi Nicola,

Thanks for reaching out and apologies for the delay.

Sydney Metro is of the view that the proposed development would have negligible impacts on the Sydney Metro - City & Southwest rail corridor as the proposed development does not involve excavation in excess of 2 metres below ground level.

On this basis, Sydney Metro considers the potential impact on the rail corridor to be negligible and does not require any other matters to be addressed as part of this first construction independent audit.

Kind regards,

**Joshua Murray**

Planner, Corridor Protection  
Customer, Operations & Outcomes  
**Sydney Metro**

E [joshua.murray@transport.nsw.gov.au](mailto:joshua.murray@transport.nsw.gov.au)

[sydnymetro.info](http://sydnymetro.info)

Level 43  
680 George Street  
Sydney NSW 2000  
PO Box K659, Haymarket NSW 1240



---

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**From:** Nicola Smith <[nicola.s@nghconsulting.com.au](mailto:nicola.s@nghconsulting.com.au)>  
**Sent:** Saturday, July 6, 2024 10:03 AM  
**To:** Sydney Metro Corridor Protection  
<[SydneyMetroCorridorProtection@transport.nsw.gov.au](mailto:SydneyMetroCorridorProtection@transport.nsw.gov.au)>



**Cc:** natascha.a <natascha.a@nghconsulting.com.au>

**Subject:** SSD-47498458 The Cutaway Cultural Facility, Barangaroo - Consultation

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Best regards,  
Nicola

**Nicola Smith**

Technical Lead & Regional Manager

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

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**To:** [development.CTMP.CJP@transport.nsw.gov.au](mailto:development.CTMP.CJP@transport.nsw.gov.au)  
**Cc:** [Natascha Arens](#)  
**Bcc:** [d020e6a7-9ce0-456a-9a5c-6bbccd11de61.metaPublish@nghconsultingmx.deltexpim.com](mailto:d020e6a7-9ce0-456a-9a5c-6bbccd11de61.metaPublish@nghconsultingmx.deltexpim.com)  
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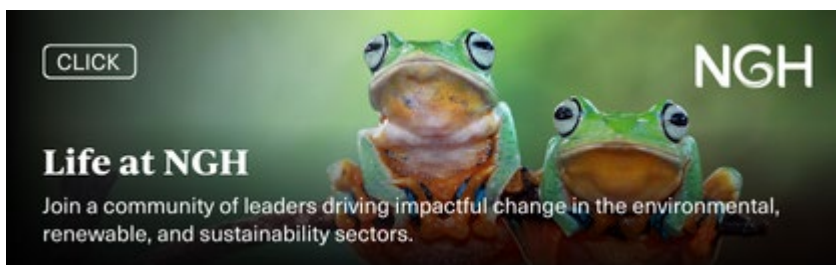
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Best regards,  
Nicola

**Nicola Smith**  
Technical Lead & Regional Manager

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

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#### **SYDNEY REGION**

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Surry Hills NSW 2010

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#### **BEGA**

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(PO Box 470)  
Bega NSW 2550

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Brisbane QLD 4000

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Hamilton NSW 2303

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35 Kincaid Street (PO Box 5464)  
Wagga Wagga NSW 2650

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Fyshwick ACT 2609

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Building 1, 30 Chancellor Village Boulevard  
Sippy Downs QLD 4556

T: 13 54 93

#### **WODONGA**

Unit 2, 83 Hume Street  
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Wodonga VIC 3690

T. (02) 6067 2533