


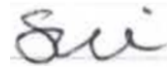
# INDEPENDENT AUDIT NO. 3 – AUDIT REPORT

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SYDNEY METRO WESTERN SYDNEY AIRPORT  
SSI 10051

MARCH 2023

### Authorisation

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<b>Date</b>	23/03/23	<b>Date</b>	23/03/23

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**Report Name:** Independent Audit No. 3 – Audit Report, Sydney Metro Western Sydney Airport – SSI 10051

**Project No.:** 732

**Prepared for:**  
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## EXECUTIVE SUMMARY

### *The Project*

Sydney Metro is responsible for delivery of the Sydney Metro Western Sydney Airport Project (the Project). The Project involves construction and operation of a new metro railway line around 23 kilometres in length between St Marys in the north and the Aerotropolis Core precinct in the south (the area to be called Bradfield). This includes a section of the alignment that passes through and provides access to Western Sydney International (Nancy-Bird Walton) Airport, currently under construction.

Station locations for the project would include:

- A new metro station connecting to, and providing interchange with, the existing Sydney Trains suburban rail network at St Marys, north of Western Sydney International
- Two new metro stations between the existing Sydney Trains suburban rail network at St Marys and Western Sydney International: one at Orchard Hills and one at Luddenham within the Northern Gateway precinct
- Two new metro stations within the Western Sydney International site: one at the Airport Terminal and one at the Airport Business Park
- A new metro station within the Aerotropolis Core precinct (the area to be called Bradfield), south of Western Sydney International.

The alignment of the new metro railway line would:

- Include a combination of tunnel, surface and viaduct sections
- Interface with key roads including the Great Western Highway, M4 Western Motorway, Luddenham Road, the future M12 Motorway, The Northern Road, Elizabeth Drive and Badgerys Creek Road, as well as key utilities such as the Warragamba to Prospect Water Supply Pipelines
- Include waterway crossings of Blaxland Creek and Cosgroves Creek.

Approval for the Project was granted in State Significant Infrastructure (SSI) 10051 by the Minister for Planning and Public Spaces on 23 July 2021, subject to a number of conditions.

The Project Approval has been modified on one occasion. On 14 April 2022, the Department of Planning and Environment (the Department) approved an application to amend condition E4 to reduce the biodiversity offset credit requirement. This modification has been included in the scope of this Independent Audit.

Four consistency assessments have been determined during the audit period. These relate to changes to project footprints to accommodate changes in construction and permanent design. Each change has been determined by Sydney Metro to be consistent with the Approval.

A Staging Report has been prepared for the Project in accordance with conditions A10/A11. According to Revision 7 of the Staging Report<sup>1</sup>, construction of the Project stages are summarised as follows:

- Advanced Enabling Works (AEW)
- Station Box and Tunnels (SBT) Preparatory Works
- SBT Bulk Excavation and Tunnelling Works
- Surface and Civil Alignment Works (SCAW) Preparatory Works
- SCAW Main Excavation and Viaduct Works
- Stations, Systems, Trains and Operations and Maintenance (SSTOM).

Construction commenced on 25 November 2021. The Auditor understands that the following activities were conducted during the audit period (31 August 2022 – 23 February 2023):

- AEW: Completion and handover of AEW works packages AEW – Power, AEW – Roadworks, AEW – St Marys Station Lift Relocation, minor pavement defect work on AEW St Marys TBI (conducted a defect rectification). Early commencement of site establishment of AEW IPO.
- SBT:
  - St Marys: Completion of site office set up and clearing and grubbing as well as contamination management. Piling pad construction, piling and bulk excavation ongoing (with bulk excavation commencing in January 2023).
  - Claremont Meadows: Completion of site office installation, topsoil stripping, piling pad construction and piling, guide walls and capping beam construction. Construction of haul roads and hardstands and bulk excavation ongoing.
  - Orchard Hills: Completion of vegetation clearing and grubbing, segment storage at Area 1. Bulk excavation, piling pad construction, piling are ongoing.
  - Bringelly: Completion of topsoil stripping, catch drain installation, piling pad construction, piling and site shed installation. Bulk excavation has commenced and is ongoing.
  - Aerotropolis: Completion of vegetation clearing, site levelling and piling pad construction in low risk contamination zones. Ongoing piling in low risk contamination zones and contamination works in medium risk contamination zones.
- SCAW:
  - Stabling and Maintenance Facility (SMF): Construction commenced from 18 October 2022. Patons Lane compound site establishment completed. Stripping and grubbing, importation of fill and bulk earthworks ongoing.

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<sup>1</sup> Refer to Revision 7.0 of the Staging Report for full descriptions of the construction stages.

- Elizabeth Drive: Construction commenced from 10 October 2022. Site establishment ongoing.
- M12 Bridge crossing: Piling commenced 10 January 2023 and is ongoing.
- Precast Yard Facility: Foundation works are underway.

At the time of the Independent Audit, works on SSTOM had yet to commence.

For reference, the auditee organisations (together referred to as the auditee/s or Project team) were identified as follows:

- The Proponent: Sydney Metro (note Sydney Metro also represented the AEW contractors as the AEW works had either been completed at the time of the audit inspection and interviews or had barely commenced)
- The Environmental Representatives: Healthy Buildings international (HBI)
- The SBT principal contractor: CPB Ghella Joint Venture (CPBJV)
- The SCAW principal contractor: CPB United Infrastructure Joint Venture (CPBUI).

### ***The Independent Audit***

Conditions A36 – A40 of Schedule 2 of SSI 10051 set out the requirements for undertaking Independent Audits. The conditions give effect to the now Department of Planning and Environment (the Department) 2020 document entitled *Independent Audit Guideline Post Approval Requirements* (IAPAR). The IAPAR sets out the scope, methodology and reporting requirements for the Independent Audit.

This Audit Report presents the findings from the third Independent Audit on the Project, covering the period from 31 August 2022 to 23 February 2023 (the 'audit period').

The objective of this Independent Audit is to satisfy SSI 10051 Schedule 2, condition A36, which states:

*Independent Audits of the CSSI must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (DPIE, 2020).*

The overall outcome of the Independent Audit was positive. Compliance records were organised and available at the time of the site inspection and interviews with Sydney Metro, the Environmental Representative (HBI) and its contractors (CPBG and CPBUI).

Relevant environmental and compliance monitoring records were being collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements.

With respect to the findings from the third Independent Audit:

- There were 222 conditions assessed.
- 160 conditions were considered to be compliant.
- Six (6) non-compliances were identified. These are detailed in Table 7 below, and relate to the presentation of documentation on the Project website, clearing of native vegetation, works occurring outside of permissible hours, consultation on Detailed Noise and Vibration Impact Statements, implementation of erosion and sediment controls and submission of the revised Groundwater Modelling Report.

- 56 conditions were considered not triggered.
- In addition to the above, 17 observations were identified. These are detailed in Table 7 below, and relate to implementation of REMM HYD1, establishment of Minor Ancillary Facilities, ER monitoring of the implementation of the CEMP, Sub-plans and monitoring programs, the Department's feedback on the first and second Audit Reports, incidents that occurred during the audit inspection and interview period, implementation of the CEMP, stockpile management, flood design, out-of-hours work consultation and respite, implementation of mitigation measures at compounds to minimise visual impact, adoption of recommendations provided by the Design Review Panel, implementation of the Sustainability Management Plan and implementation of the Water Reuse Strategy.

With respect to the status of the five (5) findings that were open at the time of completion of the second Independent Audit:

- Four (4) previously open findings are considered by the Auditor to be closed.
- One (1) is considered still open. This relates to Sydney Metro ensuring the Project website contains all necessary documents.

The Auditor found that the post-approval documents were of a very high standard and largely being implemented. The deficiencies in implementation are incorporated into the non-compliance and observations raised above, and detailed in Section 3.2 and 3.3. The Auditor is of the view that implementing the documents would not result in a non-compliance.

Liverpool City Council raised a number of matters to be assessed around damage to local roads and traffic and the like. The Auditor is of the view that condition surveys have been adequately carried out on buildings, structures, utilities and the like as per E107. The Auditor is also of the view that dilapidation reports have been completed for local roads that are to be used by heavy vehicles and which are not identified in the EIS as per E107. However, it is unclear whether local roads that have been included in the EIS have also undergone an assessment similar to that required by E107. Unless a dilapidation report has been prepared, there may be insufficient information available to ensure damage to the local roads included in the EIS is adequately responded to.

The Auditor is of the view that complaints and incidents are being properly identified, investigated and responded to and categorised. The auditees have not identified any incidents requiring notification to the Department during the audit period.

The Auditor considers that, whilst there have been minor changes to the Project boundary (via four consistent assessments), the works being undertaken and the resulting impacts are consistent with that described in the EIS and RtS.

The environmental performance of the Project during the audit period is considered by the Auditor to be high, with some room for improvement around erosion and sediment control on SBT.

Of note is the robustness of the Project design development process. The design reports incorporate Requirements Verification Traceability Matrices (RVTM) and are reviewed by Sydney Metro subject matter experts and (where relevant) the Independent Certifier and Metro's Engineering and Design Assurance Team. The comments are transferred back to the contractors for review and resolution. The comments must be addressed and deemed satisfactory by Sydney Metro / Certifier etc. prior to moving to the next design gate. This process provides a high degree of confidence that requirements from the EIS and Project Approval are incorporated into design.



Detailed findings are presented in Section 3, along with actions proposed or undertaken by the auditees to address the findings.

The Auditor would like to thank the auditees from Sydney Metro, the Environmental Representative (HBI) and its contractors (CPBG and CPBUI) for their high level of organisation, cooperation, and assistance during the Independent Audit.

# 1. INTRODUCTION

## 1.1 The Project

### 1.1.1 Overview

Sydney Metro is responsible for delivery of the Sydney Metro Western Sydney Airport Project (the Project). Approval for the Project was granted in State Significant Infrastructure (SSI) 10051 by the Minister for Planning and Public Spaces on 23 July 2021, subject to a number of conditions.

The Project involves construction and operation of a new metro railway line around 23 kilometres in length between St Marys in the north and the Aerotropolis Core precinct in the south (the area to be called Bradfield). This includes a section of the alignment that passes through and provides access to Western Sydney International (Nancy-Bird Walton) Airport, currently under construction.

Station locations for the Project would include:

- A new metro station connecting to, and providing interchange with, the existing Sydney Trains suburban rail network at St Marys, north of Western Sydney International
- Two new metro stations between the existing Sydney Trains suburban rail network at St Marys and Western Sydney International: one at Orchard Hills and one at Luddenham within the Northern Gateway precinct
- Two new metro stations within the Western Sydney International site: one at the Airport Terminal and one at the Airport Business Park
- A new metro station within the Aerotropolis Core precinct (the area to be called Bradfield), south of Western Sydney International.

The alignment of the new metro railway line would:

- Include a combination of tunnel, surface and viaduct sections
- Interface with key roads including the Great Western Highway, M4 Western Motorway, Luddenham Road, the future M12 Motorway, The Northern Road, Elizabeth Drive and Badgerys Creek Road, as well as key utilities such as the Warragamba to Prospect Water Supply Pipelines
- Include waterway crossings of Blaxland Creek and Cosgroves Creek.

The Project includes works required to support its construction and operation, including all operational systems and infrastructure such as fresh air ventilation systems, signalling, communications, overhead wiring, rail corridor fencing and access tracks/paths.

A stabling and maintenance facility and operational control centre would be required to support operation of the project. The facility is proposed to be located in Orchard Hills, to the south of Blaxland Creek and east of the proposed metro line. Services facilities are proposed at Claremont Meadows and Bringelly for the St Marys to Orchard Hills tunnel and Western Sydney International to Bringelly tunnel, respectively. The need for the Claremont Meadows services facility is subject to further investigation.

An overview of the Project and its location is shown in Figure 1.

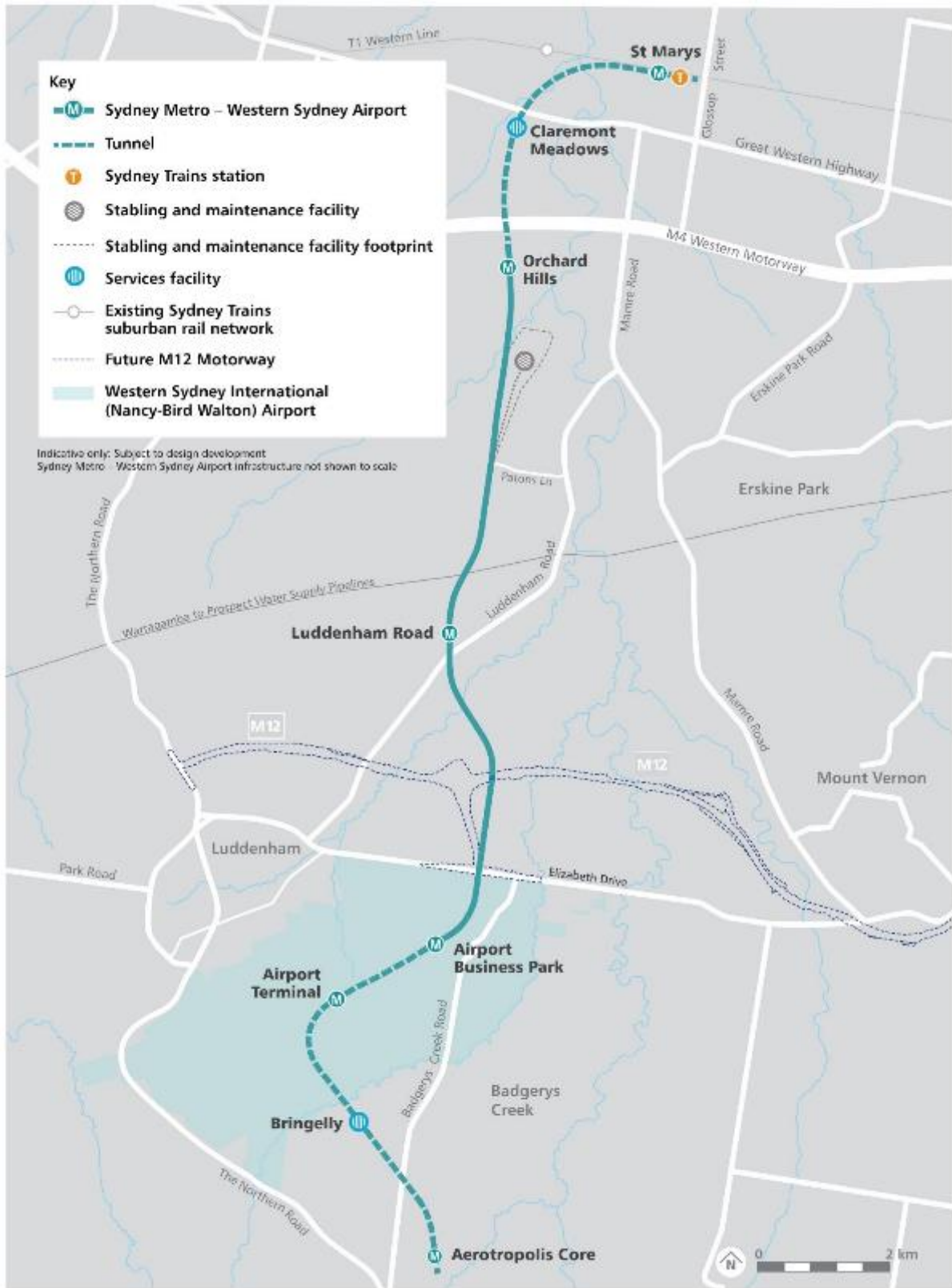


Figure 1: Project location and overview (source: Project EIS)

A section of the alignment passes through the Western Sydney International Airport site is subject to the *Airports Act 1996* (Cth) (*Airports Act*). As such, these works are outside of the scope of the Planning Approval (SSI 10051), and therefore outside of the scope of this Independent Audit. The separation of State and Commonwealth portions of the Project is illustrated in Figure 2.

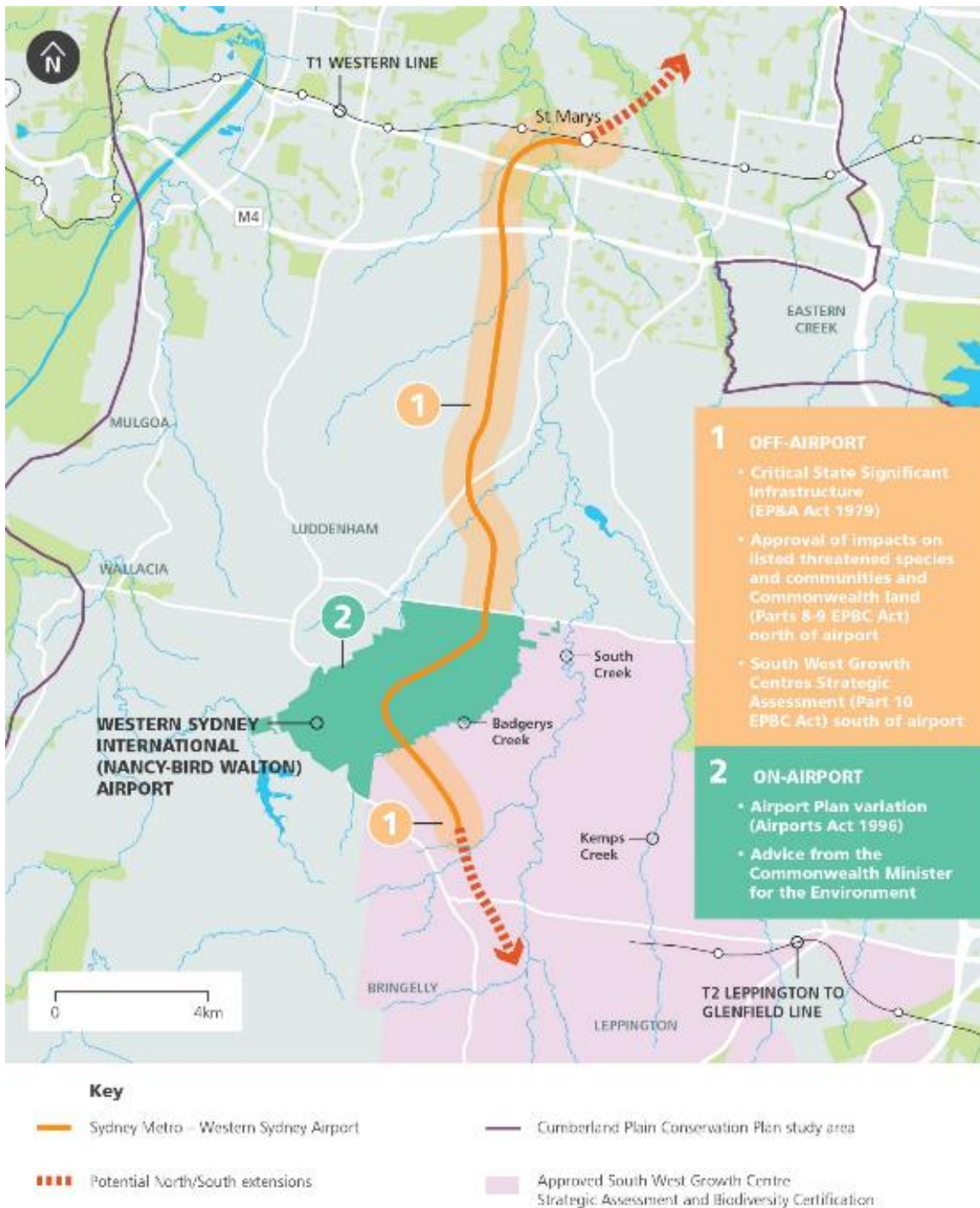


Figure 2: Sydney Metro Western Sydney Airport Planning Approval Strategy (source: Project EIS)

## 1.1.2 Changes to the Project

### ***Modification 1***

The Project Approval has been modified on one occasion. On 14 April 2022, the Department of Planning and Environment (the Department) approved an application to amend condition E4 to reduce the biodiversity offset credit requirement. This modification has been included in the scope of this Independent Audit.

### ***Consistency Assessments***

Four consistency assessments were determined by Sydney Metro during the audit period. These were as follows:

#### **Defence Establishment Orchard Hills Detention Basin, Sydney Metro, 5 October 2022**

Sydney Metro proposed to expand the construction footprint at the Defence Establishment Orchard Hills (off-airport) area south of Patons Lane. The area would be used to accommodate a detention basin to help manage stormwater flows and passive discharges to an unnamed creek. The detention basin would be a permanent structure. An assessment was carried out to determine whether the proposed change is consistent with the Project Approval. The assessment also included justification, potential impacts, benefits and proposed controls. On 5 October 2023, Sydney Metro determined that the adjustment is consistent with the Project Approval.

#### **Revised footprint of lands to the north of Elizabeth Drive, Sydney Metro, 5 October 2022**

Sydney Metro proposed to expand the construction footprint on land to the north of Elizabeth Drive. The expansion is required to enable early access to the area that interfaces the M12 project, allow relocation of site compound facilities to flatter land, to relocate a temporary access road to better fit with topography and the requirements of the landowner for ongoing use after completion of construction. An assessment was carried out to determine whether the proposed change is consistent with the Project Approval. The assessment also included justification, potential impacts, benefits and proposed controls. On 5 October 2023, Sydney Metro determined that the adjustment is consistent with the Project Approval.

#### **Revised footprint for Luddenham Road construction site, Sydney Metro, 4 November 2022**

Sydney Metro proposed to revise the footprint of the Luddenham Road construction site, following developments in design and consultation with the Sydney Science Park proponent, Transport for NSW and Council. The revision is required to better align the Luddenham Road construction site and future station precinct with the Sydney Science Park Master Plan, and the Western Sydney Planning Partnership Precinct Plans, as well as the strategic planning and rezoning plans developed by the Planning Partnerships Office which was approved by the Department. An assessment was carried out to determine whether the proposed change is consistent with the Project Approval. The assessment also included justification, potential impacts, benefits and proposed controls. On 4 November 2022, Sydney Metro determined that the adjustment is consistent with the Project Approval.

#### **Alternative access road for Luddenham Road construction site, Sydney Metro, 9 January 2023**

An alternative access road is proposed as use of the existing access impacts on the access for an existing property. The adjustment to the access has been consulted on with the affected landowner



and undergone an assessment to determine whether it is consistent with the Project Approval. The assessment also included justification, potential impacts, benefits and proposed controls. On 9 January 2023, Sydney Metro determined that the adjustment is consistent with the Project Approval.

The aforementioned consistency assessments have been included in the scope of this audit.

### 1.1.3 Staging

A Staging Report<sup>2</sup> (Staging Report, Sydney Metro, Revision 7, 30 September 2022) has been prepared for the Project in accordance with conditions A10/A11. According to Revision 7 of the Staging Report<sup>3</sup>, construction of the Project stages are summarised as follows:

- **Advanced Enabling Works (AEW)** – comprising establishment of key construction site and facilitation of construction activities. This includes site investigations, power and water supply works, demolition, utility diversions, and modifications to the existing transport network. The AEW stage is split into nine (9) sub-stages, as follows:
  - AEW – Demolition
  - AEW – Gas
  - AEW – IPO
  - AEW – Power
  - AEW – Roadworks
  - AEW – Footbridge St Marys
  - AEW – St Marys Station Lift Relocation
  - AEW – St Marys Temporary Bus Interchange (TBI)
  - AEW – Water.
- **Station Box and Tunnels (SBT) Preparatory Works** – comprising site establishment works along with Non-Aboriginal archaeological investigations and (if triggered) salvage works at the western end of the St Marys Station Box, demolition, vegetation clearing, property adjustments, site levelling/grading, flood mitigation and drainage, contamination remediation works and offsite disposal including underground storage tanks and cattle dipping site(s), piling and foundation works, utility and temporary services work.

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<sup>2</sup> The previously approved Staging Report (Revision 6.0, 20 July 2022) underwent a minor update during the audit period (updated to Revision 7.0, 30 September 2022). The update comprised:

- Changes to the arrangements for non-Aboriginal heritage management for the SBT package in line with the previously approved risk assessment
- Minor changes to the allocations for the St Marys footbridge works; and
- Minor typographic updates.

Revision 7.0 of the Staging Report was accepted by the Department on 17 October 2022.

<sup>3</sup> Refer to Revision 7.0 of the Staging Report for full descriptions of the construction stages.

- **SBT Bulk Excavation and Tunnelling Works** – comprising Preparatory Works scope not completed prior to ER endorsement / Department approval (where required) of the nominated Construction Environmental Management Plans, Sub-plans and monitoring programs, remaining temporary piling and permanent piling, bulk excavation, acoustic shed installation, mined and TBM tunnelling and cross passage construction, decommissioning of elements that are not handed over to follow-on contractors.
- **Surface and Civil Alignment Works (SCAW) Preparatory Works** – comprising site establishment activities, vegetation clearing, civil works set up at the stabling and maintenance facility at Orchard Hills, stockpiling of approximately 300,000 tonnes of topsoil and fill, contamination and remediation works, use of ancillary facilities.
- **SCAW Main Excavation and Viaduct Works** – comprising Preparatory Works scope not completed prior to ER endorsement / Department approval (where required) of the nominated Construction Environmental Management Plans, Sub-plans and monitoring programs, viaducts and bridges, works within riparian zones, native vegetation clearing, bulk excavation, decommissioning of elements that are not handed over to follow-on contractors.
- **Stations, Systems, Trains and Operations and Maintenance (SSTOM)** – comprising station design and fit out, urban and landscape design, precinct and transport integration works; testing and commissioning; and operation of the metro service.

A Finalisation and Auxiliary Works (FAW) stage is under development and will be incorporated into the Project's Staging Report in future.

Some low impact works may be undertaken outside of the stages identified in the Staging Report. Where works are undertaken outside of the stages identified but are still subject to the Project Approval, these 'Low Impact (Minor) Works' but are not defined as 'construction'; under the terms of the Approval.

The following table indicates the construction commencement and completion dates, from Revision 7.0 of the Staging Report, and as provided by Sydney Metro on 23 February 2023.

*Table 1 Construction dates*

Stage	Construction start date	Construction finish date
AEW - Demolition	24/01/22	13/05/22 (prior to current audit period)
AEW – Gas	Sydney Metro advise that this stage has not commenced and may not be required.	
AEW – IPO	30/02/23	Ongoing. Date to be advised.
AEW – Power	04/02/22	21/09/22
AEW – Roadworks	25/06/22	18/08/22
AEW – Footbridge St Marys	Not commenced at time of audit. Dates to be advised.	
AEW – St Marys Station Lift Relocation	26/05/22	30/11/22

Stage	Construction start date	Construction finish date
AEW – St Marys Temporary Bus Interchange (TBI)	24/11/21	06/06/22 (prior to current audit period)
AEW – Water	Not commenced at time of audit. Dates to be advised.	
SBT Preparatory Construction	19/04/22	First week of November 2022 (upon commencement of SBT Bulk Excavation and Tunnelling Works)
SBT Bulk Excavation and Tunnelling Works	Intended start date of 10/10/22, delayed due to wet weather until first week of November 2022	Estimated: Q4 2024
SCAW Preparatory Construction	10/10/22	01/11/22 (upon commencement of SCAW Main Excavation and Viaduct Works)
SCAW Main Excavation and Viaduct Works	01/11/22	Estimated: Q4 2025
SSTOM	Estimated: Q4 2024	Ongoing (into operations)

### 1.1.4 Works conducted during the audit period

The Auditor understands that the following activities were conducted during the audit period (31 August 2022 – 23 February 2023)<sup>4</sup>:

- AEW: Completion and handover of AEW works packages AEW – Power, AEW – Roadworks, AEW – St Marys Station Lift Relocation, minor pavement defect work on AEW St Marys TBI (conducted a defect rectification). Early commencement of site establishment of AEW IPO.
- SBT:
  - St Marys: Completion of site office set up and clearing and grubbing as well as contamination management. Piling pad construction, piling and bulk excavation ongoing (with bulk excavation commencing in January 2023).
  - Claremont Meadows: Completion of site office installation, topsoil stripping, piling pad construction and piling, guide walls and capping beam construction. Construction of haul roads and hardstands and bulk excavation ongoing.
  - Orchard Hills: Completion of vegetation clearing and grubbing, segment storage at Area 1. Bulk excavation, piling pad construction, piling are ongoing.

<sup>4</sup> According to the Environmental Representative Monthly Reports, the SBT and SCAW Monthly Progress Reports (required under the contract with Sydney Metro, and not a requirement under the Approval), the works observed during the site inspection and the works described by the auditees during the interviews.



- Bringelly: Completion of topsoil stripping, catch drain installation, piling pad construction, piling and site shed installation. Bulk excavation has commenced and is ongoing.
- Aerotropolis: Completion of vegetation clearing, site levelling and piling pad construction in low risk contamination zones. Ongoing piling in low risk contamination zones and contamination works in medium risk contamination zones.
- SCAW:
  - Stabling and Maintenance Facility (SMF): Construction commenced from 18 October 2022. Patons Lane compound site establishment completed. Stripping and grubbing, importation of fill and bulk earthworks ongoing.
  - Elizabeth Drive: Construction commenced from 10 October 2022. Site establishment ongoing.
  - M12 Bridge crossing: Piling commenced 10 January 2023 and is ongoing.
  - Precast Yard Facility: Foundation works are underway.

## 1.2 The audit team

In accordance with Schedule 2, condition A38 of SSI 10051, and Section 3.1 of the Department's 2020 document *Independent Audit Post Approval Requirements (IAPAR)*, Independent Auditors must be suitably qualified, experienced, and independent of the Project, and appointed by the Planning Secretary. Table 2 presents the audit team for this, third, Independent Audit on the Project.

*Table 2 Audit Team*

Name	Company	Participation during this audit	Certification
Derek Low	WolfPeak	Auditor	Exemplar Global Certified Lead Environmental Auditor (Certificate No 114283)
Steve Fermio	WolfPeak	Lead Auditor	Exemplar Global Certified Lead Environmental Auditor (Certificate No 110498)

Approval of the audit team was provided by the Department on 20 January 2022. The approval is presented in Appendix B. Declarations from the Auditors are presented in Appendix F.

## 1.3 The audit objectives

The objective of this Independent Audit is to satisfy SSI 10051 Schedule 2, condition A36, which states:

*Independent Audits of the CSSI must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (DPIE, 2020).*

The IAPAR sets out the scope, methodology and reporting requirements for Independent Audit.

This Independent Audit seeks to fulfil the requirements of condition A36, to verify compliance with the relevant conditions, and assess the effectiveness of environmental management on the Project using the scope, methodology and reporting requirements from the IAPAR.

To note, condition A37 states:

*Notwithstanding Condition A36, the Proponent may prepare an audit program to outline the scope and timing of each independent audit that will be undertaken during construction. If prepared, the audit program must be developed in consultation with, and approved by, the Planning Secretary prior to commencement of the first audit and implemented throughout construction.*

An audit program has yet to be prepared and, therefore, the IAPAR has been implemented in full for this third Independent Audit.

## 1.4 Audit scope

This Audit Report relates to the third Independent Audit on the Project, covering the period from the 31 August 2022 to 23 February 2023 (the 'audit period').

The scope of the Independent Audit comprises:

- An assessment of compliance with:
  - All conditions of consent applicable to the phase of the development that is being audited
  - All post approval and compliance documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans; and
  - All environmental licences and approvals applicable to the development excluding environment protection licences issued under the Protection of the Environment Operations Act 1997.
- A review of the environmental performance of the development, including but not necessarily limited to, an assessment of:
  - Actual impacts compared to predicted impacts documented in the environmental impact assessment
  - The physical extent of the development in comparison with the approved boundary
  - Incidents, non-compliances and complaints that occurred or were made during the audit period
  - The performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit; and

- Feedback received from the Department, and other agencies and stakeholders, including the community or Community Consultative Committee (if there is one for the Project), on the environmental performance of the project during the audit period
- The status of implementation of previous Independent Audit findings, recommendations and actions (if any)
- A high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and
- Any other matters considered relevant by the auditor or the Department, considering relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices.

The works and packages covered by this Independent Audit are all of those that have undertaken works during the audit period. These primarily relate to SBT (both Preparatory Works and Bulk Excavation and Tunnelling Works), and SCAW (both Preparatory Works and Main Excavation and Viaduct Works). Some minor close out works associated with AEW – Power, AEW – Roadworks, AEW – St Marys Station Lift Relocation, minor pavement defect work on AEW St Marys TBI that were conducted during the audit period. Matters relevant to AEW during this audit period primarily relate to demobilisation and post construction dilapidation as opposed to construction, and site establishment associated with AEW IPO. These AEW activities were also included in the audit.

## 2. AUDIT METHODOLOGY

### 2.1 Audit process

The Independent Audit was conducted in a manner consistent with AS/NZS ISO 19011.2019 – *Guidelines for Auditing Management Systems* and the methodology set out in the Department's IAPAR.

### 2.2 Audit process detail

#### 2.2.1 Audit initiation and scope development

The auditee organisations (together referred to as the auditee/s or Project team) were identified as follows:

- The Proponent: Sydney Metro (note Sydney Metro also represented the AEW contractors as the AEW works had either been completed at the time of the audit inspection and interviews or had barely commenced)
- The Environmental Representatives: Healthy Buildings international (HBI)
- The SBT principal contractor: CPB Ghella Joint Venture (CPBJV)
- The SCAW principal contractor: CPB United Infrastructure Joint Venture (CPBUI).

The involvement of the personnel representing the auditees is identified in Section 2.2.3 below.

Prior to the commencement of the audit the following tasks were completed:

- Establish initial contact with the auditee
- Confirm the audit team
- Confirm the audit purpose, scope, criteria and program
- Consult with the Department on the audit scope.

WolfPeak consulted with the Department on 15 December 2022 to obtain its input into the scope of the Independent Audit in accordance with Section 3.2 of the IAPAR. On 25 January 2023 the Department responded and requested that Penrith and Liverpool City Councils also be consulted. On 27 January 2023 WolfPeak consulted with Penrith and Liverpool City Councils. Penrith City Council responded on 30 January 2023. Liverpool City Council responded on 20 February 2023 (after completion of the site inspection and interviews). A summary of the key issues and areas of focus raised by the stakeholders is presented in Table 3.

Table 3: Key issues and areas of focus raised during consultation

Stakeholder	Issue and Focus	How Addressed
<p>Department of Planning and Environment</p>	<p>The Department requested that the Auditor please ensure the audit is conducted in accordance with Condition A36 of Infrastructure Approval SS-10051, which requires the audit to be carried out in accordance with the Independent Audit Post Approval Requirements (May, 2020). Consistent with section 3.3 of those requirements, please ensure:</p> <ul style="list-style-type: none"> <li>• All conditions applicable to the current stages are audited, noting that the staged construction</li> <li>• The environmental performance of the development is assessed, including but not limited to actual versus predicted impacts</li> <li>• A high level assessment of the environmental management plans/sub-plans is included.</li> </ul> <p>Please also consult with Penrith and Liverpool City Councils.</p>	<p>This audit was conducted in accordance with the IAPAR.</p> <p>All conditions have been assessed for the current works, noting the staged construction. Refer appendix A.</p> <p>The environmental performance of the development was assessed, including but not limited to actual versus predicted impacts. Refer Sections 3.8 and 3.9.</p> <p>A high level assessment of the environmental management plans/sub-plans is included. Refer Section 3.3.</p>
<p>Penrith City Council</p>	<p>No comments or issues to raise.</p>	<p>-</p>
<p>Liverpool City Council</p>	<p>Council advised that, following a review of Section 3.2 and 3.3 of the IAPAR, Council notes the following:</p> <p>(1) No objection is raised in relation to the scope of the audit.</p> <p>(2) It is requested that the Audit confirm that all access and egress points to the site (e.g. on Derwent Road, see EIS, Chapter 8, p37 and the associated extent of Derwent Road between the site and The Northern Road) have been surveyed in accordance with E84 of the Instrument of Approval.</p> <p>(3) It is requested that the Audit confirm that sufficient information has been provided to ensure that any damage caused to council roads and infrastructure as a result of the approved works (including heavy vehicle movements) may be rectified in accordance with condition E86 of the Instrument of Approval.</p> <p>Council's Transport Management team have also requested that the audit scope is to include all the traffic and road related conditions:</p> <p>(4) B2-B10 complaints management system;</p> <p>(5) E61/E62 Construction Sites;</p> <p>(6) E65/E66 Design Guidance and Standards – Active Transport;</p> <p>(7) E103 Construction Traffic Management Plans (CTMPs) including road safety audit reports during construction;</p>	<p>The matters raised by Council have been assessed. Refer Section 3.5, and the findings against the specific conditions identified in Appendix A.</p>

Stakeholder	Issue and Focus	How Addressed
	<p>(8) E104-106 Management of Heavy Vehicle Movements;</p> <p>(9) E107 Road Dilapidation report;</p> <p>(10) E108 Road restoration and rectification, particularly for Lawson Road, Derwent Road, Badgerys Creek Road and Pitt Street;</p> <p>(11) E109 Construction Parking and Access Management;</p> <p>(12) E115 Pedestrian and cyclist Access; and</p> <p>(13) E116-E119 Road Traffic and Safety including safe construction site and access along Derwent Road and Badgerys Creek Road.</p> <p>At least one independent audit is to be carried out for each stage: construction, operation, and closure/rehabilitation. A draft independent audit report is to be submitted to Council for review and comment prior to being finalised.</p>	

## 2.2.2 Preparing audit activities

The Auditor performed a document review, prepared an audit plan and delivery program, and prepared work documents (audit checklists) and distributed to the auditees in preparation for the Independent Audit.

## 2.2.3 Personnel involvement

A number of people from the organisations subject to audit were involved in the Independent Audit. Table 4 presents the involvement of personnel representing the auditees.

Table 4: Key personnel involved

Organisation	Stage / Package	Position Title	Name	Involvement
Sydney Metro	All	A/Director Environment, Sustainability & Planning	Hugh Chapman	Interviews and document reviews, closing meeting
Sydney Metro	SBT, AEW St Marys Lift Shaft	Manager Environment	Andrew Smith	Opening meeting, interviews and document reviews, inspection (all SBT and AEW St Marys Lift Shaft), closing meeting
Sydney Metro	SCAW, AEW TBI	Manager Environment	Tim Solomon	Interviews and document reviews, closing meeting
Sydney Metro	SCAW	Environment Coordinator	Ella Somerset	Opening meeting, inspection (all SCAW sites), interviews and document reviews, closing meeting
Sydney Metro	AEW IPO, AEW Footbridge St Marys	Manager Environment	Foster Walker	Document transmittal
Sydney Metro	All	Acting Director Project Communications	Elizabeth Low	Interview, document transmittal, closing meeting
Sydney Metro	SBT	Communication & Stakeholder Manager	Asha Pomery	Interview, document transmittal
Sydney Metro	SSTOM/SCAW	Communication & Stakeholder Manager	Megan Mckay	Interview, document transmittal
Sydney Metro	All	Planning Manager	Kathy Lestrangle	Interview and document reviews
Sydney Metro	All	Design Coordinator	Danyelle Sok	Interview and document reviews
Sydney Metro	All	Archaeological Heritage Advisor	Georgia Wright	Interview and document reviews
Sydney Metro	All	Acting Senior Manager Sustainability	Amelia Loder	Interview and document reviews

Organisation	Stage / Package	Position Title	Name	Involvement
Sydney Metro	AEW	Environment Coordinator	Luke Breva	Interviews and document reviews, closing meeting
Sydney Metro	All	A/Associate Director Environment	David Virtue	Closing meeting
HBI	SBT	Environmental Representative	Rui Henriques	Interview and document reviews, document transmittal
HBI	SCAW, AEW IPO, AEW TBI, AEW Footbridge St Marys	Environmental Representative	Alex Gale	Opening meeting, inspection (all SCAW), interview and document reviews, closing meeting
CPBG	SBT	Approvals, Environment & Sustainability Manager	Emma Kline	Opening meeting, interviews and document reviews, closing meeting
CPBG	SBT	Approvals and Sustainability Manager	Jeremy Slattery	Opening meeting, interviews and document reviews, closing meeting
CPBG	SBT	Environmental Coordinator	Emily Fuda	Interviews and document reviews, closing meeting
CPBG	SBT	Environmental Operations Manager	Phil Rowan	Opening meeting, inspection (all sites), interviews and document reviews
CPBG	SBT	Site Supervisor	Travis Nichols	Inspection (St Marys)
CPBG	SBT	Site Supervisor	Ryan Carrol	Inspection (Claremont Meadows)
CPBG	SBT	Senior Project Engineer	Toufic Najarin	Inspection (Orchard Hills)
CPBG	SBT	Environment Officer	Josh Cosier	Inspection (Bringelly)
CPBG	SBT	Project Engineer	Min So	Inspection (Aerotropolis)



Organisation	Stage / Package	Position Title	Name	Involvement
CPBG	SBT	Design Coordinator	Logan Yugasuthan	Interview and document reviews
CPBG	SBT	Communications Manager	Chantelle Garrett	Interview and document reviews
CPBG	SBT	Traffic Manager	Abdullah Kahn	Interview and document reviews, closing meeting
CPBUI	SCAW	Environment Manager (on site)	Michael Watts	Opening meeting, inspection (all sites), interviews and document reviews, closing meeting
CPBUI	SCAW	Environment Manager (facilitating approvals)	Simon Williams	Opening meeting, inspection (all sites)
CPBUI	SCAW	Group Environment Manager	Andrew Zvirzdinas	Opening meeting, inspection (all sites)
CPBUI	SCAW	Community Manager	Joel Warne	Interview and document reviews

## 2.2.4 Meetings

Opening and closing meetings were held with the Auditor and Project personnel.

Opening meetings were held on site on 1 February 2023. During the opening meeting, the objectives and scope of the Independent Audit, the resources required and methodology to be applied were discussed.

Closing meetings were held remotely (via Teams) with SCAW on 2 March, SBT on 3 March and Sydney Metro on 3 March 2023. At the closing meeting, preliminary audit findings were presented, preliminary recommendations (as appropriate) were made, and any post-audit actions were confirmed.

Attendance records for the opening and closing meetings are presented in Appendix C. The Auditor notes that people that attended the meetings remotely have not signed on to the attendance record. This is noted in the records.

## 2.2.5 Site inspection

The on-site inspection activities on 1 February 2023. The following sites were inspected:

- SBT: St Marys, Claremont Meadows, Orchard Hills, Bringelly and Aerotropolis
- SCAW: Stabling and Maintenance Facility and Elizabeth Drive
- AEW: St Marys Lift and TBI (note these works are complete and inspection was for close out purposes only), and AEW IPO (note site establishment works had only just commenced at the time of the inspection).

The Auditor inspected the entirety of each site where it was safe to do so.

Photos are presented in Appendix E.

## 2.2.6 Document review and interviews

The Independent Audit included investigation and review of Project files, records and documentation that acts as evidence of compliance (or otherwise) with a compliance requirement, and interviews with key Project personnel.

Refer to Section 2.2.3 for details on the personnel interviewed. Interviews and document review sessions were conducted with the auditees as follows:

- Environmental Representatives: 31 January 2023 (online)
- SBT: 2 and 3 February 2023 (face-to-face)
- SCAW: 8 and 9 February 2023 (face-to-face)
- Sydney Metro (including AEW requirements): 10 and 13 February 2023 (face-to-face).

In addition to the above, the Auditor raised requests for information, in order to obtain evidence that was not available during the audit interviews and document reviews. These requests were issued to the auditees on 15 February 2023. Responses were provided by the auditees on 22 and 23 February 2023.

## 2.2.7 Generating audit findings

Independent Audit findings were based on verifiable evidence. The evidence included:

- Relevant records, documents and reports
- Interviews of relevant site personnel
- Photographs
- Figures and plans; and
- Site inspections of relevant locations, activities and processes.

## 2.2.8 Compliance evaluation

The Auditor determined the compliance status of each compliance requirement in the Audit Table, using the descriptors from Table 2 of the IAPAR, as listed in Table , below:

*Table 5: Compliance descriptors from Table 2 of the IAPAR*

Status	Description
<b>Compliant</b>	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.
<b>Non-compliant</b>	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.
<b>Not Triggered</b>	A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

Observations and notes were also made to provide context, identify opportunities for improvement or highlight positive initiatives.

## 2.2.9 Evaluation of post audit approval documentation

The Auditor assessed whether post approval documents:

- have been developed in accordance with the conditions and all other environmental licences and approvals applicable to the Project (if any) and their content is adequate.
- have been implemented in accordance with the conditions and all other environmental licences and approvals applicable to the Project (if any).

The adequacy of post approval documents was determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the document; or
- whether there are any opportunities for improvement.

### 2.2.10 Completing the audit

The Independent Audit Report was distributed to the auditees to check factual matters and for input into actions in response to findings (where relevant). The Auditor retained the right to make findings or recommendations based on the facts presented. The Auditor's findings have been determined independent of the auditees, the Department and any other parties, based on the evidence assessed during the audit.

### 3. AUDIT FINDINGS

#### 3.1 Approvals and documents audited, and evidence sighted

The documents audited comprised all the conditions from Schedule 2 of SSI 10051 applicable to the works being undertaken and the post approval documents relevant to the current audit period.

The primary documentation reviewed prior to and after the site visits and interviews are listed below. This list is not exhaustive. The full set of documents and evidence sighted against each requirement is detailed within Appendix A.

Primary documentation:

- Sydney Metro – Western Sydney Airport Environmental Impact Statement, 21 October 2020 (the EIS)
- Sydney Metro – Western Sydney Airport Submissions Report (no date), submitted April 2021 (the RtS)
- Sydney Metro Western Sydney Airport – Conditions of Approval (SSI 10051), 23 July 2021 (the Approval), including Modification 1, 14 April 2022
- Sydney Metro Western Sydney Airport – CSSI Staging Report, Revision 7.0, 30 September 2022 (the Staging Report)
- Sydney Metro Western Sydney Airport complaints register current to 23 January 2023
- Sydney Metro Western Sydney Airport incident register current to 23 January 2023
- Site Establishment Management Plan, SSTOM Project Office (SPO), Built, 21 December 2022
- Overarching Community Communication Strategy, Sydney Metro, Rev 2.2, 7 April 2021
- SBT Community Communications Strategy, Aerotropolis, 26 April 2022
- SBT Community Communications Strategy, Bringelly, 26 April 2022
- SBT Community Communications Strategy, St Marys, 9 May 2022
- SBT Community Communications Strategy, Claremont Meadows, 3 June 2022
- SBT Community Communications Strategy, Orchard Hills, 5 July 2022
- SBT Small Business Owners Engagement Plan, St Marys, 16 May 2022
- SBT Construction Environmental Management Plan, 29 September 2022
- SBT Spoil Management Sub-Plan, 2 September 2022
- SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23 September 2022 including Noise and Vibration Monitoring Program and evidence of consultation
- SBT NSW (Off-airport) Flora and Fauna Management Sub-plan, 21 September 2022 including procedures and evidence of consultation

- SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21 September 2022 including groundwater monitoring program, surface water monitoring program, procedures, evidence of consultation
- SBT Detailed Noise and Vibration Impact Statement - Orchard Hills Tunnel Support Worksite, July 2022
- SBT Detailed Noise and Vibration Impact Statements, St Marys Station, June, July, December 2022
- SBT Detailed Noise and Vibration Impact Statement - Claremont Meadows Ventilation Facility, 03 August 2022
- SBT Detailed Noise and Vibration Impact Statement - Aerotropolis Core Station 23 September 2022
- SBT Detailed Noise and Vibration Impact Statement - Bringelly Services Facility, September 2022
- SCAW Community Communications Strategy, 24 November 2022
- SCAW Community Communications Strategy, Northern Project Region, 9 December 2022
- SCAW Community Communications Strategy, Southern Project Region, 9 December 2022
- SCAW Construction Environmental Management Plan, 4 November 2022
- SCAW Noise and Vibration Management Sub-plan, 4 November 2022 including noise and vibration monitoring program and records of consultation
- SCAW Spoil Management Plan, 29 September 2022
- SCAW Non-Aboriginal Heritage Sub-plan, 4 October 2022 including procedures and evidence of consultation
- SCAW Fauna and Flora Management Sub-plan, 4 November 2022 including procedures, and evidence of consultation
- SCAW Visual Amenity Management Plan, 19 October 2022
- SCAW Soil and Water Management Sub-plan, 4 November 2022 including surface water quality monitoring program, procedures and evidence of consultation
- SCAW Air Quality Management Subplan, 29 September 2022 including air quality monitoring program, procedures and evidence of consultation
- SCAW Waste Management Sub-plan, 10 October 2022
- SCAW Detailed Noise and Vibration Impact Statement, Luddenham Road Survey works, 21 September 2022
- SCAW Detailed Noise and Vibration Impact Statement, Material Delivery and Stockpiling, 23 January 2023
- SCAW Detailed Noise and Vibration Impact Statement, OOHV deliveries at Elizabeth Drive, 9 January 2023.

## 3.2 Non-compliances, Observations and Actions

This Section presents findings from this (third) Independent Audit. The summary of conditions assessed and compliance status from the third Independent Audit is presented in Table 6. The non-compliances and observations (along with associated recommended or completed actions) from the third audit period are presented in Table 7.

Detailed findings against each requirement, along with details on the auditee's responses on draft findings (where received), are presented in Appendix A.

The status of previously open findings (at the time of completion of the second Independent Audit) is presented in Table 8.

*Table 6: Summary of conditions assessed and compliance status from the third Independent Audit*

Part of the Project Approval	No. of conditions assessed	Compliance status		
		Compliant	Non-compliant	Not triggered
Part A	47	39	0	8
Part B	11	7	1	3
Part C	22	20	0	2
Part D	8	0	0	8
Part E	134	94	5	35
<b>Total</b>	<b>222</b>	<b>160</b>	<b>6</b>	<b>56</b>

With respect to the third Independent Audit:

- There were 222 conditions assessed.
- 160 conditions were considered to be compliant.
- Six (6) non-compliances were identified. These are detailed in Table 7 below, and relate to the presentation of documentation on the Project website, clearing of native vegetation, works occurring outside of permissible hours, consultation on Detailed Noise and Vibration Impact Statements, implementation of erosion and sediment controls and submission of the revised Groundwater Modelling Report.
- 56 conditions were considered not triggered.
- In addition to the above, 17 observations were identified. These are detailed in Table 7 below, and relate to implementation of REMM HYD1, establishment of Minor Ancillary Facilities, ER monitoring of the implementation of the CEMP, Sub-plans and monitoring programs, the Department's feedback on the first and second Audit Reports, incidents that occurred during the audit inspection and interview period, implementation of the CEMP, stockpile management, flood design, out-of-hours work consultation and respite, implementation of mitigation measures at compounds to minimise visual impact, adoption of recommendations provided by the Design Review Panel,

implementation of the Sustainability Management Plan and implementation of the Water Reuse Strategy.

With respect to the status of the five (5) findings that were open at the time of completion of the second Independent Audit:

- Four (4) previously open findings are considered by the Auditor to be closed.
- One (1) is considered still open. This relates to Sydney Metro ensuring the Project website contains all necessary documents.

These are presented in Table 8 below.



Table 7: Findings from the third Independent Audit (March 2023)

Item	Ref	Type	Requirement	Finding	Recommended or completed action	By Whom and by When	Status <sup>5</sup>
10051_IA3_1	A2	Observation	<p><i>The CSSI must only be carried out in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the documents listed in Condition A1 unless otherwise specified in, or required under, this approval.</i></p> <p>REMM HYD1 requires: <i>Construction planning would consider flood related mitigation, including:</i></p> <ul style="list-style-type: none"> <li>• <i>staging construction works to reduce the duration of works within the floodplain</i></li> <li>• <i>daily and continuous monitoring of weather forecasts and storm events, rainfall levels and water levels in key watercourses to identify potential flooding events and related flood emergency response</i></li> <li>• <i>consultation with NSW State Emergency Services and relevant local councils to ensure consistent approaches to the management of flood events (off-airport only)</i></li> <li>• <i>provide flood-proofing to excavations at risk of flooding during construction, where reasonable and feasible, such as raised entry into shafts and/or pump-out facilities to minimise ingress of floodwaters into shafts and the dive structure</i></li> <li>• <i>review of site layout and staging of construction works to avoid or minimise obstruction of overland flow paths and limit the extent of flow diversion required</i></li> </ul>	<p>A review was also conducted on the REMMs and a request for information was raised with the auditees to provide evidence of implementation of certain REMMs relevant to their work, and where they differ from the requirements set out in this approval. The responses provided have satisfied the Auditor that the REMMs (where relevant to the scope of works being carried out) had been implemented during the audit period, with the exception of the below.</p> <p><b>Observation: The Auditor requested SBT provide evidence of consultation with the SES on coordination of flood response as per REMM HYD1. In response to the draft report, SBT stated that as part of the Emergency Response Plan, there has been a meeting with Ambulance Australia to address emergency requirements. These meetings are ongoing. However, SES does not appear to have been consulted with as yet. The Auditor observes that there is no specific timing around the consultation requirement which is why this is regarded as an observation.</b></p>	<p>SBT (CPBG) to complete consultation with the NSW State Emergency Services to ensure consistent approaches to the management of flood events, in accordance with REMM HYD1.</p>	<p>SBT (CPBG) 01/06/23</p>	<p>OPEN</p>
10051_IA3_2	Not used						
10051_IA3_3	A22	Observation	<p><i>Lunch sheds, office sheds, portable toilet facilities and the like, can be established and used where they have been assessed in the documents listed in Condition A1 or satisfy the following criteria:</i></p> <p><i>(a) are located within or adjacent to the Construction Boundary; and</i></p> <p><i>(b) have been assessed by the ER to have –</i></p> <p><i>(i) minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the ICNG, traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and</i></p> <p><i>(ii) minimal environmental impact with respect to waste management and flooding, and</i></p> <p><i>(iii) no impacts on biodiversity, soil and water, and Heritage items beyond those already approved under other terms of this approval.</i></p>	<p><b>Observation: The SCAW Minor Ancillary Facility (MAF) application process requires sign off by the ER prior to establishment of a MAF. The application for the MAF at the M12 piling platform site has been assessed by the ER (as is required by this condition, and as evidence through an email from the ER to the contractor), but has not been signed off / approved as per the SCAW MAF application process. In making the above observation, the Auditor notes that the MAF at the M12 piling platform is entirely within the Project construction footprint and Table 8-3 of Chapter 8 of the EIS identifies compounds to be established at all construction sites.</b></p>	<p>SCAW (CPBUI) to obtain written endorsement from the ER for the MAF at the M12 piling platform in accordance with the process set out in the SCAW MAF checklist (and as stated in Appendix C6 of the CEMP).</p>	<p>SCAW (CPBUI) 01/04/23</p>	<p>OPEN</p>

<sup>5</sup> Status of finding and action according to the Auditor at the time of finalizing the Report.

Item	Ref	Type	Requirement	Finding	Recommended or completed action	By Whom and by When	Status <sup>5</sup>
10051_IA3_4	A22	Observation	<p>Lunch sheds, office sheds, portable toilet facilities and the like, can be established and used where they have been assessed in the documents listed in Condition A1 or satisfy the following criteria:</p> <p>(a) are located within or adjacent to the Construction Boundary; and</p> <p>(b) have been assessed by the ER to have –</p> <p>(i) minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the ICNG, traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and</p> <p>(ii) minimal environmental impact with respect to waste management and flooding, and</p> <p>(iii) no impacts on biodiversity, soil and water, and Heritage items beyond those already approved under other terms of this approval.</p>	<p><b>Observation: Sydney Metro is proposing to establish a facility at 19 Harris Street, St Marys. Metro advises that establishment of this facility is proposed to help mitigate construction impacts and has been identified in consultation with Council. Sydney Metro has completed an assessment and has determined the facility as exempt development and thus not called up under A17. The Auditor observes, however, that Sydney Metro has sought ER endorsement under A22 to enable activities to occur on the site that weren't considered in the exempt development assessment.</b></p> <p><b>The Auditor is of the view that this approach (using the exempt development covering part of the proposed activities, and A22 endorsement for additional activities) is not advisable.</b></p> <p><b>The Auditor is of the view that:</b></p> <ul style="list-style-type: none"> <li>if the site is to be used as a car park or a MAF (or both) the ER or the exempt development assessment should consider the activities proposed in their entirety in order to accurately assess the impacts.</li> <li>as far as the Auditor can ascertain the driveway to 19 Harris Street is approximately 85m from the EIS construction boundary. Whilst there is no definition of 'adjacent' in the Approval, the Auditor takes a conservative position and is of the view that the 19 Harris Street site is not adjacent to the construction boundary and it is therefore in conflict with the criteria stated in A22.</li> </ul> <p><b>At the time of the audit interviews, the 19 Harris Street facility had yet to be established.</b></p>	Sydney Metro to elect and follow a single pathway for assessment and establishment of the 19 Harris Street site.	Sydney Metro Prior to commencement of activities not already assessed in the exempt development assessment and determination.	OPEN
10051_IA3_5	A32	Observation	<p>For the duration of the work until the commencement of operation, or as agreed with the Planning Secretary, the approved ER must:</p> <p>(f) regularly monitor the implementation of the documents listed in Conditions A10, A18, A20, C1, C5 and C13 to ensure implementation is being carried out in accordance with the document and the terms of this approval;</p>	<p><b>Observation: The evidence shows a very high degree of involvement from the ER on the Project. The ER has not identified any non-compliances within the Monthly Reports for the audit period. The ER has however, identified deficiencies and actions regarding environmental performance. The deficiencies/actions raised by the ER do not necessarily identify a condition or mitigation measures (from the Approval or from an approved strategy, plan or program) to which they relate. Therefore it is difficult to ascertain whether each of the deficiencies/actions are linked to a requirement (and therefore being a potential non-compliance), or are subjective.</b></p> <p><b>The ER provided examples of references to conditions and mitigation measures in the January and February 2023 Monthly Reports. The Auditor acknowledges the ER's response but refers to the key points and issues raised within the Monthly Reports for August – December 2022. Other than regular mention of ESCPs, the Blue Book and DSIs there is minimal reference back to specific conditions or mitigation measures from the CEMPs, Sub-plans and monitoring programs when raising an issue or recommendation.</b></p> <p><b>Separately, the ER monitors the implementation of the documents (and conditions), via observation on site and consideration of works occurring and upcoming. Key Focus Areas are identified and communicated to Sydney Metro and its contractors. The Key Focus Areas are also summarised in the Monthly Reports. For SBT, the ER has identified persistent issues associated with controls on site not aligning with the ERSED Plans. Refer to E126 and E128 regarding the Auditor's position on this matter.</b></p>	When identifying deficiencies/actions the ER should include a specific reference to relevant condition or mitigation measure (from the Approval or from an approved strategy, plan or program) to which the deficiency / action relates in order to support its position.	ER (HBI) In future ER Monthly Reports	OPEN

Item	Ref	Type	Requirement	Finding	Recommended or completed action	By Whom and by When	Status <sup>5</sup>
10051_IA3_6	A36	Observation	<i>Independent Audits of the CSSI must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (DPIE, 2020).</i>	<p><b>Observation: On 22/12/22, the Department provided feedback on the two audit reports prepared by WolfPeak on the Sydney Metro Western Sydney Airport project (SSI 10051), being:</b></p> <ul style="list-style-type: none"> <li>Independent Audit no. 1 – Audit Report (WolfPeak, revision 4.0, 06/04/22)</li> <li>Independent Audit no. 2 – Audit Report (WolfPeak, revision 1.0, 03/11/22).</li> </ul> <p>In their 22/12/22 correspondence, the Department stated that it considered the first and second audit reports to not have generally satisfied the requirements of the IAPAR. The Department identified a number of issues to form the basis of this view. WolfPeak reviewed the audit reports, the IAPAR and the Department's comments and, whilst we acknowledge there are opportunities for improvement, we do not agree with the Departments view that the reports do not satisfy the requirements of the IAPAR. A response outlining WolfPeak's position was submitted to the Department on 23/02/23. WolfPeak is not aware of any further feedback being provided by the Department.</p>	This Independent Audit has sought to adopt the Department's recommendations, and has been conducted in accordance with the IAPAR.	WolfPeak	CLOSED
10051_IA3_7	A41	Observation	<p><i>The Planning Secretary must be notified via phone or in writing via the Major Projects website immediately after the Proponent becomes aware of an incident. Any notification via phone must be followed up by a notification in writing via the Major Projects website within 24 hours of the initial phone call.</i></p> <p><i>The written notification must identify the CSSI (including the application number and the name of the CSSI if it has one) and set out the location and general nature of the incident</i></p>	<p><b>Observation: An incident was observed by the Auditor during the audit site inspection of the SBT Aerotropolis site (construction water leaving site). This event was reported by SBT to Sydney Metro. The Project determined that the incident did not threaten or cause material harm and, therefore, was not notifiable under the terms of the Approval. The Auditor agrees with the assessment. Refer to E128 with respect to implementation of erosion and sediment controls.</b></p> <p><b>Observation: Three incidents occurred on SCAW during the audit interview period. Two involved minor spills from plant. One involved clearing beyond the approved clearing limit between the M12 Piling Pad and Cosgrove's Creek. The Project determined that the incident did not threaten or cause material harm and, therefore, was not notifiable under the terms of the Approval. The Project did however determine that the clearing incident was in non-compliance with E2. The non-compliance was reported in accordance with A44/A45.</b></p>	<p>SBT (CPBG) and SCAW (CPBUI) both conducted investigations in line with the processes established under the CEMF and the contractors CEMP, and determined the incidents to not be notifiable under the terms of the Approval.</p> <p>The non-compliance with E2 was reported in accordance with A44/A45.</p>	SBT (CPBG) and SCAW (CPBUI)	CLOSED
10051_IA3_8	B11	Non-compliance	<p><i>A website or webpage providing information in relation to the CSSI must be established before commencement of work and maintained for the duration of construction, and for a minimum of 24 months following the completion of all stages of construction of the CSSI. Up-to-date information (excluding confidential, private, commercial information or other documents as agreed to by the Planning Secretary) must be published before the relevant work commencing and maintained on the website or dedicated pages including:</i></p> <p><i>(e) a current copy of each document required under the terms of this approval, which must be published within one (1) week of its approval or before the commencement of any work to which they relate or before their implementation, as the case may be; and</i></p> <p><i>Where the information / document relates to a particular work or is required to be implemented, it must be published before the commencement of the relevant work to which it relates or before its implementation.</i></p>	<p><b>Non-compliance: Sydney Metro have relied on contractor websites for the publishing of documents relating to each main works package (SBT and SCAW). Therefore, the information is being presented across three websites (not a [singular] website or webpage). The links to the contractors' websites is not easy to locate unless the user knows their location (i.e.: the links are placed under a <i>Sustainability and Planning / WSA planning and compliance</i> drop down).</b></p> <p><b>At the time of the audit interviews, the auditees were not able to demonstrate that all documents required under the Approval had been published in accordance with B11(e). A spreadsheet was provided after the interviews (in response to a request for information), showing the various documents to be uploaded and the date of upload. However, the spreadsheet provided by Sydney Metro:</b></p> <ul style="list-style-type: none"> <li>does not identify the date of approval of the document or commencement of relevant works</li> </ul>	<p>Sydney Metro to seek confirmation from the Department as to whether reliance on contractor (third party) websites is acceptable. Sydney Metro to follow any direction from the Department on this approach.</p> <p>Sydney Metro to develop and implement a system that verifies that all Project documents (excluding confidential, private, commercial information or other documents as agreed to by the Planning</p>	Sydney Metro Prior to the next Independent Audit	OPEN

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			<i>All information required in this condition is to be provided on the website or webpage, and easy to navigate.</i>	<ul style="list-style-type: none"> <li>does not include any information on the time of upload of documents on the contractor's websites (or the date of document approval or commencement of relevant works).</li> </ul> <p>Therefore the Auditor cannot confirm (within the confines of this audit) whether the timing requirement from B11(e) has been met for each document.</p> <p>Further, the following documents were not able to be located by the Auditor on the Sydney Metro website at the time of preparing the checklist (after the interviews):</p> <ul style="list-style-type: none"> <li>(as noted above) all documents listed under the SCAW and SBT contractor websites (including, but not limited to, the CEMPs, Sub-plans and monitoring programs, Traffic Management Plans, etc.)</li> <li>Proponent response to the second Audit Report (A40)</li> <li>OOHW consultation on respite (E57 as per the Department's 04/11/22 letter)</li> <li>Design review panel terms of reference (E71)</li> <li>SCAW PUDCLP (E77) (on contractor website only as virtual engagement room – not referenced as a PUDCLP).</li> </ul> <p>Sydney Metro provided a response to this finding in the draft Audit Report commenting on its approach, including the establishment of an amended document tracking register for the publishing of documents, and confirming that the OOHW consultation on respite (E57 as per the Department's 04/11/22 letter) and Design review panel terms of reference (E71) had both been published.</p> <p>The Auditor acknowledges Sydney Metro's response and notes that:</p> <ul style="list-style-type: none"> <li>The amended internal register intended to track the publishing of documentation does not demonstrate whether B11(e) has been or would be satisfied for the Sydney Metro website (many entries for 'Required Upload Date' only refer to prior to commencement of works, rather than a date).</li> <li>Sydney Metro does not intend to publish the SBT and SCAW documents on the Sydney Metro website and Sydney Metro. Further, there does not appear to be any oversight on whether the requirements for B11(e) has been met by these contractors.</li> </ul>	Secretary) are published in accordance with B11(e).		
10051_IA3_9	C10	Observation	<i>Construction must not commence until the CEMP and all CEMP Sub-plans have been approved by the Planning Secretary or endorsed by the ER (whichever is applicable), unless otherwise agreed by the Planning Secretary. The CEMP and CEMP Sub-plans, as approved by the Planning Secretary or endorsed by the ER (whichever is applicable), including any minor amendments approved by the ER, must be implemented for the duration of construction.</i>	<b>Observation: Whilst the evidence indicates that SBT has implemented the CEMP and Sub-plans, the Auditor observes that the SBT NVMP requires checks on plant noise emissions to verify that sound power levels are within the of the NVMP and DNVIS. The Auditor requested evidence of this having been completed during the audit period. No evidence was made available.</b>	SBT (CPBG) to undertake checks on plant noise emissions (as part of the plant onboarding process) to verify that sound power levels are within mitigation measure NVMM16 within the NVMP.	SBT (CPBG) 01/06/23	OPEN
10051_IA3_10	C10	Observation	<i>Construction must not commence until the CEMP and all CEMP Sub-plans have been approved by the Planning Secretary or endorsed by the ER (whichever is applicable), unless otherwise agreed by the Planning Secretary. The CEMP and CEMP Sub-plans, as approved by the Planning Secretary or endorsed by the ER (whichever is</i>	<b>Observation: The Auditor observes that both the SBT and SCAW CEMPs require an audit to be conducted by Sydney Metro to verify compliance with CEMP, environmental aspects of contract documentation and the CEMF. The timing requirement for this commitment is 'periodic'. Sydney Metro has yet to conduct such an audit on either contractor, despite SBT having been in</b>	Sydney Metro to commence periodic audits on contractor CEMPs (in accordance with Table 19 of the SBT CEMP and	Sydney Metro Prior to next Independent Audit	OPEN



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			<i>applicable), including any minor amendments approved by the ER, must be implemented for the duration of construction.</i>	<b>construction since April 2022 and SCAW being in construction since October 2022.</b>	Table 17 of the SCAW CEMP) to verify compliance with CEMP, environmental aspects of contract documentation and the CEMF.		
10051_IA3_1 1	E1	Observation	<i>All reasonably practicable measures must be implemented to minimise the emission of dust and other air pollutants during construction</i>	<b>Observation: The Auditor observed that there are two major stockpiles at the SBT Orchard Hills site that appear to be long term. During the inspection the SBT indicated that they would be held for an extended period. The Auditor notes that the northern stockpile appears to have been suitably stabilized. However access to southern stockpile is non-existent and stabilisation is limited. Work is required on this southern stockpile to maintain compliance with this condition, along with Section 6.3.2 of the SBT CEMP and Section 7.4 of the SBT SWMP.</b>	SBT (CPBG) stated that the stockpiles have since been reshaped and stabilised. The Auditor is satisfied with this response.  Control of dust for future audit periods will be monitored by CPBG, Sydney Metro and the ER. Assessment of this requirement for future audit periods will be included in the scope of future audits.	SBT (CPBG)	CLOSED
10051_IA3_1 2	E2	Non-compliance	<i>The clearing of native vegetation must be minimised to the greatest extent practicable with the objective of reducing impacts to threatened ecological communities and threatened species habitat</i>	<b>Non-compliance: An incident occurred on SCAW on 10/02/23 which involved clearing beyond the approved clearing limit between the M12 Piling Pad and Cosgrove's Creek. The clearing did not extend beyond the Project boundary. Investigations determined that the breach was in non-compliance with E2. The non-compliance was reported within 7 days in accordance with A44. The report includes the information required under A45. The investigation also considered whether any breach had occurred against E4 and E7 (i.e.: whether any additional credits were required as a result of the clearing undertaken). The investigation determined that SCAW remained compliant with E4 and E7.</b>	The non-compliance was reported to the Department on 17/02/23 in accordance with A44/A45.  SCAW (CPBUI) have committed to revising the Clearing and Grubbing Procedure in the SCAW FFMP to include an additional hold point for the CPBUI Survey Manager to confirm project clearing limits have been physically installed in the correct location.  This hold point is to be a pre-requisite requirement for the release of the Clearing Permit Hold point by the CPBUI Environment Manager.	SCAW (CPBUI) 01/06/23	OPEN
10051_IA3_1 3	E15	Observation	<i>The CSSI must be designed and constructed with the objective of not exceeding the flood impacts presented in the documents listed in Condition A1 or the flood impact criteria in Table 5 (of the Approval), whichever is greater, within and in the vicinity of the CSSI for all flood events up to and including the one (1) per cent Annual Exceedance Probability (AEP) flood event.</i>	<b>Observation: The SBT Hydrology and Flood Assessment Design Report identifies the flood impacts and assess these against the requirements of E15. The Report identifies several departures from the requirements around the Bringelly site (afflux and velocity).  The Auditor notes that E17 states that where flooding characteristics exceed the levels identified in Condition E15 the Proponent must consult with the affected landowner/s, State Emergency Services and Council/s to establish appropriate mitigation measures.</b>	SBT (CBPG) has reviewed the data and is of the view that predicted flood impacts are within the tolerable ranges from E15.  The Auditor is not a flood expert and, therefore, does not dispute this action.	SBT (CPBG)	CLOSED

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				<b>SBT was to review the data to confirm the accuracy of the flood modelling and whether consultation under E17 is required.</b>				
10051_IA3_1 4	E15	Observation	<i>The CSSI must be designed and constructed with the objective of not exceeding the flood impacts presented in the documents listed in Condition A1 or the flood impact criteria in Table 5 (of the Approval), whichever is greater, within and in the vicinity of the CSSI for all flood events up to and including the one (1) per cent Annual Exceedance Probability (AEP) flood event.</i>	<p><b>Observation: The SCAW Flood Protection Report identifies the flooding impacts against the requirements of E15. The Report identifies that it is compliant with the parameters of E15, however in the comments section of the Report (Appendix C) there are a range of observations against the Report's dealing with E15, including comments indicating that there are exceedances of the criteria from E15.</b></p> <p><b>The Auditor notes that E17 states that where flooding characteristics exceed the levels identified in Condition E15 the Proponent must consult with the affected landowner/s, State Emergency Services and Council/s to establish appropriate mitigation measures.</b></p> <p><b>The information indicates that design remains in progress and further modelling will be completed. The need for consultation under E17 was to be determined by SCAW following the design refinement and completion of the modelling.</b></p>	<p>SCAW (CBPUI) has reviewed the data and is of the view that predicted flood impacts are within the tolerable ranges from E15.</p> <p>The Auditor is not a flood expert and, therefore, does not dispute this action.</p>	SCAW (CPBUI)	CLOSED	
10051_IA3_1 5	E16	Observation	<i>Updated modelling that incorporates these measures and is calibrated and validated with consideration of the results of the Wianamatta-South Creek Catchment Flood Assessment prepared by Infrastructure NSW as part of Stage 2 of the South Creek Sector Review must be prepared by a suitably qualified flood consultant. The modelling must identify changes in post-development flood behaviour including cumulative flood impacts associated with Western Sydney International Airport and the M12, where this information is available, prior to detailed design being finalised</i>	<p><b>Observation: The SBT Hydrology and Flood Assessment Design Report identifies the flood impacts and assesses these against the requirements of E16. It states that incorporation of the Wianamatta-South Creek Catchment Flood Assessment is not able to be validated due to poor resolution of the Wianamatta-South Creek Catchment Flood Assessment model, and its low relevance to the SBT sites. Sydney Metro reviewed this finding and, on 25/11/22 marked the matter as closed.</b></p>	<p>As noted, the SBT Hydrology and Flood Assessment Design Report finds the Wianamatta-South Creek Catchment to be of low relevant to SBT and this was considered closed by Sydney Metro. The Auditor is not a flood expert and, therefore, does not dispute this action.</p>	SBT (CPBG) and Sydney Metro	CLOSED	
10051_IA3_1 6	E38	Non-compliance	<p><i>Work must only be undertaken during the following hours:</i></p> <p><i>(a) 7:00am to 6:00pm Mondays to Fridays, inclusive;</i></p> <p><i>(b) 8:00am to 1:00pm Saturdays; and</i></p> <p><i>(c) at no time on Sundays or public holidays.</i></p>	<p><b>Non-compliance: On 25/10/22 a non-compliance occurred relating to the overrun of a concrete pour (non-compliance with E38) at an SBT site. This was a result of the management of the concrete pour and it needing to be poured in one go to achieve its design criteria. This non-compliance was notified to the Department on 01/11/22 in accordance with A44/A45. It is understood no complaints were received as a result of the overrun.</b></p>	<p>SBT (CPBG) had its EPL varied to enable out-of-hours concrete pours to run (under certain circumstances) up until 10pm. The Auditor is not aware of any further breach.</p>	SBT (CPBG)	CLOSED	
10051_IA3_1 7	E47	Non-compliance	<i>Detailed Noise and Vibration Impact Statements (DNVIS) must be prepared for any work that may exceed the NMLs, vibration criteria and / or ground-borne noise levels specified in Conditions E43 and E44 at any residence outside construction hours identified in Condition E38, or where receivers will be highly noise affected or subject to vibration levels above those otherwise determined as appropriate by a suitably qualified structural engineer under Condition E87. The DNVIS must include specific mitigation measures identified through consultation with affected sensitive land user(s) and the mitigation measures must be implemented for the duration of the works. A copy of the DNVIS must be provided to the ER before the commencement of the associated works. The Planning Secretary and the EPA may request a copy (ies) of the DNVIS.</i>	<p><b>Non-compliance: The Auditor requested evidence be provided to demonstrate if any specific community consultation has occurred on the DNVISs.</b></p> <p><b>The DNVISs have adopted mitigation measures consistent with the CNVS, and there have been invitations for feedback from the community during work updates / notifications, and again under the works specific notification for out-of-hours works (OOHW), as applicable. However, there does not appear to be any evidence demonstrating that affected land users were made aware of the opportunity to provide input into the mitigation measures within the DNVISs. Therefore there is insufficient evidence to demonstrate that the mitigation measures in the DNVISs have been developed in consultation with relevant receivers.</b></p>	<p>Complete consultation with affected land users as required by E47. Any consultation should give regard to the definition of 'consult' under Section 2.3 of the Overarching Community Communications Strategy.</p>	SBT (CPBG), SCAW (CPBUI) and Sydney Metro.	Prior to (or as soon as possible after) the undertaking work that may exceed the NMLs, vibration criteria and / or ground-borne noise levels specified in E43 and E44 at any residence outside construction hours	OPEN

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						identified in E38, or where receivers will be highly noise affected or subject to vibration levels above those otherwise determined as appropriate by a suitably qualified structural engineer under E87.	
10051_IA3_18	E57	Observation	<p><i>In order to undertake out-of-hours work outside the work hours specified under Condition E38, appropriate respite periods for the out-of-hours work must be identified in consultation with the community at each affected location on a regular basis. This consultation must include (but not be limited to) providing the community with:</i></p> <p><i>(a) a progressive schedule for periods no less than three (3) months, of likely out-of-hours work;</i></p> <p><i>(b) a description of the potential work, location and duration of the out-of-hours work;</i></p> <p><i>(c) the noise characteristics and likely noise levels of the work; and</i></p> <p><i>(d) likely mitigation and management measures which aim to achieve the relevant NMLs under Condition E43 (including the circumstances of when respite or relocation offers will be available and details about how the affected community can access these offers).</i></p> <p><i>The outcomes of the community consultation, the identified respite periods and the scheduling of the likely out-of-hour work must be provided to the ER, EPA and the Planning Secretary prior to the out-of-hours work commencing.</i></p> <p><i>Note: Respite periods can be any combination of days or hours where out-of-hours work would not be more than 5 dB(A) above the RBL at any residence.</i></p>	<p><b>Observation: During the interview with the ER as part of this Independent Audit, the ER noted the ambiguity of this condition and stated that input from the Auditor would be of value.</b></p> <p><b>Sydney Metro and its contractors have been interpreting this condition as only being required where the OOHW are predicted to exceed the noise level whereby respite is required to be offered (i.e.: above the Respite Offer level defined in the DNVIS and Metro CNVS which forms part of the EIS).</b></p> <p><b>Evidence provided demonstrates that Sydney Metro and its contractors have complied with the requirement if this interpretation is correct and the Department has not raised any concerns in response to the notifications provided to them under this condition.</b></p> <p><b>The Auditor observes that:</b></p> <ul style="list-style-type: none"> <li><b>this condition states that ‘in order to undertake out-of-hours work outside the work hours specified under Condition E38, appropriate respite periods for the out-of-hours work must be identified in consultation with the community at each affected location on a regular basis’ (that is ANY works outside the standard construction hours specified in E38, not just those triggering the respite criteria)</b></li> <li><b>the note to this condition identifies respite as where noise does not exceed 5 dB(A) above the RBL (i.e.: respite is only achieved when noise remains &lt;5 dB(A) above background.</b></li> </ul> <p><b>The Auditor observes that Sydney Metro’s application of this condition could, in theory and where not in breach of individual contract EPLs, result in receivers being subject to OOHW noise levels up to the threshold for respite (i.e.: up to 34 dB(A) above the RBL for evenings and up to 24 dB(A) above the RBL for nights, seven nights per week which, in the Auditors view, is a poor outcome for the community.</b></p> <p><b>However, the evidence (submission of the outcomes of the community consultation) indicates that the Department is aware of Sydney Metro’s interpretation and application of this requirement and has not raised any objection.</b></p>	As noted, the evidence indicates that the Department is aware of Sydney Metro’s interpretation and application of this requirement and has not raised any objection.	Sydney Metro	CLOSED
10051_IA3_19	E62	Observation	<p><i>The CSSI must be constructed in a manner that minimises visual impacts of construction sites including temporary landscaping and vegetative screening, minimising light spill, and incorporating architectural treatment and finishes within key elements of temporary structures that reflect the context within which the construction sites are located, wherever practicable.</i></p>	<p><b>Observation: The Auditor observes that some (but not all) the mitigation measures from this condition have been implemented. Site hoarding and noise hoarding at St Marys, Claremont Meadows and Orchard Hills provides a visual block to nearby residents. The hoarding is painted blue and in places Sydney Metro branding is fixed to the hoarding per the NSW Government branding requirements. The single colour is designed (to according to Sydney</b></p>	Mitigation measures have been incorporated where practicable.	Sydney Metro, SBT (CPBG) and SCAW (CPBUI)	CLOSED



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				<b>Metro) to 'integrate with the sky.'</b> Sydney Metro and its contractors have determined landscaping and vegetative screening not to be practicable at this time due to insufficient space between construction works, site boundaries and third party property.			
10051_IA3_20	E63	Observation	<p><i>The CSSI must be designed with consideration of:</i></p> <p>(a) <i>the design objectives, principles and guidelines identified in documents listed in Condition A1;</i></p> <p>(b) <i>the principles and objectives of the draft Connecting with Country Framework;</i></p> <p>(c) <i>relevant land use changes, masterplans and initiatives, where this information is known and/or available;</i></p> <p>(d) <i>existing and proposed future local context and character; and</i></p> <p>(e) <i>transport and land use integration and system functionality in the context of precincts, to the extent it is known and/or defined.</i></p> <p><i>Responses to items (a) – (e) must be reviewed by the Design Review Panel (DRP) to inform the design of permanent built works and landscape design of the CSSI. The outcome of the DRP review must be provided to the Planning Secretary prior to the submission of the Place, Urban Design and Corridor Landscape Plan (PUDCLP).</i></p> <p><i>Note: In accordance with Condition A10 and Condition A16, the requirements of this condition can be staged.</i></p>	<p><b>Observation: SCAW prepared a document demonstrating that the design was assessed against the requirements of this condition, and that it was provided to the Design Review Panel (DRP) for review.</b></p> <p><b>The DRP provided a range of recommendations and for each both SCAW (CPBUI) and Sydney Metro provided a response.</b></p> <p><b>Whilst most of the recommendations were addressed, there are a range of recommendations that weren't adopted. The lack of uptake of some recommendations were supported by a justification (e.g.: due to the recommendation being not applicable to the SCAW scope of works or that the recommendation would be addressed in subsequent design developments). However there are other DRP recommendations that were not adopted and did not have an associated justification provided by SCAW or Sydney Metro.</b></p> <p><b>The Auditor observes that there is no requirement to adopt all the recommendations from the DRP, and that Government Architect (representing the DRP) noted that not all recommendations were adopted by SCAW and Sydney Metro in its final response.</b></p> <p><b>The outcome of the DRP review was submitted to the Department (prior to submission of the PUDCLP) and, to the Auditor's knowledge, the Department has not provided any comment on the document.</b></p>	<p>As noted, there is no requirement to adopt all the recommendations from the DRP, and that Government Architect (representing the DRP) noted that not all recommendations were adopted by SCAW and Sydney Metro in its final response.</p> <p>The outcome of the DRP review was submitted to the Department (prior to submission of the PUDCLP) and, to the Auditor's knowledge, the Department has not provided any comment on the document.</p>	SCAW (CPBUI) and Sydney Metro	CLOSED
10051_IA3_21	Not used						
10051_IA3_22	Not used						
10051_IA3_23	E101	Observation	<p><i>The Sustainability Plan must be submitted to the Planning Secretary for information within six (6) months of the date of this approval and must be implemented throughout construction and operation.</i></p> <p><i>Note: Nothing in this condition prevents the Proponent from preparing separate Sustainability Strategies for the construction and operational stages of the CSSI.</i></p>	<p><b>Observation: The evidence provided indicates that the Sustainability Plan is largely being implemented with the exception of SCAW (CPBUI) being late in data collection on water and waste, not yet tracking of diesel (and, therefore, greenhouse gas emissions), and submitting its Quarterly Sustainability Report to Sydney Metro after the timeframe specified in its Sustainability Plan.</b></p>	SCAW (CPBUI) to retrieve / obtain up to date data and to ensure reporting is completed within the timeframes required by the Sustainability Plan.	SCAW (CPBUI) Prior to the next Quarterly Report submission.	OPEN
10051_IA3_24	E102	Observation	<p><i>A Water Reuse Strategy must be prepared, which sets out options for the reuse of collected stormwater and groundwater during construction and operation. The Water Reuse Strategy must include, but not be limited to:</i></p> <p>(a) <i>evaluation of reuse options;</i></p> <p>(b) <i>details of the preferred reuse option(s), including volumes of water to be reused, proposed reuse locations and/or activities, proposed treatment (if required), and any additional licences or approvals that may be required;</i></p> <p>(c) <i>measures to avoid misuse of recycled water as potable water;</i></p> <p>(d) <i>consideration of the public health risks from water recycling; and</i></p>	<p><b>Observation: SBTs preparatory construction commenced in April 2022, and main construction commenced in November 2022. The Water Reuse Strategy was finalised in July 2022 and, whilst there is no timing on the installation of rainwater harvesting, SBT had still not installed rain water harvesting on site sheds (due to changing configurations of crib shed layouts). Therefore, this element of the Water Reuse Strategy was considered not to have been implemented.</b></p> <p><b>The Auditor also observes the barrier for reuse of groundwater in tunnelling process and surface construction due to the high salinity present. SBT continue to investigate reuse options.</b></p>	<p>SBT (CPBG) to install rainwater harvesting on the 'permanent' office arrangement as stated by SBT in their response to this finding.</p> <p>SBT (CPBG) to continue to investigate on reuse options of treated saline groundwater, and update the Water Reuse Strategy with the outcome of the investigations. Where</p>	<p>SBT (CPBG) Install rainwater harvesting once procurement complete.</p> <p>Prior to discharge of groundwater from construction Water Treatment Plant, update the Water Reuse Strategy with the outcome of the investigations. Where</p>	OPEN



Item	Ref	Type	Requirement	Finding	Recommended or completed action	By Whom and by When	Status <sup>5</sup>
			<p>(e) time frame for the implementation of the preferred reuse option(s).</p> <p>The Water Reuse Strategy must be prepared based on best practice and advice sought from relevant agencies, as required. The Strategy must be applied during construction.</p> <p>Justification must be provided to the Planning Secretary if it is concluded that no reuse options prevail.</p> <p>A copy of the Water Reuse Strategy must be made publicly available.</p> <p>Note: Nothing in this condition prevents the Proponent from preparing separate Water Reuse Strategies for the construction and operational stages of the CSSI.</p>		reuse is viable, implement the reuse options.	reuse is viable, implement the reuse options.	
10051_IA3_2 5	E128	Non-compliance	<p>Before undertaking any work and during maintenance or construction activities, erosion and sediment controls must be implemented and maintained to prevent water pollution consistent with Managing Urban Stormwater: Soils and Construction Vol 1 4th ed. by Landcom, 2004 (The Blue Book).</p>	<p><b>Non-compliance: The ER has consistently and persistently identified deficiencies with the SBT soil and water controls, noting that they have regularly departed from the ERSED plans prepared for the sites. Issues include specifications and locations of basins, rock protection and the like. The ER has not identified these are a non-compliance with this condition, nor has the ER found breaches of s120 of the POEO Act or of the NSW Water Quality Objectives.</b></p> <p>During the audit, the SBT environment team pointed out several excavations being used as basins (at Orchard Hills (SB1 and SB2 southern end) and Aerotropolis (eastern boundary)). The Auditor is of the view that, upon review of the Blue Book, none of these excavations appeared to be designed or constructed in accordance with Section 6.3.3 of the Blue Book.</p> <p>Further, the Auditor considers the heavy reliance on the streetsweeper to control material tracking from the egress on Phillip Street (at St Marys) to be insufficient.</p> <p>Finally, whilst significant rain had fallen prior to the construction water incident that occurred at Aerotropolis on 01/02/23, water was not held or directed to the nominated basins or sump. The Auditor is of the view that this was avoidable, had controls been properly installed and communicated to the workforce.</p> <p>It is the combination of the above that has led the Auditor to find this condition as non-compliant.</p>	<p>SBT (CPBG) has undertaken actions to better align controls to the ERSED plans in effect to prioritise installation of at Orchard Hills, Aerotropolis and St Marys. The Project team and the ER can monitor the effectiveness of the controls going forward.</p> <p>According to the incident report, SBT repaired the controls and tool-boxed water discharge requirements following the construction water incident at Aerotropolis.</p>	SBT (CPBG)	CLOSED
10051_IA3_2 6	E134	Non-compliance	<p>The Proponent must submit a revised Groundwater Modelling Report to the Planning Secretary for information before bulk excavation at the relevant construction location. The Groundwater Modelling Report must include:</p> <p>(a) for each construction site where excavation will be undertaken, cumulative (additive) impacts from nearby developments, parallel transport projects and nearby excavation associated with the CSSI;</p> <p>(b) predicted incidental groundwater take (dewatering) including cumulative project effects;</p> <p>(c) potential impacts of the CSSI or detail and demonstrate why the CSSI will not have lasting impacts to the groundwater system, ongoing groundwater incidental take and groundwater level drawdown effects;</p> <p>(d) actions required to minimise the risk of inflows (including in the event the CSSI are delayed or do not progress) and a strategy for</p>	<p><b>Non-compliance: The Auditor requested evidence to demonstrate that the SBT revised Groundwater Modelling Report had been submitted to the Department prior to bulk excavation. No evidence was provided. According to Sydney Metro, as at 23/02/23, the revised Groundwater Modelling Report for SBT had not been submitted to the Department.</b></p>	<p>The revised Groundwater Modelling Report was submitted to the Department on 28/02/23.</p> <p>The non-compliance was reported on 28/02/23 in accordance with A44/A45.</p>	SBT (CPBG) and Sydney Metro	CLOSED

Item	Ref	Type	Requirement	Finding	Recommended or completed action	By Whom and by When	Status <sup>5</sup>
			<p><i>accounting for any water taken beyond the life of the operation of the CSSI;</i></p> <p><i>(e) saltwater intrusion modelling analysis, from saline groundwater in shale, into metro station sites; and</i></p> <p><i>(f) a schematic of the conceptual hydrogeological model.</i></p>				

Table 8: Status of findings that were open at the time of finalising the second Independent Audit (August 2022)

Item	Ref	Type	Requirement	Finding/Recommendation	Auditee response at the second Independent Audit	Status as at the third Independent Audit
10051_IA2_2	A40	Observation	<i>Independent Audit Reports and the Proponent's response to audit findings must be submitted to the Planning Secretary within two (2) months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements (DPIE, 2020), unless otherwise agreed by the Planning Secretary.</i>	<p>The IA1 audit report was submitted by WolfPeak to Sydney Metro on 6 April 2022 within 2 months from 10 February 2022 (site inspection date). There was no auditee response posted on the website.</p> <p><b>Observation:</b></p> <p>This audit report IA2 was submitted more than 2 months from site inspection (4 August 2022).</p> <p>The approval of four weeks extension for the submission of this audit report was applied to Department. Report was initially due to the department on 4 October and with the extension approval the report must be submitted on 4 November 2022.</p> <p><b>Recommendation:</b></p> <p>To reassess the timeframe of the submission of the audit report to the Department based on the audit program prepared by Sydney Metro.</p>	<p>WolfPeak will endeavour to commit the future submission of the next audit report will be within 2 months from site inspection.</p> <p>However, evaluation of the realistic timeframe will be conducted and Audit Program to be amended.</p>	<p>CLOSED</p> <p>The second Independent Audit Report was submitted within the revised timeframe.</p> <p>This third Independent Audit has been managed so as to achieve the two month timeframe.</p>
10051_IA2_5	B11	Observation	<p><i>A website or webpage providing information in relation to the CSSI must be established before commencement of work and maintained for the duration of construction, and for a minimum of 24 months following the completion of all stages of construction of the CSSI. Up-to-date information (excluding confidential, private, commercial information or other documents as agreed to by the Planning Secretary) must be published before the relevant work commencing and maintained on the website or dedicated pages including:</i></p> <p><i>(e) a current copy of each document required under the terms of this approval, which must be published within one (1) week of its approval or before the commencement of any work to which they relate or before their implementation, as the case may be.</i></p> <p><i>Where the information / document relates to a particular work or is required to be implemented, it must be published before the commencement of the relevant work to which it relates or before its implementation.</i></p> <p><i>All information required in this condition is to be provided on the website or webpage, and easy to navigate.</i></p>	<p><b>Observation:</b></p> <p>The previous observation is left open until all the documents required including Detailed Site Investigations and latest ER and AA monthly reports are uploaded.</p> <p>The navigation to each package (contractor) is made easier but the link to the contractor site Laing O'Rourke and Sydney Roads goes back to Sydney Metro info.</p> <p><b>Recommendation:</b></p> <p>Sydney Metro to review the website and make necessary adjustment to ensure that all documents required to be posted are on the website and that it is easier to navigate.</p>	<p>Sydney Metro WSA team will work with the SM Program team to review and update the website links.</p>	<p>OPEN</p> <p>Sydney Metro provided the following update:</p> <p><i>'WSA Environment Team have a register which depicts the documents required to be on the website (it also distinguishes which reports are on the Sydney Metro Website and Contractor website).</i></p> <p><i>Sydney Metro believe that documents saved on the Contractors meet the requirements of the condition. There are links from Sydney Metro's website to Contractors websites.</i></p> <p><i>Further, the SMWSA Comms team have noted that this request (for AEW contracts not being on the website and the AEW links) have been referred to Exec Director of Communications, Anne Purcell, for a combined response across all Sydney Metro projects.'</i></p> <p>The Auditor does not consider this finding to be addressed. Refer to B11 in Table 7.</p>

Item	Ref	Type	Requirement	Finding/Recommendation	Auditee response at the second Independent Audit	Status as at the third Independent Audit
10051_IA2_6	C1	Observation	<i>Construction Environmental Management Plans (CEMPs) and CEMP Sub-plans must be prepared in accordance with the Construction Environmental Management Framework (CEMF) included in the documents listed in Condition A1 to detail how the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1 will be implemented and achieved during construction.</i>	<p><b>Observation:</b> Objectives and Targets defined in the CEMP (all packages) are not all specific, measurable, achievable, realistic and timebound, and they are not regularly reviewed to confirm if they were achieved.</p> <p><b>Recommendation:</b> For continual improvement of environmental performance, ensure that Objectives and Targets defined in the CEMP (all packages) are specific, measurable, achievable, realistic, timebound, and that are regularly reviewed to confirm they are achieved.</p>	Sydney Metro will coordinate with the contractors and ensure that within the 6 monthly review of the CEMP, the Objectives and Targets will be covered and updated as necessary.	<p>CLOSED</p> <p>Sydney Metro provided the following update: <i>'It is Sydney Metro's position that this is a Contractor requirement. Therefore, this observation should be directed to the relevant Contractors.'</i></p> <p>The Auditor notes that whilst Sydney Metro has discharged this requirement on the contractors, it has taken on responsibility for tracking the close out of actions, through its assurance processes. This response indicates that no action has been taken by Sydney Metro to close this observation.</p> <p>Nevertheless, the Auditor has considered the adequacy of the CEMP, Sub-plans and monitoring programs relevant to this third audit period. These documents are listed in Section 3.1 above. In reviewing these documents, the Auditor is of the view that they satisfy the requirements under the Approval and the CEMF.</p>
10051_IA2_7	C1	Observation	<i>Construction Environmental Management Plans (CEMPs) and CEMP Sub-plans must be prepared in accordance with the Construction Environmental Management Framework (CEMF) included in the documents listed in Condition A1 to detail how the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1 will be implemented and achieved during construction.</i>	<p><b>Observation:</b> Quickway had developed the Compliance Register but there is no specific process to review it regularly and the process is not defined in the CEMP.</p> <p><b>Recommendation:</b> Quickway to ensure that Compliance Matrix (AEW) is reviewed at least quarterly and document the process in the CEMP. Completion of the register to be submitted to Metro upon final work completion to ensure that the package of works have been completed within the conditions of approval.</p>	<p>Quickway had acknowledged the opportunity for improving the CEMP.</p> <p>Compliance register to be submitted to Sydney Metro.</p>	<p>CLOSED</p> <p>Sydney Metro provided the following update: <i>'Compliance Matrix and other supporting documents are included within the folder: 10051_IA2_Sydney Metro_RFI_7.'</i></p> <p>The Compliance Matrix was sighted by the Auditor. AEW Power works (involving Quickway) have been completed.</p>
10051_IA2_8	C1	Observation	<i>Construction Environmental Management Plans (CEMPs) and CEMP Sub-plans must be prepared in accordance with the Construction Environmental Management Framework (CEMF) included in the documents listed in Condition A1 to detail how the performance outcomes, commitments and mitigation measures specified in the documents listed in Condition A1 will be implemented and achieved during construction.</i>	<p><b>Observation:</b> To ensure that contractor is meeting their objectives and targets defined in CEMP and reviewing performance against complaints (e.g. Quickway CEMP), however, Quickway works have been completed.</p> <p><b>Recommendation:</b> An opportunity for Sydney Metro to also review the performance of each contractor based on the review of their specific CEMP objectives and targets and complaints raised.</p>	Sydney Metro will coordinate with the contractors and ensure that within the 6 monthly review of the CEMP, the performance of Objectives and Targets will be reviewed.	<p>CLOSED</p> <p>Sydney Metro provided the following update: <i>'It is noted that Sydney Metro does not attend internal Contractor 6-monthly reviews. However, Sydney Metro will raise it with the relevant Contractors to ensure they review the objective and targets.'</i></p> <p><i>It is noted that the SBT 6-monthly review is due in March 2023 and the SCAW review is due in April 2023.'</i></p> <p>AEW Power works (involving Quickway) have been completed. Assessment of implementation of the CEMP, Sub-plans and monitoring programs for the current audit period is included elsewhere in Section 3 and Appendix A of this Report.</p>

### 3.3 Adequacy of Environmental Management Plans, sub-plans and post approval documents

As part the Independent Audit, the Auditor reviewed the following documents:

- Site Establishment Management Plan, SSTOM Project Office (SPO), Built, 21 December 2022
- Overarching Community Communication Strategy, Sydney Metro, Rev 2.2, 7 April 2021
- SBT Community Communications Strategy, Aerotropolis, 26 April 2022
- SBT Community Communications Strategy, Bringelly, 26 April 2022
- SBT Community Communications Strategy, St Marys, 9 May 2022
- SBT Community Communications Strategy, Claremont Meadows, 3 June 2022
- SBT Community Communications Strategy, Orchard Hills, 5 July 2022
- SBT Small Business Owners Engagement Plan, St Marys, 16 May 2022
- SBT Construction Environmental Management Plan, 29 September 2022
- SBT Spoil Management Sub-Plan, 2 September 2022
- SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23 September 2022 including Noise and Vibration Monitoring Program and evidence of consultation
- SBT NSW (Off-airport) Flora and Fauna Management Sub-plan, 21 September 2022 including procedures and evidence of consultation
- SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21 September 2022 including groundwater monitoring program, surface water monitoring program, procedures, evidence of consultation
- SBT Detailed Noise and Vibration Impact Statement - Orchard Hills Tunnel Support Worksite, July 2022
- SBT Detailed Noise and Vibration Impact Statements, St Marys Station, June, July, December 2022
- SBT Detailed Noise and Vibration Impact Statement - Claremont Meadows Ventilation Facility, 03 August 2022
- SBT Detailed Noise and Vibration Impact Statement - Aerotropolis Core Station 23 September 2022
- SBT Detailed Noise and Vibration Impact Statement - Bringelly Services Facility, September 2022
- SBT Overarching Construction Traffic Management Plan, 16 June 2022 (CTMP) and the subordinate:
  - SBT CTMP Aerotropolis 9 June 2022
  - SBT CTMP Bringelly 2 June 2022



- SBT CTMP Claremont Meadows 15 June 2022
- SBT CTMP St Marys Site Establishment May 22 (revised Jan 23)
- SBT CTMP Geotechnical Scope North 9 June 2022
- SBT CTMP Orchard Hills Site Establishment 27 June 2022
- SBT CTMP St Marys Demolition 27 June 2022
- SBT CTMP Orchard Hills Operations September 2022.
- SCAW Community Communications Strategy, 24 November 2022
- SCAW Community Communications Strategy, Northern Project Region, 9 December 2022
- SCAW Community Communications Strategy, Southern Project Region, 9 December 2022
- SCAW Construction Environmental Management Plan, 4 November 2022
- SCAW Noise and Vibration Management Sub-plan, 4 November 2022 including noise and vibration monitoring program and records of consultation
- SCAW Spoil Management Plan, 29 September 2022
- SCAW Non-Aboriginal Heritage Sub-plan, 4 October 2022 including procedures and evidence of consultation
- SCAW Fauna and Flora Management Sub-plan, 4 November 2022 including procedures, and evidence of consultation
- SCAW Visual Amenity Management Plan, 19 October 2022
- SCAW Soil and Water Management Sub-plan, 4 November 2022 including surface water quality monitoring program, procedures and evidence of consultation
- SCAW Air Quality Management Subplan, 29 September 2022 including air quality monitoring program, procedures and evidence of consultation
- SCAW Waste Management Sub-plan, 10 October 2022
- SCAW Detailed Noise and Vibration Impact Statement, Luddenham Road Survey works, 21 September 2022
- SCAW Detailed Noise and Vibration Impact Statement, Material Delivery and Stockpiling, 23 January 2023
- SCAW Detailed Noise and Vibration Impact Statement, OOHV deliveries at Elizabeth Drive, 9 January 2023
- SCAW Overarching Construction Traffic Management Plan 29/09/22 (CTMP) and the subordinate:
  - SCAW CTMP Patons Lane, 28 September 2022
  - SCAW CTMP Elizabeth Drive, 17 October 2022
  - SCAW CTMP Luddenham Road, 3 November 2022 (revised 19 January 2023).

The Auditor assessed whether the above documents:

- have been developed in accordance with the conditions and all other environmental licences and approvals applicable to the Project (if any) and their content is adequate
- have been implemented in accordance with the conditions and all other environmental licences and approvals applicable to the Project (if any).

The Auditor also assessed the adequacy of post approval documents (on the basis of whether):

- there are any non-compliances resulting from the implementation of the document; or
- whether there are any opportunities for improvement.

### **Environmental documents**

The Auditor is of the view that the CEMP, Sub-plans and monitoring programs prepared for both the SCAW and SBT scope of works are of a high quality. They have undergone review by the necessary parties (Sydney Metro, the ER and, where relevant, the Department). Endorsements from the ER and approvals from the Department (where required as per the Staging Report) have been granted prior to the relevant works commencing. The endorsements and approvals have confirmed that the relevant requirements from the Approval and the EIS and RtS have been incorporated. The Auditor agrees with this assessment and has not identified any material deficiencies. Furthermore the Auditor is of the view that implementation of the documents would not result in a non-compliance. The Auditor has not identified any opportunities for improvement.

With regards to implementation of environmental documents during the audit period, the Auditor made the findings identified in Table 9 (which is an excerpt from Table 7).

*Table 9: Findings in relation to implementation of environmental documents during the audit period.*

Item	Finding	Recommended or completed action
10051_IA3_3	<p><b>The SCAW Minor Ancillary Facility (MAF) application process requires sign off by the ER prior to establishment of a MAF. The application for the MAF at the M12 piling platform site has been assessed by the ER (as is required by this condition, and as evidence through an email from the ER to the contractor), but has not been signed off / approved as per the SCAW MAF application process. In making the above observation, the Auditor notes that the MAF at the M12 piling platform is entirely within the Project construction footprint and Table 8-3 of Chapter 8 of the EIS identifies compounds to be established at all construction sites.</b></p>	<p>SCAW to obtain written endorsement from the ER for the MAF at the M12 piling platform in accordance with the process set out in the SCAW MAF checklist (and as stated in Appendix C6 of the CEMP).</p>

Item	Finding	Recommended or completed action
10051_IA3_5	<p>The evidence shows a very high degree of involvement from the ER on the Project. The ER has not identified any non-compliances within the Monthly Reports for the audit period. The ER has however, identified deficiencies and actions regarding environmental performance. The deficiencies/actions raised by the ER do not necessarily identify a condition or mitigation measures (from the Approval or from an approved strategy, plan or program) to which they relate. Therefore it is difficult to ascertain whether each of the deficiencies/actions are linked to a requirement (and therefore being a potential non-compliance), or are subjective.</p> <p>The ER provided examples of references to conditions and mitigation measures in the January and February 2023 Monthly Reports. The Auditor acknowledges the ER's response but refers to the key points and issues raised within the Monthly Reports for August – December 2022. Other than regular mention of ESCPs, the Blue Book and DSIs there is minimal reference back to specific conditions or mitigation measures from the CEMPs, Sub-plans and monitoring programs when raising an issue or recommendation.</p> <p>Separately, the ER monitors the implementation of the documents (and conditions), via observation on site and consideration of works occurring and upcoming. Key Focus Areas are identified and communicated to Sydney Metro and its contractors. The Key Focus Areas are also summarised in the Monthly Reports. For SBT, the ER has identified persistent issues associated with controls on site not aligning with the ERSED Plans. Refer to E126 and E128 regarding the Auditor's position on this matter.</p>	<p>When identifying deficiencies/actions the ER should include a specific reference to relevant condition or mitigation measure (from the Approval or from an approved strategy, plan or program) to which the deficiency / action relates in order to support its position.</p>
10051_IA3_9	<p>Whilst the evidence indicates that SBT has implemented the CEMP and Sub-plans, the Auditor observes that the SBT NVMP requires checks on plant noise emissions to verify that sound power levels are within the of the NVMP and DNVIS. The Auditor requested evidence of this having been completed during the audit period. No evidence was made available.</p>	<p>SBT (CPBG) to undertake checks on plant noise emissions (as part of the plant onboarding process) to verify that sound power levels are within mitigation measure NVMM16 within the NVMP.</p>
10051_IA3_10	<p>The Auditor observes that both the SBT and SCAW CEMPs require an audit to be conducted by Sydney Metro to verify compliance with CEMP, environmental aspects of contract documentation and the CEMF. The timing requirement for this commitment is 'periodic'. Sydney Metro has yet to conduct such an audit on either contractor, despite SBT having been in construction since April 2022 and SCAW being in construction since October 2022.</p>	<p>Sydney Metro to commence periodic audits on contractor CEMPs (in accordance with Table 19 of the SBT CEMP and Table 17 of the SCAW CEMP) to verify compliance with CEMP, environmental aspects of contract documentation and the CEMF.</p>



Item	Finding	Recommended or completed action
10051_IA3_11	<p>The Auditor observed that there are two major stockpiles at the SBT Orchard Hills site that appear to be long term. During the inspection the SBT indicated that they would be held for an extended period. The Auditor notes that the northern stockpile appears to have been suitably stabilized. However access to southern stockpile is non-existent and stabilisation is limited. Work is required on this southern stockpile to maintain compliance with this condition, along with Section 6.3.2 of the SBT CEMP and Section 7.4 of the SBT SWMP.</p>	<p>SBT (CPBG) stated that the stockpiles have since been reshaped and stabilised. The Auditor is satisfied with this response.</p> <p>Control of dust for future audit periods will be monitored by CPBG, Sydney Metro and the ER. Assessment of this requirement for future audit periods will be included in the scope of future audits.</p>
10051_IA3_12	<p>An incident occurred on SCAW on 10/02/23 which involved clearing beyond the approved clearing limit between the M12 Piling Pad and Cosgrove's Creek. The clearing did not extend beyond the Project boundary.</p> <p>Investigations determined that the breach was in non-compliance with E2. The non-compliance was reported within 7 days in accordance with A44. The report includes the information required under A45. The investigation also considered whether any breach had occurred against E4 and E7 (i.e.: whether any additional credits were required as a result of the clearing undertaken). The investigation determined that SCAW remained compliant with E4 and E7.</p>	<p>The non-compliance was reported to the Department on 17/02/23 in accordance with A44/A45.</p> <p>SCAW (CPBUI) have committed to revising the Clearing and Grubbing Procedure in the SCAW FFMP to include an additional hold point for the CPBUI Survey Manager to confirm project clearing limits have been physically installed in the correct location.</p> <p>This hold point is to be a pre-requisite requirement for the release of the Clearing Permit Hold point by the CPBUI Environment Manager.</p>
10051_IA3_17	<p>The Auditor requested evidence be provided to demonstrate if any specific community consultation has occurred on the DNVISs.</p> <p>The DNVISs have adopted mitigation measures consistent with the CNVS, and there have been invitations for feedback from the community during work updates / notifications, and again under the works specific notification for out-of-hours works (OOHW), as applicable. However, there does not appear to be any evidence demonstrating that affected land users were made aware of the opportunity to provide input into the mitigation measures within the DNVISs. Therefore there is insufficient evidence to demonstrate that the mitigation measures in the DNVISs have been developed in consultation with relevant receivers.</p>	<p>Complete consultation with affected land users as required by E47. Any consultation should give regard to the definition of 'consult' under Section 2.3 of the Overarching Community Communications Strategy.</p>
10051_IA3_23	<p>The evidence provided indicates that the Sustainability Plan is largely being implemented with the exception of SCAW (CPBUI) being late in data collection on water and waste, not yet tracking of diesel (and, therefore, greenhouse gas emissions), and submitting its Quarterly Sustainability Report to Sydney Metro after the timeframe specified in its Sustainability Plan.</p>	<p>SCAW (CPBUI) to retrieve / obtain up to date data and to ensure reporting is completed within the timeframes required by the Sustainability Plan.</p>

Item	Finding	Recommended or completed action
10051_IA3_24	<p><b>SBTs preparatory construction commenced in April 2022, and main construction commenced in November 2022. The Water Reuse Strategy was finalised in July 2022 and, whilst there is no timing on the installation of rainwater harvesting, SBT had still not installed rain water harvesting on site sheds (due to changing configurations of crib shed layouts). Therefore, this element of the Water Reuse Strategy was considered not to have been implemented.</b></p>	<p>SBT (CPBG) to install rainwater harvesting on the 'permanent' office arrangement as stated by SBT in their response to this finding.</p> <p>SBT (CPBG) to continue to investigate on reuse options of treated saline groundwater, and update the Water Reuse Strategy with the outcome of the investigations. Where reuse is viable, implement the reuse options.</p>
10051_IA3_25	<p><b>The ER has consistently and persistently identified deficiencies with the SBT soil and water controls, noting that they have regularly departed from the ERSED plans prepared for the sites. Issues include specifications and locations of basins, rock protection and the like. The ER has not identified these are a non-compliance with this condition, nor has the ER found breaches of s120 of the POEO Act or of the NSW Water Quality Objectives.</b></p> <p><b>During the audit, the SBT environment team pointed out several excavations being used as basins (at Orchard Hills (SB1 and SB2 southern end) and Aerotropolis (eastern boundary)). The Auditor is of the view that, upon review of the Blue Book, none of these excavations appeared to be designed or constructed in accordance with Section 6.3.3 of the Blue Book.</b></p> <p><b>Further, the Auditor considers the heavy reliance on the streetsweeper to control material tracking from the egress on Phillip Street (at St Marys) to be insufficient.</b></p> <p><b>Finally, whilst significant rain had fallen prior to the construction water incident that occurred at Aerotropolis on 01/02/23, water was not held or directed to the nominated basins or sump. The Auditor is of the view that this was avoidable, had controls been properly installed and communicated to the workforce.</b></p>	<p>SBT (CPBG) has undertaken actions to better align controls to the ERSED plans in effect to prioritise installation of at Orchard Hills, Aerotropolis and St Marys. The Project team and the ER can monitor the effectiveness of the controls going forward.</p> <p>According to the incident report, SBT repaired the controls and tool-boxed water discharge requirements following the construction water incident at Aerotropolis.</p>

### Communication documents

It is noted that I (the Auditor) am not suitably experienced or qualified to provide an informed finding as to the adequacy or degree of implementation of the communication documents during the audit period. Within the confines of the audit and based on the evidence provided by the auditees, the Auditor is of the view that the documents appear to be of a high quality and are largely being implemented. The Auditor does draw attention to findings 10051\_IA3\_8 and 10051\_IA3\_17 with respect to consultation on the DNVISs and the Project website, and the associated recommendations. Refer to Table 7 for details.

### **Traffic documents**

It is noted that I (the Auditor) am not suitably experienced or qualified to provide an informed finding as to the adequacy or degree of implementation of the construction traffic related documents. Within the confines of the audit and based on the evidence provided by the auditees, the Auditor is of the view that the documents appear to be of a high quality and satisfy the relevant conditions.

In reaching this view, the Auditor refers to the evidence which indicates that the Construction Traffic Management Plans (CTMPs) identify the requirements from the Construction Traffic Management Framework. According to the auditees, once prepared each CTMP goes to Sydney Metro, TfNSW and the relevant Council for comment. Once comments are addressed the document is issued to Transport for NSW Customer Journey Planning for approval. Once approved the documents are sent to the Department and published online. The persons involved in the preparation, review and approval of the documents are subject matter experts and have deemed each of the CTMPs adequate for implementation.

According to the complaints register, several complaints regarding traffic and parking have been received, but these complaints do not indicate (at least from the Auditor's perspective) a failure to implement the documents.

## **3.4 Summary of notices from agencies**

The Auditor has been made aware of only one notice issued during the Audit Period.

As noted in Table 7 (finding 10051\_IA3\_6), on 22 December 2022 the Department provided feedback on the two audit reports prepared by WolfPeak on the Sydney Metro Western Sydney Airport project (SSI 10051), being:

- Independent Audit no. 1 – Audit Report (WolfPeak, revision 4.0, 6 April 2022)
- Independent Audit no. 2 – Audit Report (WolfPeak, revision 1.0, 3 November 2022).

In the 22 December 2022 correspondence, the Department stated that it considered the first and second audit reports to not have generally satisfied the requirements of the IAPAR. The Department identified a number of issues to form the basis of this view.

WolfPeak reviewed the audit reports, the IAPAR and the Department's comments and, whilst we acknowledge there are opportunities for improvement, we do not agree with the Department's view that the reports do not satisfy the requirements of the IAPAR. A response outlining WolfPeak's position was submitted to the Department on 23 February 2022. WolfPeak is not aware of any further feedback being provided by the Department at the time of drafting this Report.

The auditees have not made WolfPeak aware of any other notices from Agencies during the audit period.

## **3.5 Other matters considered relevant by the Auditor or DPE**

The Auditor is not aware of any other matters considered relevant by the Department. The Auditor notes the matters raised by Liverpool City Council during consultation on the scope of this

Independent Audit. It is noted that Council's response was provided on 20 February 2023, well after the site inspection and interviews. These are discussed below.

### ***Matters raised by Liverpool City Council***

Matter: *'Confirm that all access and egress points to the site (e.g. on Derwent Road, see EIS, Chapter 8, p37 and the associated extent of Derwent Road between the site and The Northern Road) have been surveyed in accordance with E84 of the Instrument of Approval.'*

Response: The Auditor refers to the Bringelly Construction Traffic Management Plan (CTMP), 2 June 2022 which comprehensively details traffic movements and access and egress arrangements at Derwent and Northern Roads. An inspection of the Bringelly site was conducted and, as far as the Auditor could tell, the access and egress to the site aligns with the general arrangement drawings from the CTMP. The Auditor also notes that, according to Table 8-6 of the EIS, the Project will be required to undertake an *'upgrade of Derwent Road including provision of turning lanes to provide access to the services.'* The Auditor is not aware of these works having taken place. Refer to the Auditor's response below regarding dilapidation surveys.

Matter: *'Confirm that sufficient information has been provided to ensure that any damage caused to council roads and infrastructure as a result of the approved works (including heavy vehicle movements) may be rectified in accordance with condition E86 of the Instrument of Approval.'*

Response: The Auditor is of the view that condition surveys have been adequately carried out on buildings, structures, utilities and the like as per E107. The Auditor is also of the view that dilapidation reports have been completed for local roads that are to be used by heavy vehicles and which are not identified in the EIS as per E107.

However, it is unclear whether local roads that have been included in the EIS have also undergone an assessment similar to that required by E107. Unless a dilapidation report has been prepared, there may be insufficient information available to ensure damage to the local roads included in the EIS is adequately responded to.

Matter: *'Council's Transport Management team requested that the audit scope include all the traffic and road related conditions:*

- *B2-B10 complaints management system*
- *E61/E62 Construction Sites*
- *E65/E66 Design Guidance and Standards – Active Transport*
- *E103 Construction Traffic Management Plans (CTMPs) including road safety audit reports during construction*
- *E104-106 Management of Heavy Vehicle Movements*
- *E107 Road Dilapidation report*
- *E108 Road restoration and rectification, particularly for Lawson Road, Derwent Road, Badgerys Creek Road and Pitt Street*
- *E109 Construction Parking and Access Management*
- *E115 Pedestrian and cyclist Access; and*
- *E116-E119 Road Traffic and Safety including safe construction site and access along Derwent Road and Badgerys Creek Road.'*

The Auditor has included the identified conditions in the Independent Audit. Based on the evidence provided by the auditees, the Auditor has identified a non-compliance with E62 (refer finding 10051\_IA3\_19 in Table 7). All other conditions identified by Liverpool City Council are considered to be compliant or not triggered. Refer to Appendix A for details on the evidence sighted and the related finding for each of the conditions.

### 3.6 Complaints

A complaints register is being maintained for the Project using the software, Consultation Manager. The complaints register was provided to the Auditor on 23 January 2023. According to the register 29 complaints were received between 31 August 2022 and 23 January 2023. The breakdown is presented in Figures 3 through 5. SBT was the primary source of the complaints and most came from the Orchard Hills area. The issues most prevalent were traffic, transport and parking, water and soil management, air quality and property damage.

The complaints register indicates that Sydney Metro and its contractors have adequately responded to the complaints.

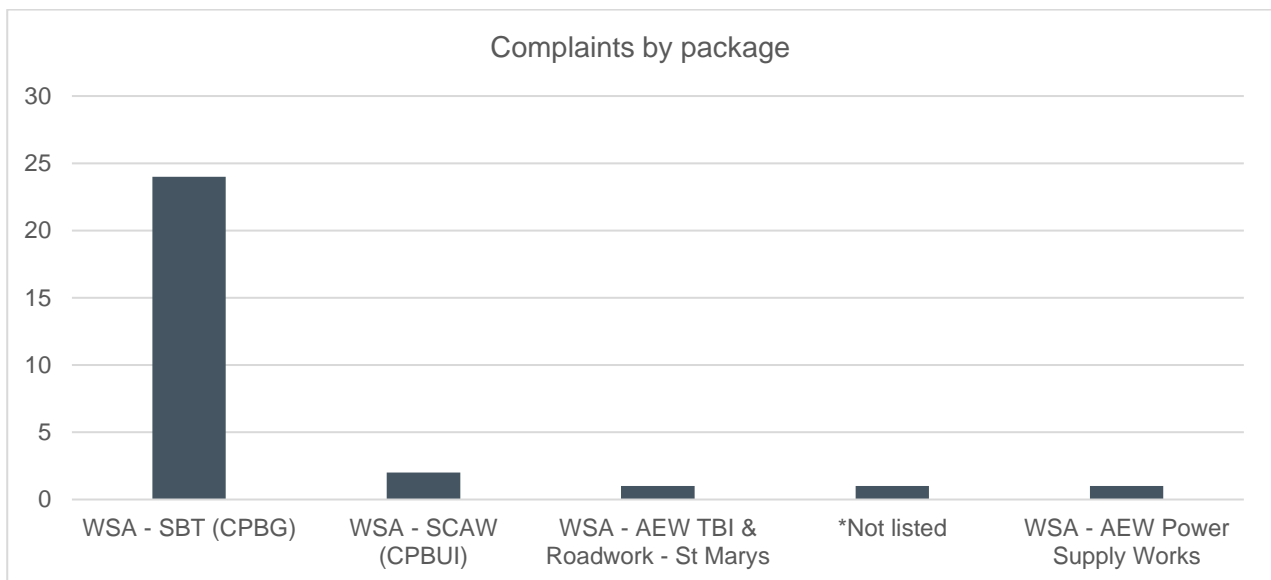


Figure 3: Complaints by package / contractor

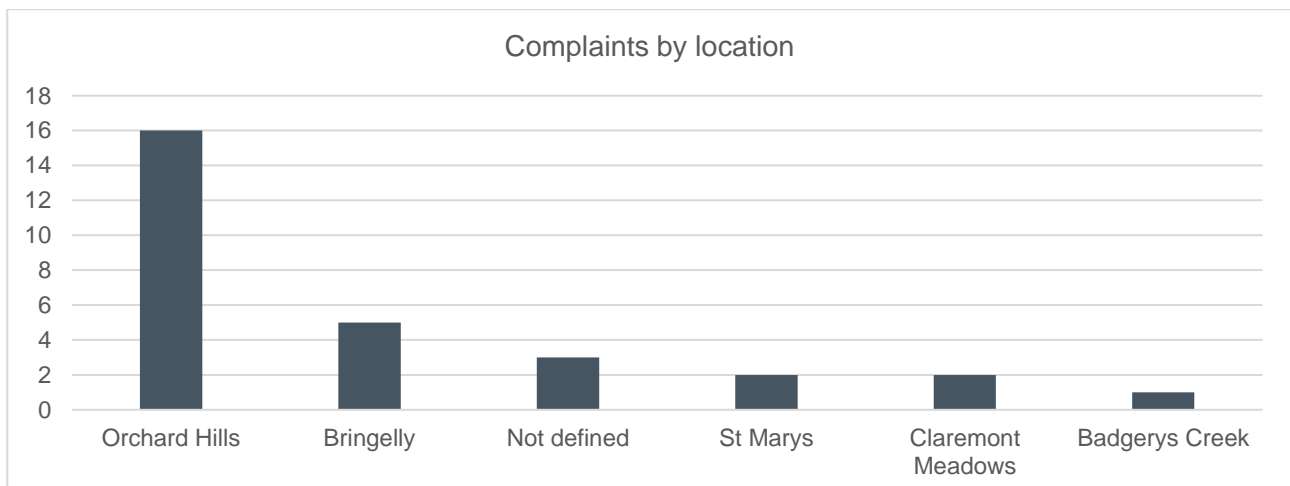


Figure 4: Complaints by location

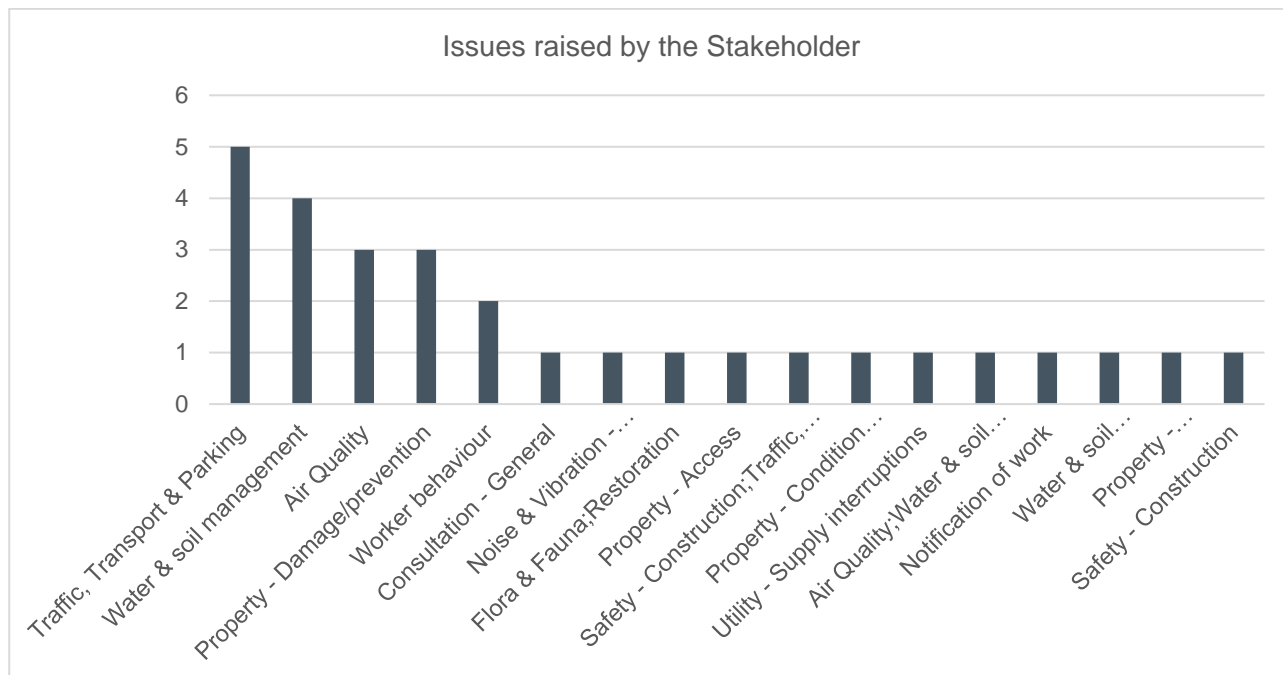


Figure 5: Issues

### 3.7 Incidents

The Project wide incident register was provided to the Auditor on 23 January 2023. Further, the SBT and SCWA incident management systems were reviewed on 2 and 8 February 2023 respectively. The incident registers include the date, time, location, team responsible, significance rating and actions taken to rectify the incidents. The SBT and SCWA systems are such that actions not completed by the target due date are escalated until closed.

13 environmental incidents were recorded on the Project wide incident register provided. Most incidents have occurred on SBT sites (7), and 11 relate to minor leaks or spills. The auditees have not identified any incidents as defined by the Approval that need to be reported to the Department as required under A41/A42. The Auditor agrees with this assessment.

In addition to the above, four incidents occurred during the period between the audit site inspection and interview sessions. These involved construction water leaving the site (1 February 2023), two minor spills from mobile plant (9 and 10 February 2023), and an incident involving clearing beyond the approved clearing limit (10 February 2023). Refer to finding 10051\_IA3\_7 in Table 7 with regards to notifying a non-compliance with E2 as a result of the clearing incident (from 10 February 2023). The incident reports were reviewed by the Auditor and the Auditor agrees with the classification of the incidents and the actions taken to address them.

### 3.8 Actual versus predicted impacts

Predicted outcomes associated with the construction of the Project are described in Chapters 8 – 24 of the *Sydney Metro – Western Sydney Airport Environmental Impact Statement*, 21 October 2020 (the EIS) and Sections 4.7 – 4.17 of the *Sydney Metro – Western Sydney Airport Submissions Report* (no date), submitted April 2021 (the RtS).



The EIS and RtS included a range of studies and predictions that relied on observation, measurement and modelling of the existing environments and potential outcomes arising from the Project. Full assessment of the accuracy of these predictions would also require a significant number of studies involving measurement and modelling using actual data points as inputs. Other than the construction requirements specified in the conditions and REMMs, to the Auditor's knowledge there are no requirements to undertake such studies and doing so does not form part of this Independent Audit. Any such comparison is qualitative only.

Assessment of actual vs predicted impacts considered:

- The extent to which the Project has been altered to that assessed in the EIS and RtS and approved, including whether Project boundaries have changed
- The works conducted during the audit period
- The degree of compliance with the Approval and the REMMS, relevant to the audit period and the works carried out
- The degree of adequacy and implementation of the approved post approval documents
- The number, nature and severity of incidents recorded during the audit period
- The number, nature and severity of complaints recorded during the audit period.

The Auditor observes that the Project has been altered via one modification and subject to four consistency assessments. The modification reduced the biodiversity offset credit requirements on the basis that biodiversity impacts have been determined less than what was envisaged in the EIS and RtS. As described in Section 1.1.2, all four of the consistency assessments involved adjustment of Project boundaries from that outlined in the EIS and RtS. The consistency assessments included an assessment on the potential impacts as a result of the changes and determined the revised impacts to be consistent with that outlined in the EIS and RtS and the terms of the Approval.

The works undertaken during the audit period (described in Section 1.1.4) are consistent with the construction works described in the EIS and RtS and those described in the approved consistency assessments. The ER has not identified any material departures between the works undertaken during the audit period, and those identified in the EIS and RtS.

As set out in Section 3.2, the degree of compliance with the Approval and the REMMs is relatively high (six non-compliances were identified against 222 conditions). The non-compliances relate to consultation / communication matters and submission of documents, as well as clearing of native vegetation, works occurring outside of permissible hours, visual impact, recording of sustainability metrics, water reuse and erosion and sediment control. None of these non-compliances are considered to present material impacts above or beyond those contemplated in the EIS or RtS.

The Auditor has found that the CEMP, Sub-plans and monitoring programs, and community and traffic related post approval documents to be of a very high quality. The shortcomings in their implementation, as identified in Section 3.3, are not likely to have presented material departures from the impacts identified in the EIS and RtS.

Complaints and incidents for Project are inevitable given the scale and complexity of the works. As noted in Sections 3.6 above the Auditor is of the view that Sydney Metro and its contractors have adequately identified and responded to the complaints received during the audit period. The Auditor has not identified any complaints that indicate that impacts are different to that predicted or that they are unacceptable in their severity. The auditees have not identified any incidents as defined by the Approval that need to be reported to the Department as required under A41/A42,

that is, no incidents have been assessed as having potential or actual material harm on the environment or community (or actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000). The Auditor agrees with this assessment.

### 3.9 Environmental performance

The environmental performance of the Project during the audit period is considered by the Auditor to be high. The following matters are of note:

- The compliance records were well organized and available at the time of the site inspection and interview with key Project personnel.
- Relevant environmental and compliance monitoring activities are being undertaken by Sydney Metro, the ER and its contractors to provide verification of compliance against statutory requirements and the broader Project legislative requirements.
- The Project design development process is very strong. The design reports incorporate Requirements Verification Traceability Matrices (RVTM) and are reviewed by Sydney Metro subject matter experts and (where relevant) the Independent Certifier and Metro's Engineering and Design Assurance Team. The comments are transferred back to the contractors for review and resolution. The comments must be addressed and deemed satisfactory by Sydney Metro / Certifier etc. prior to moving to the next design gate. This process provides a high degree of confidence that requirements from the EIS and Project Approval are incorporated into design.
- The management of dust, noise and vibration, OOHV, flora and fauna, and traffic appears to be sound across both SBT and SCAW. Whilst several complaints, incidents and non-compliances were recorded that are relevant to these aspects, there does not appear to be any material mismanagement.
- SCAWs erosion and sediment controls were of a high standard. This is particularly important for the Stabling and Maintenance Facility which involves large scale bulk earthworks. As noted by the auditees, dust suppression for this site will become very challenging in dryer conditions given the extent of exposed land / earthworks.
- Improvement to erosion and sediment controls on SBT sites is warranted, and in the period following the site inspection improvements appear to have commenced being implemented:
  - The stockpiles at Orchard Hills (in particular the southern stockpile) have been stabilised to prevent fugitive dust and run off
  - The sediment basins and sumps at Orchard Hills and Aerotropolis are being upgraded to align with the relevant specifications in the Blue Book
  - The haul road at St Marys and the egress point on Phillip Street has had improved controls implemented so that the reliance on a streetsweeper to manage material tracking is reduced
  - Further training of site construction teams on the fundamentals of erosion and sediment control would reduce the burden on the environmental team in ensuring implementation of controls is effective.



## 4. CONCLUSIONS

This Audit Report presents the findings from the third Independent Audit for on the Sydney Metro Western Sydney Airport (the Project), covering the period from 31 August 2022 to 23 February 2023.

The overall outcome of the Independent Audit was positive. Compliance records were organised and available at the time of the site inspection and interviews with Project personnel from Sydney Metro, its contractors and the ER (together, the auditees). The auditees were cooperative and responsive to the Auditors requests and requirements of the audit.

Relevant environmental and compliance records were being collected and reported to enable verification against compliance and Project environmental requirements.

With respect to the findings from the third Independent Audit:

- There were 222 conditions assessed.
- 160 conditions were considered to be compliant.
- Six (6) non-compliances were identified. These are detailed in Table 7 below, and relate to the presentation of documentation on the Project website, clearing of native vegetation, works occurring outside of permissible hours, consultation on Detailed Noise and Vibration Impact Statements, implementation of erosion and sediment controls and submission of the revised Groundwater Modelling Report.
- 56 conditions were considered not triggered.
- In addition to the above, 17 observations were identified. These are detailed in Table 7 below, and relate to implementation of REMM HYD1, establishment of Minor Ancillary Facilities, ER monitoring of the implementation of the CEMP, Sub-plans and monitoring programs, the Department's feedback on the first and second Audit Reports, incidents that occurred during the audit inspection and interview period, implementation of the CEMP, stockpile management, flood design, out-of-hours work consultation and respite, implementation of mitigation measures at compounds to minimise visual impact, adoption of recommendations provided by the Design Review Panel, implementation of the Sustainability Management Plan and implementation of the Water Reuse Strategy.

With respect to the status of the five (5) findings that were open at the time of completion of the second Independent Audit:

- Four (4) previously open findings are considered by the Auditor to be closed.
- One (1) is considered still open. This relates to Sydney Metro ensuring the Project website contains all necessary documents.

Detailed findings are presented in Section 3, along with actions proposed or undertaken by the auditees to address the findings.

The Auditor would like to thank the auditees from Sydney Metro, CPBG, CPBUI and HBI for their high level of organisation, cooperation, and assistance during the Independent Audit.

## LIMITATIONS

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The assessment of actual impacts and those predicted in the Environmental Impact Assessment(s) was a high-level assessment qualitative assessment only. The Environmental Impact Assessment(s) include a voluminous number of studies and predictions that relied on observation, measurement and modelling of the existing environments and potential outcomes arising from the Project (including mitigation measures). Full assessment of the accuracy of these predictions would also require a significant number of studies involving measurement and modelling using actual data points as inputs. Other than the requirements specified in the conditions, to the Auditor's knowledge there are no requirements to undertake such studies and doing so does not form part of this Independent Audit.

Audits of all post approval documents prepared to satisfy the conditions, including an assessment of the implementation of Environmental Management Plans and Sub-plans, adopts a Judgement Based Sampling approach. Judgement Based Sampling is the process of selecting a sample of commitments and evidence from within the total available data set (population) to obtain and evaluate evidence about some characteristic of that population, in order to form a conclusion concerning the population.

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# APPENDIX A – SSI 10051 CONDITIONS OF APPROVAL



Unique ID	Compliance requirement	SBT	SCAW	SSTOM	Evidence collected	Independent Audit findings and recommendations	Compliance Status
<b>SCHEDULE 2</b>							
<b>PART A ADMINISTRATIVE CONDITIONS</b>							
<b>General</b>							
A1	The Proponent must carry out the CSSI in accordance with the terms of this approval and generally in accordance with the: (a) Sydney Metro – Western Sydney Airport Environmental Impact Statement dated 21 October 2020; and (b) Sydney Metro – Western Sydney Airport Submissions Report submitted April 2021.	Applicable	Applicable	Applicable	Evidence referred to elsewhere in this Audit Table	<p>The Auditor notes that several non-compliances and observations have been identified against the requirements of this Approval. The non-compliances are not significant in number and have not appeared to result in any material impact to the environment or community. The non-compliances have been assigned to the requirement to which they relate. Therefore the Auditor has not assigned another non-compliance with this requirement.</p> <p>The Auditor also notes that Project plans, strategies and programs have incorporated the requirements of this Approval and the REMMs as applicable (noting the finding against A2 below). By and large these have been implemented on site.</p> <p><b>Positive observation: The Design Reports incorporate Requirements Verification Traceability Matrix (RVTM) and are reviewed by Metro SMEs and the Independent Certifier and Metro's Engineering and Design Assurance Team. The comments are transferred back to the contractors for review and resolution. The comments must be addressed and deemed satisfactory by Metro/IC etc. prior to moving to the next design gate. This process provides a high degree of confidence that requirements from the EIS and Project Approval are incorporated into design.</b></p>	C

A2	<p>The CSSI must only be carried out in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the documents listed in Condition A1 unless otherwise specified in, or required under, this approval.</p>	Applicable	Applicable	Applicable	<p>Evidence referred to elsewhere in this Audit Table</p> <p>SMWSA SSI10051_IA3_Request for Information_SBT_Rev1.1DRAFT_EF, 23/02/23 (SBT response to Auditor's request for information)</p> <p>Email Transport to SBT, 16/08/22 (progress on seed collection program)</p> <p>SBT Site Establishment packages, flood and hydrology reports: Bringelly Site Establishment PKG-051001, Orchard Hills Site Establishment PKG-031801, Aerotropolis Site Establishment PKG-033701, Hydrology and Flood report RPT-010301, Orchard Hills Dive Permanent Piles, Excavation &amp; Support PKG-032001, Orchard Hills Portal and station box Temporary Piles, Excavation &amp; Support PKG-031901, Bringelly Site Establishment PKG-051001, Aerotropolis Station box Temporary Piles, Excavation &amp; Support RPT-011601</p> <p>SBT Climate Change Risk Assessment Report, 09/02/23</p> <p>SMWSA SSI10051_IA3_Request for Information_SCAW_Rev1.1, 22/02/23 (SCAW Response to Auditor's request for information)</p> <p>SCAW Results of Salinity and ASS Testing, SMF, Orchard Hills, Douglas Partners, 26/08/22 (salinity report)</p> <p>SCAW Climate Change Risk Assessment Workshop, 31/08/22, 12/09/22</p> <p>SMWSA SSI10051_IA3_Request for Information_Sydney Metro_Rev1.1, 23/02/23 (Sydney Metro response to Auditor's request for information)</p> <p>2022-12 SM-WSA Seed Collection Monthly Report</p> <p>SBT CTMP St Marys Site Estab May 22 (revised Jan 23) (Section 3.5, Construction Parking and Access).</p>	<p>Procedures, commitments, preventative actions, performance criteria and mitigation measures identified in the EIS have been incorporated into Project plans, strategies and programs where relevant for the scope of works being carried out. The ER and the Department have endorsed / approved the documents (where applicable) prior to the relevant works commencing. The evidence sighted with regards to implementation of the documents indicates that they are (by and large) being implemented.</p> <p>A review was also conducted on the REMMs and a request for information was raised with the auditees to provide evidence of implementation of certain REMMs relevant to their work, and where they differ from the requirements set out in this approval. The responses provided have satisfied the Auditor that the REMMs (where relevant to the scope of works being carried out) had been implemented during the audit period, with the exception of the below.</p> <p><b>Observation: The Auditor requested SBT provide evidence of consultation with the SES on coordination of flood response as per REMM HYD1. As part of the Emergency Response Plan, there has been a meeting with Ambulance Australia to address emergency requirements. These meetings will be ongoing. However SES does not appear to have been consulted with.</b></p>	C
A3	<p>In the event of an inconsistency between:</p> <p>(a) the conditions of this approval and any document listed in <b>Condition A1</b>, the conditions of this approval will prevail to the extent of the inconsistency; and</p> <p>(b) any document listed in <b>Condition A1</b>, the most recent document will prevail to the extent of the inconsistency.</p> <p>Note: For the purpose of this condition, there is an inconsistency between a term of this approval and any document if it is not possible to comply with both the term and the document.</p>	Applicable	Applicable	Applicable	Refer E92	<p>This audit assesses compliance with the conditions of this Approval. Where an duplication / overlap or inconsistency with a REMM has been identified, the Auditor has applied the condition requirement.</p> <p>The auditees are not aware of a material inconsistency, and has applied the requirements of this Approval against all else. Whilst not a compliance issue, the Auditor notes SBT's continued reference to REMMS SC1 and SC2 as a means to reclassify contamination risk. This is inconsistent with E92. This audit has considered this difference and assesses compliance with E92.</p>	C
A4	<p>In the event that there are differing interpretations of the conditions of this approval, including in relation to a condition of this approval, the Planning Secretary's interpretation is final.</p>	Applicable	Applicable	Applicable	<p>Interview with SBT, 02/02/23</p> <p>Interview with SCAW 08/02/23</p> <p>Metro interview, 10/02/23</p>	<p>SBT and SCAW are not aware of any events requiring interpretation.</p> <p>Metro advise that there have been discussions with the Department regarding E57 and E63, however there has been no request for interpretation and no formal advice provided by the Department.</p>	NT

A5	<p>The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to:</p> <ul style="list-style-type: none"> <li>(a) the environmental performance of the CSSI;</li> <li>(b) any document or correspondence in relation to the CSSI;</li> <li>(c) any notification given to the Planning Secretary under the terms of this approval;</li> <li>(d) any audit of the construction or operation of the CSSI;</li> <li>(e) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval);</li> <li>(f) the carrying out of any additional monitoring or mitigation measures; and</li> <li>(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 the terms of this approval</li> </ul>	Applicable	Applicable	Applicable	<p>Interview with SBT, 02/02/23</p> <p>Interview with SCAW 08/02/23</p> <p>Metro interview, 10/02/23</p> <p>Letter DPE to Metro, 08/11/22 (DPE acknowledgement of receipt of ER approved SCAW preparatory CEMP, AQMP, Spoil, SSWMP and surface water monitoring program)</p> <p>Letter DPE to Metro, 21/10/22 (DPE approval of the SCAW NVMP and monitoring program)</p> <p>Letter DPE to Metro, 25/10/22 (DPE approval of the SCAW FFMP)</p> <p>Letter to DPE to Metro, 31/10/22 (DPE approval of SCAW main works SWMP and Surface Water Monitoring Program).</p> <p>Letter DPE to Metro, 11/11/22 (DPE acknowledgement of receipt of SCAW main works CEMP, CAQMP, NAHMP)</p> <p>Letter DPE to Metro, 14/12/22 (DPE advice on submission of SCAW DRP advice under E63)</p> <p>Letter DPE to Metro, 07/10/22 (DPE approval of SBT NVMP and Monitoring Program, Groundwater Monitoring Program, and acknowledgment of receipt of the SWMP and Surface Water Monitoring Program)</p> <p>Letter DPE to Metro, 31/10/22 (DPE approval of SBT CEMP and FFMP)</p> <p>Letter DPE to Metro, 02/02/23 (DPE RFI on SSTOM SPO Ancillary Facility SEMP)</p> <p>Letter DPE to Metro, 22/12/22 (Notice regarding second Independent Audit)</p> <p>Email DPE to the ER, 19/12/22 (Approval of extension of December 2022 ER Monthly Report).</p> <p>Letter WolfPeak to Sydney Metro, 16/09/22 and DPE post approval portal lodgement SSI-10051-PA-125 (request for extension to for submission of second Audit Report)</p>	<p>The Department issued letters of approval of the management plans for which they had approval power. The letters did not contain conditional approval. The letters reminded the proponent to implement and publish the documents. The project appears to have complied with this direction.</p> <p>The Department issued a letter of advice about receipt of the DRP advice on E63. The Department directed Metro to publish the document. Again Metro (SCAW) appears to have complied with the direction.</p> <p>Refer to A36 regarding the feedback and direction regarding the second independent audit.</p> <p>The Department has granted extensions for submission of the December 22 ER Monthly Report and the second Audit Report. These submissions appear to have been submitted within the revised time required.</p> <p>Several of the Departments letters of approval remind the Proponent to publish the documents on the Project website. Refer to B11 regarding compliance with that direction.</p> <p>There have been a number of requests for information in relation to documents (such as plans, complaints registers and the like), but to the Auditor's knowledge these did not constitute directions under A5. For example, the Department issued a request for the SPO SEMP. At the time of the interviews Sydney Metro had yet to respond to that request (due 16/02/23). The Auditor notes that the ER has endorsed the SEMP (as is permitted under the approval and Staging Report) and site establishment works at this site have commenced under the SEMP.</p> <p>The auditees are not aware of any formal directions regarding environmental performance, enforcement action, additional monitoring or mitigation measures, or application of guidelines or standards.</p>	C
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A6	<p>Where the terms of this approval require a document or monitoring program to be prepared, or a review to be undertaken, in consultation with identified parties, evidence of the consultation undertaken must be submitted to the Planning Secretary with the document. The evidence must include:</p> <p>(a) documentation of the engagement with the party identified in the condition of approval that has occurred before submitting the document for approval;</p> <p>(b) a log of the dates of engagement or attempted engagement with the identified party and a summary of the issues raised by them;</p> <p>(c) documentation of the follow-up with the identified party(s) where feedback has not been provided to confirm that the party(s) has none or has failed to provide feedback after repeated requests;</p> <p>(d) outline of the issues raised by the identified party(s) and how they have been addressed; and</p> <p>(e) a description of the outstanding issues raised by the identified party(s) and the reasons why they have not been addressed.</p>	Applicable	Applicable	Applicable	<p>Refer to evidence sighted in:</p> <ul style="list-style-type: none"> <li>A18, C5, C13, C14, E12, E14, E17, E23, E35, E42, E57, E64, E73, E77, E79, E83, E114, E117, E121, E130</li> <li>D5, E8, E58, E112, E119</li> <li>E47</li> </ul> <p>Sydney Metro response to draft Audit Report, received 19/03/23</p>	<p>The evidence sighted indicates that consultation has been:</p> <ul style="list-style-type: none"> <li>adequately undertaken where required for A18, C5, C13, C14, E12, E14, E17, E23, E35, E42, E57, E64, E73, E77, E79, E83, E114, E117, E121, E130</li> <li>not required for D5, E8, E58, E112, E119</li> </ul> <p>With respect to consultation required by E47.</p> <p>Sydney Metro notes: 'Sydney Metro has interpreted this condition to be related to CoA which clearly require preparation of a document in consultation with agencies, such as CoA C5, C13, E77 etc. CoA E47 does not explicitly call for consultation to be carried out in the preparation of the DNVIS, however it must include specific mitigation measures identified through consultation feedback, which occurs in accordance with the additional mitigation measures in the SM CNVS. Sydney Metro does not agree with this finding of a Non-Compliance against CoA A6.'</p> <p>The Auditor acknowledges Sydney Metro's assessment, noting that</p> <ul style="list-style-type: none"> <li>A6 refers to 'identified parties' and not 'agencies'.</li> <li>Sydney Metro is correct that the DNVIS is not required to be prepared in consultation with identified parties, rather that the DNVIS must include specific mitigation measures identified through consultation with affected sensitive land user(s).</li> <li>It is unclear which trigger Sydney Metro is referring to in its statement that consultation '...occurs in accordance consultation feedback, which occurs in accordance with the additional mitigation measures in the SM CNVS'. The additional mitigation measures from the CNVS include five types of communications depending on the predicted noise impact, some of which are notifications, rather than consultation. Further, E47 does not call up the mitigation measures from the CNVS. It requires consultation with the affected land user(s) i.e.: those that may experience impacts that 'may exceed the NMLs, vibration criteria and / or ground-borne noise levels specified in Conditions E43 and E44 at any residence outside construction hours identified in Condition E38, or where receivers will be highly noise affected or subject to vibration levels above those otherwise determined as appropriate by a suitably qualified structural engineer under Condition E87.'</li> </ul> <p>The Auditor is of the view that whilst A6 has been complied with, consultation under E47 has not been satisfied.</p>	C
A7	This approval lapses five (5) years after the date on which it is granted, unless work has physically commenced on or before that date.	Applicable	Applicable	Applicable	Site inspection 01/02/23	The project is in construction.	C
A8	References in the terms of this approval 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 approval.	Applicable	Applicable	Applicable	Refer to evidence sighted elsewhere in this Audit Table.	The plans, strategies and programs sighted as part of the audit appear to reference the relevant and current guidelines, protocols, Australian Standards or policies.	C



A9	<p>Any document that must be submitted or action taken within a timeframe specified in or under the conditions of this approval may be submitted or undertaken within a later timeframe agreed with the Planning Secretary.</p> <p>This condition does not apply to the written notification required in respect of an incident under <b>Condition A41</b>.</p>	Applicable	Applicable	Applicable	<p>Interview with SBT, 02/02/23</p> <p>Interview with SCAW, 08/02/23</p> <p>Metro interview, 10/012/23</p> <p>Email DPE to the ER, 19/12/22 (Approval of extension of December 2022 ER Monthly Report).</p> <p>Letter WolfPeak to Sydney Metro, 16/09/22 and DPE post approval portal lodgement SSI-10051-PA-125 (request for extension to for submission of second Audit Report)</p> <p>Letter DPE to Metro, 20/10/22 (approval of extension of second Independent Audit).</p>	<p>Extension requests were raised and approved for the December 2022 ER Monthly Report. The Report was submitted prior to the updated due date.</p> <p>An extension request was raised and granted for the submission of the second Audit Report. The Report was submitted prior to the updated due date.</p> <p>The Auditor notes that Sydney Metro and the Department are able to adjust due dates for certain documents within the DPE post approval portal. The Auditor has not sighted this data and has not considered it under this requirement.</p>	C
<b>Staging</b>							
A10	<p>The CSSI may be constructed and operated in stages. Where staged construction and/or operation is proposed, a <b>Staging Report</b> must be prepared. The <b>Staging Report</b> must be submitted to the Planning Secretary for information no later than one (1) month before the lodgment of any <b>CEMP</b> or <b>CEMP sub plan</b> for the first of the proposed stages of construction (or if only staged operation is proposed, one (1) month before the commencement of operation of the first of the proposed stages of operation), unless otherwise agreed with the Planning Secretary.</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p>	<p>The Project is being staged. The previously approved Staging Report (approved prior to the current audit period) underwent a minor update during the audit period comprising:</p> <ul style="list-style-type: none"> <li>Changes to the arrangements for non-Aboriginal heritage management for the SBT package in line with the previously approved risk assessment</li> <li>Minor changes to the allocations for the St Marys footbridge works; and</li> <li>Minor typographic corrections and changes.</li> </ul> <p>The Department accepted the update on 17/10/22.</p>	C
A11	<p>The <b>Staging Report</b> must:</p> <p>(a) set out how construction of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;</p> <p>(b) if staged operation is proposed, set out how the operation of the whole of the CSSI will be staged, including details of each stage and the general timing of when operation of each stage will commence;</p> <p>(c) specify conditions that apply to each stage of construction and operation including how compliance with conditions will be achieved across and between each of the stages of the CSSI;</p> <p>(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging; and</p> <p>(e) for the purposes of informing <b>Conditions C2, C7 and C17</b>, include an assessment of the predicted level of environmental risk and potential level of community concern posed by the construction activities required to construct each stage of the CSSI. With respect to (e) above, the risk assessment must use an appropriate process consistent with AS/NZS ISO 31000: 2018; Risk Management - Guidelines and must be endorsed by the ER</p> <p><b>Note:</b></p> <p>1. A Staging Report may reflect the staged construction and operation of the project through geographical activities, temporal activities or activity-based staging.</p> <p>2. The risk matrix must reflect the stages of construction identified in the Staging Report</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p>	<p>The Project is being staged. The previously approved Staging Report (approved prior to the current audit period) underwent a minor update during the audit period comprising:</p> <ul style="list-style-type: none"> <li>Changes to the arrangements for non-Aboriginal heritage management for the SBT package in line with the previously approved risk assessment</li> <li>Minor changes to the allocations for the St Marys footbridge works; and</li> <li>Minor typographic corrections and changes.</li> </ul> <p>The previously approved, and updated Staging Report includes the information specified in this condition.</p>	C
A12	<p>The CSSI must be staged in accordance with the <b>Staging Report</b>, as submitted to the Planning Secretary for information.</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Evidence sighted in Parts B, C and E of this Audit Table</p> <p>Site inspection 01/02/23</p>	<p>The Project appears to be staged in accordance with the Staging Report.</p>	C
A13	<p>Where staging is proposed, the terms of this approval that apply or are relevant to the work or activities to be carried out in a specific stage must be complied with at the relevant time for that stage</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Evidence sighted in Parts B, C and E of this Audit Table</p> <p>Site inspection 01/02/23</p>	<p>The Project appears to be staged in accordance with the Staging Report. This audit assesses compliance of the Project in consideration of the timing specified in the Staging Report. Other than the specific non-compliances identified, the Auditor has not identified a departure from the Staging Report.</p>	C

A14	Where changes are proposed to the staging of construction or operation, a revised <b>Staging Report</b> must be prepared and submitted to the Planning Secretary for information before the commencement of changes to the stage of construction or the stage of operation.	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p> <p>Construction start dates (A10) as provided by Sydney Metro and the auditees, 23/02/23)</p>	<p>The Project is being staged. The previously approved Staging Report (approved prior to the current audit period) underwent a minor update during the audit period comprising:</p> <ul style="list-style-type: none"> <li>• Changes to the arrangements for non-Aboriginal heritage management for the SBT package in line with the previously approved risk assessment</li> <li>• Minor changes to the allocations for the St Marys footbridge works; and</li> <li>• Minor typographic corrections and changes.</li> </ul> <p>The Staging Report was prepared, and updated, prior to the relevant stage/s commencing.</p>	C
A15	Where changes are proposed to the risk assessment related to the staging of construction or operation, a revised <b>Staging Report</b> must be submitted to the Planning Secretary for information one (1) month before the lodgment of any <b>CEMP</b> or <b>CEMP sub plan</b> associated with the stage where change in risk assessment is proposed	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p>	<p>The Project is being staged. The previously approved Staging Report (approved prior to the current audit period) underwent a minor update during the audit period comprising:</p> <ul style="list-style-type: none"> <li>• Changes to the arrangements for non-Aboriginal heritage management for the SBT package in line with the previously approved risk assessment</li> <li>• Minor changes to the allocations for the St Marys footbridge works; and</li> <li>• Minor typographic corrections and changes.</li> </ul> <p>The risk assessment from Rev 6 (approved prior to the current audit period) was not subject to update as part of the Rev 7 amendment.</p>	NT
A16	<p>The Proponent may submit any strategies, plans or programs required by this approval on a progressive basis, within each stage of the CSSI.</p> <p>Notes:</p> <ol style="list-style-type: none"> <li>1. While any strategy, plan or program may be submitted on a progressive basis, the Proponent will need to ensure that the existing activities on site are covered by suitable strategies, plans or programs at all times; and</li> <li>2. If the submission of any strategy, plan or program is to be submitted on a progressive basis, then the relevant strategy, plan or program must clearly describe the activities to which the strategy, plan or program applies, the relationship of this activity to any future activities within the stage, and the trigger for updating the strategy, plan or program.</li> <li>3. The staged submission of strategies, plans or programs may reflect the construction and operation of the project through geographical activities, temporal activities or activity-based staging.</li> </ol>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Evidence sighted in Parts B, C and E of this Audit Table</p>	<p>The Project appears to be submitting strategies, plans or programs in line with the staging set out in the Staging Report.</p>	C
<b>Ancillary Facilities</b>							
A17	<p>Ancillary facilities that are not identified by description and location in the documents listed in <b>Condition A1</b> can only be established and used in each case if:</p> <ol style="list-style-type: none"> <li>(a) they are located within or immediately adjacent to the Construction Boundary of the CSSI; and</li> <li>(b) they are not located next to sensitive land use(s) (including where an access road is between the facility and the receiver), unless the landowner and occupier have given written acceptance to the carrying out of the relevant facility in the proposed location; and</li> <li>(c) they have no impacts on Heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the terms of this approval; and</li> <li>(d) the establishment and use of the facility can be carried out and managed within the outcomes set out in the terms of this approval, including in relation to environmental, social and economic impacts.</li> </ol> <p><b>Note:</b> This condition does not apply to any ancillary facilities or work that are exempt or complying development, established before the commencement of construction under this approval or minor ancillary facilities established under Condition A22.</p>	Applicable	Applicable	Applicable	<p>Interview with SBT, 02/02/23</p> <p>Construction Environment Management Plan, SBT, CPBG, 29/09/22 (SBT CEMP)</p> <p>Interview with SCAW, 08/02/23</p> <p>Construction Environment Management Plan, SCAW, CPBUI, 04/11/22 (SCAW CEMP)</p> <p>SCAW Minor Ancillary Facility Checklist, M12 Bridge Piling (LD CHK 00001)</p> <p>Metro interview, 10/02/23</p> <p>Site Establishment Management Plan, SSTOM Project Office (SPO), Built, 21/12/22 (SPO SEMP)</p> <p>Exempt development checklist for compound at 19 Harris Street, 08/02/23</p>	<p>Table 8-3 of Chapter 8 of the EIS identifies compounds to be established at all construction sites.</p> <p>The auditees are not aware of any compounds being established in areas not already approved under the EIS, as the EIS allows for compounds to be established anywhere within the construction footprint. That being said, compounds are included in the approved CEMPs and SEMP, with the exception of the SCAW MAF established adjacent the M12 bridge piling site.</p> <p>Sydney Metro is proposing to establish a facility at 19 Harris Street. This site is not within or directly adjacent to the Project. Metro advises that establishment of this carpark is proposed to help mitigate construction impacts and has been identified in consultation with Council. Sydney Metro has completed an assessment and has determined the facility as exempt development.</p>	C
<b>Site Establishment Work</b>							

A18	<p>Before establishment of any ancillary facility (excluding exempt or complying development, minor ancillary facilities determined by the ER to have minimal environmental impact and those established under <b>Condition A22</b> and those considered in an approved <b>CEMP</b>), the Proponent must prepare a <b>Site Establishment Management Plan</b> which outlines the environmental management practices and procedures to be implemented for the establishment of the ancillary facilities. <b>The Site Establishment Management Plan</b> must be prepared in consultation with the Relevant Council(s) and relevant government agencies. The <b>Site Establishment Management Plan</b> must include:</p> <p>(a) a description of activities to be undertaken during establishment of the ancillary facility (including scheduling and duration of work to be undertaken at the site);</p> <p>(b) figures illustrating the proposed operational site layout and the location of the closest sensitive land use(s);</p> <p>(c) a program for ongoing analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment undertaken before the commencement of site establishment work;</p> <p>(d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to:</p> <p>(i) meet the performance outcomes stated in the documents listed in Condition A1; and</p> <p>(ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; and</p> <p>(e) a program for monitoring the performance outcomes, including a program for construction noise monitoring, where appropriate or required.</p> <p>Nothing in this condition prevents the Proponent from preparing individual <b>Site Establishment Management Plans</b> for each ancillary facility.</p>	Applicable	Applicable	Applicable	<p>Interview with SBT, 02/02/23</p> <p>Construction Environment Management Plan, SBT, CPBG, 29/09/22 (SBT CEMP)</p> <p>Preparatory Construction Environment Management Plan, SBT, CPBG, 13/04/2022 (SBT PCEMP)</p> <p>Interview with SCAW, 08/02/23</p> <p>Construction Environment Management Plan, SCAW, CPBUI, 04/11/22 (SCAW CEMP)</p> <p>SCAW Minor Ancillary Facility Checklist, M12 Bridge Piling (LD CHK 00001)</p> <p>Metro interview, 10/02/23</p> <p>Site Establishment Management Plan, SSTOM Project Office (SPO), Built, 21/12/22 (SPO SEMP)</p> <p>Letter ER to Sydney Metro, 22/12/22 (ER endorsement of SSTOM SPO SEMP, including confirmation that consultation had been completed in accordance with A18)</p> <p>Exempt development checklist for compound at 19 Harris Street, 08/02/23</p>	<p>Neither SBT or SCAW utilised a SEMP. Early construction was conducted through preparatory CEMPs and main CEMPs.</p> <p>An SEMP was prepared for the establishment of the AEW SSTOM Project Office (SPO) facility (located in St Marys). The SEMP addresses the requirements of this condition. The document was reviewed and endorsed by the ER on 22/12/22. At the time of the audit site inspection on 01/02/23 the SPO works had barely commenced. Crib sheds and fencing were in place, but no other works had occurred.</p>	C
A19	<p>With the exception of a <b>Site Establishment Management Plan</b> expressly nominated by the Planning Secretary to be endorsed by the ER, all <b>Site Establishment Management Plans</b> must be submitted to the Planning Secretary for approval one (1) month before the establishment of any ancillary facilities</p>	Applicable	Applicable	Applicable	<p>Metro interview, 10/02/23</p> <p>Site Establishment Management Plan, SSTOM Project Office (SPO), Built, 21/12/22 (SPO SEMP)</p> <p>Letter ER to Sydney Metro, 22/12/22 (ER endorsement of SSTOM SPO SEMP, including confirmation that consultation had been completed in accordance with A18)</p> <p>Letter Sydney Metro to DPE, 23/12/22 (submission of SPO SEMP)</p>	<p>The SPO SEMP was submitted to the Department on 23/12/22. According to Sydney Metro SPO works commenced on site on the 30/01/23. At the time of the audit site inspection on 01/02/23 the SPO works had barely commenced. Crib sheds and fencing were in place, but no other works had occurred.</p>	C
A20	<p>A <b>Site Establishment Management Plan</b> expressly nominated by the Planning Secretary to be endorsed by the ER must be submitted to the ER for endorsement one (1) month before the establishment of that ancillary facility or as otherwise agreed with the ER.</p>	Applicable	Applicable	Applicable	<p>Site Establishment Management Plan, SSTOM Project Office (SPO), Built, 21/12/22 (SPO SEMP)</p> <p>Letter ER to Sydney Metro, 22/12/22 (ER endorsement of SSTOM SPO SEMP, including confirmation that consultation had been completed in accordance with A18)</p>	<p>An SEMP was prepared for the establishment of the AEW SSTOM Project Office (SPO) facility (located in St Marys). The SEMP addresses the requirements of this condition. The document was reviewed and endorsed by the ER on 22/12/22. According to Sydney Metro SPO works commenced on site on the 30/01/23. At the time of the audit site inspection on 01/02/23 the SPO works had barely commenced. Crib sheds and fencing were in place, but no other works had occurred.</p>	C

A21	<p>The use of ancillary facility for construction must not commence until the <b>CEMP</b> required by <b>Condition C1</b> relevant <b>CEMP Sub-plans</b> required by <b>Condition C5</b> and relevant <b>Construction Monitoring Programs</b> required by <b>Condition C13</b> have been approved by the Planning Secretary or endorsed by the ER (whichever is applicable).</p> <p>Note: This condition does not apply to Condition A22 or where the use of an ancillary facility is Low Impact Work or for Low Impact Work.</p>	Applicable	Applicable	Applicable	<p>Refer to evidence sighted in C1 regarding approval of the CEMPs, Sub-plans and Monitoring Programs.</p> <p>Email Metro to DPE, 09/08/22 (notification of commencement of SCAW preparatory construction)</p> <p>Emails Metro to Penrith and Liverpool Councils, 09/08/22 (notification of commencement of SCAW preparatory construction)</p> <p>Portal lodgement, 17/10/22 (notification of commencement of SCAW main construction)</p> <p>Letter Metro to DPE, 14/10/22 (notification of commencement of SCAW main construction)</p> <p>Email Metro to Penrith and Liverpool Councils, 18/10/22 (notification of commencement of SCAW main construction)</p> <p>Emails Metro to Penrith and Liverpool Councils, 30/09/22 (notification of SBT Main Construction)</p> <p>Letter Metro to DPE, 30/09/22 (notification of SBT Main Construction)</p> <p>Email DPE to Metro, 04/10/22 (acknowledgment of notification of commencement of SBT main construction)</p> <p>Interview with ER 31/01/23</p>	<p>Neither SBT or SCAW utilised a SEMP. Early construction was conducted through preparatory CEMPs and main CEMPs.</p> <p>An SEMP was prepared for the establishment of the AEW SSTOM Project Office (SPO) facility (located in St Marys). Refer to C1 regarding dates of approval of CEMP, Sub-plans and Monitoring Programs.</p> <p>SCAW preparatory construction was notified to the Department, Liverpool and Penrith Councils on 09/08/22. It is understood that SCAW preparatory construction commenced on 10/10/22 (after endorsement of the PCEMP on 07/10/22). Notification of SCAW main construction was made to DPE on 17/10/22, and Liverpool and Penrith Councils on 18/10/22, with main construction works commencing on 1 November under the main CEMP.</p> <p>SBT Main works construction was notified to Council and DPE on 30/09/22, with intended start date of 10/10/22. Actual commencement of main construction was delayed until November 2022.</p> <p>AEW SPO has commenced but these are not construction works (only site establishment).</p> <p>The ER did not raise any concerns regarding commencement of use of facilities prior to approval of the relevant documents. The Auditor has not identified any breach of this requirement.</p>	C
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A22	<p>Lunch sheds, office sheds, portable toilet facilities and the like, can be established and used where they have been assessed in the documents listed in Condition A1 or satisfy the following criteria:</p> <p>(a) are located within or adjacent to the Construction Boundary; and</p> <p>(b) have been assessed by the ER to have –</p> <p>(i) minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the ICNG, traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and</p> <p>(ii) minimal environmental impact with respect to waste management and flooding, and</p> <p>(iii) no impacts on biodiversity, soil and water, and Heritage items beyond those already approved under other terms of this approval.</p>	Applicable	Applicable	Applicable	<p>SCAW Minor Ancillary Facility Checklist, M12 Bridge Piling (LD CHK 00001)</p> <p>Email ER to SCAW, 12/12/22 (ER assessment of M12 piling MAF)</p> <p>Exempt development checklist for compound at 19 Harris Street, 08/02/23</p> <p>Email chain Metro and ER, 26/09/22 (guidance on establishment of MAF at 19 Harris Street to support AEW SPO)</p>	<p>Neither SBT or SCAW utilised a SEMP. Early construction was conducted through preparatory CEMPs and main CEMPs. The facilities have been identified in the EIS.</p> <p><b>Observation: The SCAW Minor Ancillary Facility (MAF) application process requires sign off by the ER prior to establishment of a MAF. The application for the MAF at the M12 piling platform site has been assessed by the ER (as is required by this condition), but has not been signed off / approved as per the SCAW MAF application process. In making the above observation, the Auditor notes that the MAF at the M12 piling platform is entirely within the Project construction footprint and Table 8-3 of Chapter 8 of the EIS identifies compounds to be established at all construction sites.</b></p> <p>In response to this finding in the draft Audit Report, CPBUI provided the following statement: <i>'CPBUI's Minor Ancillary Facility Checklist included as part of the project Environmental Management System has been updated to address this observation, including an ER sign off and assessment against CoA A17 and A22.'</i></p> <p>The Auditor notes that the finding does not relate to a deficiency in the checklist, rather that the ER had yet to sign off / approve the MAF in accordance with its existing process.</p> <p><b>Observation: Sydney Metro is proposing to establish a facility at 19 Harris Street, St Marys. Metro advises that establishment of this facility is proposed to help mitigate construction impacts and has been identified in consultation with Council. Sydney Metro has completed an assessment and has determined the facility as exempt development and thus not called up under A17. The Auditor observes, however, that Sydney Metro has sought ER endorsement under A22 to enable activities to occur on the site that weren't considered in the exempt development assessment.</b></p> <p>The Auditor is of the view that this approach (using the exempt development covering part of the proposed activities, and A22 endorsement for additional activities) is not permissible. Further, the Auditor does not consider the facility at 19 Harris Street to be adjacent to the Project and therefore is in conflict with the criteria stated in A22. At the time of the audit interviews, the 19 Harris Street facility had yet to be established.</p> <p>In response to this finding in the draft Audit Report, Sydney Metro provided the following statement: <i>'Use of 19 Harris Street for an at-grade car park is permissible as exempt development which is excluded under condition A17. Proposed use of condition A22 relates to short term storage of excess construction materials needed to support construction of the Stations, Systems, Trains, Operations and Maintenance (SSTOM) project office at St Marys for the SM-WSA project. Use of condition A22 did not relate to storage for the purposes of the exempt development (the at-grade car park) and has therefore been considered under the CSSI. Condition A17 specifies that ancillary facilities must be within or immediately adjacent to the construction boundary but condition A22 states that minor ancillary facilities must be located within or adjacent to the construction boundary and provides greater flexibility. The construction boundary extends onto Harris Street and the proposed minor ancillary facility at 19 Harris Street is located adjacent to the project construction footprint on the opposite side of Harris Street.'</i></p> <p>The Auditor acknowledges Sydney Metro's response and retains the initial finding on the following basis:</p> <ul style="list-style-type: none"> <li>If the site is to be used as a car park or a MAF (or both) the ER or the exempt development assessment should</li> </ul>	C
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						consider the activities proposed in their entirety in order to accurately assess the impacts.  <ul style="list-style-type: none"> <li>As far as the Auditor can ascertain the driveway to 19 Harris Street is approximately 85m from the EIS construction boundary. Whilst there is no definition of 'adjacent' in the Approval, the Auditor takes a conservative position and is of the view that the 19 Harris Street site is not adjacent to the construction boundary.</li> </ul>	
<b>Compliance</b>							
A23	Boundary screening must be erected around ancillary facilities that are adjacent to sensitive land use(s) for the duration that the ancillary facility is in use unless otherwise agreed with relevant affected residents, business operators or landowners.	Applicable	Applicable	Applicable	Site inspection 01/02/23	Boundary screening was observed around SBT compounds. There are no sensitive land uses surrounding the SCAW site. Refer to E62 regarding the standard of the boundary screening.	C
A24	Boundary screening required under Condition A23 must minimise visual impacts on adjacent sensitive land use(s)	Applicable	Applicable	Applicable	Site inspection 01/02/23	Boundary screening was observed around SBT compounds which minimises the visual impact of construction activities to some degree. There are no sensitive land uses surrounding the SCAW site. Refer to E62 regarding the standard of the boundary screening.	C
<b>Independent Appointments</b>							
A25	All <b>Independent Appointments</b> required by the terms of this approval must have regard to the Department's guideline Seeking approval from the Department for the appointment of independent experts (DPIE, 2020) and hold current membership of a relevant professional body, unless otherwise agreed by the Planning Secretary	Applicable	Applicable	Applicable	Letter DPE to Sydney Metro, 17/08/21 (approval of Project ER)  Letter DPE to Sydney Metro, 20/01/22 (approval of Project Independent Auditors) revised approval on 1 August 2022, Ref: SSI-10051-PA-104  Letter DPE to Metro, 22/02/22, and subsequent email 22/06/2 (Approval of Alex Gale as ER)  Letter DPE to Sydney Metro, 23/12/22 (approval of WolfPeak Audit Team)  Letter Sydney Metro to Stephen Lancken, 14/12/21 (engagement of complaints mediator)  Letter DPE to Sydney Metro, 13/01/22 (approval of extension to timeframe to establish Design Review Panel under E36) up to 23/03/22  Government Architects New South Wales Terms of Reference for the SM Design Review Panel; for WSA and West Line 9/03/22  Metro interview 10/02/23	The engagement of Independent Appointments appears to have given regard to the Department's guideline. The auditees are not aware of any formal directions issued by the Department regarding this requirement.	C
A26	The Planning Secretary may at any time commission an audit of how an Independent Appointment has exercised their functions. The Proponent must:  (a) facilitate and assist the Planning Secretary in any such audit; and  (b) make it a term of their engagement of an Independent Appointment that the Independent Appointment facilitate and assist the Planning Secretary in any such audit.	Applicable	Applicable	Applicable	Metro interview, 10/02/23	Metro or its contractors are not aware of any such direction.	NT
A27	Upon completion of an audit under <b>Conditions A26</b> above, the Planning Secretary may withdraw its approval of an <b>Independent Appointment</b> should they consider the <b>Independent Appointment</b> has not exercised their functions in accordance with this approval.  Note: <b>Conditions A26 and A27</b> apply to all <b>Independent Appointments</b> including the ER and Independent Auditor	Applicable	Applicable	Applicable	Metro interview, 10/02/23	Metro or its contractors are not aware of any such direction.	NT
<b>Environment Representative</b>							
A28	Work must not commence until an <b>Environmental Representative (ER)</b> has been nominated by the Proponent and approved by the Planning Secretary.	Applicable	Applicable	Applicable	Letter DPE to Sydney Metro, 17/08/21 (approval of Project ERs)  Letter DPE to Sydney Metro, 17/03/22 (approval of inclusion of Alex Gale to ER team)	The ERs (x 3) were approved by the Department prior to the works for which they are responsible for, and prior to the current audit period.	C



A29	The proposed <b>ER</b> must be a suitably qualified and experienced person(s) who was not involved in the preparation of the documents listed in <b>Condition A1</b> and is independent from the design and construction personnel for the CSSI and those involved in the delivery of it.	Applicable	Applicable	Applicable	Letter DPE to Sydney Metro, 17/08/21 (approval of Project ERs) Letter DPE to Sydney Metro, 17/03/22 (approval of inclusion of Alex Gale to ER team)	The ERs (x 3) were considered by the Department to be suitably qualified, experienced and independent of the project. The ERs were approved by the Department prior to the works for which they are responsible for, and prior to the current audit period.	C
A30	The Proponent may engage more than one <b>ER</b> for the CSSI, in which case the functions to be exercised by an ER under the terms of this approval may be carried out by any ER that is approved by the Planning Secretary for the purposes of the SSI.	Applicable	Applicable	Applicable	Letter DPE to Sydney Metro, 17/08/21 (approval of Project ERs) Letter DPE to Sydney Metro, 17/03/22 (approval of inclusion of Alex Gale to ER team)	The ERs (x 3) have been engaged on the Project. Both were considered by the Department to be suitably qualified, experienced and independent of the project. The ERs were approved by the Department prior to the works for which they are responsible for, and prior to the current audit period.  Refer to A32 with respect to carrying out their functions during the audit period.	C
A31	The ER must meet the requirements of the Department's Environmental Representative Protocol (DPE, 2018).	Applicable	Applicable	Applicable	Letter DPE to Sydney Metro, 17/08/21 (approval of Project ERs) Letter DPE to Sydney Metro, 17/03/22 (approval of inclusion of Alex Gale to ER team)	The ERs (x 3) were considered by the Department to be suitably qualified, experienced and independent of the Project. The ERs were approved by the Department prior to the works for which they are responsible for, and prior to the current audit period.	C

<p>A32</p>	<p>For the duration of the work until the commencement of operation, or as agreed with the Planning Secretary, the approved ER must:</p> <p>(a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the CSSI;</p> <p>(b) consider and inform the Planning Secretary on matters specified in the terms of this approval;</p> <p>(c) consider and recommend to the Proponent any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community;</p> <p>(d) review documents identified in <b>Conditions A10, A18, A20, C1, C5 and C13</b> and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this approval and if so:</p> <p>(i) endorse the documents before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or</p> <p>(ii) endorse the documents before the implementation of such documents (if those documents are only required to be submitted to the Planning Secretary / Department for information or are not required to be submitted to the Planning Secretary / Department);</p> <p>(iii) provide a written statement to the Planning Secretary advising the documents have been endorsed.</p> <p>(e) for documents that are required to be submitted to the Planning Secretary / Department for information under <b>(d)(ii)</b> above, the documents must be submitted as soon as practicable to the Planning Secretary / Department after endorsement by the ER, unless otherwise agreed by the Planning Secretary;</p> <p>(f) regularly monitor the implementation of the documents listed in <b>Conditions A10, A18, A20, C1, C5 and C13</b> to ensure implementation is being carried out in accordance with the document and the terms of this approval;</p> <p>(g) as may be requested by the Planning Secretary, help plan or attend audits of the development commissioned by the Department including scoping audits, programming audits, briefings and site visits, but not independent environmental audits required under <b>Condition A36</b>;</p> <p>(h) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints received directly by the Department;</p> <p>(i) consider or assess the impacts of minor ancillary facilities as required by Condition A22; and</p> <p>(j) consider any minor amendments to be made to the Site Establishment Management Plan, CEMP, CEMP Sub-plans and construction monitoring programs without increasing impacts to nearby sensitive land use(s), and are consistent with the terms of this approval and the <b>Site Establishment Management Plan, CEMP, CEMP Sub-plans</b> and construction monitoring programs approved by the Planning Secretary and, if satisfied such amendment is necessary, approve the amendment. This does not include any modifications to the terms of this approval;</p> <p>(k) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an <b>Environmental Representative Monthly Report</b> providing the information set out in the Environmental Representative Protocol under the heading "Environmental Representative Monthly Reports". The Environmental Representative Monthly Report must be submitted within seven (7) days following the end of each month for the duration of the ER's engagement for the CSSI or as otherwise agreed by the Planning Secretary; and</p> <p>(l) assess the impacts of activities as required by the Low Impact Work definition.</p> <p>With respect to (d) above, the ER is not required to endorse the specialist content in documents requiring specialist review and / or endorsement.</p>	<p>Applicable</p>	<p>Applicable</p>	<p>Applicable</p>	<p>Interview with ERs, 31/01/23</p> <p>ER Monthly Reports for August 2022, September 2022, October 2022, November 2022, December 2022</p> <p>DPE post approval lodgement records, 08/09/22, 07/10/22, 08/11/22, 07/12/22, 12/01/23</p> <p>Email DPE to ER, 19/12/22 (approval to extend submission of December Monthly report)</p> <p>SMWSA Feedback on Document Comments or Responses, 29/07/22 (SCAW Air Quality Management Sub-plan), plus ER comments on SCAW Air Quality Management Sub-plan, Rev B, 22/07/22 (draft document showing ER feedback)</p> <p>SBT CEMP, Revision 2.1, 04/05/22 (draft CEMP showing ER feedback)</p> <p>SMWSA Staging Report v4.0 (tracked), 24/01/22, (showing ER involvement in development of Staging Report including risk assessment)</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program)</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of Staging Report, rev 7)</p> <p>Letter ER to Sydney Metro, 20/09/22 (ER endorsement of SCAW FFFMP, Rev D)</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW NVMP Rev D)</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW NV Monitoring Program Rev D)</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW SWMP, Rev E)</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW Surface Water Quality Monitoring Program, Rev E)</p> <p>Letter ER to Sydney Metro, 11/10/22 (ER endorsement of SBT FFMP, Rev 1)</p> <p>Letter ER to Sydney Metro, 26/09/22 (ER endorsement of SBT NVMP Rev 1 and SBT SWMP Rev 1)</p> <p>Letter ER to Sydney Metro, 31/10/22 (ER endorsement of SCAW CEMP Rev C, SCAW AQMP Rev D, SCAW NAHMP Rev D)</p> <p>Letter ER to Sydney Metro, 07/10/22 (ER endorsement of SCAW PCEMP Rev F, SCAW AQMP Rev 1, SCAW Spoil Management Plan Rev 1, SCAW SWMP Rev 1)</p> <p>Letter ER to Sydney Metro, 22/12/22 (ER endorsement of SSTOM SPO SEMP)</p> <p>ER Core Focus Area register, February 2023</p> <p>Low Impact Works approvals, LIW 49, 50, 59, 55, 56, 57, 62</p>	<p>Evidence was provided showing the development and review process by the ER to ensure that the documents are consistent with the conditions.</p> <p>The ER Monthly Report provide evidence of the monitoring of the works, and is consistent with the ER Protocol. The Reports summarise the inspection reports. The inspection reports identify relevant matters (attendees, activities, weather, observations and actions, along with the severity of deficiency and the priority of the actions). All Monthly Reports were submitted within 7 days of the end of the month, with the exception of submission of the August 2022 Report (submitted 12:05am on 08/09/22), October 2022 Report (submitted 02:05am 08/11/22) and December 2022 Report (submitted 12/01/23 following approval for extension).</p> <p>Low Impact Works have been assessed by the ER during the audit period. The ER has not identified any concerns with Low Impact Works during the interviews.</p> <p><b>Observation: The evidence shows a very high degree of involvement from the ER on the Project. ER has not identified any non-compliances within the Monthly Reports for the audit period. The ER has however, identified deficiencies and actions regarding environmental performance. The deficiencies/actions raised by the ER do not necessarily identify a condition or commitment (from this Approval or from an approved strategy, plan or program) to which they relate. Therefore it is difficult to ascertain whether each of the deficiencies/actions are linked to a requirement (and therefore being a potential non-compliance), or are subjective.</b></p> <p>Furthermore, the ER monitors the implementation of the documents (and conditions), via observation on site and consideration of works occurring and upcoming. Key Focus Areas are identified and communicated to Sydney Metro and its contractors. The Key Focus Areas are also summarised in the Monthly Reports. For SBT, the ER has identified persistent issues associated with controls on site not aligning with the ERSED Plans. Refer to E126 and E128 regarding the Auditor's position on this matter.</p> <p>In response to this finding in the draft Audit Report, the ER provided the following as part of its statement: <i>'The ER notes that the opinion/perception relayed in this observation does not seem to accurately reflect the content of ER monthly reports. During the audit period, the ER related deficiencies and actions raised to the Conditions of Approval CoA) and/or commitments in a plan or document. Not all deficiencies and actions raised by the ER related to specific CoA or Plans/Documents, notwithstanding, where a deficiency or action related unambiguously to a CoA or commitment in a plan/document, and rectification or implementation was prevaricated, the ER identified the applicable CoA or plan/document categorically in the ER monthly report. Examples of this are provided in the evidence column adjacent. The ER will continue to take this discriminating independent approach in ER monthly reports when relating deficiencies and actions to the CoA or to commitments in plans/documents.</i></p> <p><i>The summary comments (ER monitoring of the implementation of the CEMP, Sub-plans and monitoring programs) connected to this Observation, on pages 4, 27 and 56 of the audit report, should be removed.</i></p> <p><b>Evidence</b></p> <p><b>ER monthly report of January 2023</b></p> <p><b>Station Boxes and Tunnelling (SBT) - 19/1/2023 - Key points/ issues raised during this inspection were as follows:</b></p> <ul style="list-style-type: none"> <li>At Orchard Hills north, internal swales and features acting as water drainage paths should be stabilised and</li> </ul>	<p>C</p>
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					<p><i>protected to prevent scour in accordance with the Blue Book (See design SD5-5 and 5-4 of the ESCP).</i></p> <ul style="list-style-type: none"> <li><i>At Aerotropolis, an interim Erosion and Sediment Control Plan (ESCP) for the Aerotropolis site was provided to the ER at the inspection. However, the ESCP provided does not meet the minimum requirements for ESCPs outlined in Section 2.2. of the Blue Book. To ensure compliance with condition E128 is achieved, CPBG should prepare a formal ESCP for the Aerotropolis site in accordance with the Blue Book</i></li> </ul> <p><i>ER monthly report of February 2023</i></p> <p><i>Station Boxes and Tunnelling (SBT) - 02/2/2023 - Key points/ issues raised during this inspection were as follows:</i></p> <ul style="list-style-type: none"> <li><i>At the St Marys, Southwest corner of Station St Sediment controls are not consistent with the ESCP. CPBG to install sediment controls consistent with the ESCP (i.e. sediment fence (SD 6-8), coir log or sandbag bund (SD FR-01) or similar.'</i></li> </ul> <p><b>The Auditor acknowledges the ER's response but refers to the key points and issues raised within the Monthly Reports for August – December 2022. Other than regular mention of ESCPs, the Blue Book and DSIs there is minimal reference back to specific conditions or mitigation measures from the CEMPs, Sub-plans and monitoring programs when raising an issue or recommendation. The Auditor's finding remains unchanged.</b></p>		
A33	<p>The Proponent must provide the ER with all documentation requested by the ER in order for the ER to perform their functions specified in <b>Condition A32</b> (including preparation of the ER monthly report), as well as:</p> <p>(a) the <b>Complaints Register</b> (to be provided on a weekly basis or as requested); and</p> <p>(b) a copy of any assessment carried out by the Proponent of whether proposed work is consistent with the approval (which must be provided to the ER before the commencement of the subject work).</p>	Applicable	Applicable	Applicable	<p>Interview with ER, 31/01/23</p> <p>HBI complaints file directory, current to January 2023</p> <p>HBI consistency assessment file directory, current to January 2023</p>	<p>The ER receives the complaints register weekly at the same time as it is issued to the Department. Evidence shows that this was received and recorded. The ER has also demonstrated that they have received the consistency assessments approved during the audit period. The ER has not identified any issues associated with this.</p>	C
<b>Notification of Commencement</b>							
A34	<p>The Department, and relevant Councils must be notified in writing of the date of commencement of construction at least seven (7) days before the commencement of construction.</p>	Applicable	Applicable	Applicable	<p>Emails Metro to Penrith and Liverpool Councils, 30/09/22 (notification of SBT Main Construction)</p> <p>Letter Metro to DPE, 30/09/22 (notification of SBT Main Construction)</p> <p>Email DPE to Metro, 04/10/22 (acknowledgment of notification of commencement of SBT main construction)</p> <p>Interview with SCAW, 08/02/23</p> <p>Email Metro to DPE, 09/08/22 (notification of commencement of SCAW preparatory construction)</p> <p>Emails Metro to Penrith and Liverpool Councils, 09/08/22 (notification of commencement of SCAW preparatory construction)</p> <p>Portal lodgement, 17/10/22 (notification of commencement of SCAW main construction)</p> <p>Letter Metro to DPE, 14/10/22 (notification of commencement of SCAW main construction)</p> <p>Email Metro to Penrith and Liverpool Councils, 18/10/22 (notification of commencement of SCAW main construction)</p> <p>Metro interview, 10/02/23</p>	<p>The only AEW works to have commenced during the audit period was the SPO, but this is site establishment, not construction. All other active AEW packages commenced prior to the current audit period.</p> <p>SBT preparatory works was notified prior to the current audit period. Main works construction was notified to Council and DPE on 30/09/22, with intended start date of 10/10/22. Actual commencement of main construction was delayed until November 2022</p> <p>SCAW preparatory construction was notified to the Department, Liverpool and Penrith Councils on 09/08/22. It is understood that SCAW preparatory construction commenced on 10/10/22 (after endorsement of the PCEMP on 07/10/22). Notification of SCAW main construction was made to DPE on 17/10/22, and Liverpool and Penrith Councils on 18/10/22, with main construction works commencing on 1 November under the main CEMP.</p>	C

A35	If construction of the CSSI is to be staged, the Department, Liverpool City Council and Penrith City Council must be notified in writing at least seven (7) days before the commencement of each stage, of the date of the commencement of that stage.	Applicable	Applicable	Applicable	<p>Emails Metro to Penrith and Liverpool Councils, 30/09/22 (notification of SBT Main Construction)</p> <p>Letter Metro to DPE, 30/09/22 (notification of SBT Main Construction)</p> <p>Email DPE to Metro, 04/10/22 (acknowledgment of notification of commencement of SBT main construction)</p> <p>Interview with SCAW, 08/02/23</p> <p>Email Metro to DPE, 09/08/22 (notification of commencement of SCAW preparatory construction)</p> <p>Emails Metro to Penrith and Liverpool Councils, 09/08/22 (notification of commencement of SCAW preparatory construction)</p> <p>Portal lodgement, 17/10/22 (notification of commencement of SCAW main construction)</p> <p>Letter Metro to DPE, 14/10/22 (notification of commencement of SCAW main construction)</p> <p>Email Metro to Penrith and Liverpool Councils, 18/10/22 (notification of commencement of SCAW main construction)</p> <p>Metro interview, 10/02/23</p>	<p>The only AEW works to have commenced during the audit period was the SPO, but this is site establishment, not construction. All other active AEW packages commenced prior to the current audit period.</p> <p>SBT preparatory works was notified prior to the current audit period. Main works construction was notified to Council and DPE on 30/09/22, with intended start date of 10/10/22. Actual commencement of main construction was delayed until November 2022</p> <p>SCAW preparatory construction was notified to the Department, Liverpool and Penrith Councils on 09/08/22. It is understood that SCAW preparatory construction commenced on 10/10/22 (after endorsement of the PCEMP on 07/10/22). Notification of SCAW main construction was made to DPE on 17/10/22, and Liverpool and Penrith Councils on 18/10/22, with main construction works commencing on 1 November under the main CEMP.</p>	C
<b>Independent Environmental Audit</b>							
A36	Independent Audits of the CSSI must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (DPIE, 2020).	Applicable	Applicable	Applicable	<p>Independent Audit No. 2 – Audit Report, WolfPeak, 03/11/22</p> <p>Letter DPE to Sydney Metro, 22/12/22 (Department feedback on first and second Audit Reports)</p> <p>Letter WolfPeak to Sydney Metro, 22/02/23 (WolfPeak response to DPE 22/12/22 letter)</p> <p>DPE post approval portal lodgement 23/02/23 (submission of WolfPeak response to DPE feedback)</p> <p>Email DPE to Sydney Metro, 28/02/23 (DPE acknowledgement of receipt of WolfPeak response)</p>	<p><b>Observation: On 22/12/22, the Department provided feedback on the two audit reports prepared by WolfPeak on the Sydney Metro Western Sydney Airport project (SSI 10051), being:</b></p> <ul style="list-style-type: none"> <li>Independent Audit no. 1 – Audit Report (WolfPeak, revision 4.0, 06/04/22)</li> <li>Independent Audit no. 2 – Audit Report (WolfPeak, revision 1.0, 3/11/22).</li> </ul> <p>In their 22/12/22 correspondence, the Department stated that it considered the first and second audit reports to not have generally satisfied the requirements of the IAPAR. The Department identified a number of issues to form the basis of this view. WolfPeak reviewed the audit reports, the IAPAR and the Department's comments and, whilst we acknowledge there are opportunities for improvement, we do not agree with the Department's view that the reports do not satisfy the requirements of the IAPAR. A response outlining WolfPeak's position was submitted to the Department on 23/02/23. WolfPeak is not aware of any further feedback being provided by the Department.</p>	C
A37	Notwithstanding <b>Condition A36</b> , the Proponent may prepare an audit program to outline the scope and timing of each independent audit that will be undertaken during construction. If prepared, the audit program must be developed in consultation with, and approved by, the Planning Secretary prior to commencement of the first audit and implemented throughout construction	Applicable	Applicable	Applicable	-	No Audit Program has been prepared. The audits have proceeded under the IAPAR as per A36.	NT
A38	Proposed independent auditors must be approved by the Planning Secretary before the commencement of an <b>Independent Audit</b>	Applicable	Applicable	Applicable	Letter DPE to Sydney Metro, 23/12/22 (approval of WolfPeak Audit Team)	The WolfPeak audit team was approved prior to commencement of the third Independent Audit.	C
A39	The Planning Secretary may require the initial and subsequent <b>Independent Audits</b> to be undertaken at different times to those specified in the Independent Audit Post Approval Requirements (DPIE, 2020), upon giving at least four (4) weeks' notice (or timing as stipulated by the Planning Secretary) to the Proponent of the date upon which the audit must be commenced.	Applicable	Applicable	Applicable	<p>Metro interview 10/02/23</p> <p>Email DPE to WolfPeak, 25/01/23 (consultation with DPE on the scope of the third audit)</p>	The auditees and the auditor are not aware of any change in timing. The Department did not raise any changes during consultation on this third audit.	C

A40	<p><b>Independent Audit Reports</b> and the Proponent's response to audit findings must be submitted to the Planning Secretary within two (2) months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements (DPIE, 2020), unless otherwise agreed by the Planning Secretary.</p>	Applicable	Applicable	Applicable	<p>DPE post approval portal lodgement, PA-147 (submission of second Audit Report and proponent response)</p> <p>Letter WolfPeak to Sydney Metro, 16/09/22 and DPE post approval portal lodgement SSI-10051-PA-125 (request for extension to for submission of second Audit Report)</p> <p>Letter DPE to Metro, 20/10/22 (approval of extension of second Independent Audit).</p>	<p>An extension request was raised and granted for the submission of the second Audit Report. The Report was submitted prior to the updated due date.</p> <p>The second independent Audit Report and the proponent's response was submitted to the Department within 2 months of the audit site inspection.</p>	C
<b>Incident And Non-Compliance Notification And Reporting</b>							
A41	<p>The Planning Secretary must be notified via phone or in writing via the Major Projects website immediately after the Proponent becomes aware of an incident. Any notification via phone must be followed up by a notification in writing via the Major Projects website within 24 hours of the initial phone call.</p> <p>The written notification must identify the CSSI (including the application number and the name of the CSSI if it has one) and set out the location and general nature of the incident</p>	Applicable	Applicable	Applicable	<p>Incident register current to 23/01/23 (Project wide)</p> <p>SBT incident register current to 01/02/23</p> <p>Interview with SBT, 02/02/23</p> <p>SCT Incident Report, 01/02/23</p> <p>SCAW incident register current to 07/02/23</p> <p>Interview with SCAW, 08/02/23</p> <p>SCAW Incident Reports, 09/02/23 (x3)</p>	<p>The incident registers sighted are current and identify a range of minor incidents associated with leaks and spills and the like on SBT, and AEW packages. None are recorded for SCAW. 3 x incidents occurred on SCAW during the audit interview period. None appear to have potential material harm, and are not considered reportable.</p> <p><b>Observation: An incident was observed by the Auditor during the audit site inspection of the SBT Aerotropolis site (construction water leaving site). This event was reported by SBT to Sydney Metro. The Project determined that the incident did not threaten or cause material harm and, therefore, was not notifiable under the terms of the Approval. The Auditor agrees with the assessment. Refer to E128 with respect to implementation of erosion and sediment controls.</b></p> <p><b>Observation: An incident occurred on SCAW on 10/02/23 during the audit interview period which involved clearing beyond the approved clearing limit between the M12 Piling Pad and Cosgrove's Creek. Investigations determined that the breach was in non-compliance with E2. The Project determined that the incident did not threaten or cause material harm and, therefore, was not notifiable under the terms of the Approval. The non-compliance was reported in accordance with A44/A45.</b></p>	NT
A42	<p>Any incident within or potentially affecting the Controlled Areas of the WaterNSW Pipelines corridor must also be reported to WaterNSW on the WaterNSW 24-hour Incident Notification Number 1800 061 069.</p>	Not Applicable	Applicable	Applicable	<p>Incident register current to 23/01/23 (Project wide)</p> <p>SBT incident register current to 01/02/23</p> <p>Interview with SBT, 02/02/23</p> <p>SCAW incident register current to 07/02/23</p> <p>Interview with SCAW, 08/02/23</p>	<p>The incident registers sighted are current and identify a range of minor incidents associated with leaks and spills and the like on SBT, and AEW packages. None are recorded for SCAW. None appear to have potential material harm, and are not considered reportable. None were within the Controlled Areas of the Water NSW pipelines.</p>	NT
A43	<p>Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix A.</p>	Applicable	Applicable	Applicable	<p>Incident register current to 23/01/23 (Project wide)</p> <p>SBT incident register current to 01/02/23</p> <p>Interview with SBT, 02/02/23</p> <p>SCAW incident register current to 07/02/23</p> <p>Interview with SCAW, 08/02/23</p>	<p>The incident registers sighted are current and identify a range of minor incidents associated with leaks and spills and the like on SBT, and AEW packages. None are recorded for SCAW. None appear to have potential material harm, and are not considered reportable.</p>	NT



A44	The Planning Secretary must be notified in writing via the Major Projects website within seven (7) days after the Proponent becomes aware of any non-compliance with the terms of this approval.	Applicable	Applicable	Applicable	<p>Interview with ERs, 31/01/23</p> <p>ER Monthly Reports for August 2022, September 2022, October 2022, November 2022, December 2022</p> <p>Interview with SBT 02/02/23</p> <p>SBT incident register current to 01/02/23</p> <p>SBT non-compliance report against E38, 25/10/22 (OOHW concrete pour)</p> <p>DPE post approval portal lodgement, 01/11/22 (notification to DPE of OOHW concrete pour)</p> <p>Interview with SCAW 08/02/23</p> <p>SCAW Incident Report, SCAW-INC-002, 10/02/23 (clearing beyond approved limits and breach of E2)</p> <p>DPE post approval portal lodgement, 17/02/23 (notification of breach of E2)</p> <p>Metro interview, 10/02/23</p> <p>Sydney Metro response to draft Audit Report, including Post approval portal lodgement of non-compliance with E134, Letter for E134 submission, received 19/03/23</p>	<p>SBT have identified one non-compliance. On 25/10/22 a non-compliance occurred relating to the overrun of a concrete pour (non-compliance with E38). This was notified within 7 days in accordance with A44. The report includes the information required by A45. As a result SBT had its EPL varied to enable concrete pours to run OOH to 10pm.</p> <p>An incident occurred on SCAW on 10/02/23 during the audit interview period which involved clearing beyond the approved clearing limit between the M12 Piling Pad and Cosgrove's Creek. The clearing did not extend beyond the Project boundary. Investigations determined that the breach was in non-compliance with E2. The non-compliance was reported within 7 days in accordance with A44. The report includes the information required under A45.</p> <p>No non-compliances identified by the auditees for AEW packages during the audit period.</p> <p>The lateness of submission of the Groundwater Modelling Report under E134 was identified during the audit and was submitted and reported to the Department in accordance with A44/A45.</p>	C
A45	<p>A non-compliance notification must identify the CSSI (including the application number for it), set out the condition of approval that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be undertaken to address the non-compliance.</p> <p>Note: A non-compliance which has been notified as an incident does not need to also be notified as a noncompliance.</p>	Applicable	Applicable	Applicable	<p>Interview with ERs, 31/01/23</p> <p>ER Monthly Reports for August 2022, September 2022, October 2022, November 2022, December 2022</p> <p>Interview with SBT 02/02/23</p> <p>SBT incident register current to 01/02/23</p> <p>SBT non-compliance report against E38, 25/10/22 (OOHW concrete pour)</p> <p>DPE post approval portal lodgement, 01/11/22 (notification to DPE of OOHW concrete pour)</p> <p>Interview with SCAW 08/02/23</p> <p>SCAW Incident Report, SCAW-INC-002, 10/02/23 (clearing beyond approved limits and breach of E2)</p> <p>DPE post approval portal lodgement, 17/02/23 (notification of breach of E2)</p> <p>Metro interview, 10/02/23</p> <p>Sydney Metro response to draft Audit Report, including Post approval portal lodgement of non-compliance with E134, Letter for E134 submission, received 19/03/23</p>	<p>SBT have identified one non-compliance. On 25/10/22 a non-compliance occurred relating to the overrun of a concrete pour (non-compliance with E38). This was notified within 7 days in accordance with A44. The report includes the information required by A45. As a result SBT had its EPL varied to enable concrete pours to run OOH to 10pm.</p> <p>An incident occurred on SCAW on 10/02/23 during the audit interview period which involved clearing beyond the approved clearing limit between the M12 Piling Pad and Cosgrove's Creek. The clearing did not extend beyond the Project boundary. Investigations determined that the breach was in non-compliance with E2. The non-compliance was reported within 7 days in accordance with A44. The report includes the information required under A45.</p> <p>No non-compliances identified by the auditees for AEW packages during the audit period.</p> <p>The lateness of submission of the Groundwater Modelling Report under E134 was identified during the audit and was submitted and reported to the Department in accordance with A44/A45.</p>	C
<b>Identification of Workforce</b>							
A46	All Heavy Vehicles used for spoil haulage must be clearly marked on the sides and rear with the project name and application number to enable immediate identification by a person viewing the Heavy Vehicle standing 20 metres away	Applicable	Applicable	Applicable	<p>Site inspection 01/02/23</p> <p>SBT spoil sticker photos (01, 02)</p> <p>SCAW spoil sticker, 23/11/22</p> <p>Interview with SCAW, 08/02/23.</p>	The markings on spoil trucks were sighted on the SBT inspection and photos were also provided by SBT as evidence. SCAW has sticker ready but has yet to haul spoil off site.	C
A47	The CSSI name, application number, telephone number, postal address and email address required under <b>Condition B3</b> must be available on site boundary fencing / hoarding at each ancillary facility before the commencement of construction. This information must also be provided on the website required under <b>Condition B11</b> .	Applicable	Applicable	Applicable	<p><a href="https://www.sydneymetro.info/get-touch">https://www.sydneymetro.info/get-touch</a></p> <p>SBT site inspection 01/02/23</p> <p>SBT signage photos (x2)</p> <p>Interview with SCAW 08/02/23</p> <p>ER inspection report 07/10/22</p> <p>SCAW ER inspection close out report, 11/11/22</p>	<p>The signage sighted on the SBT inspection and photos were also provided by SBT as evidence.</p> <p>The SCAW ER identified that only temporary signage was in place at start of construction on SCAW. Permanent signage was erected on 11/11/22</p>	C



PART B – COMMUNITY INFORMATION AND REPORTING							
Community Information, Consultation and Involvement							
B1	The Overarching Community Communication Strategy as provided in the documents listed in Condition A1, or updated Strategy must be implemented for the duration of the work. Should the Overarching Community Communication Strategy be updated, a copy must be provided to the Planning Secretary for information.	Applicable	Applicable	Applicable	<p>Overarching Community Communication Strategy, Sydney Metro, Rev 2.2, 07/04/21 (OCCS)</p> <p>Letter DPE to Sydney Metro, 10/08/22 (acknowledgment of Rev 2.2 of the OCCS)</p> <p>Metro Interview 10/02/23</p> <p><a href="https://www.sydneymetro.info/westernsydneyairportline">https://www.sydneymetro.info/westernsydneyairportline</a></p> <p><a href="https://www.sydneymetro.info/westernsydneyairportline">https://www.sydneymetro.info/westernsydneyairportline</a></p> <p><a href="https://www.sydneymetro.info/documents">https://www.sydneymetro.info/documents</a></p> <p>Summary file: Environment Audit RFI: 10051_IA3_Sydney Metro_RFI_9 (consolidated evidence showing implementation of Community Communications Strategy)</p> <p>Complaints register current to 23/01/23</p> <p>SBT interview 03/02/23</p> <p>SBT Community Communications Strategy, 20/05/22</p> <p>SBT Community Communications Strategy, Aerotropolis, 26/04/22</p> <p>SBT Community Communications Strategy, Bringelly, 26/04/22</p> <p>SBT Community Communications Strategy, St Marys, 09/05/22</p> <p>SBT Community Communications Strategy, Claremont Meadows, 03/06/22</p> <p>SBT Community Communications Strategy, Orchard Hills, 05/07/22</p> <p>Small Business Owners Engagement Plan, St Marys, 16/05/22</p> <p>SBT consultation manager online module</p> <p>SBT Council interface meeting minutes, 31/01/23</p> <p>SBT St Marys Town Centre Board meeting briefing, 17/01/23</p> <p>SMWSA SSI10051_IA3_Request for Information_SBT_Rev1.1DRAFT_EF, 23/02/23 (SBT response to Auditor's request for information)</p> <p>Transcript showing Evidence of Business chamber and local business owner briefings 9/11/22.</p> <p>SCAW Interview 08/02/23</p> <p>SCAW Community Communications Strategy, 24/11/22</p> <p>SCAW Community Communications Strategy, Northern Project Region, 09/12/22</p> <p>SCAW Community Communications Strategy, Southern Project Region, 09/12/22</p> <p><a href="https://caportal.com.au/cpb/smw-pudclp/virtual">https://caportal.com.au/cpb/smw-pudclp/virtual</a></p> <p>SCAW consultation manager online module</p> <p>SCAW and SBT Newsletter (6 monthly), September 2022</p> <p>Photo Mamre Homestead Markets (SCAW stand)</p>	<p>Sydney Metro are the primary managers of all communications across the Project. The contractors consult with agencies other than the Department, support consultation with the Department, provide information for community consultation, relay complaints and participate in community engagement forums as advised by Sydney Metro.</p> <p>Evidence was provided showing implementation of the Community Communications Strategy as follows:</p> <ul style="list-style-type: none"> <li>Q3 and Q4 2022 newsletters: 22,000 and 43,000 copies respectively, issued to 10,700 and 32,629 contacts respectively</li> <li>Mobile information displays: Caddens Corner shopping centre display: 30/07/22 – 09/09/22; St Clair Shopping Centre display: 8/10/22 – 12/11/22</li> <li>Involvement in open days: St Marys Spring Festival: 3/09/22, Mamre markets: 6/11/22, WPCA Cross Agency day: 19/11/22, St Marys Spring Festival etc</li> <li>Council Chambers of commerce briefings: St Marys Town Centre Board 17/01/23, briefings offered to the Liverpool Chamber of Commerce and the Penrith Valley Chamber of Commerce (although their agenda's could not accommodate Sydney Metro during the audit period. Sydney Metro communications team state that these 'Chambers have been briefed prior to Sept 2022, along with other industry groups such as the South West Tourism Taskforce'</li> <li>Display advertisements: Western Weekend Advertiser, November 2022.</li> <li>School education programs: 16/09/22, 20/9/22, 23/09/22, 3/11/22, 8/12/22</li> <li>Project updates on the Sydney Metro website</li> </ul> <p>The SBT and SCAW Community Communication Strategies include requirements to implement a complaints management system, project updates and notifications, have a complaints mediator, briefing sessions. The documents are consistent with the Overarching Community Communication Strategy. Involvement is at the bequest of Sydney Metro. According to the auditees there has not been issue with sharing of information or representation of contractors in Sydney Metro community engagement.</p> <p>The OCCS resides on the website and all AEW fall into the OCCS, where as the main contract works fall out via their stand-alone Community Communications Strategies.</p>	C
Complains Management System							

B2	<p>A <b>Complaints Management System</b> must be prepared and implemented before the commencement of any work and maintained for the duration of construction and for a minimum for 12 months following completion of construction of the CSSI.</p>	Applicable	Applicable	Applicable	<p>SBT interview, 03/02/23            SBT consultation manager online module            SCAW Interview 08/02/23            SCAW consultation manager online module            Complaints register current to 23/01/23</p>	<p>Sydney Metro operates an overarching complaints register via the Consultation Manager platform. SBT and SCAW are also running Consultation Manager. The contractor complaints appear to be fed to Sydney Metro for consolidation.</p> <p>The data required under the OCCS and B4 has been captured.</p>	C
B3	<p>The following information must be available to facilitate community enquiries and manage complaints before the commencement of work and for 12 months following the completion of construction:</p> <p>(a) a 24- hour telephone number for the registration of complaints and enquiries about the CSSI;            (b) a postal address to which written complaints and enquires may be sent;            (c) an email address to which electronic complaints and enquiries may be transmitted; and            (d) a mediation system for complaints unable to be resolved. This information must be accessible to all in the community regardless of age, ethnicity, disability or literacy level.</p>	Applicable	Applicable	Applicable	<p>Site inspection 01/02/23            SBT interview 03/02/23            SCAW interview 08/02/23            Metro interview 10/02/23            1800 Phone call test 03/02/22  <a href="https://www.sydneymetro.info/westernsydneyairportline">https://www.sydneymetro.info/westernsydneyairportline</a>  <a href="https://www.sydneymetro.info/website-accessibility">https://www.sydneymetro.info/website-accessibility</a>  <a href="https://www.sydneymetro.info/documents">https://www.sydneymetro.info/documents</a>            SBT Community Communications Strategy, 20/05/22 (and subordinate plans – refer B1)            SCAW Community Communications Strategy, 24/11/22 (and subordinate plans – refer B1)</p>	<p>Project signage is on each compound fence line, identifying the contact details as required by this condition. The Project works notifications includes contact details as required by this condition. Works updates are directly mailed to community via Australia Post. Complaint mediation system is described in the OCCS and each of the Community Communications Strategies. The auditees advise that if a complaint cannot be resolved, and the ER (or the Director of Communications) recommends mediation, this is escalated. The auditees are not aware of any complaints requiring escalation during the audit period.</p>	C
B4	<p>A <b>Complaints Register</b> must be maintained recording information on all complaints received about the CSSI during the carrying out of any work and for a minimum of 12 months following the completion of construction. The Complaints Register must record the:</p> <p>(a) number of complaints received;            (b) date and time of the complaint;            (c) number of people (in the household) affected in relation to a complaint, if relevant;            (d) method by which the complaint was made;            (e) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;            (f) issue of the complaint;            (g) means by which the complaint was addressed and whether resolution was reached, with or without mediation; and            (h) if no action was taken, the reason(s) why no action was taken.</p>	Applicable	Applicable	Applicable	<p>SBT interview 03/02/23            SCAW interview 08/02/23            Metro interview 10/02/23            SBT consultation manager online module            SCAW consultation manager online module            Complaints register current to 23/01/23</p>	<p>Sydney Metro operates an overarching complaints register via the Consultation Manager platform. SBT and SCAW are also running Consultation Manager. The contractor complaints appear to be fed to Sydney Metro for consolidation.</p> <p>The data required under the OCCS and B4 has been captured.</p> <p>Of note is the application of avoidable/unavoidable classification of complaints. Sydney Metro Communications Team provide clarity on what is 'avoidable' or 'unavoidable' – in essence, if the Project is compliant, the works intended and the impact is within the terms of the approval a complaint is received, then the complaint is classified as 'unavoidable'.</p>	C
B5	<p>Complainants must be advised of the following information before, or as soon as practicable after, providing personal information:</p> <p>(a) the Complaints Register may be forwarded to government agencies, including the Department (Department of Planning Industry and Environment, 4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150), to allow them to undertake their regulatory duties;            (b) by providing personal information, the complainant authorises the Proponent to provide that information to government agencies;            (c) the supply of personal information by the complainant is voluntary; and            (d) the complainant has the right to contact government agencies to access personal information held about them and to correct or amend that information (Collection Statement).</p> <p>The <b>Collection Statement</b> must be included on the Proponent or development website to make prospective complainants aware of their rights under the Privacy and Personal Information Protection Act 1998 (NSW). For any complaints made in person, the complainant must be made aware of the Collection Statement.</p>	Applicable	Applicable	Applicable	<p><a href="https://www.sydneymetro.info/complaints-privacy-collection-notice">https://www.sydneymetro.info/complaints-privacy-collection-notice</a>            SBT interview 03/02/23            SCAW interview 08/02/23            Metro interview 10/02/23            Complaints register current to 23/01/23            1800 Phone call test 03/02/22  <a href="https://www.sydneymetro.info/westernsydneyairportline">https://www.sydneymetro.info/westernsydneyairportline</a></p>	<p>The collection statement is available on the Sydney Metro website.</p> <p>The voicemail introduction to the complaints line and the email immediate response identifies that personal information will be recorded and managed in accordance with the Privacy and Personal Information Protection Act. And directs the complainant to the Collection Notice on the website for further information. The collection notice provides the relevant details in accordance with this condition.</p>	C
B6	<p>The <b>Complaints Register</b> must be provided to the Planning Secretary upon request, within the timeframe stated in the request.</p> <p>Note: Complainants must be advised that the Complaints Register may be forwarded to Government agencies to allow them to undertake their regulatory duties</p>	Applicable	Applicable	Applicable	<p>SBT interview 03/02/23            SCAW interview 08/02/23            Metro interview 10/02/23</p>	<p>According to the interviews with the ER and the auditees, Sydney Metro provide the complaints register to the Department on a weekly basis.</p>	C

B7	A <b>Community Complaints Mediator</b> that is independent of the design and construction personnel must be engaged by the Proponent, upon the referral of the complaint by the ER in accordance with the <b>Overarching Community Communication Strategy</b>	Applicable	Applicable	Applicable (during construction)	<p>SBT interview, 03/02/23</p> <p>SCAW interview, 08/02/23</p> <p>Overarching Community Communications Strategy, Sydney Metro, 05/08/20 and 12/04/21</p> <p>Letter Sydney Metro to Stephen Lancken, 14/12/21 (engagement of complaints mediator)</p> <p>ER interview 31/01/23</p> <p>Metro interview 10/02/23</p> <p>SMWSA SSI10051_IA3_Request for Information_Sydney Metro_Rev1.1, 23/02/23 (Sydney Metro response to Auditors request for information)</p>	Stephen Lancken has been appointed the complaints mediator for the Project. The auditees are not aware of any complaints having been escalated for mediation.	C
B8	The role of the Community Complaints Mediator is to provide independent mediation services for any reasonable and unresolved complaint referred by the ER where a member of the public is not satisfied by the Proponent's response. Where a Community Complaints Mediator is required, a mediator accredited under the National Mediator Accreditation System (NMAS), administered by the Mediator Standards Board must be appointed.	Applicable	Applicable	Applicable	<p>SBT interview, 03/02/23</p> <p>SCAW interview, 08/02/23</p> <p>Overarching Community Communications Strategy, Sydney Metro, 05/08/20 and 12/04/21</p> <p>Letter Sydney Metro to Stephen Lancken, 14/12/21 (engagement of complaints mediator)</p> <p>ER interview 31/01/23</p> <p>Metro interview 10/02/23</p> <p>SMWSA SSI10051_IA3_Request for Information_Sydney Metro_Rev1.1, 23/02/23 (Sydney Metro response to Auditors request for information)</p>	Stephen Lancken has been appointed the complaints mediator for the Project. The auditees are not aware of any complaints having been escalated for mediation.	NT
B9	<p>The Community Complaints Mediator will:</p> <p>(a) review any unresolved disputes, referred by the ER in accordance with the <b>Overarching Community Communication Strategy</b>;</p> <p>(b) make recommendations to the Proponent to satisfactorily address complaints, resolve disputes or mitigate against the occurrence of future complaints or disputes; and</p> <p>(c) provide a copy of the recommendations, and the Proponent's response to the recommendations, to the Planning Secretary within one month of the recommendations being made.</p>	Applicable	Applicable	Applicable	<p>SBT interview, 03/02/23</p> <p>SCAW interview, 08/02/23</p> <p>Overarching Community Communications Strategy, Sydney Metro, 05/08/20 and 12/04/21</p> <p>Letter Sydney Metro to Stephen Lancken, 14/12/21 (engagement of complaints mediator)</p> <p>ER interview 31/01/23</p> <p>Metro interview 10/02/23</p> <p>SMWSA SSI10051_IA3_Request for Information_Sydney Metro_Rev1.1, 23/02/23 (Sydney Metro response to Auditors request for information)</p>	Stephen Lancken has been appointed the complaints mediator for the Project. The auditees are not aware of any complaints having been escalated for mediation.	NT
B10	<b>Community Complaints Mediation</b> will not be enacted before the Complaints Management System required by <b>Condition B2</b> has been executed for a complaint and will not consider issues such as property acquisition, where other dispute processes are provided for in this approval, statute or clear government policy and resolution processes are available, or matters which are not within the scope of this CSSI.	Applicable	Applicable	Applicable (during construction)	<p>SBT interview, 03/02/23</p> <p>SCAW interview, 08/02/23</p> <p>Overarching Community Communications Strategy, Sydney Metro, 05/08/20 and 12/04/21</p> <p>Letter Sydney Metro to Stephen Lancken, 14/12/21 (engagement of complaints mediator)</p> <p>ER interview 31/01/23</p> <p>Metro interview 10/02/23</p> <p>SMWSA SSI10051_IA3_Request for Information_Sydney Metro_Rev1.1, 23/02/23 (Sydney Metro response to Auditors request for information)</p>	<p>Stephen Lancken has been appointed the complaints mediator for the Project. The auditees are not aware of any complaints having been escalated for mediation.</p> <p>The auditees are not aware of any issues where another dispute mechanism is in place.</p>	NT
<b>Provision of Electronic Information</b>							

<p>B11</p>	<p>A website or webpage providing information in relation to the CSSI must be established before commencement of work and maintained for the duration of construction, and for a minimum of 24 months following the completion of all stages of construction of the CSSI. Up-to-date information (excluding confidential, private, commercial information or other documents as agreed to by the Planning Secretary) must be published before the relevant work commencing and maintained on the website or dedicated pages including:</p> <p>(a) information on the current implementation status of the CSSI;</p> <p>(b) a copy of the documents listed in <b>Condition A1</b>, and any documentation relating to any modifications made to the CSSI or the terms of this approval;</p> <p>(c) a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval, or links to the referenced documents where available;</p> <p>(d) a copy of each statutory approval, license or permit required and obtained in relation to the CSSI, or where the issuing agency maintains a website of approvals, licenses or permits, a link to that website;</p> <p>(e) a current copy of each document required under the terms of this approval, which must be published within one (1) week of its approval or before the commencement of any work to which they relate or before their implementation, as the case may be; and</p> <p>(f) a copy of the audit reports required under this approval.</p> <p>Where the information / document relates to a particular work or is required to be implemented, it must be published before the commencement of the relevant work to which it relates or before its implementation.</p> <p>All information required in this condition is to be provided on the website or webpage, and easy to navigate.</p>	<p>Applicable</p>	<p>Applicable</p>	<p>Applicable</p>	<p><a href="https://www.cpbcon.com.au/en/our-projects/2022/sydney-metro-western-sydney-airport-station-boxes-and-tunnels">https://www.cpbcon.com.au/en/our-projects/2022/sydney-metro-western-sydney-airport-station-boxes-and-tunnels</a></p> <p><a href="https://www.cpbcon.com.au/en/our-projects/2022/sydney-metro-western-sydney-airport-surface-and-civil-alignment-works">https://www.cpbcon.com.au/en/our-projects/2022/sydney-metro-western-sydney-airport-surface-and-civil-alignment-works</a></p> <p><a href="https://www.sydneymetro.info/documents">https://www.sydneymetro.info/documents</a></p> <p><a href="https://www.sydneymetro.info/westernsydneyairportline">https://www.sydneymetro.info/westernsydneyairportline</a></p> <p>Metro interview 10/02/23</p> <p><a href="https://www.sydneymetro.info/western-sydney-airport-line/environment-planning">https://www.sydneymetro.info/western-sydney-airport-line/environment-planning</a></p> <p>Letter DPE to Sydney Metro, 04/11/22 (acknowledgement of Notification of OOHW – Community Consultation on Respite submitted in accordance with Condition E57)</p> <p>Sydney Metro response to draft Audit Report, including WSA Document Register received 19/03/23)</p>	<p>SBT and SCAW websites contain the management plans and reports relevant to their works.</p> <p><b>Non-compliance: Sydney Metro have relied on contractor websites for the publishing of documents relating to each main works package (SBT and SCAW). Therefore the information is being presented across three websites (not a [singular] website or webpage). The links to the contractors' websites is not easy to locate unless the user knows their location (i.e.: the links are placed under a Sustainability and Planning / WSA planning and compliance drop down).</b></p> <p>Further, at the time of the audit interviews, the auditees were not able to demonstrate that all documents required under the Approval had been published in accordance with B11(e). A spreadsheet was provided after the interviews (in response to a request for information), showing the various documents to be uploaded and the date of upload. However, the spreadsheet provided by Sydney Metro:</p> <ul style="list-style-type: none"> <li>• does not identify the date of approval of the document or commencement of relevant works</li> <li>• does not include any information on the time of upload of documents on the contractor's websites (or the date of document approval or commencement of relevant works).</li> </ul> <p>Therefore the Auditor cannot confirm (within the confines of this audit) whether the timing requirement from B11(e) has been met for each document.</p> <p>Finally, the following documents were not able to be located by the Auditor on the Sydney Metro website at the time of preparing the checklist (after the interviews):</p> <ul style="list-style-type: none"> <li>• (as noted above) all documents listed under the SCAW and SBT contractor websites (including, but not limited to, the CEMPs, Sub-plans and monitoring programs, Traffic Management Plans, etc.)</li> <li>• Proponent response to the second Audit Report (A40)</li> <li>• OOHW consultation on respite (E57 as per the Department's 04/11/22 letter)</li> <li>• Design review panel terms of reference (E71)</li> <li>• SCAW PUDCLP (E77) (on contractor website only as virtual engagement room – not referenced as a PUDCLP).</li> </ul> <p>In response to this finding in the draft Audit Report, Sydney Metro provided the following statement: 'Sydney Metro notes that this condition has been the same on all Sydney Metro projects. Sydney Metro have complied with this condition across all Sydney Metro projects in the same way.'</p> <p>Sydney Metro have dedicated Place Managers for each station site and construction sites. They provide the one point of contact between the community and the project. They send regular community information updates to provide construction details of proposed works, and this includes links to the relevant section on the website where the notifications are listed. If a stakeholder would like to know where documents or information is listed, they would reach out direct to the Sydney Metro Place Manager to ask this question</p> <p>An internal register has been amended to include the following:</p>	<p>NC</p>
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						<ul style="list-style-type: none"> <li>• <i>date of approval of the document or commencement of relevant works</i></li> <li>• <i>time of upload of documents on the contractor's websites (or the date of document approval or commencement of relevant works).</i></li> </ul> <p><i>SBT and SCAW documents are uploaded to the Contractor's websites and these documents will not be uploaded to the Sydney Metro Document Library.</i></p> <p><i>TBI OOHW E57 letter has been uploaded to the Sydney Metro Document Library, however Sydney Metro consider this a request under CoA A5, rather than being required under CoA B11.</i></p> <p><i>DRP Terms of Reference has been uploaded to the Sydney Metro Document Library.</i></p> <p><i>Regarding the SCAW PUDCLP (E77) comment, Sydney Metro will continue to work with our Contractors to ensure that they upload the required documents to their websites.'</i></p> <p>The Auditor acknowledges Sydney Metro's response and notes that:</p> <ul style="list-style-type: none"> <li>• The amended register does not demonstrate whether B11(e) has been or would be satisfied for the Sydney Metro website (many entries for 'Required Upload Date' only refer to prior to commencement of works, rather than a date).</li> <li>• Sydney Metro does not intend to publish the SBT and SCAW documents on the Sydney Metro website and Sydney Metro. Further, there does not appear to be any oversight on whether the requirements for B11(e) has been met for these contractors.</li> </ul>	
PART C- CONSTRUCTION ENVIRONMENTAL MANAGEMENT							



C1	<p><b>Construction Environmental Management Plans (CEMPs) and CEMP Sub-plans</b> must be prepared in accordance with the <b>Construction Environmental Management Framework (CEMF)</b> included in the documents listed in <b>Condition A1</b> to detail how the performance outcomes, commitments and mitigation measures specified in the documents listed in <b>Condition A1</b> will be implemented and achieved during construction.</p>	Applicable	Applicable	Applicable	<p>Construction Environmental Management Framework, Sydney Metro, Sep 2020</p> <p>Site inspection 01/02/23</p> <p>ER Monthly Reports for August 2022, September 2022, October 2022, November 2022, December 2022 (and close out reports)</p> <p>SBT Construction Environmental Management Plan, 29/09/22 (SBT CEMP)</p> <p>SBT Spoil Management Sub-Plan, 02/09/22</p> <p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT NSW (Off-airport) Flora and Fauna Management Sub-plan, 21/09/22 (SBT FFMP) including procedures and evidence of consultation</p> <p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>SBT Project induction (no date) including information on sustainability, hold points, legal requirements, soil and water, contamination and spills, noise and vibration, flora and fauna, visual amenity, air quality, waste</p> <p>SBT Master Water Quality Monitoring Register, 01/01/23 (surface water monitoring results)</p> <p>SBT noise monitoring result register current to 01/02/23 and 5 x monitoring reports</p> <p>SBT synergy SHEQ system (online)</p> <p>SBT weekly synergy reports (inspection register)</p> <p>SBT interview 02/02/23</p> <p>SBT Internal Project Systems Audit, 23/02/23</p> <p>SBT Monthly Progress Reports to Sydney Metro, September 22 – January 2023</p> <p>SCAW Construction Environmental Management Plan, 04/11/22 (SCAW CEMP)</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>SCAW Spoil Management Plan, 29/09/22</p> <p>SCAW Non-Aboriginal Heritage Sub-plan, 04/10/22 (SCAW NAHMP) including procedures and evidence of consultation</p> <p>SCAW Fauna and Flora Management Sub-plan, 04/11/22 (SCAW FFMP) including procedures, and evidence of consultation</p> <p>SCAW Visual Amenity Management Plan, 19/10/22 (SCAW VAMP)</p> <p>SCAW Soil and Water Management Sub-plan, 04/11/22 (SCAW SWMP) including surface water quality monitoring program, procedures and evidence of consultation</p> <p>SCAW Air Quality Management Subplan, 29/09/22 (SCAW AQMP) including air quality monitoring program, procedures and evidence of consultation</p> <p>SCAW Waste Management Sub-plan, 10/10/22 (SCAW WMP)</p>	<p>The CEMPs and CEMP Sub-plans have been prepared in accordance with the CEMF and they identify how the performance outcomes, commitments and mitigation measures will be implemented and achieved during construction. The documents have been reviewed and endorsed by Sydney Metro and the ER and, where identified for approval by the Department under the Staging report, have been approved by the Department prior to the commencing of the relevant construction works.</p> <p>The ER has monitored the implementation of the documents (refer A32 for further details). The ER has raised actions in relation to environmental improvements on site, however the reports have not indicated failure to implement the CEMP and Sub-plans.</p> <p>Evidence indicated that the CEMP and Sub-plans are for the most part being implemented. Training, inspections, monitoring is being implemented as per the CEMP and Sub-plans. The Synergy system (an online management tool adopted by SCAW and SBT) allows for the recording, actioning, escalation and close out of actions (inspections, monitoring, deficiency management, incident / non-compliance management). Deficiencies in controls / incident / non-compliances are being identified and actioned. Induction records and Work Packs indicate that Project teams are made aware of the requirements from the CEMP and Sub-plans relevant to the subject works. Monthly Progress Reports are prepared by the contractor. These Reports include details on implementation of the CEMP and Sub-plans, non-compliance performance, incident performance, training performance, inspection performance. SBT has completed its first Internal Project Systems Audit (SCAWs is not yet due). SBT identified 3 x non-conformance with the Project System requirements. None related to implementation of the CEMP or Sub-plans, or compliance with a REMM or condition of approval. Other than the incidents and non-compliances identified under A41 and A45, the auditees have not identified any instances of failure against the CEMP and Sub-plans.</p>	C
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					<p>SCAW Project induction, Rev21 (covers air quality, contamination, biodiversity, heritage, unexpected finds (heritage and contam), spoil import, ERSED, noise and vibration, waste chemicals, spills, incidents and permits)</p> <p>SCAW synergy SHEQ system (online)</p> <p>SCAW weekly synergy reports (inspection register)</p> <p>SCAW CEMP and Monitoring Hit List, current to 20/01/23</p> <p>SCAW consolidated monitoring result register, 06/02/23 and unattended vibration monitoring sheet, 30/11/22</p> <p>Email AMBS to SCAW, 01/11/22 (status report on nest box installation and pre-clearing surveys)</p> <p>SCAW SiteHive module (online)</p> <p>SCAW interview 02/02/23</p> <p>SCAW Monthly Progress Reports to Sydney Metro, September 22 – January 2023</p>		
C2	<p>With the exception of any <b>CEMPs</b> expressly nominated by the Planning Secretary to be endorsed by the <b>ER</b>, all <b>CEMPs</b> must be submitted to the Planning Secretary for approval.</p> <p>Note: The Planning Secretary will consider the assessment of the predicted level of environmental risk and potential level of community concern required under <b>Condition A11(e)</b> when deciding whether any CEMP's may be endorsed by the ER.</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 26/07/22 (approval of Elizabeth Drive CEMP)</p> <p>AEW Power Works Construction Environmental Management Plan, Rev 1, 04/03/22 (AEW Power CEMP)</p> <p>Letter ER to Sydney Metro, 25/04/22 (ER endorsement of AEW Power CEMP Rev 1 and NVMP Rev 1)</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program)</p> <p>Letter ER to Sydney Metro, 31/10/22 (ER endorsement of SCAW CEMP Rev C, SCAW AQMP Rev D, SCAW NAHMP Rev D)</p> <p>Letter ER to Sydney Metro, 07/10/22 (ER endorsement of SCAW PCEMP Rev F, SCAW AQMP Rev 1, SCAW Spoil Management Plan Rev 1, SCAW SWMP Rev 1)</p>	<p>The Staging Report has established the approval pathway for each of the CEMP and Sub-plans on the Project (i.e.: identifying which CEMPs (and Sub-plans) are required to be endorsed by the ER and which require Department approval).</p> <p>All AEW CEMPs are to be endorsed by the ER and do not require Departmental approval. All AEW CEMPs were endorsed by the ER prior to the current audit period.</p> <p>SBT Preparatory CEMP was subject to ER endorsement and did not require Departmental approval. The Preparatory CEMP was endorsed prior to the current audit period. The SBT main CEMP was subject to ER endorsement and did not require Departmental approval. Endorsement was provided prior to main works commencing.</p> <p>SCAW Preparatory CEMP was subject to ER endorsement and did not require Departmental approval. The Preparatory CEMP was endorsed by the ER prior to the works commencing. The SCAW main CEMP was subject to ER endorsement and did not require Departmental approval. Endorsement was provided prior to main works commencing.</p>	C

C3	<p>The <b>CEMP(s)</b> not requiring the Planning Secretary's approval must be submitted to the <b>ER</b> for endorsement no later than one (1) month before the commencement of construction or where construction is staged no later than one (1) month before the commencement of that stage. That <b>CEMP</b> must obtain the endorsement of the ER as being consistent with the conditions of this approval and all undertakings made in the documents listed in Condition A1</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 26/07/22 (approval of Elizabeth Drive CEMP)</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program)</p> <p>Letter ER to Sydney Metro, 31/10/22 (ER endorsement of SCAW CEMP Rev C, SCAW AQMP Rev D, SCAW NAHMP Rev D)</p> <p>Letter ER to Sydney Metro, 07/10/22 (ER endorsement of SCAW PCEMP Rev F, SCAW AQMP Rev 1, SCAW Spoil Management Plan Rev 1, SCAW SWMP Rev 1)</p> <p>Interview with ERs, 31/01/23</p> <p>ER Monthly Reports for August 2022, September 2022, October 2022, November 2022, December 2022</p>	<p>The Staging Report has established the approval pathway for each of the CEMP and Sub-plans on the Project (i.e.: identifying which CEMPs (and Sub-plans) are required to be endorsed by the ER and which require Department approval).</p> <p>All AEW CEMPs are to be endorsed by the ER and do not require Departmental approval. All AEW CEMPs were endorsed by the ER prior to the current audit period.</p> <p>SBT Preparatory CEMP was subject to ER endorsement and did not require Departmental approval. The Preparatory CEMP was endorsed prior to the current audit period. The SBT main CEMP was subject to ER endorsement and did not require Departmental approval. Endorsement was provided prior to main works commencing.</p> <p>SCAW Preparatory CEMP was subject to ER endorsement and did not require Departmental approval. The Preparatory CEMP was endorsed by the ER prior to the works commencing. The SCAW main CEMP was subject to ER endorsement and did not require Departmental approval. Endorsement was provided prior to main works commencing.</p> <p>The ER did not identify any issue associated with the timing of documents for submission and timing of commencement of the relevant works, during the interview on 31/01/23 or in the ER Monthly Reports.</p>	C
C4	<p>Any <b>CEMP</b> to be approved by the Planning Secretary must be endorsed by the ER and then submitted to the Planning Secretary for approval no later than one (1) month before the commencement of construction or where construction is staged no later than one (1) month before the commencement of that stage.</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p>	<p>Refer to C3 and C4. No CEMPs for stages of construction relevant to the current audit period are identified for Departmental approval under the Staging Report.</p>	NT

C5	<p>Of the <b>CEMP Sub-plans</b> required under <b>Condition C1</b>, the following <b>CEMP Sub-plans</b> must be prepared in consultation with the relevant government agencies identified for <b>each CEMP Subplan</b>. Details of issues raised by a government agency during consultation (as required by <b>Condition A6</b>) must be provided with the relevant <b>CEMP Sub-plan</b> when submitted to the Planning Secretary / ER (whichever is applicable). Where a government agency(ies) request(s) is not included, the Proponent must provide the Planning Secretary / ER (whichever is applicable) justification as to why.</p> <table border="1" data-bbox="249 394 1341 688"> <thead> <tr> <th></th> <th>Required CEMP Sub-plan</th> <th>Relevant government agencies to be consulted for each CEMP Sub-plan</th> </tr> </thead> <tbody> <tr> <td>(a)</td> <td>Noise and vibration</td> <td>Relevant Councils and WaterNSW (in relation to its assets)</td> </tr> <tr> <td>(b)</td> <td>Flora and fauna</td> <td>DPIE EES, DPI Fisheries, and Relevant Councils</td> </tr> <tr> <td>(c)</td> <td>Soil and Water</td> <td>DPI Fisheries, and Relevant Councils</td> </tr> <tr> <td>(d)</td> <td>Non-Aboriginal heritage</td> <td>Relevant Councils, WaterNSW and Heritage NSW</td> </tr> </tbody> </table> <p>Note: CEMP Sub-plan(s) may reflect the construction of the project through geographical activities, temporal activities or activity based staging</p>		Required CEMP Sub-plan	Relevant government agencies to be consulted for each CEMP Sub-plan	(a)	Noise and vibration	Relevant Councils and WaterNSW (in relation to its assets)	(b)	Flora and fauna	DPIE EES, DPI Fisheries, and Relevant Councils	(c)	Soil and Water	DPI Fisheries, and Relevant Councils	(d)	Non-Aboriginal heritage	Relevant Councils, WaterNSW and Heritage NSW	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p> <p>SBT Construction Environmental Management Plan, 29/09/22 (SBT CEMP)</p> <p>SBT Spoil Management Sub-Plan, 02/09/22</p> <p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT NSW (Off-airport) Flora and Fauna Management Sub-plan, 21/09/22 (SBT FFMP) including procedures and evidence of consultation</p> <p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>SCAW Spoil Management Plan, 29/09/22</p> <p>SCAW Non-Aboriginal Heritage Sub-plan, 04/10/22 (SCAW NAHMP) including procedures and evidence of consultation</p> <p>SCAW Fauna and Flora Management Sub-plan, 04/11/22 (SCAW FFMP) including procedures, and evidence of consultation</p> <p>SCAW Visual Amenity Management Plan, 19/10/22 (SCAW VAMP)</p> <p>SCAW Soil and Water Management Sub-plan, 04/11/22 (SCAW SWMP) including surface water quality monitoring program, procedures and evidence of consultation</p> <p>SCAW Air Quality Management Subplan, 29/09/22 (SCAW AQMP) including air quality monitoring program, procedures and evidence of consultation</p> <p>SCAW Waste Management Sub-plan, 10/10/22 (SCAW WMP)</p>	<p>The Staging Report identifies what Sub-plans are required for each stage of works.</p> <p>For AEW the Sub-plans listed in this condition have been identified under the Staging Report as being part of the relevant CEMP, rather than as a separate sub-plan. All AEW CEMPs are nominated to be endorsed by the ER and not requiring Departmental approval. All AEW CEMPs were endorsed by the ER prior to the current audit period.</p> <p>The Staging Report identifies that the SBT Preparatory CEMP would incorporate Sub-plan requirements as a procedure within the CEMP. As per C2 and C3, the SBT Preparatory CEMP was subject to ER endorsement and did not require Departmental approval. The Preparatory CEMP was prepared and endorsed prior to the current audit period.</p> <p>The Staging Report identifies that the SBT main works would require Sub-plans for Noise and Vibration, Flora and Fauna, Soil and Water. Non Aboriginal Heritage would form a procedure in the CEMP. Evidence shows that the Sub-plans were prepared in accordance with this requirement for SBT main works.</p> <p>The Staging Report identifies that the SCAW Preparatory CEMP would incorporate Sub-plan requirements as a procedure within the CEMP. As per C2 and C3, the SCAW Preparatory CEMP and Sub-plans were subject to ER endorsement and did not require Departmental approval. The Preparatory CEMP and Sub-plans were prepared and endorsed by the ER during the audit period.</p> <p>The Staging Report identifies that the SCAW main works would require Sub-plans for Noise and Vibration, Flora and Fauna, Soil and Water and Non-Aboriginal Heritage. Evidence shows that the Sub-plans were prepared in accordance with this requirement for SCAW main works.</p>	C
	Required CEMP Sub-plan	Relevant government agencies to be consulted for each CEMP Sub-plan																				
(a)	Noise and vibration	Relevant Councils and WaterNSW (in relation to its assets)																				
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C6	<p>The CEMP Sub-plans must state how:</p> <p>(a) the environmental performance outcomes identified in the documents listed in Condition A1 will be achieved;</p> <p>(b) the mitigation measures identified in the documents listed in Condition A1 will be implemented;</p> <p>(c) the relevant terms of this approval will be complied with; and</p> <p>(d) issues requiring management during construction (including cumulative impacts), as identified through ongoing environmental risk analysis, will be managed through SMART principles</p>	Applicable	Applicable	Applicable	<p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT NSW (Off-airport) Flora and Fauna Management Sub-plan, 21/09/22 (SBT FFMP) including procedures and evidence of consultation</p> <p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>SCAW Non-Aboriginal Heritage Sub-plan, 04/10/22 (SCAW NAHMP) including procedures and evidence of consultation</p> <p>SCAW Fauna and Flora Management Sub-plan, 04/11/22 (SCAW FFMP) including procedures, and evidence of consultation</p> <p>SCAW Soil and Water Management Sub-plan, 04/11/22 (SCAW SWMP) including surface water quality monitoring program, procedures and evidence of consultation</p>	<p>The Auditor has reviewed the required Sub-plans and is of the view that these requirements have been satisfied.</p>	C
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C7	<p>With the exception of any <b>CEMP Sub-plans</b> expressly nominated by the Planning Secretary to be endorsed by the <b>ER</b>, all <b>CEMP Sub-plans</b> must be submitted to the Planning Secretary for approval.</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p> <p>SBT Construction Environmental Management Plan, 29/09/22 (SBT CEMP)</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program)</p> <p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>Letter ER to Sydney Metro, 26/09/22 (ER endorsement of SBT NVMP Rev 1 (inclusive of the NV Monitoring Program) and SBT SWMP Rev 1 (inclusive of the Surface Water Quality Monitoring Program), and including confirmation that consultation was undertaken in accordance with C5(a) and C5(c))</p> <p>SBT NSW (Off-airport) Flora and Fauna Management Sub-plan, 21/09/22 (SBT FFMP) including procedures and evidence of consultation</p> <p>Letter ER to Sydney Metro, 11/10/22 (ER endorsement of SBT FFMP, Rev 1)</p> <p>Letter DPE to Metro, 07/10/22 (DPE approval of SBT NVMP and Monitoring Program, Groundwater Monitoring Program, and acknowledgment of receipt of the SWMP and Surface Water Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 31/10/22 (approval of SBT CEMP, including Air Quality procedure (Rev 2) and SBT FFMP (Rev 1))</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW NVMP Rev D, including confirmation consultation was undertaken in accordance with C5(a))</p> <p>Letter DPE to Sydney Metro, 21/10/22 (approval of SCAW NVMP and NV Monitoring Program)</p> <p>SCAW Non-Aboriginal Heritage Sub-plan, 04/10/22 (SCAW NAHMP) including procedures and evidence of consultation</p> <p>SCAW Fauna and Flora Management Sub-plan, 04/11/22 (SCAW FFMP) including procedures, and evidence of consultation</p> <p>Letter ER to Sydney Metro, 20/09/22 (ER endorsement of SCAW FFMP, Rev D, including confirmation consultation was undertaken in accordance with C5(b))</p> <p>Letter DPE to Sydney Metro, 25/10/22 (approval of the SCAW FFMP)</p>	<p>The Staging Report has established the approval pathway for each of the CEMP and Sub-plans on the Project (i.e.: identifying which CEMPs (and Sub-plans) are required to be endorsed by the ER and which require Department approval).</p> <p>The Staging Report identifies that the SBT main works would require Sub-plans for Noise and Vibration, Flora and Fauna, Soil and Water. Non Aboriginal Heritage would form a procedure in the CEMP. All the documents are identified for ER endorsement. Only the Noise and Vibration Sub-plan is identified as requiring the Department's approval. ER endorsement and Department approval was granted as required.</p> <p>The Staging Report identifies that the SCAW main works would require Sub-plans for Noise and Vibration, Flora and Fauna, Soil and Water and Non-Aboriginal Heritage. All the documents are identified for ER endorsement. Only the Noise and Vibration Sub-plan, Flora and Fauna Sub-plan and Soil and Water Sub-plan are identified as requiring the Department's approval. ER endorsement and Department approval was granted as required.</p>	C
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					<p>SCAW Soil and Water Management Sub-plan, 04/11/22 (SCAW SWMP) including surface water quality monitoring program, procedures and evidence of consultation</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW SWMP, Rev E, including confirmation consultation was undertaken in accordance with C5(c))</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW Surface Water Quality Monitoring Program, Rev E)</p> <p>Letter DPE to Sydney Metro, 31/10/22 (approval of the SCAW SWMP)</p> <p>Letter ER to Sydney Metro, 31/10/22 (ER endorsement of SCAW CEMP Rev C, SCAW AQMP Rev D, SCAW NAHMP Rev D)</p> <p>Letter ER to Sydney Metro, 07/10/22 (ER endorsement of SCAW PCEMP Rev F, SCAW AQMP Rev 1, SCAW Spoil Management Plan Rev 1, SCAW SWMP Rev 1, including confirmation that consultation was completed in accordance with C5(c))</p>		
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<p>C8</p>	<p>The <b>CEMP Sub-plans</b> not requiring the Planning Secretary's approval must obtain the endorsement of the ER as being in accordance with the conditions of approval and all relevant undertakings made in the documents listed in <b>Condition A1</b>. Any of these <b>CEMP</b> Sub-plans must be submitted to the <b>ER</b> with, or subsequent to, the submission of the CEMP but in any event, no later than one (1) month before construction or where construction is staged no later than one (1) month before the commencement of that stage.</p>	<p>Applicable</p>	<p>Applicable</p>	<p>Applicable</p>	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p> <p>SBT Construction Environmental Management Plan, 29/09/22 (SBT CEMP)</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program)</p> <p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>Letter ER to Sydney Metro, 26/09/22 (ER endorsement of SBT NVMP Rev 1 (inclusive of the NV Monitoring Program) and SBT SWMP Rev 1 (inclusive of the Surface Water Quality Monitoring Program), and including confirmation that consultation was undertaken in accordance with C5(a) and C5(c))</p> <p>SBT NSW (Off-airport) Flora and Fauna Management Sub-plan, 21/09/22 (SBT FFMP) including procedures and evidence of consultation</p> <p>Letter ER to Sydney Metro, 11/10/22 (ER endorsement of SBT FFMP, Rev 1)</p> <p>Letter DPE to Metro, 07/10/22 (DPE approval of SBT NVMP and Monitoring Program, Groundwater Monitoring Program, and acknowledgment of receipt of the SWMP and Surface Water Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 31/10/22 (approval of SBT CEMP, including Air Quality procedure (Rev 2) and SBT FFMP (Rev 1))</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW NVMP Rev D, including confirmation consultation was undertaken in accordance with C5(a))</p> <p>Letter DPE to Sydney Metro, 21/10/22 (approval of SCAW NVMP and NV Monitoring Program)</p> <p>SCAW Non-Aboriginal Heritage Sub-plan, 04/10/22 (SCAW NAHMP) including procedures and evidence of consultation</p> <p>SCAW Fauna and Flora Management Sub-plan, 04/11/22 (SCAW FFMP) including procedures, and evidence of consultation</p> <p>Letter ER to Sydney Metro, 20/09/22 (ER endorsement of SCAW FFMP, Rev D, including confirmation consultation was undertaken in accordance with C5(b))</p> <p>Letter DPE to Sydney Metro, 25/10/22 (approval of the SCAW FFMP)</p>	<p>The Staging Report has established the approval pathway for each of the CEMP and Sub-plans on the Project (i.e.: identifying which CEMPs (and Sub-plans) are required to be endorsed by the ER and which require Department approval).</p> <p>The Staging Report identifies that the SBT main works would require Sub-plans for Noise and Vibration, Flora and Fauna, Soil and Water. Non Aboriginal Heritage would form a procedure in the CEMP. All the documents are identified for ER endorsement. Only the Noise and Vibration Sub-plan is identified as requiring the Department's approval. ER endorsement and Department approval was granted as required.</p> <p>The Staging Report identifies that the SCAW main works would require Sub-plans for Noise and Vibration, Flora and Fauna, Soil and Water and Non-Aboriginal Heritage. All the documents are identified for ER endorsement. Only the Noise and Vibration Sub-plan, Flora and Fauna Sub-plan and Soil and Water Sub-plan are identified as requiring the Department's approval. ER endorsement and Department approval was granted as required.</p> <p>The evidence indicates that the necessary submissions were completed prior to the relevant works. Refer also notifications under A34 and A35</p>	<p>C</p>
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C9	<p>Any of the <b>CEMP Sub-plans</b> to be approved by the Planning Secretary must be submitted to the Planning Secretary with, or subsequent to, the submission of the <b>CEMP</b> but in any event, no later than one (1) month before construction or where construction is staged no later than one (1) month before the commencement of that stage</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p> <p>SBT Construction Environmental Management Plan, 29/09/22 (SBT CEMP)</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program)</p> <p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>Letter ER to Sydney Metro, 26/09/22 (ER endorsement of SBT NVMP Rev 1 (inclusive of the NV Monitoring Program) and SBT SWMP Rev 1 (inclusive of the Surface Water Quality Monitoring Program), and including confirmation that consultation was undertaken in accordance with C5(a) and C5(c))</p> <p>SBT NSW (Off-airport) Flora and Fauna Management Sub-plan, 21/09/22 (SBT FFMP) including procedures and evidence of consultation</p> <p>Letter ER to Sydney Metro, 11/10/22 (ER endorsement of SBT FFMP, Rev 1)</p> <p>Letter DPE to Metro, 07/10/22 (DPE approval of SBT NVMP and Monitoring Program, Groundwater Monitoring Program, and acknowledgment of receipt of the SWMP and Surface Water Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 31/10/22 (approval of SBT CEMP, including Air Quality procedure (Rev 2) and SBT FFMP (Rev 1))</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW NVMP Rev D, including confirmation consultation was undertaken in accordance with C5(a))</p> <p>Letter DPE to Sydney Metro, 21/10/22 (approval of SCAW NVMP and NV Monitoring Program)</p> <p>SCAW Non-Aboriginal Heritage Sub-plan, 04/10/22 (SCAW NAHMP) including procedures and evidence of consultation</p> <p>SCAW Fauna and Flora Management Sub-plan, 04/11/22 (SCAW FFMP) including procedures, and evidence of consultation</p> <p>Letter ER to Sydney Metro, 20/09/22 (ER endorsement of SCAW FFMP, Rev D, including confirmation consultation was undertaken in accordance with C5(b))</p> <p>Letter DPE to Sydney Metro, 25/10/22 (approval of the SCAW FFMP)</p>	<p>The Staging Report has established the approval pathway for each of the CEMP and Sub-plans on the Project (i.e.: identifying which CEMPs (and Sub-plans) are required to be endorsed by the ER and which require Department approval).</p> <p>The Staging Report identifies that the SBT main works would require Sub-plans for Noise and Vibration, Flora and Fauna, Soil and Water. Non Aboriginal Heritage would form a procedure in the CEMP. All the documents are identified for ER endorsement. Only the Noise and Vibration Sub-plan is identified as requiring the Department's approval. ER endorsement and Department approval was granted as required.</p> <p>The Staging Report identifies that the SCAW main works would require Sub-plans for Noise and Vibration, Flora and Fauna, Soil and Water and Non-Aboriginal Heritage. All the documents are identified for ER endorsement. Only the Noise and Vibration Sub-plan, Flora and Fauna Sub-plan and Soil and Water Sub-plan are identified as requiring the Department's approval. ER endorsement and Department approval was granted as required.</p> <p>The evidence indicates that the necessary submissions were completed prior to the relevant works. Refer also notifications under A34 and A35</p>	C
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<p>C10</p>	<p>Construction must not commence until the <b>CEMP</b> and all <b>CEMP Sub-plans</b> have been approved by the Planning Secretary or endorsed by the <b>ER</b> (whichever is applicable), unless otherwise agreed by the Planning Secretary. The <b>CEMP</b> and <b>CEMP Sub-plans</b>, as approved by the Planning Secretary or endorsed by the <b>ER</b> (whichever is applicable), including any minor amendments approved by the <b>ER</b>, must be implemented for the duration of construction.</p>	<p>Applicable</p>	<p>Applicable</p>	<p>Applicable</p>	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p> <p>SBT Construction Environmental Management Plan, 29/09/22 (SBT CEMP)</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program)</p> <p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>Letter ER to Sydney Metro, 26/09/22 (ER endorsement of SBT NVMP Rev 1 (inclusive of the NV Monitoring Program) and SBT SWMP Rev 1 (inclusive of the Surface Water Quality Monitoring Program), and including confirmation that consultation was undertaken in accordance with C5(a) and C5(c))</p> <p>SBT NSW (Off-airport) Flora and Fauna Management Sub-plan, 21/09/22 (SBT FFMP) including procedures and evidence of consultation</p> <p>Letter ER to Sydney Metro, 11/10/22 (ER endorsement of SBT FFMP, Rev 1)</p> <p>Letter DPE to Metro, 07/10/22 (DPE approval of SBT NVMP and Monitoring Program, Groundwater Monitoring Program, and acknowledgment of receipt of the SWMP and Surface Water Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 31/10/22 (approval of SBT CEMP, including Air Quality procedure (Rev 2) and SBT FFMP (Rev 1))</p> <p>SCAW Construction Environmental Management Plan, 04/11/22 (SCAW CEMP)</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW NVMP Rev D, including confirmation consultation was undertaken in accordance with C5(a))</p> <p>Letter DPE to Sydney Metro, 21/10/22 (approval of SCAW NVMP and NV Monitoring Program)</p> <p>SCAW Non-Aboriginal Heritage Sub-plan, 04/10/22 (SCAW NAHMP) including procedures and evidence of consultation</p> <p>SCAW Fauna and Flora Management Sub-plan, 04/11/22 (SCAW FFMP) including procedures, and evidence of consultation</p> <p>Letter ER to Sydney Metro, 20/09/22 (ER endorsement of SCAW FFMP, Rev D, including confirmation consultation was undertaken in accordance with C5(b))</p> <p>Letter DPE to Sydney Metro, 25/10/22 (approval of the SCAW FFMP)</p>	<p>The Staging Report has established the approval pathway for each of the CEMP and Sub-plans on the Project (i.e.: identifying which CEMPs (and Sub-plans) are required to be endorsed by the ER and which require Department approval).</p> <p>The Staging Report identifies that the SBT main works would require Sub-plans for Noise and Vibration, Flora and Fauna, Soil and Water. Non Aboriginal Heritage would form a procedure in the CEMP. All the documents are identified for ER endorsement. Only the Noise and Vibration Sub-plan is identified as requiring the Department's approval. ER endorsement and Department approval was granted as required.</p> <p>The Staging Report identifies that the SCAW main works would require Sub-plans for Noise and Vibration, Flora and Fauna, Soil and Water and Non-Aboriginal Heritage. All the documents are identified for ER endorsement. Only the Noise and Vibration Sub-plan, Flora and Fauna Sub-plan and Soil and Water Sub-plan are identified as requiring the Department's approval. ER endorsement and Department approval was granted as required.</p> <p>The evidence indicates that the necessary submissions were completed prior to the relevant works. Refer also notifications under A34 and A35.</p> <p><b>Observation: Whilst the evidence indicates that SBT has implemented the CEMP and Sub-plans, the Auditor observes that the SBT NVMP requires checks on plant noise emissions to verify that sound power levels are within the of the NVMP and DNVIS. The Auditor requested evidence of this having been completed during the audit period. No evidence was made available.</b></p> <p><b>In response to this finding in the draft Audit Report, CPBG provided the following statement: 'CPBG has requested the plant team conduct these tests on plant during the on-boarding process.'</b></p> <p><b>Observation: The Auditor observes that both the SBT and SCAW CEMPs require an audit to be conducted by Sydney Metro to verify compliance with CEMP, environmental aspects of contract documentation and the CEMF. The timing requirement for this commitment is 'periodic'. Sydney Metro has yet to conduct such an audit on either contractor, despite SBT having been in construction since April 2022 and SCAW being in construction since October 2022.</b></p> <p><b>In response to this finding in the draft Audit Report, Sydney Metro provided the following statement: 'It is proposed that this requirement will be captured and addressed as part of the Compliance Working Group.'</b></p>	<p>C</p>
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C11	<p>In addition to the relevant requirements of the <b>CEMF</b>, the <b>Flora and Fauna CEMP Sub-plan</b> must include but not be limited to:</p> <p>(a) details of how the requirements of Conditions E11 will be met;</p> <p>(b) details of a dewatering plan of farm dams including:</p> <ul style="list-style-type: none"> <li>(i) supervision of dewatering by a suitably qualified ecologist;</li> <li>(ii) a methodology for the transfer of native fauna species known to inhabit and/or use the dam;</li> <li>(iii) the location and suitability of the proposed relocation sites; and</li> <li>(iv) any potential impacts of relocating the fauna to the relocation sites;</li> </ul> <p>(c) protocols for incidental finds of threatened species and ecological communities within the construction boundary</p>	Applicable	Applicable	Applicable	<p>SBT NSW (Off-airport) Flora and Fauna Management Sub-plan, 21/09/22 (SBT FFMP) including procedures and evidence of consultation</p> <p>SCAW Fauna and Flora Management Sub-plan, 04/11/22 (SCAW FFMP) including procedures, and evidence of consultation</p>	The Auditor has reviewed the SBT and SCAW FFMPs and considers that they adequately address the requirements of this condition as relevant.	C
C12	<p>In addition to the relevant requirements of the <b>CEMF</b>, the <b>Soil and Water CEMP Sub-Plan</b> must include but not be limited to:</p> <p>(a) details how the requirements of <b>Conditions E127, E128 and E129</b> will be met; and</p> <p>(b) the unexpected, contaminated finds protocol required by <b>Condition E98</b>.</p>	Applicable	Applicable	Applicable	<p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>SCAW Soil and Water Management Sub-plan, 04/11/22 (SCAW SWMP) including surface water quality monitoring program, procedures and evidence of consultation</p>	The Auditor has reviewed the SBT and SCAW SWMPs and considers that they adequately address the requirements of this condition as relevant.	C
<b>Construction Monitoring Programs</b>							



C13	<p>The following <b>Construction Monitoring Programs</b> must be prepared in consultation with the relevant government agencies (as required by <b>Condition A6</b>) identified for each to compare actual performance of construction of the CSSI against the performance predicted in the documents listed in <b>Condition A1</b> or in the <b>CEMP</b>. Where a government agency(ies) request(s) is not included, the Proponent must provide the Planning Secretary / <b>ER</b> (whichever is applicable) justification as to why.</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p> <p>SBT Construction Environmental Management Plan, 29/09/22 (SBT CEMP)</p> <p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>Letter ER to Sydney Metro, 26/09/22 (ER endorsement of SBT NVMP Rev 1 (inclusive of the NV Monitoring Program) and SBT SWMP Rev 1 (inclusive of the Surface Water Quality Monitoring Program and groundwater monitoring program), and including confirmation that consultation was undertaken in accordance with C13(a) and C13(b))</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 07/10/22 (DPE approval of the SBT NVMP and NV Monitoring Program, SWMP, Groundwater Monitoring Program and Surface Water Quality Monitoring Program)</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>SCAW Soil and Water Management Sub-plan, 04/11/22 (SCAW SWMP) including surface water quality monitoring program, procedures and evidence of consultation</p> <p>SCAW Air Quality Management Subplan, 29/09/22 (SCAW AQMP) including air quality monitoring program, procedures and evidence of consultation</p> <p>Letter ER to Sydney Metro, 31/10/22 (ER endorsement of SCAW CEMP Rev C, SCAW AQMP Rev D, SCAW NAHMP Rev D, including confirmation that consultation was completed in accordance with C13(d))</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW NV Monitoring Program Rev D, including confirmation that consultation was completed in accordance with C13(a))</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW Surface Water Quality Monitoring Program, Rev E, including confirmation that consultation was completed in accordance with C13(b))</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program including confirmation that consultation was completed in accordance with C13(d))</p> <p>Letter DPE to Sydney Metro, 21/10/22 (approval of SCAW NVMP and NV Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 31/10/22 (approval of the SCAW SWMP)</p>	<p>The Staging Report identifies what monitoring programs are required for each stage of works.</p> <p>For AEW the monitoring requirements listed in this condition have been identified under the Staging Report as being part of the relevant CEMP (or not relevant at all), rather than as a separate document. All AEW CEMPs are nominated to be endorsed by the ER and not requiring Departmental approval. All AEW CEMPs were endorsed by the ER prior to the current audit period.</p> <p>The Staging Report identifies that the SBT Preparatory CEMP does not require monitoring programs.</p> <p>The Staging Report identifies that the SBT main works would require monitoring programs for Noise and Vibration, Surface Water, Groundwater and Air Quality. All are required to be endorsed by the ER. Only the Noise and Vibration and Groundwater Monitoring Programs required Department approval. Endorsement and approval was granted prior to the commencement of the relevant works.</p> <p>The Staging Report identifies that the SCAW Preparatory CEMP does not require monitoring programs.</p> <p>The Staging Report identifies that the SCAW main works would require monitoring programs for Noise and Vibration, Surface Water and Air Quality. All are required to be endorsed by the ER. Only the Noise and Vibration and Surface Water monitoring programs require Department approval. Endorsement and approval was granted prior to the commencement of the relevant works.</p>	C													
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C14	<p>Each <b>Construction Monitoring Program</b> must provide:</p> <ul style="list-style-type: none"> <li>(a) details of baseline data available including the period of baseline monitoring;</li> <li>(b) details of baseline data to be obtained and when;</li> <li>(c) details of all monitoring of the project to be undertaken;</li> <li>(d) the parameters of the project to be monitored;</li> <li>(e) the frequency of monitoring to be undertaken;</li> <li>(f) the location of monitoring;</li> <li>(g) the reporting of monitoring results and analysis results against relevant criteria;</li> <li>(h) details of the methods that will be used to analyse the monitoring data;</li> <li>(i) procedures to identify and implement additional mitigation measures where the results of the monitoring indicated unacceptable project impacts;</li> <li>(j) a consideration of SMART principles;</li> <li>(k) any consultation to be undertaken in relation to the monitoring programs; and</li> <li>(l) any specific requirements as required by <b>Conditions C15 to C16</b>.</li> </ul>	Applicable	Applicable	Applicable	<p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>Letter ER to Sydney Metro, 26/09/22 (ER endorsement of SBT NVMP Rev 1 (inclusive of the NV Monitoring Program) and SBT SWMP Rev 1 (inclusive of the Surface Water Quality Monitoring Program and groundwater monitoring program), and including confirmation that consultation was undertaken in accordance with C13(a) and C13(b))</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 07/10/22 (DPE approval of the SBT NVMP and NV Monitoring Program, SWMP, Groundwater Monitoring Program and Surface Water Quality Monitoring Program)</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>SCAW Soil and Water Management Sub-plan, 04/11/22 (SCAW SWMP) including surface water quality monitoring program, procedures and evidence of consultation</p> <p>SCAW Air Quality Management Subplan, 29/09/22 (SCAW AQMP) including air quality monitoring program, procedures and evidence of consultation</p> <p>Letter ER to Sydney Metro, 31/10/22 (ER endorsement of SCAW CEMP Rev C, SCAW AQMP Rev D, SCAW NAHMP Rev D, including confirmation that consultation was completed in accordance with C13(d))</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW NV Monitoring Program Rev D, including confirmation that consultation was completed in accordance with C13(a))</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW Surface Water Quality Monitoring Program, Rev E, including confirmation that consultation was completed in accordance with C13(b))</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program including confirmation that consultation was completed in accordance with C13(d))</p> <p>Letter DPE to Sydney Metro, 21/10/22 (approval of SCAW NVMP and NV Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 31/10/22 (approval of the SCAW SWMP)</p>	<p>The Auditor has reviewed the monitoring programs and is of the view that the requirements from the condition have been satisfied as relevant.</p>	C
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C15	<p>The Noise and Vibration Construction Monitoring Program must include:</p> <p>(a) noise and vibration monitoring at representative residential and other locations (including at the worst- affected residences), subject to property owner approval, to confirm construction noise and vibration levels;</p> <p>(b) monitoring undertaken during the day, evening and night-time periods throughout the construction period and cover the range of activities being undertaken;</p> <p>(c) method and frequency for reporting monitoring results; and</p> <p>(d) a process to undertake real time noise and vibration monitoring.</p> <p>The results of the monitoring must be readily available to the construction team, the Proponent and ER. The Planning Secretary and EPA must be provided with access to the results on request.</p>	Applicable	Applicable	Applicable	<p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>Letter DPE to Sydney Metro, 07/10/22 (DPE approval of the SBT NVMP and NV Monitoring Program, SWMP, Groundwater Monitoring Program and Surface Water Quality Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 21/10/22 (approval of SCAW NVMP and NV Monitoring Program)</p>	<p>The Auditor has reviewed the monitoring programs and is of the view that the requirements from the condition have been satisfied as relevant.</p>	C
C16	<p><b>Groundwater Construction Monitoring Program</b> must include:</p> <p>(a) groundwater monitoring networks at each construction excavation site predicted to intercept groundwater in the documents listed in Condition A1;</p> <p>(b) detail of the location of all monitoring bores with nested sites to monitor both shallow and deep groundwater levels and quality;</p> <p>(c) define the location of saltwater interception monitoring where sentinel groundwater monitoring bores will be installed between the saline sources and that of each construction excavation site predicted to intercept groundwater in the documents listed in Condition A1;</p> <p>(d) results from existing monitoring bores;</p> <p>(e) monitoring and gauging of groundwater inflow to the excavations predicted to intercept groundwater in the documents listed in Condition A1, appropriate trigger action response plan for all predicted groundwater impacts upon each noted neighbouring groundwater system component for each excavation construction site;</p> <p>(f) trigger levels for groundwater quality, salinity and groundwater drawdown in monitoring bores and / or other groundwater users;</p> <p>(g) daily measurement of the amount of water discharged from the water treatment plants;</p> <p>(h) water quality testing of the water discharged from treatment plants;</p> <p>(i) management and mitigation measures and criteria, including measures to address impacts on groundwater dependent ecosystems;</p> <p>(j) groundwater inflow to the excavations to enable a full accounting of the groundwater take from the Sydney Basin Central Groundwater Source;</p> <p>(k) reporting of groundwater gauging at excavations, groundwater monitoring, groundwater trigger events and action responses; and</p> <p>(l) methods for providing the data collected to Sydney Water where discharges are directed to their assets.</p>	Applicable	Applicable	Applicable	<p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>Letter DPE to Sydney Metro, 07/10/22 (DPE approval of the SBT NVMP and NV Monitoring Program, SWMP, Groundwater Monitoring Program and Surface Water Quality Monitoring Program)</p>	<p>The Auditor has reviewed the monitoring programs and is of the view that the requirements from the condition have been satisfied as relevant.</p>	C

C17	<p>With the exception of any <b>Construction Monitoring Programs</b> expressly nominated by the Planning Secretary to be endorsed by the ER, all <b>Construction Monitoring Programs</b> must be submitted to the Planning Secretary for approval.</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p> <p>SBT Construction Environmental Management Plan, 29/09/22 (SBT CEMP)</p> <p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>Letter ER to Sydney Metro, 26/09/22 (ER endorsement of SBT NVMP Rev 1 (inclusive of the NV Monitoring Program) and SBT SWMP Rev 1 (inclusive of the Surface Water Quality Monitoring Program and groundwater monitoring program), and including confirmation that consultation was undertaken in accordance with C13(a) and C13(b))</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 07/10/22 (DPE approval of the SBT NVMP and NV Monitoring Program, SWMP, Groundwater Monitoring Program and Surface Water Quality Monitoring Program)</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>SCAW Soil and Water Management Sub-plan, 04/11/22 (SCAW SWMP) including surface water quality monitoring program, procedures and evidence of consultation</p> <p>SCAW Air Quality Management Subplan, 29/09/22 (SCAW AQMP) including air quality monitoring program, procedures and evidence of consultation</p> <p>Letter ER to Sydney Metro, 31/10/22 (ER endorsement of SCAW CEMP Rev C, SCAW AQMP Rev D, SCAW NAHMP Rev D, including confirmation that consultation was completed in accordance with C13(d))</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW NV Monitoring Program Rev D, including confirmation that consultation was completed in accordance with C13(a))</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW Surface Water Quality Monitoring Program, Rev E, including confirmation that consultation was completed in accordance with C13(b))</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program including confirmation that consultation was completed in accordance with C13(d))</p> <p>Letter DPE to Sydney Metro, 21/10/22 (approval of SCAW NVMP and NV Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 31/10/22 (approval of the SCAW SWMP)</p>	<p>The Staging Report identifies what monitoring programs are required for each stage of works.</p> <p>For AEW the monitoring requirements listed in this condition have been identified under the Staging Report as being part of the relevant CEMP (or not relevant at all), rather than as a separate document. All AEW CEMPs are nominated to be endorsed by the ER and not requiring Departmental approval. All AEW CEMPs were endorsed by the ER prior to the current audit period.</p> <p>The Staging Report identifies that the SBT Preparatory CEMP does not require monitoring programs.</p> <p>The Staging Report identifies that the SBT main works would require monitoring programs for Noise and Vibration, Surface Water, Groundwater and Air Quality. All are required to be endorsed by the ER. Only the Noise and Vibration and Groundwater Monitoring Programs required Department approval. Endorsement and approval was granted prior to the commencement of the relevant works.</p> <p>The Staging Report identifies that the SCAW Preparatory CEMP does not require monitoring programs.</p> <p>The Staging Report identifies that the SCAW main works would require monitoring programs for Noise and Vibration, Surface Water and Air Quality. All are required to be endorsed by the ER. Only the Noise and Vibration and Surface Water monitoring programs require Department approval. Endorsement and approval was granted prior to the commencement of the relevant works.</p>	C
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C18	<p>The <b>Construction Monitoring Programs</b> not requiring the Planning Secretary's approval must obtain the endorsement of the ER as being in accordance with the conditions of approval and all undertakings made in the documents listed in <b>Condition A1</b>. Any of these <b>Construction Monitoring Programs</b> must be submitted to the <b>ER</b> for endorsement at least one (1) month before the commencement of construction or where construction is staged no later than one (1) month before the commencement of that stage</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p> <p>SBT Construction Environmental Management Plan, 29/09/22 (SBT CEMP)</p> <p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>Letter ER to Sydney Metro, 26/09/22 (ER endorsement of SBT NVMP Rev 1 (inclusive of the NV Monitoring Program) and SBT SWMP Rev 1 (inclusive of the Surface Water Quality Monitoring Program and groundwater monitoring program), and including confirmation that consultation was undertaken in accordance with C13(a) and C13(b))</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 07/10/22 (DPE approval of the SBT NVMP and NV Monitoring Program, SWMP, Groundwater Monitoring Program and Surface Water Quality Monitoring Program)</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>SCAW Soil and Water Management Sub-plan, 04/11/22 (SCAW SWMP) including surface water quality monitoring program, procedures and evidence of consultation</p> <p>SCAW Air Quality Management Subplan, 29/09/22 (SCAW AQMP) including air quality monitoring program, procedures and evidence of consultation</p> <p>Letter ER to Sydney Metro, 31/10/22 (ER endorsement of SCAW CEMP Rev C, SCAW AQMP Rev D, SCAW NAHMP Rev D, including confirmation that consultation was completed in accordance with C13(d))</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW NV Monitoring Program Rev D, including confirmation that consultation was completed in accordance with C13(a))</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW Surface Water Quality Monitoring Program, Rev E, including confirmation that consultation was completed in accordance with C13(b))</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program including confirmation that consultation was completed in accordance with C13(d))</p> <p>Letter DPE to Sydney Metro, 21/10/22 (approval of SCAW NVMP and NV Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 31/10/22 (approval of the SCAW SWMP)</p>	<p>The Staging Report identifies what monitoring programs are required for each stage of works.</p> <p>For AEW the monitoring requirements listed in this condition have been identified under the Staging Report as being part of the relevant CEMP (or not relevant at all), rather than as a separate document. All AEW CEMPs are nominated to be endorsed by the ER and not requiring Departmental approval. All AEW CEMPs were endorsed by the ER prior to the current audit period.</p> <p>The Staging Report identifies that the SBT Preparatory CEMP does not require monitoring programs.</p> <p>The Staging Report identifies that the SBT main works would require monitoring programs for Noise and Vibration, Surface Water, Groundwater and Air Quality. All are required to be endorsed by the ER. Only the Noise and Vibration and Groundwater Monitoring Programs required Department approval. Endorsement and approval was granted prior to the commencement of the relevant works. There does not appear to be any issue with the timing of submission and this requirement. Refer A34 and A35.</p> <p>The Staging Report identifies that the SCAW Preparatory CEMP does not require monitoring programs.</p> <p>The Staging Report identifies that the SCAW main works would require monitoring programs for Noise and Vibration, Surface Water and Air Quality. All are required to be endorsed by the ER. Only the Noise and Vibration and Surface Water monitoring programs require Department approval. Endorsement and approval was granted prior to the commencement of the relevant works. There does not appear to be any issue with the timing of submission and this requirement. Refer A34 and A35.</p>	C
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C19	<p>The <b>Construction Monitoring Programs</b> not requiring the Planning Secretary's approval must obtain the endorsement of the <b>ER</b> as being in accordance with the conditions of approval and all undertakings made in the documents listed in Condition A1. Any of these Construction Monitoring Programs must be submitted to the ER for endorsement at least one (1) month before the commencement of construction or where construction is staged no later than one (1) month before the commencement of that stage</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p> <p>SBT Construction Environmental Management Plan, 29/09/22 (SBT CEMP)</p> <p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>Letter ER to Sydney Metro, 26/09/22 (ER endorsement of SBT NVMP Rev 1 (inclusive of the NV Monitoring Program) and SBT SWMP Rev 1 (inclusive of the Surface Water Quality Monitoring Program and groundwater monitoring program), and including confirmation that consultation was undertaken in accordance with C13(a) and C13(b))</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 07/10/22 (DPE approval of the SBT NVMP and NV Monitoring Program, SWMP, Groundwater Monitoring Program and Surface Water Quality Monitoring Program)</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>SCAW Soil and Water Management Sub-plan, 04/11/22 (SCAW SWMP) including surface water quality monitoring program, procedures and evidence of consultation</p> <p>SCAW Air Quality Management Subplan, 29/09/22 (SCAW AQMP) including air quality monitoring program, procedures and evidence of consultation</p> <p>Letter ER to Sydney Metro, 31/10/22 (ER endorsement of SCAW CEMP Rev C, SCAW AQMP Rev D, SCAW NAHMP Rev D, including confirmation that consultation was completed in accordance with C13(d))</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW NV Monitoring Program Rev D, including confirmation that consultation was completed in accordance with C13(a))</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW Surface Water Quality Monitoring Program, Rev E, including confirmation that consultation was completed in accordance with C13(b))</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program including confirmation that consultation was completed in accordance with C13(d))</p> <p>Letter DPE to Sydney Metro, 21/10/22 (approval of SCAW NVMP and NV Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 31/10/22 (approval of the SCAW SWMP)</p>	<p>The Staging Report identifies what monitoring programs are required for each stage of works.</p> <p>For AEW the monitoring requirements listed in this condition have been identified under the Staging Report as being part of the relevant CEMP (or not relevant at all), rather than as a separate document. All AEW CEMPs are nominated to be endorsed by the ER and not requiring Departmental approval. All AEW CEMPs were endorsed by the ER prior to the current audit period.</p> <p>The Staging Report identifies that the SBT Preparatory CEMP does not require monitoring programs.</p> <p>The Staging Report identifies that the SBT main works would require monitoring programs for Noise and Vibration, Surface Water, Groundwater and Air Quality. All are required to be endorsed by the ER. Only the Noise and Vibration and Groundwater Monitoring Programs required Department approval. Endorsement and approval was granted prior to the commencement of the relevant works. There does not appear to be any issue with the timing specified in this requirement. Refer A34 and A35.</p> <p>The Staging Report identifies that the SCAW Preparatory CEMP does not require monitoring programs.</p> <p>The Staging Report identifies that the SCAW main works would require monitoring programs for Noise and Vibration, Surface Water and Air Quality. All are required to be endorsed by the ER. Only the Noise and Vibration and Surface Water monitoring programs require Department approval. Endorsement and approval was granted prior to the commencement of the relevant works. There does not appear to be any issue with the timing specified in this requirement. Refer A34 and A35.</p>	C
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C20	<p>Unless otherwise agreed with the Planning Secretary, construction must not commence until the Planning Secretary has approved, or the ER has endorsed (whichever is applicable), all of the required <b>Construction Monitoring Programs</b> and all relevant baseline data for the specific construction activity has been collected.</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p> <p>SBT Construction Environmental Management Plan, 29/09/22 (SBT CEMP)</p> <p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>Letter ER to Sydney Metro, 26/09/22 (ER endorsement of SBT NVMP Rev 1 (inclusive of the NV Monitoring Program) and SBT SWMP Rev 1 (inclusive of the Surface Water Quality Monitoring Program and groundwater monitoring program), and including confirmation that consultation was undertaken in accordance with C13(a) and C13(b))</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 07/10/22 (DPE approval of the SBT NVMP and NV Monitoring Program, SWMP, Groundwater Monitoring Program and Surface Water Quality Monitoring Program)</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>SCAW Soil and Water Management Sub-plan, 04/11/22 (SCAW SWMP) including surface water quality monitoring program, procedures and evidence of consultation</p> <p>SCAW Air Quality Management Subplan, 29/09/22 (SCAW AQMP) including air quality monitoring program, procedures and evidence of consultation</p> <p>Letter ER to Sydney Metro, 31/10/22 (ER endorsement of SCAW CEMP Rev C, SCAW AQMP Rev D, SCAW NAHMP Rev D, including confirmation that consultation was completed in accordance with C13(d))</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW NV Monitoring Program Rev D, including confirmation that consultation was completed in accordance with C13(a))</p> <p>Letter ER to Sydney Metro, 19/09/22 (ER endorsement of SCAW Surface Water Quality Monitoring Program, Rev E, including confirmation that consultation was completed in accordance with C13(b))</p> <p>Letter ER to Sydney Metro, 04/10/22 (ER endorsement of SBT CEMP, Rev 2, including the Air Quality Monitoring Program including confirmation that consultation was completed in accordance with C13(d))</p> <p>Letter DPE to Sydney Metro, 21/10/22 (approval of SCAW NVMP and NV Monitoring Program)</p> <p>Letter DPE to Sydney Metro, 31/10/22 (approval of the SCAW SWMP)</p>	<p>The Staging Report identifies what monitoring programs are required for each stage of works.</p> <p>For AEW the monitoring requirements listed in this condition have been identified under the Staging Report as being part of the relevant CEMP (or not relevant at all), rather than as a separate document. All AEW CEMPs are nominated to be endorsed by the ER and not requiring Departmental approval. All AEW CEMPs were endorsed by the ER prior to the current audit period.</p> <p>The Staging Report identifies that the SBT Preparatory CEMP does not require monitoring programs.</p> <p>The Staging Report identifies that the SBT main works would require monitoring programs for Noise and Vibration, Surface Water, Groundwater and Air Quality. All are required to be endorsed by the ER. Only the Noise and Vibration and Groundwater Monitoring Programs required Department approval. Endorsement and approval was granted prior to the commencement of the relevant works. The CEMP and Sub-plans and monitoring programs are written as such that allows construction to commence. The Auditor is not aware of circumstances whereby relevant baseline data which may prevent construction proceeding has not been collected.</p> <p>The Staging Report identifies that the SCAW Preparatory CEMP does not require monitoring programs.</p> <p>The Staging Report identifies that the SCAW main works would require monitoring programs for Noise and Vibration, Surface Water and Air Quality. All are required to be endorsed by the ER. Only the Noise and Vibration and Surface Water monitoring programs require Department approval. Endorsement and approval was granted prior to the commencement of the relevant works. The CEMP and Sub-plans and monitoring programs are written as such that allows construction to commence. The Auditor is not aware of circumstances whereby relevant baseline data which may prevent construction proceeding has not been collected.</p>	C
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C21	The <b>Construction Monitoring Programs</b> , as approved by the Planning Secretary or the ER has endorsed (whichever is applicable), including any minor amendments approved by the ER, must be implemented for the duration of construction and for any longer period set out in the monitoring program or specified by the Planning Secretary or the ER (whichever is applicable), whichever is the greater.	Applicable	Applicable	Applicable	<p>SBT Master Water Quality Monitoring Register, 01/01/23 (surface water monitoring results)</p> <p>SBT noise monitoring result register current to 01/02/23 and 5 x monitoring reports</p> <p>SCAW CEMP and Monitoring Hit List, current to 20/01/23</p> <p>SCAW consolidated monitoring result register, 06/02/23 and unattended vibration monitoring sheet, 30/11/22</p>	At this stage SBT and SCAW have demonstrated that they are implementing the monitoring required at this stage of their works as is required under the monitoring programs.	C												
C22	The results of the <b>Construction Monitoring Programs</b> must be submitted to the Planning Secretary, ER and relevant regulatory agencies, for information in the form of a <b>Construction Monitoring Report</b> at the frequency identified in the relevant Construction Monitoring Program.  Note: Where a relevant CEMP Sub-plan exists, the relevant Construction Monitoring Program may be incorporated into that CEMP Sub-plan.	Applicable	Applicable	Applicable	<p>SBT interview 03/02/23</p> <p>SCAW interview 08/02/23</p> <p>SBT Construction Environmental Management Plan, 29/09/22 (SBT CEMP)</p> <p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT NSW (Off-Airport) Soil and Water Management Sub-Plan, 21/09/22 (SBT SWMP) including Groundwater Monitoring Program, Surface Water Monitoring Program, Procedures, evidence of consultation and ER endorsement</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>SCAW Soil and Water Management Sub-plan, 04/11/22 (SCAW SWMP) including surface water quality monitoring program, procedures and evidence of consultation</p> <p>SCAW Air Quality Management Subplan, 29/09/22 (SCAW AQMP) including air quality monitoring program, procedures and evidence of consultation.</p>	The first round of monitoring reports are not yet due to the Department.	NT												
<b>PART D – OPERATIONAL ENVIRONMENTAL MANAGEMENT</b>																			
<b>Operational Environmental Management</b>																			
D1	An <b>Operational Environmental Management Plan (OEMP)</b> must be prepared having regard to the Environmental Management Plan Guideline for Infrastructure Projects (Department Planning, Industry and Environment 2020). The OEMP must detail how the performance outcomes, commitments and mitigation measures made and identified in the documents listed in <b>Condition A1</b> will be implemented and achieved during operation. This condition ( <b>Condition D1</b> ) does not apply if <b>Condition D2</b> of this approval applies.	Not Applicable	Not Applicable	Applicable	Site inspection 01/02/23	The Project is in construction	NT												
D2	An <b>OEMP</b> is not required for the CSSI if the Proponent has an <b>Environmental Management System (EMS)</b> or equivalent as agreed with the Planning Secretary, and demonstrates, to the satisfaction of the Planning Secretary, that through the <b>EMS</b> or equivalent:  (a) the performance outcomes, commitments and mitigation measures, made and identified in the documents listed in Condition A1, and specified relevant terms of this approval can be achieved;  (b) issues identified through ongoing risk analysis can be managed; and  (c) procedures are in place for rectifying any non-compliance with this approval identified during compliance auditing, incident management or any other time during operation.	Not Applicable	No Applicable	Applicable	Site inspection 01/02/23	The Project is in construction	NT												
D3	Where an OEMP is required, the Proponent must include the following OEMP Sub-plans in the OEMP:  <table border="1" data-bbox="246 1633 1347 1864"> <thead> <tr> <th></th> <th>Required OEMP Sub-Plan</th> <th>Relevant government agencies to be consulted for each OEMP Sub-Plan</th> </tr> </thead> <tbody> <tr> <td>(a)</td> <td>Groundwater Management</td> <td>DPIE Water</td> </tr> <tr> <td>(b)</td> <td>Bushfire Management Plan</td> <td>NSW Rural Fire Service</td> </tr> <tr> <td>(c)</td> <td>Flood Emergency Management Plan</td> <td>EES Group, DPIE Water, SES and Relevant Councils</td> </tr> </tbody> </table>		Required OEMP Sub-Plan	Relevant government agencies to be consulted for each OEMP Sub-Plan	(a)	Groundwater Management	DPIE Water	(b)	Bushfire Management Plan	NSW Rural Fire Service	(c)	Flood Emergency Management Plan	EES Group, DPIE Water, SES and Relevant Councils	Not Applicable	Not Applicable	Applicable	Site inspection 01/02/23	The Project is in construction	NT
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(c)	Flood Emergency Management Plan	EES Group, DPIE Water, SES and Relevant Councils																	

D4	Each of the OEMP Sub-plans must include the information set out in Condition D2 of this approval.	Not Applicable	Not Applicable	Applicable	Site inspection 01/02/23	The Project is in construction	NT
D5	The <b>OEMP Sub-plans</b> must be developed in consultation with relevant government agencies as identified in <b>Condition D3</b> and must include information requested by an agency to be included in an OEMP Sub-plan during such consultation. Details of all information requested by an agency to be included in an <b>OEMP Sub-plan</b> as a result of consultation, including copies of all correspondence from those agencies, must be provided with the relevant <b>OEMP Sub-Plan</b> .	Not Applicable	Not Applicable	Applicable	Site inspection 01/02/23	The Project is in construction	NT
D6	The <b>OEMP Sub-plans</b> must be submitted to the Planning Secretary as part of the <b>OEMP</b>	Not Applicable	Not Applicable	Applicable	Site inspection 01/02/23	The Project is in construction	NT
D7	The <b>OEMP</b> or <b>EMS</b> or equivalent as agreed with the Planning Secretary, must be submitted to the Planning Secretary for information no later than one (1) month before the commencement of operation.	Not Applicable	Not Applicable	Applicable	Site inspection 01/02/23	The Project is in construction	NT
D8	The <b>OEMP</b> or <b>EMS</b> or equivalent, as submitted to the Planning Secretary and amended from time to time, must be implemented for the duration of operation or as agreed with the Planning Secretary. The OEMP or EMS or equivalent must be made publicly available before the commencement of operation.	Not Applicable	Not Applicable	Applicable	Site inspection 01/02/23	The Project is in construction	NT
<b>PART E – KEY ISSUE CONDITIONS</b>							
<b>Air Quality</b>							
E1	All reasonably practicable measures must be implemented to minimise the emission of dust and other air pollutants during construction	Applicable	Applicable	Applicable	<p>SBT site inspection 01/02/23</p> <p>ER Monthly Reports for August 2022, September 2022, October 2022, November 2022, December 2022</p> <p>SBT synergy SHEQ system (online) and inspection report entries (including shutdown inspections)</p> <p>SBT weekly synergy reports (inspection register)</p> <p>SBT dust control photos (E1 file)</p> <p>SBT toolbox talk 18/01/23 (covers dust)</p> <p>SBT Project induction (no date) including information on sustainability, hold points, legal requirements, soil and water, contamination and spills, noise and vibration, flora and fauna, visual amenity, air quality, waste</p> <p>Sydney Metro complaints register (Project wide), current to 23/01/23</p> <p>SBT Work Pack WTP installation and commissioning, Rev00, and Shaft excavation at Bringelly, Rev00</p> <p>SCAW site inspection 01/02/23</p> <p>SCAW consolidated monitoring result register, 06/02/23 and unattended vibration monitoring sheet, 30/11/22</p> <p>SCAW SiteHive module (online)</p> <p>SCAW Project induction, Rev21 (covers air quality, contamination, biodiversity, heritage, unexpected finds (heritage and contam), spoil import, ERSED, noise and vibration, waste chemicals, spills, incidents and permits)</p> <p>SCAW ERSED Plan for SMF, Rev03</p>	<p>SBT appears to have implemented relevant controls from the CEMP and Sub-plans to minimize dust. This includes use of water, soil binders and prioritization of stabilized and building hardstand areas. Dust management has been communicated to the workforce. The number of dust complaints received is limited.</p> <p><b>Observation: The Auditor observes that there are two major stockpiles at the SBT Orchard Hills site that appear to be long term. During the inspection the SBT indicated that they would be held for an extended period. The Auditor notes that the northern stockpile appears to have been suitably stabilized. However access to southern stockpile is non-existent and stabilisation is limited. Work is required on this southern stockpile to maintain compliance with this condition, along with Section 6.3.2 of the SBT CEMP and Section 7.4 of the SBT SWMP.</b></p> <p><b>In response to this finding in the draft Audit Report, CPBG provided the following statement: 'The stockpiles have been shaped, Hydro-seeded &amp; the ERSED controls have been reinstated (sed fence). All reasonably practicable measures have been implemented. Due to space constraints, CPBG have implemented as far as reasonably practical measures to stabilize these stockpiles and minimize dust emissions.'</b></p> <p><b>The Auditor acknowledges the response and retains the existing finding.</b></p> <p>SCAW appears to have implemented relevant controls from the CEMP and Sub-plans to minimize dust. SCAW is monitoring deposited dust and real time dust via SiteHive. Results are adequate. At least four watercarts are running on the SMF. Erosion and sediment control plans have been implemented which has a positive influence on air quality. Dust management has been communicated to the workforce via the induction. The number of dust complaints received is limited. It is observed that the SMF site in particular is high risk for dust (large scale cut to fill and material handling).</p>	C
<b>Biodiversity and Trees</b>							

E2	The clearing of native vegetation must be minimised to the greatest extent practicable with the objective of reducing impacts to threatened ecological communities and threatened species habitat	Applicable	Applicable	Applicable	<p>SBT NSW (Off-airport) Flora and Fauna Management Sub-plan, 21/09/22 (SBT FFMP) including procedures and evidence of consultation</p> <p>SBT Hydrogeological Interpretive Report, (040403) (shows PCTs and consideration of site layout)</p> <p>SBT Site Establishment design report Bringelly (PKG 051001), and Orchard Hills (031801)</p> <p>SBT Permit to Clear, (permits 006 - 021)</p> <p>SBT interview, 02/02/23</p> <p>SCAW Fauna and Flora Management Sub-plan, 04/11/22 (SCAW FFMP) including procedures, and evidence of consultation</p> <p>SCAW Permit to Clear, (permits 001 – 005)</p> <p>SCAW GIS module (online)</p> <p>SCAW Revised Biodiversity Credit Requirements, AMBS, 01/09/22 and 12/10/22</p> <p>SCAW Incident Report, SCAW-INC-002, 10/02/23 (clearing beyond approved limits and breach of E2)</p> <p>DPE post approval portal lodgement, 17/02/23 (notification of breach of E2)</p> <p>Metro interview 10/02/23</p> <p>SBT pre-clearance inspection Orchard Hills South (offset variations), 12/10/22</p> <p>Letter Metro to DPE, 10/11/22 (evidence of retirement of ecosystem credits as at 31/11/22).</p>	<p>The SBT site establishment design reports show that site configurations and layouts have been developed with the view that native vegetation is retained. The native vegetation overlay has been used in the site establishment decision making process. The SBT permit to clear process is such that clearing is marked and controlled so that no additional impacts to that intended are carried out (i.e.: no clearing beyond specified area), that relevant credits have been retired (where necessary). Permit 08 in particular shows that clearing has not taken all the native vegetation approved to be cleared. The clearing process is consistent with the approved FFMP.</p> <p>The SCAW design has been refined so that only land required to build the project (that overlaps with PCTs). This has relied on a revised credit requirements assessment by AMBS. The SCAW permit to clear process is such that clearing is marked and controlled so that no additional impacts to that intended are carried out (i.e.: no clearing beyond specified area), that relevant credits have been retired (where necessary). The clearing process is consistent with the approved FFMP.</p> <p>Metro have provided evidence that the construction footprint is greater than the clearing footprint (i.e.: demonstrating that clearing has been minimized to the greatest extent possible).</p> <p><b>Non-compliance: An incident occurred on SCAW on 10/02/23 which involved clearing beyond the approved clearing limit between the M12 Piling Pad and Cosgrove's Creek. The clearing did not extend beyond the Project boundary.</b></p> <p>Investigations determined that the breach was in non-compliance with E2. The non-compliance was reported within 7 days in accordance with A44. The report includes the information required under A45. The investigation also considered whether any breach had occurred against E4 and E7 (i.e.: whether any additional credits were required as a result of the clearing undertaken). The investigation determined that SCAW remained compliant with E4 and E7.</p> <p>In response to this finding in the draft Audit Report, CPBUI provided the following statement: <i>'As identified in the Environmental Incident and Non-compliance Notification Report issued to DPE by Sydney Metro on 17th Feb 2023 CPBUI identified a non-compliance with E2 as a result of a clearing incident occurring on the 10th Feb 2023.</i></p> <p><i>The project Flora and Fauna Management Plan, Clearing and Grubbing Procedure and Clearing and Grubbing Inspection and Test plan is currently being updated as per the findings of the incident investigation.</i></p> <p><i>This has been self reported and it's status should be 'Closed'. SM notes that as a contract CPBUI has reduced clearing by at least 50% and therefore this NC was raised as clearing extents were different to their documentation. SM regards this NC as administrative.'</i></p> <p>The Auditor acknowledges the response and retains the existing finding on the basis that updates to Project documentation have yet to be complete. With regards to whether a non-compliance is administrative or otherwise, the Auditor refers the reader to Section 2.2.8 of this Report.</p>	NC
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E3	Impacts to plant community types must not exceed those identified in the documents listed in <b>Condition A1</b> , unless otherwise approved by the Planning Secretary. In requesting the Planning Secretary's approval, an assessment of the additional impact(s) to plant community types and an updated ecosystem and / or species credit requirement under <b>Condition E4</b> below, if required, must be provided.	Applicable	Applicable	Applicable	<p>SBT NSW (Off-airport) Flora and Fauna Management Sub-plan, 21/09/22 (SBT FFMP) including procedures and evidence of consultation</p> <p>SBT Hydrogeological Interpretive Report, (040403)</p> <p>SBT Site Establishment design report Bringelly (PKG 051001), and Orchard Hills (031801)</p> <p>SBT Permit to Clear, (permits 008 - 021)</p> <p>DPE post approval portal lodgment 12/08/22 (retirement of ecosystem credits at Orchard Hills)</p> <p>SBT pre-clearance inspection Orchard Hills South (offset variations), 12/10/22</p> <p>SBT interview, 02/02/23</p> <p>SCAW Fauna and Flora Management Sub-plan, 04/11/22 (SCAW FFMP) including procedures, and evidence of consultation</p> <p>SCAW Permit to Clear, (permits 001 – 005)</p> <p>SCAW GIS module (online)</p> <p>SCAW Revised Biodiversity Credit Requirements, AMBS, 01/09/22</p> <p>SCAW DPE portal lodgment, 10/11/22 (submission of evidence of credit retirement)</p> <p>SCAW permit to clear 002 (first clearing permit involving veg subject to offset.</p> <p>Metro interview 10/02/23</p> <p>Letter Metro to DPE, 10/11/22 (evidence of retirement of ecosystem credits as at 31/11/22)</p> <p>Letter DPE to Sydney Metro, 04/11/22 (acknowledgement of evidence of the retirement of credits or payment to secure offsets to Department (E3))</p> <p>Letter DPE to Sydney Metro, 18/11/22 (acknowledgement of evidence to demonstrate that biodiversity credits have been retired prior to removal of native vegetation associated with the SCAW construction stage as required under condition E4))</p> <p>Metro Permit to Clear Register, current to Feb 22</p>	<p>Refer above.</p> <p>The SBT and SCAW permit to clear process is such that clearing is marked and controlled so that no additional impacts to that intended are carried out (i.e.: no clearing beyond specified area), that relevant credits have been retired (where necessary). The pre-clearing permit includes a review of the land being taken. To date no additional offset to the credits in E4 have been required.</p> <p>Metro have demonstrated that ecosystem credits have been retired prior to clearing of the relevant vegetation, and the number of credits used (i.e.: amount of vegetation used).</p>	C
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E4	<p><b>As modified through MOD-1 (approved 14/04/22)</b></p> <p>Prior to impacts on the biodiversity values set out in Table 3 and Table 4, the number and classes of ecosystem credits and species credits (like-for-like) must be retired.</p> <p>Note: Credits have been calculated using the Biodiversity Assessment Method.</p> <p>Table 3: Ecosystem credits</p> <table border="1"> <thead> <tr> <th>Plant Community Type (PCT) ID and name</th> <th>Number of Credits</th> </tr> </thead> <tbody> <tr> <td>724: Broad-leaved Ironbark – Grey Box - Melaleuca decora grassy open forest on clay/gravel soils of the Cumberland Plain, Sydney Basin Bioregion</td> <td>246</td> </tr> <tr> <td>835: Forest Red Gum – Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion</td> <td>217</td> </tr> <tr> <td>849: Grey Box – Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion</td> <td>202 204</td> </tr> <tr> <td>1800: Swamp Oak open forest on riverflats of Cumberland Plain and Hunter Valley</td> <td>181</td> </tr> <tr> <td><b>Total</b></td> <td><b>846 848</b></td> </tr> </tbody> </table> <p>Table 4: Species credits required</p> <table border="1"> <thead> <tr> <th>Species</th> <th>Number of Credits</th> </tr> </thead> <tbody> <tr> <td>Acacia bynoeana (Bynoe's Wattle)</td> <td>31</td> </tr> <tr> <td>Acacia pubescens (Downy Wattle)</td> <td>54</td> </tr> <tr> <td>Allocasuarina glareicola</td> <td>47</td> </tr> <tr> <td>Cynanchum elegans (White-flowered Wax Plant)</td> <td>48</td> </tr> <tr> <td>Dillwynia tenuifolia</td> <td>21 72</td> </tr> <tr> <td>Grevillea juniperina subsp. juniperina (Juniper-leaved Grevillea)</td> <td>57 153</td> </tr> <tr> <td>Grevillea parviflora subsp. parviflora (Small-flower Grevillea)</td> <td>32</td> </tr> <tr> <td>Marsdenia viridiflora subsp. viridiflora (Endangered population Marsdenia viridiflora R. 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The staged approach is consistent with the Staging Report.</p>	C
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E5	The requirement to retire like-for-like ecosystem credits and species credits in Condition E4 may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of ecosystem credits and species credits.	Applicable	Applicable	Applicable	<p>Letter Metro to DPE and DPE post approval portal lodgment 12/08/22 (retirement of ecosystem credits at Orchard Hills)</p> <p>SBT pre-clearance inspection Orchard Hills South (offset variations), 12/10/22</p> <p>SCAW Revised Biodiversity Credit Requirements, AMBS, 01/09/22</p> <p>SCAW DPE portal lodgment, 10/11/22 (submission of evidence of credit retirement)</p> <p>Letter Metro to DPE, 10/11/22 (evidence of retirement of ecosystem credits as at 31/11/22, associated evidence)</p> <p>Letter DPE to Sydney Metro, 04/11/22 (acknowledgement of evidence of the retirement of credits or payment to secure offsets to Department (E3))</p> <p>Letter DPE to Sydney Metro, 18/11/22 (acknowledgement of evidence to demonstrate that biodiversity credits have been retired prior to removal of native vegetation associated with the SCAW construction stage as required under condition E4))</p>	The evidence provided shows that retirement that has been completed via payment into the trust.	C
E6	Where evidence of compliance with the <u>Ancillary rules: Reasonable steps to seek like-for-like biodiversity credits for the purpose of applying the variation rules</u> has been provided to the Planning Secretary, variation rules may be applied to retire the relevant ecosystem credits and species credits as set out in the BAM Biodiversity Credit Report (Variation)	Applicable	Applicable	Applicable	Refer above.	This has not been adopted. Refer E4, E5, E7	NT
E7	Evidence of the retirement of credits in satisfaction of <b>Condition E4</b> or payment to the Biodiversity Conservation Fund in satisfaction of <b>Condition E5</b> must be provided to the Planning Secretary prior to impacts on the biodiversity values	Applicable	Applicable	Applicable	<p>Letter Metro to DPE, 10/11/22 (evidence of retirement of ecosystem credits for SCAW, associated evidence), and DPE portal lodgment 10/11/22</p> <p>Letter Metro to DPE, 12/08/22 evidence of retirement of ecosystem credits for SBT, associated evidence and DPE post approval portal lodgment, 16/08/22</p>	Confirmation of retirement of credit requirements for AEW, SBT and SCAW were completed and submitted 10/11/22. SCAW clearing involving offset was on 12/11/22	C
E8	The Proponent must minimise impacts to Key Fish Habitat ( <b>KFH</b> ) as defined in Policy and Guidelines for Fish Habitat Conservation and Management (DPI, 2013 update). Residual impacts to <b>KFH</b> , following the implementation of habitat rehabilitation or other environmental compensation measures, must be offset at a ratio of 2:1 habitat offset requirement in accordance with the Policy and Guidelines for Fish Habitat Conservation and Management (DPI, 2013 update) and in consultation with DPI Fisheries.	Applicable	Applicable	Not Applicable	<p>Site inspection 01/02/23</p> <p>SBT interview 02/02/23</p> <p>SCAW interview 08/02/23</p>	<p>SBT do not cross any creeks.</p> <p>SCAW works have not disturbed crossings involving Key Fish Habitat during the audit period. It is understood three crossings will be required, but this work is pending.</p>	NT
E9	Where offsets are required in accordance with <b>Condition E8</b> , payment of the habitat offset requirement must be made to the DPI Fish Conservation Trust Fund prior to the commencement of Work that impacts <b>KFH</b> .	Applicable	Applicable	Not Applicable	<p>Site inspection 01/02/23</p> <p>SBT interview 02/02/23</p> <p>SCAW interview 08/02/23</p>	<p>SBT do not cross any creeks.</p> <p>SCAW works have not disturbed crossings involving Key Fish Habitat during the audit period. It is understood three crossings will be required, but this work is pending.</p>	NT
E10	Where offsets are required in accordance with <b>Condition E8</b> , the Proponent must submit to the Planning Secretary a receipt confirming payment to the DPI Fish Conservation Trust Fund within one (1) month of making the payment.	Applicable	Applicable	Not Applicable	<p>Site inspection 01/02/23</p> <p>SBT interview 02/02/23</p> <p>SCAW interview 08/02/23</p>	<p>SBT do not cross any creeks.</p> <p>SCAW works have not disturbed crossings involving Key Fish Habitat during the audit period. It is understood three crossings will be required, but this work is pending.</p>	NT
E11	Nest Boxes must be installed one (1) month prior to any removal of existing tree hollows and/or the release of any captured hollow dependent fauna.	Not Applicable	Applicable	Not Applicable	<p>Site inspection 01/02/23</p> <p>SBT interviews 02/02/23</p> <p>SBT Nest Box Installation Report (bringelly) AMBS ecology, 12/07/2022 – 12 nest boxes were installed and inspected on 13/05/22</p> <p>SBT permit to clear (011) Bringelly, 01/08/22</p> <p>Email AMBS to SCAW, 01/11/22 (status report on nest box installation and pre-clearing surveys)</p> <p>SCAW Permit to Clear, (permits 001 – 005)</p>	<p>Nest boxes were sighted during the site inspection. Nest boxes for SBT were installed prior to the current audit period (13/05/22) at the Bringelly site which was more than 30 days prior to clearing. No other SBT sites identified as having hollows.</p> <p>SCAW has had confirmation from the project ecologist on the status of installation of nest boxes and has staggered clearing to ensure this is compliant with this requirement.</p>	C

E12	<p>Prior to vegetation clearing, the Proponent must identify where it is practicable for the CSSI to reuse native trees and vegetation that are to be removed. If it is not possible for the CSSI to reuse removed native trees and vegetation, the Proponent must consult with the relevant council(s), NSW National Parks &amp; Wildlife Service, Western Sydney Parklands Trust, Greater Sydney Local Land Services, Landcare groups, DPI Fisheries and any additional relevant government agencies to determine if:</p> <p>(a) hollows, tree trunks (greater than 25-30 centimetres in diameter and 2-3 metres in length), mulch, bush rock and root balls salvaged from native vegetation impacted by the CSSI; and</p> <p>(b) collected plant material, seeds and/or propagated plants from native vegetation impacted by the CSSI, could be used by others in habitat enhancement and rehabilitation work, before pursuing other disposal options.</p>	Applicable	Applicable	Not Applicable	<p>SBT consultation records June 2022 for E12 with Fisheries, DPE Water, Liverpool Council, LLS, NPWS, Penrith City Council, WSPT (from second audit period)</p> <p>Email LLS to SBT, 21/06/22 (LLS advising that they could potentially receive timber material).</p> <p>Orchard Hills Vegetation Reuse – Onsite discussion with Peter Ridge from LLS.nsw.gov – E12 – reuse of 2m logs.</p> <p>Email LLS to SBT, 23/08/22 and 26/08/22</p> <p>SCAW interview 08/02/23</p> <p>Email SCAW to Liverpool and Penrith Council, NPWS, LLS Heritage NSW, Parklands Trust, Landcare, OEH and DPI, 06/02/23</p> <p>Email Parklands to SCAW, 06/02/23</p> <p>Email LLS to SCAW, 06/06/22</p>	<p>SBT reused mulch for erosion and sediment control where possible (mulch bunds). Where not reusable, SBT consultation was completed prior to the current audit period which covered all planned clearing. Only LLS responded to request for reuse of native vegetation. Native vegetation was provided to LLS in September 2022.</p> <p>SCAW has retained some vegetation on site for reuse this on the Project. However, consultation has commenced with the view that some reuse on site may not be possible. Two responses have been received expressing interest. Any decision is outside of the audit period and pending.</p>	C
E13	<p>Revegetation and the provision of replacement trees must be informed by a Tree Survey undertaken during detailed design. The Tree Survey must identify the number, type and location of any trees to be removed, except for trees that are offset under <b>Condition E4</b>. The Tree Survey must be submitted to the Planning Secretary for information with the <b>Place, Urban Design and Corridor Landscape Plan</b> required under <b>Condition E79</b>.</p> <p>Where trees are to be removed, the Proponent must provide a net increase in the number of replacement trees at a ratio of 2:1, except trees that are offset under <b>Condition E4</b>. Replacement trees must have a minimum pot size consistent with the relevant authority's plans / programs / strategies for vegetation management, street planting, or open space landscaping, or as agreed by the relevant authority(ies).</p> <p><b>Note:</b> For the purposes of this condition, the relevant authority is that State or local government authority that owns or manages the land on which the replacement trees will be planted</p>	Applicable	Applicable	Not Applicable	<p>SBT Tree Survey, Orchard Hills, 28/07/22</p> <p>SBT Tree Survey, St Marys, 20/07/22</p> <p>SCAW E13 Tree Survey, 20/12/22</p> <p>Metro Tree Register (AEW) (no date).</p>	<p>SBT Tree Surveys were prepared by SBT for Orchard Hills and St Marys. This includes the information required by this condition. Other sites were subject to offset under E4.</p> <p>SCAW has prepared a tree survey (for non-offset trees). This includes the information required by this condition. 25 trees accounted for that are not offset.</p> <p>Revegetation does not form part of SBT or SCAW scope of works.</p> <p>Metro has been provided with the information from each contractor, but has yet to compile it into a single Tree Survey.</p>	C
E14	<p>The Proponent must design the watercourse crossings and the east-west regional corridor (Patons Lane) crossing to achieve the following objectives:</p> <p>(a) design of viaducts to retain and minimise clearing/disturbance of native vegetation and maximise native plant growth under the structures,</p> <p>(i) maintain and/or improve riparian/terrestrial connectivity under the viaduct and bridge structures to maximise the corridor function;</p> <p>(ii) maximise the viaduct and bridge structures span over the riparian corridor and/or remnant native vegetation whichever is the widest;</p> <p>(iii) minimise the clearing/disturbance of native vegetation and native riparian vegetation; and</p> <p>(iv) maximise light and moisture penetration under the viaduct and bridge structures to support native plant growth;</p> <p>(b) design of culverts and other crossings incorporate the following into the design to provide for movement of aquatic and terrestrial fauna,</p> <p>(i) elevated "dry" cells to encourage terrestrial movement, and recessed "wet" cells to facilitate the movement of aquatic fauna;</p> <p>(ii) maximise light penetration into the culvert structures;</p> <p>(iii) a naturalised base along the bed of the culvert; and 'fauna furniture' (such as rocks, logs, ropes and ledges) to facilitate fauna movement to maintain connectivity and provide fauna passage;</p> <p>(c) design of scour protection using natural solutions such as the revegetation of banks with local native species; and</p> <p>(d) details of remnant native vegetation including riparian vegetation.</p> <p>The Proponent must consult with DPIE EES, DPI Fisheries and engage suitably qualified experts in fauna crossing design to achieve the outcomes of this condition.</p> <p><b>Note:</b> These design objectives must form part of the <b>Place, Urban Design and Corridor Landscape Plan</b> required under <b>Condition E79</b>.</p>	Applicable	Applicable	Not Applicable	<p>Site inspection 01/02/23</p> <p>SBT interview 02/02/23</p> <p>SCAW interview 08/02/23</p> <p>SCAW Memo, summary of consultation on E14, 24/11/22 (including evidence of consultation attached).</p> <p>Letter DPI Fisheries to SCAW 10/08/22</p> <p>SCAW Blaxland Creek Viaduct (Substructure and Superstructure) design reports SCARB 4150 and 4110 (x2), CPBUI, 16/01/23 and 02/02/23</p> <p>SCAW PUBCLP, December 2022 (including Appendix C)</p>	<p>This is not relevant to SBTs scope of works as there are no watercourse crossings.</p> <p>SCAW has prepared two design reports for works involving crossings. The Design Reports the design to be compliant with this condition. Evidence demonstrates that DPE EES was consulted with and did not wish to participate. Fisheries was consulted and confirmed that condition E14 had been complied with (in their view). The relevant design details have been incorporated into SCAWs PUDCLP.</p>	C
Flooding							

E15	<p>The CSSI must be designed and constructed with the objective of not exceeding the flood impacts presented in the documents listed in <b>Condition A1</b> or the flood impact criteria in <b>Table 5</b>, whichever is greater, within and in the vicinity of the CSSI for all flood events up to and including the one (1) per cent Annual Exceedance Probability (AEP) flood event.</p> <table border="1" data-bbox="246 346 1344 976"> <thead> <tr> <th>Parameter</th> <th>Location</th> <th>Criteria</th> </tr> </thead> <tbody> <tr> <td rowspan="4">Afflux</td> <td rowspan="3">Land zoned as residential, industrial or commercial, and critical infrastructure</td> <td>Maximum 10mm to buildings that are flood prone in existing conditions</td> </tr> <tr> <td>No new above floor flooding</td> </tr> <tr> <td>Maximum 50 mm where flooding is below floor level</td> </tr> <tr> <td>Roads</td> <td>Maximum 50mm</td> </tr> <tr> <td></td> <td>Land zoned as rural, primary production, environment or public recreation</td> <td>Maximum 100mm</td> </tr> <tr> <td>Velocity</td> <td>All areas</td> <td>Velocities are to remain below 1m per second. Where existing velocities exceed 1m per second, increase by less than 10 percent</td> </tr> <tr> <td rowspan="2">Flood Hazard</td> <td>Residential and commercial land</td> <td>No increase in the flood hazard or risk to life</td> </tr> <tr> <td>Roads</td> <td>No increase in the flood hazard or risk to life</td> </tr> <tr> <td rowspan="3">Flood Duration</td> <td>Residential and commercial buildings</td> <td>No increase to duration of above floor flooding</td> </tr> <tr> <td>Roads</td> <td>No more than one hour increase</td> </tr> <tr> <td>Crown land, open space, farming, grazing and cropping land</td> <td>No more than one hour increase</td> </tr> </tbody> </table> <p>Measures identified in the documents listed in <b>Condition A1</b> to limit flooding impacts or measures that achieve the same outcome must be incorporated into the detailed design of the CSSI.</p>	Parameter	Location	Criteria	Afflux	Land zoned as residential, industrial or commercial, and critical infrastructure	Maximum 10mm to buildings that are flood prone in existing conditions	No new above floor flooding	Maximum 50 mm where flooding is below floor level	Roads	Maximum 50mm		Land zoned as rural, primary production, environment or public recreation	Maximum 100mm	Velocity	All areas	Velocities are to remain below 1m per second. Where existing velocities exceed 1m per second, increase by less than 10 percent	Flood Hazard	Residential and commercial land	No increase in the flood hazard or risk to life	Roads	No increase in the flood hazard or risk to life	Flood Duration	Residential and commercial buildings	No increase to duration of above floor flooding	Roads	No more than one hour increase	Crown land, open space, farming, grazing and cropping land	No more than one hour increase	Applicable	Applicable	Applicable	<p>Site inspection 01/02/23</p> <p>SBT Hydrology and Flood Assessment Design Report, 28/11/22</p> <p>SBT interview 02/02/23 and 03/02/23</p> <p>SCAW Flood Protection Report, AHJV, 16/12/22</p> <p>Metro interview 10/02/23</p> <p>Sydney Metro iCentral portal (online document review portal, and evidence of stage 3 review gate comments sheet for Flood Protection Report)</p>	<p><b>Observation: The SBT Hydrology and Flood Assessment Design Report identifies the flood impacts and assess these against the requirements of E15. The Report identifies several departures from the requirements around the Bringelly site (afflux and velocity).</b></p> <p><b>The Auditor notes that E17 states that where flooding characteristics exceed the levels identified in Condition E15 the Proponent must consult with the affected landowner/s, State Emergency Services and Council/s to establish appropriate mitigation measures.</b></p> <p><b>SBT was to review the data to confirm the accuracy of the flood modelling and whether consultation under E17 is required.</b></p> <p><b>In response to this finding in the draft Audit Report, CPBG provided the following statement: 'Designers reply for the Bringelly afflux: We have reviewed the survey information provided and compared it against the results from the flood model. From the survey, the floor level of the building is RL 70.472m AHD. The existing case 1% AEP flood level for the building is RL 70.591m AHD, confirming that the building is subject to above floor flooding. The design case 1% AEP flood level for the building is RL 70.597m AHD. Flooding impacts comply with the maximum allowable afflux of 10mm not being exceeded. With Note 1 Table 46 in the Report, about one section with an afflux &gt;10mm. The survey has located the building (rather than relying on the aerial photo) and the footprint of the building is outside of the area with an afflux &gt;10mm. The report will be updated to remove Note 1.</b></p> <p><b>'Designers reply for the Bringelly velocity: In the report already mentioned that "There is velocity increase along Derwent Road. But where the velocity increases occur, flood depths are typically less than 0.1m and the flood hazard is low (H1)".'</b></p> <p><b>The Auditor acknowledges the response.</b></p> <p><b>Observation: The SCAW Flood Protection Report identifies the flooding impacts against the requirements of E15. The Report identifies that it is compliant with the parameters of E15, however in the comments section of the Report (Appendix C) there are a range of observations against the Report's dealing with E15, including comments indicating that there are exceedances of the criteria from E15.</b></p> <p><b>The Auditor notes that E17 states that where flooding characteristics exceed the levels identified in Condition E15 the Proponent must consult with the affected landowner/s, State Emergency Services and Council/s to establish appropriate mitigation measures.</b></p> <p><b>The information indicates that design remains in progress and further modelling will be completed. The need for consultation under E17 was to be determined by SCAW following the design refinement and completion of the modelling.</b></p> <p><b>In response to this finding in the draft Audit Report, CPBUI provided the following statement: 'Flood Protection Report Revision 00 (SMWSASCA-CPU-SWD-EW000-SD-RPT-245000) issued 3rd March 2023 included response to all comments in Appendix C. All comments have been recorded as closed and no exceedances of the levels identified in E15 have been identified.'</b></p> <p><b>The Auditor acknowledges the response.</b></p>	C
Parameter	Location	Criteria																																	
Afflux	Land zoned as residential, industrial or commercial, and critical infrastructure	Maximum 10mm to buildings that are flood prone in existing conditions																																	
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E16	Updated modelling that incorporates these measures and is calibrated and validated with consideration of the results of the Wianamatta-South Creek Catchment Flood Assessment prepared by Infrastructure NSW as part of Stage 2 of the South Creek Sector Review must be prepared by a suitably qualified flood consultant. The modelling must identify changes in post-development flood behaviour including cumulative flood impacts associated with Western Sydney International Airport and the M12, where this information is available, prior to detailed design being finalised	Applicable	Applicable	Applicable	<p>SBT Hydrology and Flood Assessment Design Report, 28/11/22</p> <p>SBT interview 02/02/23 and 03/02/23</p> <p>SCAW Flood Protection Report, AHJV, 16/12/22</p>	<p><b>Observation: The SBT Hydrology and Flood Assessment Design Report identifies the flood impacts and assess these against the requirements of E16. It states that incorporation of the Wianamatta-South Creek Catchment Flood Assessment is not able to be validated due to poor resolution of the Wianamatta-South Creek Catchment Flood Assessment model, and its low relevance to the SBT sites. Sydney Metro reviewed this finding and, on 25/11/22 marked the matter as closed.</b></p> <p>The SCAW Flood Protection Report confirms that the results of the Wianamatta-South Creek Catchment Flood Assessment have been included into the modelling. The Report does identify the post construction flood behaviour (no significant impact on the catchment).</p>	C
E17	<p>Where flooding characteristics exceed the levels identified in <b>Condition E15</b> above the Proponent must undertake the following:</p> <p>(a) consult with affected landowners for properties adversely flood affected as a result of the CSSI regarding appropriate mitigations; and</p> <p>(b) consult with the NSW State Emergency Service (SES) and Relevant Council(s) regarding the management of any continuous and residual flood risk from rarer flood events larger than the 1 per cent AEP and up to the probable maximum flood.</p> <p>In the event that the Proponent and the affected landowner cannot agree on the measures to mitigate the impact as described in <b>Condition E15</b>, the Proponent must engage a suitably qualified and experienced independent person to advise and assist in determining the impact and relevant mitigation measures</p>	Applicable	Applicable	Applicable	<p>SBT Hydrology and Flood Assessment Design Report, 28/11/22</p> <p>Site inspection 01/02/23</p> <p>SBT interview 02/02/23 and 03/02/23</p> <p>SCAW Flood Protection Report, AHJV, 16/12/22</p>	Refer to findings from E15. The need for consultation with potentially affected landowners has yet to be determined.	NT
E18	<p>Flood information including flood reports, models and geographic information system outputs must be provided to the DPIE PDPS, Relevant Council(s), DPIE EES and the SES in order to assist in preparing relevant documents and to reflect changes in flood behaviour as a result of the CSSI. The DPIE PDPS, Relevant Council(s), DPIE EES and the SES must be notified in writing that the information is available no later than one (1) month following the completion of construction.</p> <p>Information requested by the DPIE PDPS, Relevant Council(s), DPIE EES or the SES must be provided no later than six (6) months following the completion of construction or within another timeframe agreed with the DPIE PDPS, Relevant Council(s), DPIE EES and the SES. The project flood models and data must be uploaded to the NSW Flood Data Portal and access must be provided to the DPIE PDPS, Relevant Council(s), DPIE EES and SES no later than one (1) month following the completion of construction.</p>	Applicable	Applicable	Applicable	Site inspection 01/02/23	Construction is ongoing.	NT
<b>Heritage</b>							

E19	<p>The Proponent must not destroy, modify or otherwise physically affect any Heritage item not identified in documents referred to in <b>Condition A1</b>. Unexpected heritage finds identified by the CSSI must be managed in accordance with the <b>Unexpected Heritage Finds and Human Remains Procedure</b> outlined in <b>Conditions E34 to E36</b>. Consideration of avoidance and redesign to protect unexpected finds of state heritage significance must be addressed where this condition applies.</p>	Applicable	Applicable	Applicable	<p>Unexpected Heritage Finds Procedure, Sydney Metro, August 2021</p> <p>SBT CEMP (Annexure B – unexpected finds protocol), 29/09/22</p> <p>SBT St Marys Archaeological Monitoring Method Statement, AMBS, January 2022</p> <p>SBT St Marys Archaeological Monitoring Report, AMBS, December 2022</p> <p>SBT interview 02/02/23</p> <p>SBT Project induction (no date) including information on sustainability, hold points, legal requirements, soil and water, contamination and spills, noise and vibration, flora and fauna, visual amenity, air quality, waste</p> <p>SBT Work Packs Claremont Meadows PKG-261164, Orchard Hills PKG 261125, Orchard Hills PKG 261153</p> <p>SCAW CEMP, 04/11/22</p> <p>SCAW Non-Aboriginal Heritage Management Plan, 04/10/22</p> <p>SCAW Project induction, Rev21 (covers air quality, contamination, biodiversity, heritage, unexpected finds (heritage and contam), spoil import, ERSED, noise and vibration, waste chemicals, spills, incidents and permits)</p> <p>Unexpected Heritage Find Reporting Form, 22/11/22 (potential find of heritage work during excavation at the SCAW compound)</p> <p>SCAW interview 08/02/23</p> <p>Unexpected Heritage Find Reporting Form, 12/01/23 (Scar tree find at Cosgroves Creek, Luddenham)</p> <p>Metro interview 13/02/23</p>	<p>It is understood that known heritage items from the EIS have been cleared prior to construction that impacts the land on which they reside, or design has been refined to avoid the items, or works affecting the items has yet to occur.</p> <p>SBT St Marys Archaeological Monitoring Report confirmed that supervision was carried out during works in risk area, and that no items of significance were identified during the works in the subject area. There were no other areas of heritage significance subject to disturbance. SBT have trained the workforce in identification and reporting on heritage finds. SBT are not aware of any unexpected finds during the audit period.</p> <p>SCAW utilises the Metro procedure. The Non-Aboriginal Heritage Management Plan has identified that unexpected finds for non-Aboriginal heritage to be unlikely. SCAW have trained the workforce in identification and reporting on heritage finds.</p> <p>During the SCAW walk through in November 2022, as part of welcome to country two scar trees were identified. The trees remain in place and redesign is underway to avoid these trees.</p> <p>SCAW identified a potential heritage find on 22/11/22 (stone works). Works stopped and the heritage advisor deployed. The report stated that the find was not significant and that works could continue unimpeded.</p> <p>Metro advises that there were no unexpected finds associated with AEW works. Historic heritage to be protected and retained extends to the Goods Shed. This area has not been impacted as yet. According to an email within Metro all sites have been cleared as at 30/08/22.</p>	C
E20	<p>The dismantling and reassembly of the jib crane at St Marys Station, if required, must only be undertaken under the supervision of a consultant experienced in the conservation of heritage machinery.</p>	Applicable	Not Applicable	Applicable	<p>Site inspection 01/02/23</p>	<p>The jib crane is still in place and is free of damage.</p>	C
E21	<p>The St Marys Goods Shed must not be destroyed, modified or otherwise adversely affected, except as identified in the documents listed in <b>Condition A1</b>.</p>	Applicable	Not Applicable	Applicable	<p>SBT CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN, 29/09/22 (SBT CEMP)</p> <p>SBT interview 02/02/23</p> <p>SBT Detailed Noise and Vibration Impact Statement - St Marys Station, December 2022</p> <p>Email chain, Transport to Sydney Metro, 02/03/21 – 31/05/21 (Transport Heritage Advisor advice on vibration impact on the Goods Shed)</p> <p>Email Chain AMBS and Sydney Metro, 27/01/23 – 03/02/23 (heritage advice on installation of 'crack meters' at the Goods Shed)</p> <p>WSA SBT Instrumentation and Monitoring Monthly Status Reports, Sep 22 - Jan 23</p>	<p>The EIS identified minor impacts to the Goods Shed. Controls were included in the SBT CEMP (refer aspects and impacts register).</p> <p>It is understood based on the evidence sighted that the only heritage item in the safe working distance of construction during the audit period is the Goods Shed at St Marys. Sydney Metro sought advice of Transport for NSWs Heritage Specialist on vibration impacts and monitoring. The Heritage Specialist confirmed that vibration monitoring installed was as per the Sydney Trains Technical Note for the Installation of New Electrical and Data Services at Heritage Sites. More recently, advice was sought from Sydney Metro on the installation of crack meters at the Goods Shed. On 02/02/23 the Heritage Specialist from AMBS confirmed the method to be adopted was acceptable. The vibration monitoring results sighted comply with the adopted criteria.</p>	C



E22	The <b>Archaeological Research Design</b> included in the documents listed in <b>Condition A1</b> must be implemented during construction.	Applicable	Applicable	Applicable	<p>Archaeological Research Design, Artefact, April 2021</p> <p>SBT AMBS Archaeological Statement 22/07/22 confirming monitoring of concrete slab at St Marys SBT.</p> <p>SBT St Marys Site Archaeological Report by AMBS June 2022</p> <p>SBT St Marys Archaeological Monitoring Method Statement, AMBS, January 2022</p> <p>SBT St Marys Archaeological Monitoring Report, AMBS, December 2022</p>	<p>AMBS was engaged as the archaeological specialists for SBT adjacent the Goods Shed on a risk based approach. The monitoring reports confirm that the ARD has been implemented for subject works despite this not being called up under the ARD and approval.</p> <p>Works in the area called up by the ARD (Goods Shed) have not commenced.</p>	C
E23	Before commencement of archaeological excavation, the Proponent must, in consultation with Heritage NSW, nominate a suitably qualified <b>Excavation Director</b> , who complies with Heritage Council of NSW's Criteria for Assessment of Excavation Director (September 2019), to oversee and advise on matters associated with historical archaeology for the approval of the Planning Secretary. The Excavation Director must be present to oversee excavation, advise on archaeological issues, advise on the duration and extent of oversight required during archaeological excavations consistent with the <b>Archaeological Research Design and Excavation Methodology(s)</b> identified in the documents listed in <b>Condition A1</b> . More than one Excavation Director may be engaged for CSSI to exercise the functions required under the conditions of this approval.	Applicable	Applicable	Applicable	<p>Excavation Director was nominated – James Cole, AMBS letter of approval from Heritage NSW dated 6/7/22</p> <p>Letter Sydney Metro to DPE, 10/06/22 (nomination of Excavation Director to DPE)</p> <p>SBT St Marys Archaeological Monitoring Method Statement, AMBS, January 2022</p> <p>SBT St Marys Archaeological Monitoring Report, AMBS, December 2022</p> <p>Letter Heritage NSW to Sydney Metro, 13/04/22 (Heritage NSW endorsement of Lian Ramage)</p> <p>Letter DPE to Sydney Metro, 17/06/22 (DPE approval of the SBT St Marys Excavation Directors – Dr Ian Stuart and Jenny Winnett)</p> <p>SCAW interview 08/02/23</p>	<p>There are no areas requiring archaeological excavation under the SCAW scope of works and, therefore, have not engaged an Excavation Director for their scope.</p> <p>Sydney Metro advise that the following excavation directors have been nominated to date:</p> <p>SBT: Lian Ramage was nominated as ED to Heritage NSW on 7 April 2023. Heritage NSW provided correspondence supporting her nomination on 13 April 2023. Refer to "SSD-10051-E23-CwC-Letter" in RFI_15 folder.</p> <p>James Cole was nominated as Secondary ED to Heritage NSW on 23 June 2022. Heritage NSW provided correspondence supporting her nomination on 6 July 2022. Sydney Metro are preparing to submit nominations for Lian Ramage and James Cole to the Department. For SBT, the archaeological excavation to date has not been required under the ARDEM, rather some excavation at St Marys was conducted under supervision on a risk based approach.</p> <p>AEW: Note this is prior to the current audit period. Dr Ian Stuart and Jenny Winnett were nominated as ED to Heritage NSW on 1 June 2022. Heritage NSW provided correspondence supporting their nomination on 2 June 2022. Refer to "SSD 10051 - E23 - CwC - HC Letter" in RFI_15 folder. The Department provided approval of the appointment on 17/06/22.</p>	C
E24	Archival photographic digital recording must be undertaken for all listed heritage items which will be affected by the CSSI. The recordings must be undertaken prior to the commencement of Work which may impact the items and documented in an <b>Archival Recording Report</b> . The recordings must include buildings, structures and landscape features and detailed maps showing the location of features. The archival recording must be prepared in accordance with How to Prepare Archival Records of Heritage Items (NSW Heritage Office, 1998) and Photographic Recording of Heritage Items Using Film or Digital Capture (NSW Heritage Office, 2006).	Applicable	Applicable	Applicable	<p>St Mary's Railway Station, Archival Recording, Biosis, 11/01/22 (Archival Recording Report)</p> <p>Bringelly RAAF Base Compound, 15/11/21 (Archival Recording Report)</p> <p>Archival Report, Alexander Mayes Photography, August 2022 (Luddenham Road)</p> <p>Archival Recording Report, Alexander Mayes Photography, August 2022 (McMaster and McGarvie-Smith Farms)</p> <p>Memo AMBS to SCAW, 18/01/23 (Heritage Fabric Salvage assessment on McMaster and McGarvie-Smith Farms)</p>	<p>The SBT Archival Recording Reports were prepared for the entire St Marys Railway Station area (i.e.: covering all areas relevant for the entire Project at this location) and Bringelly RAAF base. The recording was completed prior to impact. No other locations are affected by SBT at this stage.</p> <p>The SCAW project had archival recording completed on the Luddenham road and the Farm buildings. The recording was completed as per this condition prior to impact.</p> <p>Archival recording for the AEW packages was conducted (if required) prior to the current audit period.</p>	C
E25	The <b>Archival Recording Report</b> must be submitted to the Planning Secretary, relevant councils and Heritage NSW for information within 12 months of completing all work described in the documents listed in <b>Condition A1</b> in relation to heritage items. Copies of the Archival Recording Report must also be provided to relevant local historical societies.	Applicable	Applicable	Applicable	Site inspection 01/02/23	Works are ongoing.	NT
E26	Following completion of all work described in the documents listed in Condition A1 in relation to heritage items, a non-Aboriginal Archaeological Excavation Report including the details of further historical research either undertaken or to be carried out and archaeological excavations (with artefact analysis and identification of a final repository for finds) and addressing the research design, must be prepared in accordance with any guidelines and standards required by the Heritage Council of NSW and Heritage NSW.	Applicable	Applicable	Applicable	Site inspection 01/02/23	Works are ongoing.	NT
E27	The <b>non-Aboriginal Archaeological Excavation</b> Report must be submitted to the Planning Secretary, relevant councils and Heritage NSW for information within 12 months of completing all Work described in the documents listed in <b>Condition A1</b> in relation to heritage items. Copies of the Report must also be provided to relevant local historical societies and local libraries.	Applicable	Applicable	Applicable	Site inspection 01/02/23	Works are ongoing.	NT



E28	All reasonable steps must be taken so as not to harm, modify or otherwise impact Aboriginal objects or places of cultural significance except as authorised by this approval.	Applicable	Applicable	Applicable	<p>Aboriginal Cultural Heritage Management Plan, Sydney Metro, 19/08/21 (ACHMP)</p> <p>SBT CEMP (Annexure B – unexpected finds protocol), 29/09/22</p> <p>SBT St Marys Archaeological Monitoring Method Statement, AMBS, January 2022</p> <p>SBT St Marys Archaeological Monitoring Report, AMBS, December 2022</p> <p>SBT interview 02/02/23</p> <p>SBT Project induction (no date) including information on sustainability, hold points, legal requirements, soil and water, contamination and spills, noise and vibration, flora and fauna, unexpected finds and heritage, visual amenity, air quality, waste</p> <p>SCAW CEMP, 04/11/22</p> <p>SCAW Non-Aboriginal Heritage Management Plan, 04/10/22</p> <p>SCAW Project induction, Rev21 (covers air quality, contamination, biodiversity, heritage, unexpected finds (heritage and contam), spoil import, ERSED, noise and vibration, waste chemicals, spills, incidents and permits)</p> <p>Unexpected Heritage Find Reporting Form, 22/11/22 (potential find of heritage work during excavation at the SCAW compound)</p> <p>SCAW interview 08/02/23</p> <p>Unexpected Heritage Find Reporting Form, 12/01/23 (Scar tree find at Cosgroves Creek, Luddenham)</p> <p>Sydney Metro Archaeological Site Clearance Certificates (x8)</p> <p>Email Metro internal, 30/08/22 (status update on Aboriginal archaeological clearance).</p>	<p>It is understood that known heritage items from the EIS have been cleared prior to construction that impacts the land on which they reside, or design has been refined to avoid the items, or works affecting the items has yet to occur.</p> <p>SBT St Marys Archaeological Monitoring Report confirmed that supervision was carried out during works in risk area, and that no items of significance were identified during the works in the subject area. There were no other areas of heritage significance subject to disturbance. SBT have trained the workforce in identification and reporting on heritage finds. SBT are not aware of any unexpected finds during the audit period.</p> <p>SCAW utilises the Metro unexpected finds procedure. The Non-Aboriginal Heritage Management Plan has identified that unexpected finds for non-Aboriginal heritage to be unlikely. SCAW have trained the workforce in identification and reporting on heritage finds.</p> <p>During the SCAW walk through in November 2022, as part of welcome to country two scar trees were identified. The trees remain in place and redesign is underway to avoid these trees.</p> <p>SCAW identified a potential heritage find on 22/11/22 (stone works). Works stopped and the heritage advisor deployed. The report stated that the find was not significant and that works could continue unimpeded.</p> <p>Metro advises that there were no unexpected finds associated with AEW works. Aboriginal archaeological investigations and salvage was completed. As at 01/02/23, eight sites have been cleared or partially cleared for the purpose of the SM-WSA project, in accordance with the ACHMP:</p> <ul style="list-style-type: none"> <li>• BWB</li> <li>• B22 (AHIMS 45-5-2640)</li> <li>• AS3</li> <li>• UVA1</li> <li>• AS7</li> <li>• AS6</li> <li>• UVA2; and</li> <li>• AS2.</li> </ul> <p>According to an email within Metro all sites have been cleared as at 30/08/22.</p>	C
E29	The Registered Aboriginal Parties (RAPs) must be kept regularly informed about the CSSI. The RAPs must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the CSSI throughout construction.	Applicable	Applicable	Applicable	<p>Aboriginal Cultural Heritage Management Plan, Sydney Metro, 19/08/21 (ACHMP)</p> <p>00_WSA RAP consultation.xls (RAP consultation register)</p>	<p>Metro advised that, prior to the current audit period, Sydney Metro consulted with RAPs on the final ACHMP. According to a register consultation during the audit period comprised: emails to RAPs regarding fieldwork and on site consultation (August and December 2022), presentation of preliminary findings from investigations (September 2022), update email (and letter) on details of all salvage and artefact assemblage (December 2022).</p>	C

E30	<p>The Aboriginal Cultural Heritage Management Plan included in the documents listed in Condition A1 must be updated to include:</p> <p>(a) a methodology for the completion of pedestrian surveys for all areas within the project footprint yet to be surveyed;</p> <p>(b) procedures for undertaking further test excavation and, if necessary, salvage excavations prior to the commencement of works in areas subject to further test excavation;</p> <p>(c) mapping that clearly outlines all areas yet to be subject to survey, test excavations, and salvage excavations;</p> <p>(d) a procedure to update mapping following the completion of survey, test excavations, and salvage excavations that detail the archaeological works conducted across the project footprint;</p> <p>(e) a procedure for updating the predictive model following the identification of new Aboriginal heritage items; and</p> <p>(f) a procedure to report and update the effectiveness of the Aboriginal Cultural Heritage Management Plan following the completion of survey, test excavation activities or significant artefact finds.</p> <p>The updated Plan must be submitted to the Planning Secretary for information prior to works in areas identified for further test excavations.</p> <p><b>Note:</b> Salvage excavations in the areas identified for salvage in documents in Condition A1, may occur prior to additional test excavations occurring.</p>	Applicable	Applicable	Applicable	<p>Aboriginal Cultural Heritage Management Plan, Sydney Metro, 19/08/21 (ACHMP)</p> <p>Letter DPE to Sydney Metro, 24/09/21</p> <p>Letter GHD to Sydney Metro, 01/10/21 (response to RFT for test excavations)</p> <p>Heritage Salvage Meeting Minutes, Sydney Metro, 31/01/22</p>	<p>Metro evidence indicates that the Aboriginal Cultural Heritage Plan was updated as per this condition and submitted to the Department. Test excavations commenced on 27/01/22 (i.e.: after submission of the ACHMP to the Department)</p>	C
E31	<p>The updated <b>Aboriginal Cultural Heritage Management Plan</b> must be implemented for the duration of salvage activities and construction.</p>	Applicable	Applicable	Applicable	<p>Metro interview, 13/02/23</p> <p>Incident register 23/01/23</p> <p>Sydney Metro Archaeological Site Clearance Certificates (x8)</p> <p>Email Metro internal, 30/08/22 (status update on Aboriginal archaeological clearance).</p>	<p>To note, test excavation has only recently been completed and the site cleared. The clearance certificates include a statement from the consultant that works were carried out as per the ACHMP and that relevant area has been cleared. Metro are not aware of any areas that will be subject to further excavation and therefore no updates to the mapping, the methodology or the ACHMP.</p>	C
E32	<p>At the completion of Aboriginal cultural heritage test and salvage excavations, an <b>Aboriginal Cultural Heritage Excavation Report(s)</b> must be prepared by a suitably qualified person. The <b>Aboriginal Cultural Heritage Excavation Report(s)</b> must:</p> <p>(a) be prepared in accordance with the Guide to Investigation, assessing and reporting on Aboriginal cultural heritage in NSW, OEH 2011 and the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, DECCW 2010; and</p> <p>(b) document the results of the archaeological test excavations and any subsequent salvage excavations (with artefact analysis and identification of a final repository for finds).</p> <p>The <b>RAPs</b> must be given a minimum of 28 days to consider the report(s) and provide comments before the report(s) is finalised. The final report(s) must be provided to the Planning Secretary, Heritage NSW, the relevant Councils, Gandangara LALC and Deerubbin LALC, the RAPs and local libraries within 24 months of the completion of the Aboriginal archaeological excavations (both test and salvage).</p>	Applicable	Applicable	Applicable	<p>Metro interview 13/02/23</p> <p>Sydney Metro Archaeological Site Clearance Certificates (x8)</p> <p>Email Metro internal, 30/08/22 (status update on Aboriginal archaeological clearance).</p>	<p>Aboriginal archaeological investigations and salvage was completed. As at 01/02/23, eight sites have been cleared or partially cleared for the purpose of the SM-WSA project, in accordance with the ACHMP:</p> <ul style="list-style-type: none"> <li>• BWB</li> <li>• B22 (AHIMS 45-5-2640)</li> <li>• AS3</li> <li>• UVA1</li> <li>• AS7</li> <li>• AS6</li> <li>• UVA2; and</li> <li>• AS2.</li> </ul> <p>According to an email within Metro all sites have been cleared as at 30/08/22 (the first of which was cleared in July 2022). The Excavation Reports are due in July 2024.</p>	NT
E33	<p>Where previously unidentified Aboriginal objects or places of cultural significance are discovered, all work must immediately stop in the vicinity of the affected area. Works potentially affecting the previously unidentified objects or places must not recommence until Heritage NSW has been informed. The measures to consider and manage this process must be specified in the <b>Unexpected Heritage Finds and Human Remains Procedure</b> required by Condition E34 and include registration in the Aboriginal Heritage Information Management System (AHIMS), where required.</p>	Applicable	Applicable	Applicable	<p>Metro interview 13/02/23</p> <p>Unexpected Heritage Finds Procedure, Sydney Metro, May 2021</p> <p>Unexpected Heritage Find Reporting Form, 12/01/23 (Scar tree find at Cosgroves Creek, Luddenham)</p>	<p>Sydney Metro are not aware of any unexpected finds during the audit period (or prior).</p> <p>During the SCAW walk through in November 2022, as part of welcome to country two scar trees were identified. Trees have been protected, additional consultation undertaken and trees were registered on AHIMS (#45-5-5667, and #45-5-5668). Consultation was undertaken, the trees were registered. The trees remain in place and redesign is underway to avoid these trees.</p>	C

E34	<p>An <b>Unexpected Heritage Finds and Human Remains Procedure</b> must be prepared to manage unexpected heritage finds (heritage items and values) in accordance with any guidelines and standards prepared by the Heritage Council of NSW or Heritage NSW.</p>	Applicable	Applicable	Applicable	<p>Unexpected Heritage Finds Procedure, Sydney Metro, May 2021</p> <p>Exhumation Management Procedure, Sydney Metro, May 2021 (Human Remains Procedure)</p> <p>Letter DPE to Sydney Metro, 30/09/21</p> <p>SBT CEMP (Annexure B – unexpected finds protocol), 29/09/22</p> <p>SBT Project induction (no date) including information on sustainability, hold points, legal requirements, soil and water, contamination and spills, noise and vibration, flora and fauna, unexpected finds and heritage, visual amenity, air quality, waste</p> <p>SCAW CEMP, 04/11/22</p>	<p>The Unexpected Heritage Finds and Human Remains Procedure was prepared in accordance with the relevant guideline by a suitably qualified person, and was approved by the Department prior to the current audit period.</p> <p>The procedure has been summarised in Annexure B of the approved SBT CEMP.</p> <p>The approved SCAW CEMP has identified this requirement as being the responsibility of Metro. The protocol has been followed when triggered. Refer E28.</p>	C
E35	<p>The <b>Unexpected Heritage Finds and Human Remains Procedure</b> must be prepared by a suitably qualified and experienced heritage specialist in consultation with the Heritage Council of NSW (with respect to non-Aboriginal cultural heritage) and in relation to Aboriginal cultural heritage, in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010) and submitted to the Planning Secretary for information no later than one (1) month before the commencement of construction.</p>	Applicable	Applicable	Applicable	<p>SBT CEMP (Annexure B – unexpected finds protocol), 29/09/22</p> <p>Unexpected Heritage Finds Procedure, Sydney Metro, May 2021</p> <p>Exhumation Management Procedure, Sydney Metro, May 2021 (Human Remains Procedure)</p> <p>Letter DPE to Sydney Metro, 30/09/21 (approval of Unexpected Heritage Finds and Exhumation Management Procedures)</p> <p>SCAW CEMP, 04/11/22</p>	<p>The Unexpected Heritage Finds and Human Remains Procedure was prepared in accordance with the relevant guideline by a suitably qualified person in consultation with Heritage NSW, and was approved by the Department prior to the current audit period.</p> <p>The procedure has been summarised in Annexure B of the approved SBT CEMP.</p> <p>The approved SCAW CEMP has identified the development of the procedure to be the responsibility of Metro. SCAW utilises the Metro procedure. The protocol has been followed when triggered. Refer E28.</p>	C
E36	<p>The <b>Unexpected Heritage Finds and Human Remains Procedure</b>, as submitted to the Planning Secretary, must be implemented for the duration of construction.</p> <p>Where archaeological investigations have been undertaken as a result of Unexpected Finds notifications then a Final Archaeological Report must be provided in accordance with Heritage Council guidance and standard requirements for final reporting under Excavation Permits.</p> <p><b>Note:</b> Human remains that are found unexpectedly during the carrying out of work may be under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately. Management of human remains in NSW is subject to requirements set out in the Public Health Act 2010 (NSW) and Public Health Regulation 2012 (NSW). Nothing in these conditions prevents separate procedures for the Unexpected Heritage Finds and Human Remains Procedure.</p>	Applicable	Applicable	Applicable	<p>SBT CEMP (Annexure B – unexpected finds protocol), 29/09/22</p> <p>Unexpected Heritage Finds Procedure, Sydney Metro, May 2021</p> <p>SBT St Marys Archaeological Monitoring Method Statement, AMBS, January 2022</p> <p>SBT St Marys Archaeological Monitoring Report, AMBS, December 2022</p> <p>SBT interview 02/02/23</p> <p>SCAW CEMP, 04/11/22</p> <p>Unexpected Heritage Find Reporting Form, 22/11/22 (potential find of heritage work during excavation at the SCAW compound)</p> <p>SCAW interview 08/02/23</p> <p>Unexpected Heritage Find Reporting Form, 12/01/23 (Scar tree find at Cosgroves Creek, Luddenham)</p>	<p>The procedure has been incorporated into the SBT CEMP. SBT have trained the workforce in identification and reporting on heritage finds. SBT are not aware of any unexpected finds during the audit period.</p> <p>The approved SCAW CEMP has identified the development of the procedure to be the responsibility of Metro. SCAW utilises the Metro procedure. The protocol has been followed when triggered.</p> <p>During the SCAW walk through in November 2022, as part of welcome to country two scar trees were identified. Trees have been protected, additional consultation undertaken and trees were registered on AHIMS (#45-5-5667, and #45-5-5668). Consultation was undertaken, the trees were registered. The trees remain in place and redesign is underway to avoid these trees..</p> <p>SCAW identified a potential heritage find on 22/11/22 (stone works). Works stopped and the heritage advisor deployed. The report stated that the find was not significant and that works could continue unimpeded.</p>	C
Noise and Vibration							

E37	<p>A detailed land use survey must be undertaken to confirm sensitive land use(s) (including critical working areas such as operating theatres and precision laboratories) potentially exposed to construction noise and vibration and construction ground-borne noise. The survey may be undertaken on a progressive basis but must be undertaken in any one area before the commencement of work which generates construction noise, vibration or ground-borne noise in that area. The results of the survey must be included in the <b>Detailed Noise and Vibration Impact Statements</b> required under <b>Condition E47</b>.</p>	Applicable	Applicable	Applicable	<p>SBT Detailed Noise and SBT Detailed Noise and Vibration Impact Statement - Orchard Hills Tunnel Support Worksite, July 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - St Marys Station, December 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - Claremont Meadows Ventilation Facility, 03/08/22</p> <p>SBT Detailed Noise and Vibration Impact Statement - Aerotropolis Core Station 23 September 2022 CPB Ghella TM008-05-01F01 SMWSA-SBT_DNVIS-AEC (r2)</p> <p>SBT Detailed Noise and Vibration Impact Statement - Bringelly Services Facility, September 2022.</p> <p>SCAW Noise and Vibration Management Plan, 04/11/22 (Appendix C2)</p> <p>SCAW Land Use Survey, Resonate, 05/08/22</p> <p>SCAW Detailed Noise and Vibration Impact Statement, Luddenham Road Survey works, RevA, 21/09/22</p> <p>SCAW Detailed Noise and Vibration Impact Statement, Material Delivery and Stockpiling, 23/01/23</p> <p>SCAW Detailed Noise and Vibration Impact Statement, OOHV deliveries at Elizabeth Drive, 09/01/23</p> <p>DNVIS St Marys Lift, ADE Group, 25/05/22 (DNVIS includes Land Use Survey for St Marys Lift)</p>	<p>The Land Use Surveys are included in the SBT DNVISs. According to the revision dates on the Land Use Surveys within the DNVISs (or those from previous audit periods), the surveys appear to have been prepared prior to works resulting in construction noise, vibration or ground borne noise.</p> <p>The Land Use Surveys are included in the SCAW DNVISs. NOTE: only 1 DNVIS has been approved at the time of the audit as only one package of work was modelled as exceeding the relevant criteria called up by E47.</p> <p>Land Use Survey for St Marys Lift included in the DNVIS, which was prepared prior to construction of this package.</p> <p>Refer to previous audit reports for details on earlier packages.</p>	C
E38	<p>Work must only be undertaken during the following hours:</p> <p>(a) 7:00am to 6:00pm Mondays to Fridays, inclusive;</p> <p>(b) 8:00am to 1:00pm Saturdays; and</p> <p>(c) at no time on Sundays or public holidays.</p>	Applicable	Applicable	Applicable	<p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT Project induction, Rev1 and toolbox talk 03/08/22 and 21/01/23</p> <p>Site inspection 01/02/23</p> <p>SBT non-compliance report against E38, 25/10/22 (OOHW concrete pour)</p> <p>DPE post approval portal lodgement, 01/11/22</p> <p>SBT Work Pack WTP installation and commissioning, Rev00, and Shaft excavation at Bringelly, Rev00, Work Pack PKG-261159, Work Pack PKG-261146</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>SCAW Project induction, Rev21 (covers air quality, contamination, biodiversity, heritage, unexpected finds (heritage and contam), spoil import, ERSER, noise and vibration, waste chemicals, spills, incidents and permits)</p> <p>SCAW Work Pack, SMF Earthworks, 30/01/23</p> <p>Project wide complaints register current to 23/01/23</p>	<p>SBT hours (standard and high noise) are specified within project documentation and have been communicated to the workforce through the induction, Work Packs, environmental control maps, and toolboxes. The workforce has signed on to the relevant Work Packs acknowledging that they understand the requirements.</p> <p><b>Non-compliance: On 25/10/22 a non-compliance occurred relating to the overrun of a concrete pour (non-compliance with E38) at an SBT site. This was a result of the management of the concrete pour and it needing to be poured in one go to achieve its design criteria. This non-compliance was notified to the Department on 01/11/22 in accordance with A44/A45. It is understood no complaints were received as a result of the overrun. SBT (CPBG) had its EPL varied to enable out-of-hours concrete pours to run (under certain circumstances) up until 10pm. The Auditor is not aware of any further breach.</b></p> <p>SCAW hours (standard and high noise) are specified within project documentation and have been communicated to the workforce through the induction, Work Packs (via reference to need for permit to conduct OOHV) , environmental control maps. The workforce has signed on to the relevant Work Packs acknowledging that they understand the requirements. SCAW are not aware of any unauthorized OOHV.</p> <p>Several noise complaints have been received but the Auditor does not consider this to be excessive, do not indicate breaches, and the responses appear appropriate.</p> <p>According to the ER Monthly Reports, there do not appear to be any other instances of breaches of the work hours.</p>	NC

E39	<p>Except as permitted by an EPL or approved in accordance with the Out-of-Hours Works Protocol required by Condition E42, highly noise intensive work that result in an exceedance of the applicable NML at the same receiver must only be undertaken:</p> <p>(a) between the hours of 8:00 am to 6:00 pm Monday to Friday;</p> <p>(b) between the hours of 8:00 am to 1:00 pm Saturday; and</p> <p>(c) if continuously, then not exceeding three (3) hours, with a minimum cessation of work of not less than one (1) hour.</p> <p>For the purposes of this condition, 'continuously' includes any period during which there is less than one (1) hour between ceasing and recommencing any of the work.</p>	Applicable	Applicable	Applicable	<p>SBT CEMP 29/09/22</p> <p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT Project induction, Rev1 and toolbox talk 03/08/22 and 21/01/23</p> <p>Site inspection 01/02/23</p> <p>SBT non-compliance report, 25/10/22 (OOHW concrete pour)</p> <p>SBT Work Pack WTP installation and commissioning, Rev00</p> <p>SBT interview 02/02/23</p> <p>Site inspection 01/02/23</p> <p>SCAW interview, 08/02/23</p> <p>SCAW consolidated monitoring result register, 06/02/23 and unattended vibration monitoring sheet, 30/11/22</p> <p>Metro interview 10/02/23</p> <p>DNVIS St Marys Lift, ADE Group, 25/05/22 (DNVIS includes Land Use Survey for St Marys Lift)</p> <p>Project wide complaints register current to 23/01/23</p>	<p>SBT hours (standard and high noise) are specified within project documentation and have been communicated to the workforce through the induction, Work Packs, environmental control maps, and toolboxes. The workforce has signed on to the relevant Work Packs acknowledging that they understand the requirements. SBT has completed some limited hammering during the audit periods. The SBT auditees indicate that this has been limited and has not challenged the respite hours.</p> <p>Several noise complaints have been received but the Auditor does not consider this to be excessive, and the responses appear appropriate</p> <p>SCAW have not identified any highly noise intensive works that result in exceedances of the NML.</p> <p>AEW St Marys Lift has not identified any activities during the audit period that triggered this requirement. AEW Power did not conduct any OOHW during the audit period.</p>	C
E40	This approval does not permit blasting.	Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>SCAW interview 08/02/23</p> <p>Metro interview 10/02/23</p>	The auditees are not aware of any blasting.	NT



<p>E41</p>	<p>Notwithstanding Conditions E38 and E39 work may be undertaken outside the hours specified in the following circumstances:</p> <p>(a) Safety and Emergencies, including:</p> <ul style="list-style-type: none"> <li>(i) for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or</li> <li>(ii) where it is required in an emergency to avoid injury or the loss of life, to avoid damage or loss of property or to prevent environmental harm; or</li> </ul> <p>(b) Low impact, including:</p> <ul style="list-style-type: none"> <li>(i) construction that causes LAeq(15 minute) noise levels: • no more than 5 dB(A) above the rating background level at any residence in accordance with the ICNG, and • no more than the 'Noise affected' NMLs specified in Table 3 of the ICNG at other sensitive land user(s); and</li> <li>(ii) construction that causes: • continuous or impulsive vibration values, measured at the most affected residence are no more than the preferred values for human exposure to vibration, specified in Table 2.2 of Assessing Vibration: a technical guideline (DEC, 2006), or • intermittent vibration values measured at the most affected residence are no more than the preferred values for human exposure to vibration, specified in Table 2.4 of Assessing Vibration: a technical guideline (DEC, 2006); or</li> </ul> <p>(c) By Approval, including:</p> <ul style="list-style-type: none"> <li>(i) where different construction hours are permitted or required under an EPL in force in respect of the CSSI; or</li> <li>(ii) works which are not subject to an EPL that are approved under an Out-of-Hours Work Protocol as required by Condition E42; or</li> <li>(iii) negotiated agreements with directly affected residents and sensitive land user(s); or</li> </ul> <p>(d) By Prescribed Activity, including:</p> <ul style="list-style-type: none"> <li>(i) tunnelling and ancillary support activities (excluding cut and cover tunnelling and surface works not directly supporting tunneling) are permitted 24 hours a day, seven days a week; or</li> <li>(ii) grout batching at the Orchard Hills construction site is permitted 24 hours per day, seven days per week; or</li> <li>(iii) delivery of material that is required to be delivered outside of standard construction hours in Condition E38 to directly support tunnelling activities, except between the hours 10:00 pm and 7:00 am to / from the Orchard Hills ancillary facility; or</li> <li>(iv) haulage of spoil generated through tunnelling is permitted 24 hours per day, seven days per week except between the hours of 10:00 pm and 7:00 am to / from the Orchard Hills construction site; or</li> <li>(v) works within an acoustic enclosure are permitted 24 hours a day, seven days a week where there is no exceedance of noise levels or intermittent vibration levels under Low impact circumstances identified in Condition E41(b), unless otherwise agreed with the Planning Secretary; or</li> <li>(vi) tunnel and underground station box fit out works are permitted 24 hours per day, seven days per week.</li> </ul> <p>On becoming aware of the need for emergency work in accordance with (a)(ii) above, the ER, the Planning Secretary and the EPA must be notified of the reasons for such work. The Proponent must use best endeavours to notify as soon as practicable all noise and/or vibration affected sensitive land user(s) of the likely impact and duration of those work.</p> <p><b>Notes:</b> 1. Tunnelling does not include station box excavation. 2. Tunnelling ancillary support activities includes logistics support and material handling and delivery</p>	<p>Applicable</p>	<p>Applicable</p>	<p>Applicable</p>	<p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SBT interview 02/02/23</p> <p>SBT EPL 21672</p> <p>SBT OOHW Permit Application Register, 01/02/23</p> <p>SBT OOHW Application proforma</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>SCAW EPL 21695</p> <p>SCAW OOHW permit file, current to 08/02/23 (Luddenham Road Survey, Elizabeth Drive OOHW deliveries, Oversized plant float, Elizabeth Drive Compound)</p> <p>Metro interview 10/02/23</p> <p>OOHW application 001, AEW TBI, Rev 21 and Rev 23 (TBI defects investigations and repair).</p> <p>OOHW application 012 AEW St Marys Lift</p> <p>Email chain ER and AEW St Marys 30-31/08/22 (OOHW noise assessment)</p>	<p>SBT indicates that all OOHW during the audit period have been conducted under conditions L5.1 – L5.11 of EPL 21672. The OOHW Permit Application Register identifies approximately 20 x OOHW events during the audit period. The OOHW application proforma includes the EPL condition that the works are being conducted under. The OOHW application process includes justification, assessment, controls to be applied (where applicable), notification requirements, cumulative impact consideration and authorization. There does not appear to be OOHW that do not fit the requirements of this condition, noting the non-compliance identified in E38.</p> <p>SCAW indicates that all OOHW during the audit period to be conducted under L5.1 – L5.8 of EPL 21695. Four OOHW have been approved, only one of which was modelled as being above an NML. The OOHW application process includes justification, assessment, controls to be applied (where applicable), notification requirements, cumulative impact consideration and authorization. There does not appear to be OOHW that do not fit the requirements of this condition.</p> <p>The AEW TBI and St Marys Lift OOHW conducted during the audit period included justification for the work in accordance with this condition. No AEW Power OOHW during the audit period.</p>	<p>C</p>
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E42	<p>An Out-of-Hours Work Protocol must be prepared to identify a process for the consideration, management and approval of work (not subject to an EPL) that is outside the hours defined in Conditions E38 and E39. The Protocol must be approved by the Planning Secretary before commencement of the out-of-hours work. The Protocol must be prepared in consultation with the ER. The Protocol must provide:</p> <p>(a) justification for why out-of-hours work need to occur;</p> <p>(b) identification of low and high-risk activities and an approval process that considers the risk of activities, proposed mitigation, management, and coordination, including where:</p> <p>(i) the ER reviews all proposed out-of-hours activities and confirms their risk levels;</p> <p>(ii) low risk activities that can be approved by the ER; and</p> <p>(iii) high risk activities that are approved by the Planning Secretary;</p> <p>(c) a process for the consideration of out-of-hours work against the relevant NML and vibration criteria;</p> <p>(d) a process for selecting and implementing mitigation measures for residual impacts in consultation with the community at each affected location, including respite periods consistent with the requirements of Condition E56. The measures must take into account the predicted noise levels and the likely frequency and duration of the out-of-hours works that sensitive land user(s) would be exposed to, including the number of noise awakening events;</p> <p>(e) procedures to facilitate the coordination of out-of-hours work including those approved by an EPL or undertaken by a third party, to ensure appropriate respite is provided; and</p> <p>(f) notification arrangements for affected receivers for all approved out-of-hours works and notification to the Planning Secretary of approved low risk out-of-hours works.</p> <p>This condition does not apply if the requirements of <b>Condition E41</b> are met.</p> <p><b>Note:</b> Out-of-hours work is any work that occurs outside the construction hours identified in Condition E38 and E39.</p>	Applicable	Applicable	Applicable	<p>Sydney Metro Western Sydney Airport Out of Hours Works Protocol, Sydney Metro, 08/11/21</p> <p>Letter DPE to Sydney Metro, 11/11/21 (approval of OOHW Protocol)</p> <p>Metro interview 10/02/23</p> <p>OOHW application 001, AEW TBI, Rev 21 and Rev 23 (TBI defects investigations and repair).</p> <p>OOHW application 012 AEW St Marys Lift</p> <p>Email chain ER and AEW St Marys 30-31/08/22 (OOHW noise assessment)</p>	<p>The overarching OOHW Protocol was developed and approved prior to the current audit period.</p> <p>Both SBT and SCAW operate under their EPLs and do not use the OOHW Protocol.</p> <p>The AEW OOHW conducted during the audit period have been conducted in accordance with the approved OOHW Protocol.</p>	C
E43	<p>Mitigation measures must be implemented with the aim of achieving the following construction noise management levels and vibration criteria:</p> <p>(a) construction 'Noise affected' noise management levels established using the Interim Construction Noise Guideline (DECC, 2009);</p> <p>(b) preferred vibration criteria established using the Assessing vibration: a technical guideline (DEC, 2006) (for human exposure);</p> <p>(c) Australian Standard AS 2187.2 - 2006 "Explosives - Storage and Use - Use of Explosives" (for human exposure); (d) BS 7385 Part 2-1993 "Evaluation and measurement for vibration in buildings Part 2" as they are "applicable to Australian conditions"; and</p> <p>(e) the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures (for structural damage).</p> <p>Any work identified as exceeding the noise management levels and / or vibration criteria must be managed in accordance with the Noise and Vibration CEMP Sub-plan.</p> <p><b>Note:</b> The ICNG identifies 'particularly annoying' activities that require the addition of 5 dB(A) to the predicted level before comparing to the construction Noise Management Level.</p>	Applicable	Applicable	Applicable	<p>Site inspection 01/02/23</p> <p>SBT Chek Rite online plant assessment module</p> <p>ER inspection 24/11/22 (observation on revised construction methodology)</p> <p>SBT plant sound power level monitoring results</p> <p>SBT noise monitoring result register current to 01/02/23 and 5 x monitoring reports</p> <p>SBT works notifications February 2023</p> <p>SCAW consolidated monitoring result register, 06/02/23 and unattended vibration monitoring sheet, 30/11/22</p> <p>SCAW OOHW permit file, current to 08/02/23 (Luddenham Road Survey, Elizabeth Drive OOHW deliveries, Oversized plant float, Elizabeth Drive Compound)</p> <p>SCAW works notifications 23/09/22 (for Luddenham Road Survey)</p> <p>AEW St Marys Lift Photos series, 24/07/22</p> <p>Complaints register current to 23/01/23</p>	<p>SBT Sites have had hoarding installed as per the DNVISs. Pile cropping was used as a construction methodology / plant selection instead of hammering out of pile blinding and break back at Orchard Hills and Bringelly. Solar powered light towers are being used on occasion. Ripping is being used in place of rock hammering. All plant is assessed through the Chek Rite system which verifies that the plant is well maintained and fitted with non-tonal beacons. Noise monitoring at receiver has not identified construction noise as being excessive. The SBT auditees have not identified any vibration intensive works. SBT OOHW appear to have had the relevant mitigation measures applied (notification to receivers and verification monitoring etc.) this appears to have been implemented (noting that the auditor has not attended OOHW).</p> <p>Several noise complaints were received during the audit period. These do not appear to be excessive and the response appears to have been adequate.</p> <p>SCAW standard construction hours works have been measured as being compliant with the applicable criteria. The OOHW applications have identified predominantly compliant noise and vibration levels. Where exceedances have been predicted these have attracted mitigation measures consistent with the Metro CNVS. SCAW OOHW for Luddenham Road Survey appears to have had the relevant mitigation measures applied (notification to receivers and verification monitoring etc.) this appears to have been implemented (noting that the auditor has not attended OOHW). No other SCAW OOHW were predicted to trigger mitigation.</p> <p>AEW St Marys Lift utilized hoarding and noise blankets for high noise or localized works, shrouding was adopted for the use of a hammer to demolish stairs.</p>	C
E44	<p>All reasonable and feasible mitigation measures must be applied when the following residential ground-borne noise levels are exceeded:</p> <p>(a) evening (6:00 pm to 10:00 pm) — internal LAeq(15 minute): 40 dB(A); and</p> <p>(b) night (10:00 pm to 7:00 am) — internal LAeq(15 minute): 35 dB(A).</p> <p>The mitigation measures must be outlined in the Noise and Vibration CEMP Sub-plan, including in any Out-of-Hours Work Protocol, required by Condition E42.</p>	Applicable	Applicable	Applicable	<p>Site inspection 01/02/23</p> <p>SBT NSW (Off-airport) Construction Noise and Vibration Management Sub-plan, 23/09/22 (SBT NVMP) including Noise and Vibration Monitoring Program and evidence of consultation</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p>	<p>SBT Construction activities sighted do not appear to give rise to ground borne noise risk. Ground borne noise mitigation measures are included in the approved Noise and Vibration Management Sub-plan (Sections 6 and 8).</p> <p>Ground-borne noise is not anticipated to be an impact on SCAW.</p>	C

E45	<p>Noise generating work in the vicinity of potentially-affected community, religious, educational institutions and noise and vibration-sensitive businesses and critical working areas (such as theatres, laboratories and operating theatres) resulting in noise levels above the NMLs must not be timetabled within sensitive periods, unless other reasonable arrangements with the affected institutions are made at no cost to the affected institution.</p>	Applicable	Applicable	Applicable	<p>SBT Detailed Noise and SBT Detailed Noise and Vibration Impact Statement - Orchard Hills Tunnel Support Worksite, July 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - St Marys Station, December 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - Claremont Meadows Ventilation Facility, 03/08/22</p> <p>SBT Detailed Noise and Vibration Impact Statement - Aerotropolis Core Station 23 September 2022 CPB Ghella TM008-05-01F01 SMWSA-SBT_DNVIS-AEC (r2)</p> <p>SBT Detailed Noise and Vibration Impact Statement - Bringelly Services Facility, September 2022.</p> <p>SCAW Land Use Survey, Resonate, 05/08/22</p> <p>SCAW consolidated monitoring result register, 06/02/23 and unattended vibration monitoring sheet, 30/11/22</p>	<p>SBT DNVIS' do not identify any sensitive land uses as exceeding applicable NMLs.</p> <p>The SCAW Land Use Surveys have not identified any sensitive land use types in the vicinity of the works likely to exceed the applicable NMLs during the audit period. Noise monitoring results support this position.</p>	C
E46	<p>Industry best practice construction methods must be implemented where reasonably practicable to ensure that noise and vibration levels are minimised around sensitive land use(s). Practices may include, but are not limited to:</p> <p>(a) use of regularly serviced low sound power equipment;</p> <p>(b) at source control, temporary noise barriers (including the arrangement of plant and equipment) around noisy equipment and activities such as rock hammering and concrete cutting;</p> <p>(c) use of non-tonal reversing alarms; and</p> <p>(d) use of alternative construction and demolition techniques.</p>	Applicable	Applicable	Applicable	<p>Site inspection 01/02/23</p> <p>SBT Chek Rite online plant assessment module</p> <p>ER inspection 24/11/22 (observation on revised construction methodology)</p> <p>SBT noise monitoring result register current to 01/02/23 and 5 x monitoring reports</p> <p>SCAW Land Use Survey, Resonate, 05/08/22</p> <p>SCAW consolidated monitoring result register, 06/02/23 and unattended vibration monitoring sheet, 30/11/22</p> <p>SCAW plant pre-acceptance checklist proforma (requirement for non-tonal alarms)</p>	<p>SBT Sites have had hoarding installed as per the DNVISs. Pile cropping was used as a construction methodology / plant selection instead of hammering out of pile blinding and break back at Orchard Hills and Bringelly. All plant is assessed through the Chek Rite system which verifies that the plant is well maintained and fitted with non-tonal beacons. All generators sighted during the inspection were 'silenced'. Noise monitoring at receiver has not identified construction noise as being excessive. The SBT auditees have not identified any vibration intensive works.</p> <p>The SCAW Land Use Surveys have not identified any sensitive land use types in the vicinity of the works likely to exceed the applicable NMLs during the audit period, and noise monitoring results indicate that impact is minimal. Non-tonal beacons were observed to be fitted on utes on site, and is a requirement for all mobile plant. The construction methodologies sighted indicate that they are suitable for the required works. No highly noise intensive works have been required.</p> <p>Several noise complaints were received during the audit period. These do not appear to be excessive or indicate that controls have not been applied, and the response appears to have been adequate.</p>	C

E47	<p><b>Detailed Noise and Vibration Impact Statements (DNVIS)</b> must be prepared for any work that may exceed the NMLs, vibration criteria and / or ground-borne noise levels specified in <b>Conditions E43 and E44</b> at any residence outside construction hours identified in <b>Condition E38</b>, or where receivers will be highly noise affected or subject to vibration levels above those otherwise determined as appropriate by a suitably qualified structural engineer under <b>Condition E87</b>. The DNVIS must include specific mitigation measures identified through consultation with affected sensitive land user(s) and the mitigation measures must be implemented for the duration of the works. A copy of the DNVIS must be provided to the ER before the commencement of the associated works. The Planning Secretary and the EPA may request a copy (ies) of the DNVIS.</p>	Applicable	Applicable	Applicable	<p>ER interview 31/01/23</p> <p>SBT Detailed Noise and Vibration Impact Statement - Orchard Hills Tunnel Support Worksite, July 2022</p> <p>SBT Detailed Noise and Vibration Impact Statements, St Marys Station, June, July, December 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - Claremont Meadows Ventilation Facility, 03/08/22</p> <p>SBT Detailed Noise and Vibration Impact Statement - Aerotropolis Core Station 23 September 2022 CPB Ghella TM008-05-01F01 SMWSA-SBT_DNVIS-AEC (r2)</p> <p>Detailed Noise and Vibration Impact Statement - Bringelly Services Facility, September 2022</p> <p>Metro document control record (submission of DNVISs to ER).</p> <p>SBT noise monitoring result register current to 01/02/23 and 5 x monitoring reports</p> <p>Land Use Survey, Resonate, 05/08/22</p> <p>SCAW Detailed Noise and Vibration Impact Statement, Luddenham Road Survey works, RevA, 21/09/22 (and ER letter of endorsement, 28/09/22)</p> <p>SCAW Detailed Noise and Vibration Impact Statement, Material Delivery and Stockpiling, 23/01/23 (and submission to ER 30/01/23)</p> <p>SCAW Detailed Noise and Vibration Impact Statement, OOH deliveries at Elizabeth Drive, 09/01/23 (and submission to ER 17/01/23)</p> <p>SCAW works notifications 23/09/22 (for Luddenham Road Survey)</p> <p>Project works notifications current to February 2023 <a href="https://www.sydneymetro.info/westernsydneyairportline">https://www.sydneymetro.info/westernsydneyairportline</a></p> <p>Complaint register current to 23/01/23</p>	<p>SBT has prepared five DNVISs. None of which have been endorsed by the ER, but all of which have been provided to the ER prior to the relevant works commencing. The DNVISs are also publicly available. .</p> <p>SCAW has had only 1 DNVIS approved by the ER at the time of the audit as only one package of work was modelled as exceeding the relevant criteria called up by E47. The DNVIS includes the applicable mitigation measures for the works, consistent with the CNVS.</p> <p>The auditees are not aware of the Department or EPA requesting copies of the DNVISs.</p> <p><b>Non-compliance: The Auditor requested evidence be provided to demonstrate if any specific community consultation has occurred on the DNVISs.</b></p> <p><b>The DNVISs have adopted mitigation measures consistent with the CNVS, and there have been invitations for feedback from the community during work updates / notifications, and again under the works specific notification for out-of-hours works (OOHW), as applicable. However, there does not appear to be any evidence demonstrating that affected land users were made aware of the opportunity to provide input into the mitigation measures within the DNVISs. Therefore there is insufficient evidence to demonstrate that the mitigation measures in the DNVISs have been developed in consultation with relevant receivers.</b></p> <p><b>At the closing meeting with SBT, the auditees advised that they consider this consultation requirement to apply to highly affected receivers only. The Auditor has reviewed this condition in consideration of SBTs position and disagrees with their assessment.</b></p> <p><b>In response to this finding in the draft Audit Report, Sydney Metro provided the following statement: 'Notifications are sent out every 2 months for SBT &amp; SCAW, outlining OOH works over the coming 6 months. Where there is feedback on affected receivers this would be addressed in the DNVIS as required. To date the only mitigation measures required by SBT &amp; SCAW have been via standard notifications. These notifications have been issued to hundreds of residents (depending on the location). Future notifications will include reference to the mitigation requirements of the DNVIS. Allowing residents to make comment as required. As DNVIS are updated, a section would be included detailing consultation responses from residents.'</b></p> <p><b>In response to this finding in the draft Audit Report, CPBUI provided the following statement: 'CPBUI does not agree that a non-compliance with E47 has occurred during the audit period. During the audit period CPBUI has undertaken four activities Outside of Standard Construction hours as identified in E38, of which only two activities required the development of a DNVIS in accordance with E47 due to potential noise impacts (works may exceed project NML's). For both activities the DNVIS identified that, in accordance with the Sydney Metro Construction Noise and Vibration Standard, the appropriate mitigation measure for the activity was community notification due to the low noise impacts and therefore "specific mitigation measures identified through consultation with affected sensitive land user(s)" as per E47 was not considered reasonable as the act of notifying was the appropriate mitigation measure. CPBUI distribute a bi-monthly out of hours works community notification as required by E57 where feedback is requested from nearby receivers to help facilitate the development of project specific mitigation measures. No feedback has been received during the audit period.'</b></p> <p><b>In response to this finding in the draft Audit Report, CPBG provided the following statement: 'As discussed, the appropriateness of A6 and the DNVIS is questionable. The A6 condition is aimed at the conditions which specify the</b></p>	NC
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						The Auditor has not altered the finding in relation to above responses.	
E48	<p>Owners and occupiers of properties at risk of exceeding the screening criteria for cosmetic damage must be notified before works that generate vibration commences in the vicinity of those properties. If the potential exceedance is to occur more than once or extend over a period of 24 hours, owners and occupiers must be provided a schedule of potential exceedances on a monthly basis for the duration of the potential exceedances, unless otherwise agreed by the owner and occupier. These properties must be identified and considered in the Noise and Vibration CEMP Sub-plan.</p>	Applicable	Applicable	Applicable	<p>SBT Detailed Noise and Vibration Impact Statement - Orchard Hills Tunnel Support Worksite, July 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - St Marys Station, December 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - Claremont Meadows Ventilation Facility, 03/08/22</p> <p>SBT Detailed Noise and Vibration Impact Statement - Aerotropolis Core Station 23 September 2022 CPB Ghella TM008-05-01F01 SMWSA-SBT_DNVIS-AEC (r2)</p> <p>Detailed Noise and Vibration Impact Statement - Bringelly Services Facility, September 2022</p> <p>SCAW Noise and Vibration Management Sub-plan, 04/11/22 (SCAW NVMP) including noise and vibration monitoring program and records of consultation</p> <p>Site inspection 01/02/23</p>	<p>SBT DNVIS' have not identified any properties at risk of exceeding the screening criteria for cosmetic damage for the current scope of works.</p> <p>The SCAW NVMP has identified safe work distances. No works have occurred within those distances during the audit period.</p>	NT
E49	<p>Where sensitive land use(s) are identified in <b>Appendix B</b> as exceeding the highly noise affected criteria during typical case construction, mitigation measures must be implemented with the objective of reducing typical case construction noise below the highly noise affected criteria at each relevant sensitive landuse(s). Activities that would exceed highly noise affected criteria during typical case construction must not commence until the measures identified in this condition have been implemented, unless otherwise agreed with the Planning Secretary.</p> <p><b>Note:</b> Mitigation measures may include path barrier controls such as acoustic sheds and/or noise walls, at-property treatment, or a combination of path and at-property treatment.</p>	Applicable	Applicable	Applicable	<p>SBT Detailed Noise and Vibration Impact Statement - Orchard Hills Tunnel Support Worksite, July 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - St Marys Station, December 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - Claremont Meadows Ventilation Facility, 03/08/22</p> <p>SBT Detailed Noise and Vibration Impact Statement - Aerotropolis Core Station 23 September 2022 CPB Ghella TM008-05-01F01 SMWSA-SBT_DNVIS-AEC (r2)</p> <p>Detailed Noise and Vibration Impact Statement - Bringelly Services Facility, September 2022</p> <p>Site inspection 01/02/23</p> <p>SCAW interview 08/02/23</p>	<p>SBT DNVIS's have not identified sensitive land use(s) in Appendix B as exceeding the highly noise affected criteria during typical case construction for the works conducted during the audit period and utilising the controls that have been adopted (noise walls etc).</p> <p>SCAW reviewed the scenarios whereby this could be triggered for its scope of works (the only area within their scope potentially triggering this is in Orchard Hills). The activities identified as potentially exceeding the criteria are high noise activities for SBT and none for SCAW related activities. Regardless SCAW has not conducted works in the Orchard Hills area during the audit period.</p>	NT
E50	<p>For all construction sites where acoustic sheds are installed, the sheds must be designed, constructed and operated to minimise noise emissions. This would include the following considerations:</p> <p>(a) all significant noise producing equipment that would be used during the night-time would be inside the sheds, where feasible and reasonable;</p> <p>(b) noise generating ventilation systems such as compressors, scrubbers, etc., would be located inside the sheds and external air intake/discharge ports would be appropriately acoustically treated; and</p> <p>(c) the doors of acoustic sheds would be kept closed during the night-time period. Where nighttime vehicle access is required at sites with nearby residences, the shed entrances would be designed and constructed to minimise noise breakout.</p>	Applicable	Not Applicable	Not Applicable	<p>Site inspection 01/02/23</p>	<p>Acoustic sheds have not been installed during the audit period.</p>	NT
E51	<p>Where Condition E49 determines that at-property treatment (temporary or permanent) is the appropriate measure to reduce noise impacts, this at-property treatment must be offered to landowners of residential properties for habitable living spaces, unless other mitigation or management measures are agreed to by the landowner.</p> <p>Landowners must be advised of the range of options that can be installed at or in their property and given a choice as to which of these they agree to have installed.</p> <p>A copy of all guidelines and procedures that will be used to determine at-property treatment at their residence must be provided to the landowner.</p>	Applicable	Applicable	Applicable	<p>SBT Detailed Noise and Vibration Impact Statement - Orchard Hills Tunnel Support Worksite, July 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - St Marys Station, December 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - Claremont Meadows Ventilation Facility, 03/08/22</p> <p>SBT Detailed Noise and Vibration Impact Statement - Aerotropolis Core Station 23 September 2022 CPB Ghella TM008-05-01F01 SMWSA-SBT_DNVIS-AEC (r2)</p> <p>Detailed Noise and Vibration Impact Statement - Bringelly Services Facility, September 2022</p> <p>Site inspection 01/02/23</p> <p>SCAW interview 08/02/23</p>	<p>SBT DNVIS's have not identified sensitive land use(s) in Appendix B as exceeding the highly noise affected criteria during typical case construction. At-property treatment has not been identified as a requirement.</p> <p>SCAW has not triggered this requirement during the audit period. Refer E49.</p>	NT



E52	<p>Any offer for at-property treatment or the application of other noise mitigation measures in accordance with Condition E51, does not expire until the noise impacts specified in Condition E49, affecting that property are completed, even if the landowner initially refuses the offer.</p> <p><b>Note:</b> If an offer has been made but is not accepted, this does not preclude the commencement of construction under Condition E49.</p>	Applicable	Applicable	Applicable	<p>SBT Detailed Noise and Vibration Impact Statement - Orchard Hills Tunnel Support Worksite, July 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - St Marys Station, December 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - Claremont Meadows Ventilation Facility, 03/08/22</p> <p>SBT Detailed Noise and Vibration Impact Statement - Aerotropolis Core Station 23 September 2022 CPB Ghella TM008-05-01F01 SMWSA-SBT_DNVIS-AEC (r2)</p> <p>Detailed Noise and Vibration Impact Statement - Bringelly Services Facility, September 2022</p> <p>Site inspection 01/02/23</p> <p>SCAW interview 08/02/23</p>	<p>SBT DNVIS's have not identified sensitive land use(s) in Appendix B as exceeding the highly noise affected criteria during typical case construction. At-property treatment has not been identified as a requirement.</p> <p>SCAW has not triggered this requirement during the audit period. Refer E49.</p>	NT
E53	<p>The implementation of at-property treatment does not preclude the application of other noise and vibration mitigation and management measures including temporary and long term accommodation.</p>	Applicable	Applicable	Applicable	<p>SBT Detailed Noise and Vibration Impact Statement - Orchard Hills Tunnel Support Worksite, July 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - St Marys Station, December 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - Claremont Meadows Ventilation Facility, 03/08/22</p> <p>SBT Detailed Noise and Vibration Impact Statement - Aerotropolis Core Station 23 September 2022 CPB Ghella TM008-05-01F01 SMWSA-SBT_DNVIS-AEC (r2)</p> <p>Detailed Noise and Vibration Impact Statement - Bringelly Services Facility, September 2022</p> <p>Site inspection 01/02/23</p> <p>SCAW interview 08/02/23</p>	<p>SBT DNVIS's have not identified sensitive land use(s) in Appendix B as exceeding the highly noise affected criteria during typical case construction. At-property treatment has not been identified as a requirement. Refer to E43 and E46 regarding implementation of controls.</p> <p>SCAW has not triggered this requirement during the audit period. Refer E49.</p>	C
E54	<p>Vibration testing must be conducted during vibration generating activities that have the potential to impact on Heritage items to verify minimum working distances to prevent cosmetic damage. In the event that the vibration testing and attended monitoring shows that the preferred values for vibration are likely to be exceeded, the Proponent must review the construction methodology and, if necessary, implement additional mitigation measures. Such measures must include, but not be limited to, review or modification of excavation techniques.</p>	Applicable	Applicable	Applicable	<p>Site inspection 01/02/23</p> <p>SBT Detailed Noise and Vibration Impact Statement - Orchard Hills Tunnel Support Worksite, July 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - St Marys Station, December 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - Claremont Meadows Ventilation Facility, 03/08/22</p> <p>SBT Detailed Noise and Vibration Impact Statement - Aerotropolis Core Station 23 September 2022 CPB Ghella TM008-05-01F01 SMWSA-SBT_DNVIS-AEC (r2)</p> <p>Email chain, Transport to Sydney Metro, 02/03/21 – 31/05/21 (Transport Heritage Advisor advice on vibration impact on the Goods Shed)</p> <p>Email Chain AMBS and Sydney Metro, 27/01/23 – 03/02/23 (heritage advice on installation of 'crack meters' at the Goods Shed)</p> <p>WSA SBT Instrumentation and Monitoring Monthly Status Reports, Sep 22 - Jan 23</p> <p>SCAW Detailed Noise and Vibration Impact Statement, Luddenham Road Survey works, RevA, 21/09/22</p> <p>SCAW Detailed Noise and Vibration Impact Statement, Material Delivery and Stockpiling, 23/01/23</p> <p>SCAW Detailed Noise and Vibration Impact Statement, OOHV deliveries at Elizabeth Drive, 09/01/23</p>	<p>It is understood based on the evidence sighted that the only heritage item in the safe working distance of construction during the audit period is the Goods Shed at St Marys. Sydney Metro sought advice of Transport for NSW's Heritage Specialist on vibration impacts and monitoring. The Heritage Specialist confirmed that vibration monitoring installed was as per the <i>Sydney Trains Technical Note for the Installation of New Electrical and Data Services at Heritage Sites</i>. More recently, advice was sought from Sydney Metro on the installation of crack meters at the Goods Shed. On 02/02/23 the Heritage Specialist from AMBS confirmed the method to be adopted was acceptable. The vibration monitoring results sighted comply with the adopted criteria.</p>	C



E55	<p>The Proponent must seek the advice of a heritage specialist on methods and locations for installing equipment used for vibration, movement and noise monitoring at Heritage items.</p>	Not Applicable	Applicable	Applicable	<p>Site inspection 01/02/23</p> <p>SBT Detailed Noise and Vibration Impact Statement - Orchard Hills Tunnel Support Worksite, July 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - St Marys Station, December 2022</p> <p>SBT Detailed Noise and Vibration Impact Statement - Claremont Meadows Ventilation Facility, 03/08/22</p> <p>SBT Detailed Noise and Vibration Impact Statement - Aerotropolis Core Station 23 September 2022 CPB Ghella TM008-05-01F01 SMWSA-SBT_DNVIS-AEC (r2)</p> <p>Email chain, Transport to Sydney Metro, 02/03/21 – 31/05/21 (Transport Heritage Advisor advice on vibration impact on the Goods Shed)</p> <p>Email Chain AMBS and Sydney Metro, 27/01/23 – 03/02/23 (heritage advice on installation of 'crack meters' at the Goods Shed)</p> <p>WSA SBT Instrumentation and Monitoring Monthly Status Reports, Sep 22 - Jan 23</p> <p>SCAW Detailed Noise and Vibration Impact Statement, Luddenham Road Survey works, RevA, 21/09/22</p> <p>SCAW Detailed Noise and Vibration Impact Statement, Material Delivery and Stockpiling, 23/01/23</p> <p>SCAW Detailed Noise and Vibration Impact Statement, OOHW deliveries at Elizabeth Drive, 09/01/23</p>	<p>It is understood based on the evidence sighted that the only heritage item in the safe working distance of construction during the audit period is the Goods Shed at St Marys. Sydney Metro sought advice of Transport for NSW's Heritage Specialist on vibration impacts and monitoring. The Heritage Specialist confirmed that vibration monitoring installed was as per the <i>Sydney Trains Technical Note for the Installation of New Electrical and Data Services at Heritage Sites</i>. More recently, advice was sought from Sydney Metro on the installation of crack meters at the Goods Shed. On 02/02/23 the Heritage Specialist from AMBS confirmed the method to be adopted was acceptable. The vibration monitoring results sighted comply with the adopted criteria.</p>	C
E56	<p>All work undertaken for the delivery of the CSSI, including those undertaken by third parties (such as utility relocations), must be coordinated to ensure respite periods are provided. The Proponent must:</p> <p>(a) reschedule any work to provide respite to impacted noise sensitive land use(s) so that the respite is achieved in accordance with Condition E57; or</p> <p>(b) consider the provision of alternative respite or mitigation to impacted noise sensitive land use(s); and</p> <p>(c) provide documentary evidence to the ER in support of any decision made by the Proponent in relation to respite or mitigation</p> <p>The consideration of respite must also include all other approved Critical SSI, SSI and SSD projects which may cause cumulative and / or consecutive impacts at receivers affected by the delivery of the CSSI.</p>	Not Applicable	Applicable	Applicable	<p>SBT interview 02/02/23 and 03/03/23</p> <p>SBT OOHW Permit Application Register, 01/02/23</p> <p>SBT and SCAW works notifications current to February 2023</p> <p>SCAW Detailed Noise and Vibration Impact Statement, Luddenham Road Survey works, RevA, 21/09/22 (and ER letter of endorsement, 28/09/22)</p> <p>SCAW works notifications 23/09/22 (for Luddenham Road Survey)</p> <p>CICG meeting presentations (north and south) and minutes June 2022 to January 2023</p>	<p>The SBT OOHW Permit Application Register identifies approximately 20 x OOHW events during the audit period. SBT team is not aware of other activities proximal to SBT that have involved OOHW. The works notifications identify the upcoming works and community is invited to provide a response regarding respite and mitigation.</p> <p>Only 1 x OOHW for SCAW has been modelled as being above 5dB(A) above the RBL. The SCAW Communications Manager sits across both SCAW and M12 and therefore has visibility of potential OOHW on both projects. The Communications Manager is not aware of activities whereby respite has not been achieved during the audit period.</p> <p>Communications Interface Coordination Groups (CICG) meet monthly to discuss upcoming works and potential for cumulative impacts. Where upcoming works are likely to overlap, this triggers the need for further discussion and review of potential scheduling and impact.</p>	C

E57	<p>In order to undertake out-of-hours work outside the work hours specified under <b>Condition E38</b>, appropriate respite periods for the out-of-hours work must be identified in consultation with the community at each affected location on a regular basis. This consultation must include (but not be limited to) providing the community with:</p> <p>(a) a progressive schedule for periods no less than three (3) months, of likely out-of-hours work;</p> <p>(b) a description of the potential work, location and duration of the out-of-hours work;</p> <p>(c) the noise characteristics and likely noise levels of the work; and</p> <p>(d) likely mitigation and management measures which aim to achieve the relevant NMLs under Condition E43 (including the circumstances of when respite or relocation offers will be available and details about how the affected community can access these offers).</p> <p>The outcomes of the community consultation, the identified respite periods and the scheduling of the likely out-of-hour work must be provided to the ER, EPA and the Planning Secretary prior to the out-of-hours work commencing.</p> <p><b>Note:</b> Respite periods can be any combination of days or hours where out-of-hours work would not be more than 5 dB(A) above the RBL at any residence.</p>	Not Applicable	Applicable	Applicable	<p>SBT interview 02/02/23 and 03/03/23</p> <p>SBT and SCAW works notifications to February 2023</p> <p>SCAW Detailed Noise and Vibration Impact Statement, Luddenham Road Survey works, RevA, 21/09/22 (and ER letter of endorsement, 28/09/22)</p> <p>SCAW works notifications 23/09/22 (for Luddenham Road Survey)</p> <p>SCAW Monthly Construction Update – Orchard Hills and Badgerys Creek and Luddenham, February 2023</p> <p>Letter DPE to Sydney Metro, 04/11/22 (acknowledgement of Notification of OOHW – Community Consultation on Respite submitted in accordance with Condition E57)</p> <p>Letter Sydney Metro to DPE, 20/07/22 (Notification of OOHW – Condition E57 – AEW Lift and Stair Relocation)</p> <p>E57 Memo St Marys TBI, 05/09/22 (including associated correspondence with the Department, ER and EPA)</p> <p>E57 Memo St Marys TBI, 27/10/22 (including associated correspondence with the Department, ER and EPA)</p> <p>E57 Memo St Marys TBI, 31/01/23 (and associated correspondence with ER and EPA – DPE correspondence pending)</p> <p>Works notifications:  <a href="https://www.sydneymetro.info/westernsydneyairportline">https://www.sydneymetro.info/westernsydneyairportline</a></p>	<p><b>Observation: Sydney Metro and its contractors have been interpreting this condition as only being required where the OOHW are predicted to exceed the noise level whereby respite is required to be offered (i.e.: above the Respite Offer level defined in the DNVIS and Metro CNVS which forms part of the EIS).</b></p> <p><b>Evidence provided demonstrates that Sydney Metro and its contractors have complied with the requirement if this interpretation is correct and the Department has not raised any concerns in response to the notifications provided to them under this condition.</b></p> <p><b>During the interview with the ER as part of this Independent Audit, the ER noted the ambiguity of this condition and stated that input from the Auditor would be of value.</b></p> <p><b>The Auditor observes that:</b></p> <ul style="list-style-type: none"> <li>• this condition states that ‘in order to undertake out-of-hours work outside the work hours specified under Condition E38, appropriate respite periods for the out-of-hours work must be identified in consultation with the community at each affected location on a regular basis’ (that is ANY works outside the standard construction hours specified in E38, not just those triggering the respite criteria)</li> <li>• there is no timing on the reporting of the outcomes of consultation to the ER, EPA and Department</li> <li>• the note to this condition identifies respite as where noise does not exceed 5 dB(A) above the RBL (i.e.: respite is only achieved when noise remains &lt;5 dB(A) above background.</li> </ul> <p><b>The Auditor observes that Sydney Metro’s application of this condition could, in theory, result in receivers being subject to OOHW noise levels up to the threshold for respite (i.e.: up to 34 dB(A) above the RBL for evenings and up to 24 dB(A) above the RBL for nights, seven nights per week which, in the Auditors view, is a poor outcome for the community.</b></p> <p><b>However, the evidence indicates that the Department is aware of Sydney Metro’s interpretation and application of this requirement and has not raised any objection. For this reason the Auditor is of the view that the current application is compliant, unless the Department directs otherwise.</b></p>	C
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E58	<p>The Proponent must prepare an Operational Noise and Vibration Review (ONVR) to confirm noise and vibration mitigation measures that would be implemented for the Operation of the CSSI for the ultimate service. The ONVR must be prepared as part of the iterative design development and in consultation with the EPA, relevant council(s), other relevant stakeholders and must:</p> <p>(a) identify appropriate Operational noise and vibration objectives and levels for surrounding development, including existing and potential future (as known at the time of ONVR preparation) sensitive land use(s);</p> <p>(b) confirm the operational noise and vibration predictions based on the expected final design. Confirmation must be based on an appropriately calibrated noise model;</p> <p>(c) identify sensitive landuses that are predicted to exceed:</p> <ul style="list-style-type: none"> <li>(i) noise criteria set out in the Rail Infrastructure Noise Guideline (EPA, 2013), Noise Policy for Industry (EPA, 2017); and</li> <li>(ii) vibration goals for human exposure for existing sensitive land use(s), as presented in Assessing Vibration: a Technical Guideline (DECC, 2006);</li> </ul> <p>(d) identify all noise and vibration mitigation measures including location, type and timing of mitigation measures, with a focus on:</p> <ul style="list-style-type: none"> <li>(i) source control and design;</li> <li>(ii) at the receiver (if relevant); and</li> <li>(iii) 'best practice' achievable noise and vibration outcome for each activity;</li> </ul> <p>(e) describe how the final suite of mitigation measures will achieve:</p> <ul style="list-style-type: none"> <li>(i) the noise criteria outlined in the Rail Infrastructure Noise Guideline (EPA, 2013) and Noise Policy for Industry (EPA, 2017); and</li> <li>(ii) vibration goals for human exposure for existing sensitive land use(s), as presented in Assessing Vibration: a Technical Guideline (DECC, 2006);</li> </ul> <p>(f) include a consultation strategy to seek feedback from directly affected landowners on the noise and vibration mitigation measures being offered;</p> <p>(g) include procedures for operational noise and vibration complaints management, including investigation and monitoring (subject to complainant agreement).</p> <p>The ONVR must be verified by an independent acoustic expert and submitted to the Planning Secretary for approval before the implementation of any operational noise mitigation measures.</p> <p>The Proponent must implement the identified noise and vibration control measures and make the ONVR publicly available.</p> <p><b>Note:</b> The design of noise barriers and the like must be undertaken in consultation with the relevant stakeholders, including affected landowners and businesses (or a representative of a business), Western Parklands City Authority and relevant council(s) as part of the Place, Urban Design and Corridor Landscape Plan required under Condition E79.</p>	Applicable	Not Applicable	Applicable	Site inspection 01/02/23	The Project is in early construction, no operational noise mitigation has been installed during the audit period.	NT
E59	<p>Operational noise mitigation measures as identified in <b>Condition E58</b> that will not be physically affected by work, must be implemented within six months of submitting the ONVR, unless otherwise agreed by the Planning Secretary. Where implementation of operational noise mitigation measures are not proposed to be implemented in accordance with this requirement, the Proponent must submit to the Planning Secretary a report providing justification as to why, along with details of temporary measures that would be implemented to reduce construction noise impacts, until such time that the operational noise mitigation measures are implemented.</p> <p>The report must be submitted to the Planning Secretary within six months of submitting the ONVR.</p> <p><b>Note:</b> Not having finalised detailed design is not sufficient justification for not implementing the proposed mitigation measures.</p>	Applicable	Not Applicable	Applicable	Site inspection 01/02/23	The Project is in early construction, no operational noise mitigation has been installed during the audit period.	NT

E60	<p>Within 12 months of the commencement of operation of the CSSI, the Proponent must undertake monitoring of operational noise to compare actual noise performance of the CSSI against the noise performance predicted in the review of noise mitigation measures required by Condition E58. An Operational Noise and Vibration Compliance Report (ONVCR) must be prepared to document this monitoring and include, but not necessarily be limited to:</p> <p>(a) noise and vibration monitoring to assess compliance with the operational noise levels predicted in the review of operational noise mitigation measures required under Condition E58;</p> <p>(b) methodology, location and frequency of noise and vibration monitoring undertaken, including monitoring sites at which CSSI noise and vibration levels are ascertained, with specific reference to locations indicative of impacts on receivers;</p> <p>(c) a review of the performance of the CSSI against the:</p> <ul style="list-style-type: none"> <li>(i) operational noise levels in terms of criteria and noise goals established in the NSW Rail Infrastructure Noise Guideline (EPA 2013) and Noise Policy for Industry (EPA, 2017);</li> <li>(ii) vibration goals for human exposure for existing sensitive land use(s), as presented in Assessing Vibration: a Technical Guideline (DECC, 2006);</li> </ul> <p>(d) details of any complaints and enquiries received in relation to Operational noise and vibration generated by the CSSI (between the date of commencement of Operation and the date the report was prepared);</p> <p>(e) an assessment of the performance and effectiveness of applied noise and vibration mitigation measures together with a review and if necessary, reassessment of mitigation measures;</p> <p>(f) identification of:</p> <ul style="list-style-type: none"> <li>(i) additional measures to meet the criteria outlined in the NSW Rail Infrastructure Noise Guideline (EPA 2013) and Noise Policy for Industry (EPA, 2017),</li> <li>(ii) additional measures to meet the vibration goals for human exposure for existing sensitive land, as presented in Assessing Vibration: a Technical Guideline (DECC, 2006);</li> <li>(iii) when these measures are to be implemented; and</li> <li>(iv) how their effectiveness is to be measured and reported to the Planning Secretary and the EPA.</li> </ul> <p>The ONVCR must be submitted to the Planning Secretary and the EPA within 60 days of completing the Operational noise and vibration monitoring and made publicly available.</p> <p><b>Note:</b> Refer to Condition B5 about how personal information will be handled.</p>	Applicable	Not Applicable	Applicable	Site inspection 01/02/23	The Project is in early construction.	NT
<b>Place, Urban Design, and Visual Amenity</b>							
E61	Wayfinding information must be incorporated on temporary hoardings to guide pedestrians around the St Marys construction site and enhance their understanding and experience of the locality and space	Applicable <sup>e</sup>	Not Applicable <sup>e</sup>	Applicable <sup>e</sup>	Site inspection 01/02/23 Complaints register current to 23/01/23	Signs were observed during the site inspection at St Marys. According to complaints register there does not appear to be any issues with access.	C

E62	The CSSI must be constructed in a manner that minimises visual impacts of construction sites including temporary landscaping and vegetative screening, minimising light spill, and incorporating architectural treatment and finishes within key elements of temporary structures that reflect the context within which the construction sites are located, wherever practicable.	Applicable	Applicable	Applicable	<p>Site inspection 01/02/23</p> <p>Sydney Metro response to draft Audit Report, including File note on visual amenity, received 19/03/23</p>	<p><b>Observation: The Auditor found an absence of temporary landscaping and vegetative screening, or architectural treatment and finishes within key elements of temporary structures that reflect the context within which the construction sites are located.</b></p> <p>In response to this finding in the draft Audit Report, Sydney Metro provided the following information as part of a broader response: <i>'Visual impacts of construction sites are generally managed at each site through the installation of site hoarding and noise hoarding, particularly at St Marys, Claremont Meadows and Orchard Hills. The intention of the hoarding is to be a visual block for residents, so they don't have direct to view into the construction sites. They also have a dual effect of reducing noise impacts to adjacent residents.'</i></p> <p><i>'The hoarding is painted blue and in places Sydney Metro branding is fixed to the hoarding per the NSW Government branding requirements. The single colour hoarding minimises the visual impact through a single unbroken colour, designed to integrate with the sky. The single colour also reduces the likelihood of graffiti and is also easier for maintenance should it be required.'</i></p> <p><i>'Landscaping and vegetative screening is currently not able to be planted due to the land adjacent to the hoarding being Council owned and in many cases there is insufficient space. Further, SCAW project ancillary facilities have been established in accordance with the CPBUI VAMP and that further considerations as detailed in E62 are not considered practicable due to the distance between project ancillary facilities and nearby receivers who may be visually impacted.'</i></p> <p><i>'At Orchard Hills, the Sydney Metro Community team have discussed the hoarding finishes with some adjacent residents and agreed to leave the hoarding as its "blue" colour without the Metro branding per their preference.'</i></p> <p><i>'It is currently not practicable to use temporary landscaping or vegetation screening, however should this change, particularly as the SSTOM contractor mobilises the opportunities would be considered.'</i></p> <p>Responses were also provided by CPBG and CPBUI however these largely reflect Sydney Metro's assessment. On this basis the Auditor has not captured in this Table. The Auditor has however considered the responses and agrees with their assessment. On this basis the Auditor is of the view that compliance has been achieved, observing however that some mitigations have been deemed not practicable.</p>	C
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E63	<p>The CSSI must be designed with consideration of:</p> <ul style="list-style-type: none"> <li>(a) the design objectives, principles and guidelines identified in documents listed in Condition A1;</li> <li>(b) the principles and objectives of the draft Connecting with Country Framework;</li> <li>(c) relevant land use changes, masterplans and initiatives, where this information is known and/or available;</li> <li>(d) existing and proposed future local context and character; and</li> <li>(e) transport and land use integration and system functionality in the context of precincts, to the extent it is known and/or defined.</li> </ul> <p>Responses to items (a) – (e) must be reviewed by the Design Review Panel (DRP) to inform the design of permanent built works and landscape design of the CSSI. The outcome of the DRP review must be provided to the Planning Secretary prior to the submission of the Place, Urban Design and Corridor Landscape Plan (PUDCLP).</p> <p><b>Note:</b> In accordance with Condition A10 and Condition A16, the requirements of this condition can be staged.</p>	Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>Letter DPE to Metro, 14/12/22 (acknowledgement of submission of Design Review Panel Process).</p> <p>SCAW Submission of Design Review Panel, CPBUI (issued to Metro 01/12/22, as per teambinder corro)</p> <p>SCAW PUBCLP, December 2022</p> <p>SCAW PUBCLP portal submission record, 19/12/22</p> <p>Letter Govt Architect E63, 30/11/22</p>	<p>SBT does not construct any elements that trigger this condition.</p> <p><b>Observation: SCAW prepared a document demonstrating that the design was assessed against the requirements of this condition, and that it was provided to the Design Review Panel (DRP) for review.</b></p> <p><b>The DRP provided a range of recommendations and for each SCAW and Sydney Metro provided a response.</b></p> <p><b>Whilst most of the recommendations were addressed, there are a range of recommendations that weren't adopted. The lack of uptake of some recommendations were supported by a justification (e.g.: due to the recommendation being not applicable to the SCAW scope of works or that the recommendation would be addressed in subsequent design developments). However there are others recommendations that were not adopted and did not have an associated justification.</b></p> <p><b>The Auditor observes that there is no requirement to adopt all the recommendations from the DRP, and that Government Architect (representing the DRP) noted that not all recommendations were adopted by SCAW and Sydney Metro in its final response.</b></p> <p><b>The outcome of the DRP review was submitted to the Department (prior to submission of the PUDCLP) and, to the Auditor's knowledge, the Department has not provided any comment on the document.</b></p>	C
E64	<p>The CSSI must be constructed and operated with the objective of minimising light spill to surrounding properties. All lighting associated with the CSSI must be consistent with the requirements of:</p> <ul style="list-style-type: none"> <li>(a) ASINZS 4282:2019 Control of the obtrusive effects of outdoor lighting, relevant Australian Standards in the series ASINZS 1158 - Lighting for Roads and Public Spaces;</li> <li>(b) NASF Guideline E: Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports; and</li> <li>(c) NASF Guideline C: Managing the risk of wildlife strikes in the vicinity of airports.</li> </ul> <p>Mitigation measures must be provided to manage residual night lighting impacts to protect properties adjoining or adjacent to the CSSI, in consultation with affected landowners.</p>	Applicable	Applicable	Applicable	<p>Complaints register current to 23/01/23</p> <p>SBT Construction Environmental Management Plan, 29/09/22 (SBT CEMP)</p> <p>SCAW Visual Amenity Management Plan (VAMP), 19/10/22</p>	<p>The SBT CEMP recognizes this requirement. SBT are not aware of any fixed tower lighting on their compounds. Mobile lighting is used for OOHW. Lighting on sheds is either directed to the site, shielded by hoarding or turned off at night. No complaints regarding light spill recorded during the audit period.</p> <p>The SCAW VAMP recognizes this requirement. SCAW are not aware of any fixed tower lighting on their compounds. Lighting on sheds is either directed to the site, shielded by hoarding or turned off at night. No complaints regarding light spill recorded during the audit period.</p>	C
E65	<p>Designs must have regard to the Movement and Place Framework relevant guidance including the Walking Space Guide: Towards Pedestrian Comfort and Safety (TfNSW, 2020) and the Cycleway Design Toolbox: Designing for Cycling and Micromobility (TfNSW, 2020)</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p>	<p>This requirement is not triggered by AEW, SBT or SCAW.</p>	NT
E66	<p>Active transport facilities must be designed, constructed and/or rectified in accordance with the Guide to Road Design Part 6A: Paths for Walking and Cycling (Austroads, 2017) and relevant Australian Standards (AS) such as AS 1428.1-2009 Design for access and mobility. The active transport links must also incorporate relevant Crime Prevention Through Environmental Design principles.</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>Letter, ER to Sydney Metro, 04/10/22 (ER endorsement of Rev 7 of Staging Report)</p> <p>Letter DPE to Sydney Metro, 17/10/22 (DPE acknowledgement of Rev 7 of Staging Report)</p>	<p>This requirement is not triggered by AEW, SBT or SCAW.</p>	NT



E67	<p>The Proponent must establish an independent DRP to provide advice and recommendations to the Proponent during the CSSI's design development and construction to facilitate quality design and place outcomes. The DRP must be formed and hold its first meeting within six months of the date of this approval, or as otherwise agreed with the Planning Secretary.</p> <p><b>Note:</b> Nothing in this approval prevents the use of an existing design panel as the Design Review Panel convened for this project where the function and composition of that panel complies with the terms of this approval.</p>	Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>SCAW CEMP, 04/11/22</p> <p>SCAW interview 09/02/23</p> <p>DRP was established 07/03/2022</p> <p>Letter DPE to Sydney Metro, 13/01/22 (approval of extension to timeframe to establish Design Review Panel under E36) up to 23/03/22</p> <p>Record of Advice meeting on 07/03/2022 included the introductory meeting and setting up the agenda 09/03/2022</p> <p>Government Architects New South Wales Terms of Reference for the SM Design Review Pane; for WSA and West Line 9/03/22</p> <p>SCAW Submission of Design Review Panel, CPBUI (issued to Metro 01/12/22, as per teambinder corro) and Government Architect letters of advice.</p> <p>Government Letters of Advice, following DRP Meetings 08/09/22, 20/09/22</p>	<p>SBT does not construct any elements that trigger this condition. The DRP was established prior to the current audit period. The terms of reference remain unchanged. Evidence of engagement on the SCAW PUDCLP and DRP Meeting Record of Advice demonstrate ongoing provision of advice.</p>	C
E68	<p>The responsibilities of the Design Review Panel include:</p> <p>(a) providing advice and recommendations to the Proponent for consideration in the design development of the CSSI</p> <p>(b) provide advice on the application of Sydney Metro – Western Sydney Airport Submissions Report – Appendix D Design Guidelines to key design elements in relation to place making, architecture, heritage, urban and landscape design and artistic aspects of the CSSI; and</p> <p>(c) reviewing and endorsing any updates to the Sydney Metro – Western Sydney Airport Submissions Report – Appendix D Design Guidelines.</p> <p>The Panel's advice must be consistent with the CSSI as approved.</p>	Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>SCAW CEMP, 04/11/22</p> <p>SCAW interview 09/02/23</p> <p>DRP was established 07/03/2022</p> <p>Letter DPE to Sydney Metro, 13/01/22 (approval of extension to timeframe to establish Design Review Panel under E36) up to 23/03/22</p> <p>Record of Advice meeting on 07/03/2022 included the introductory meeting and setting up the agenda 09/03/2022</p> <p>Government Architects New South Wales Terms of Reference for the SM Design Review Pane; for WSA and West Line 9/03/22</p> <p>SCAW Submission of Design Review Panel, CPBUI (issued to Metro 01/12/22, as per teambinder corro) and Government Architect letters of advice.</p> <p>Government Letters of Advice, following DRP Meetings 08/09/22, 20/09/22</p>	<p>SBT does not construct any elements that trigger this condition. The DRP was established prior to the current audit period. The terms of reference remain unchanged. Evidence of engagement on the SCAW PUDCLP and DRP Meeting Record of Advice demonstrate ongoing provision of advice.</p>	C
E69	<p>The DRP must be chaired by the NSW Government Architect (or their nominee), and must be comprised of, where relevant, by suitably qualified, experienced and independent professional(s) in each of the fields of:</p> <p>(a) urban design and place making;</p> <p>(b) landscape architecture; and</p> <p>(c) architecture.</p> <p>The Panel may seek advice from suitably qualified, experienced independent professionals in other fields as required, including but not limited to sustainability, active transport and non-Aboriginal heritage. The Panel must also seek appropriate expertise to ensure Aboriginal cultural heritage and cultural values inform its advice.</p>	Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>SCAW CEMP, 04/11/22</p> <p>SCAW interview 09/02/23</p> <p>Letter DPE to Sydney Metro, 13/01/22 (approval of extension to timeframe to establish Design Review Panel under E36) up to 23/03/22</p> <p>Record of Advice meeting on 07/03/2022 included the introductory meeting and setting up the agenda 09/03/2022</p> <p>Government Architects New South Wales Terms of Reference for the SM Design Review Pane; for WSA and West Line 9/03/22</p> <p>SCAW Submission of Design Review Panel, CPBUI (issued to Metro 01/12/22, as per teambinder corro) and Government Architect letters of advice.</p> <p>Government Letters of Advice, following DRP Meetings 08/09/22, 20/09/22</p>	<p>SBT does not construct any elements that trigger this condition. The DRP was established prior to the current audit period. The terms of reference remain unchanged. Evidence of engagement on the SCAW PUDCLP and DRP Meeting Record of Advice demonstrate ongoing provision of advice.</p>	C

E70	Panel members must be sourced from the NSW State Design Review Panel Pool or otherwise be approved by the NSW Government Architect.	Applicable	Applicable	Applicable	<p>Letter DPE to Sydney Metro, 13/01/22 (approval of extension to timeframe to establish Design Review Panel under E36) up to 23/03/22</p> <p>Record of Advice meeting on 07/03/2022 included the introductory meeting and setting up the agenda 09/03/2022</p> <p>Government Architects New South Wales Terms of Reference for the SM Design Review Pane; for WSA and West Line 9/03/22</p> <p>SCAW Submission of Design Review Panel, CPBUI (issued to Metro 01/12/22, as per teambinder corro) and Government Architect letters of advice.</p> <p>Government Letters of Advice, following DRP Meetings 08/09/22, 20/09/22</p>	To the auditees' knowledge the DRP members remain unchanged from that initially established. Evidence of engagement on the SCAW PUDCLP and DRP Meeting Record of Advice demonstrate ongoing provision of advice.	C
E71	<p>Prior to forming the DRP, a Design Review Panel Terms of Reference is to be developed and endorsed by the NSW Government Architect. The Terms of Reference must be submitted to the Planning Secretary once it is endorsed by the NSW Government Architect and:</p> <p>(a) must be generally consistent with the NSW State Design Review Panel Terms of Reference (version 5);</p> <p>(b) outline the frequency of DRP meetings, coordinated with the Proponent's program requirements, as outlined in Condition E76, to ensure timely advice and design adjustment; and</p> <p>(c) identify cessation arrangements.</p>	Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>SCAW CEMP, 04/11/22</p> <p>SCAW interview 09/02/23</p> <p>Letter DPE to Sydney Metro, 13/01/22 (approval of extension to timeframe to establish Design Review Panel under E36) up to 23/03/22</p> <p>Record of Advice meeting on 07/03/2022 included the introductory meeting and setting up the agenda 09/03/2022</p> <p>Government Architects New South Wales Terms of Reference for the SM Design Review Panel; for WSA and West Line 9/03/22</p> <p>Letter DPE to Sydney Metro, 24/03/22 (acknowledgment of submission of DRP Terms of Reference)</p> <p>SCAW Submission of Design Review Panel, CPBUI (issued to Metro 01/12/22, as per teambinder corro) and Government Architect letters of advice.</p> <p>Government Letters of Advice, following DRP Meetings 08/09/22, 20/09/22</p>	SBT does not construct any elements that trigger this condition. The DRP was established prior to the current audit period. The terms of reference remain unchanged. Evidence of engagement on the SCAW PUDCLP and DRP Meeting Record of Advice demonstrate ongoing provision of advice.	C
E72	The DRP must be operated and managed in accordance with the <b>Design Review Panel Terms of Reference</b> .	Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>SCAW CEMP, 04/11/22</p> <p>SCAW interview 09/02/23</p> <p>Letter DPE to Sydney Metro, 13/01/22 (approval of extension to timeframe to establish Design Review Panel under E36) up to 23/03/22</p> <p>Record of Advice meeting on 07/03/2022 included the introductory meeting and setting up the agenda 09/03/2022</p> <p>Government Architects New South Wales Terms of Reference for the SM Design Review Pane; for WSA and West Line 9/03/22</p> <p>SCAW Submission of Design Review Panel, CPBUI (issued to Metro 01/12/22, as per teambinder corro) and Government Architect letters of advice.</p> <p>Government Letters of Advice, following DRP Meetings 08/09/22, 20/09/22</p>	SBT does not construct any elements that trigger this condition. The DRP was established prior to the current audit period. The terms of reference remain unchanged. Evidence of engagement on the SCAW PUDCLP and DRP Meeting Record of Advice demonstrate ongoing provision of advice.	C

E73	<p>The NSW Government Architect must, after consultation with the Proponent, appoint an appropriately qualified and experienced design advisor to the DRP and may appoint an alternate design advisor. The advisor must attend meetings of the Panel. The advisor may also be invited by the Panel to assist with decisions regarding the Panel's recommendations and record the Panel's advice and recommendations</p>	Not Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>SCAW CEMP, 04/11/22</p> <p>SCAW interview 09/02/23</p> <p>Letter DPE to Sydney Metro, 13/01/22 (approval of extension to timeframe to establish Design Review Panel under E36) up to 23/03/22</p> <p>Record of Advice meeting on 07/03/2022 included the introductory meeting and setting up the agenda 09/03/2022</p> <p>Government Architects New South Wales Terms of Reference for the SM Design Review Panel; for WSA and West Line 9/03/22</p> <p>SCAW Submission of Design Review Panel, CPBUI (issued to Metro 01/12/22, as per teambinder corro) and Government Architect letters of advice.</p> <p>Government Letters of Advice, following DRP Meetings 08/09/22, 20/09/22</p>	<p>SBT does not construct any elements that trigger this condition. The DRP was established prior to the current audit period. The terms of reference remain unchanged. Evidence of engagement on the SCAW PUDCLP and DRP Meeting Record of Advice demonstrate ongoing provision of advice. The letters of advice identify the Government Architect Design Advisor.</p>	C
E74	<p>The relevant council may be invited to the meetings of the Panel as observers or to provide feedback on key design elements of the CSSI</p>	Not Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>SCAW CEMP, 04/11/22</p> <p>SCAW interview 09/02/23</p> <p>Metro interview 10/02/23</p> <p>Government Letters of Advice, following DRP Meetings 08/09/22, 20/09/22</p>	<p>SBT does not construct any elements that trigger this condition and, therefore, Liverpool City Council has not been invited to the DRP meetings. DRP Meeting Record of Advice demonstrate ongoing provision of advice. The Records of Advice identify that Penrith City Council has attended the DRP meetings.</p>	C
E75	<p>DRP advice and recommendations, as issued by the Panel, and the Proponent's response to each recommendation must be included when submitting the final PUDCLP to the Planning Secretary for information.</p>	Not Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>Letter DPE to Metro, 14/12/22 (acknowledgement of submission of Design Review Panel Process).</p> <p>SCAW Submission of Design Review Panel, CPBUI (issued to Metro 01/12/22, as per teambinder corro)</p> <p>SCAW PUBCLP, December 2022 (including Appendix C)</p> <p>SCAW PUBCLP portal submission record, 19/12/22</p>	<p>SBT does not construct any elements that trigger this condition.</p> <p>The SCAW PUDCLP was prepared and submitted to the Department for information. The PUDCLP includes all of the DRP consultation and recommendations in Appendix C. the proponent's response to the recommendations have been included. Refer to E63 regarding the status of adoption of the recommendations.</p>	C
E76	<p>The Proponent must provide the design development schedule to the DRP prior to its first meeting, including details of when relevant elements of the detailed design will be available for review by the Panel. The schedule must be updated every three months until the detailed design process is complete.</p>	Not Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>SMWSA SSI10051_IA3_Request for Information_Sydney Metro_Rev1.1, 23/02/23 (Sydney Metro response to Auditor request for information)</p> <p>SMWSA DRP Programs 2022 and 2023</p> <p>Sydney Metro response to draft Audit Report, email re DRP forward program of dates, received 19/03/23</p>	<p>SBT does not construct any elements that trigger this condition.</p> <p>Sydney Metro confirmed provided the following statement: <i>'The initial design development schedule was provided to the DRP Chair on 15/02/2022, prior to the first meeting held 7/03/2022. Please see the attached email from Lara Dominish "Sydney Metro – Western Sydney Airport DRP – forward program of dates". Since this initial submission to DRP, the schedule has been progressively updated by the Sydney Metro Place Making team and presented to DRP and GANSW via the DRP meetings, hosted on Teams.....'</i></p> <p>The Auditor notes that, whilst implied, E76 does not strictly state that the updated schedule must be resubmitted to the DRP.</p>	C
E77	<p>A PUDCLP must be prepared to document and illustrate the permanent built works and landscape design of the CSSI and how these works are to be maintained. The PUDCLP must be:</p> <p>(a) prepared by a suitably qualified and experienced person(s) in consultation with the community (including the affected landowners and businesses or a representative of the businesses), Western Parklands City Authority, Western Sydney Planning Partnership and relevant council(s);</p> <p>(b) reviewed by an independent and suitably qualified and experienced person nominated by the DRP;</p> <p>(c) submitted to the Planning Secretary prior to the construction of permanent built surface works and/or landscaping, excluding those elements which for ecological requirements, or technical requirements, or requirements as agreed by the Planning Secretary do not allow for alternate design outcomes; and</p> <p>(d) implemented during construction and operation of the CSSI.</p> <p><b>Note:</b> The PUDCLP may be developed and considered in stages to facilitate design progression and construction. Any such staging and associated approval would need to facilitate a cohesive final design and not limit final design outcomes.</p>	Not Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>Letter DPE to Metro, 14/12/22 (acknowledgement of submission of Design Review Panel Process).</p> <p>SCAW Submission of Design Review Panel, CPBUI (issued to Metro 01/12/22, as per teambinder corro)</p> <p>SCAW PUBCLP, December 2022 (including Appendix C)</p> <p>SCAW PUBCLP portal submission record, 19/12/22</p>	<p>SBT does not construct any elements that trigger this condition.</p> <p>The SCAW PUDCLP was prepared and submitted to the Department prior to permanent built surface works. The PUDCLP addresses the content requirements of this condition. SCAW works are in their infancy, and so implementation is largely pending.</p>	C

E78	<p>The PUDCLP must document how the following matters have been considered in the design and landscaping of the project:</p> <p>(a) the requirements of <b>Conditions E63 to E65</b>, and</p> <p>(b) advice and recommendations from the <b>DRP</b>.</p>	Not Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>Letter DPE to Metro, 14/12/22 (acknowledgement of submission of Design Review Panel Process).</p> <p>SCAW Submission of Design Review Panel, CPBUI (issued to Metro 01/12/22, as per teambinder corro)</p> <p>SCAW PUBCLP, December 2022 (including Appendix C)</p> <p>SCAW PUBCLP portal submission record, 19/12/22</p>	<p>SBT does not construct any elements that trigger this condition.</p> <p>The SCAW PUDCLP addresses the requirements of this condition. This is set out in in Section 1.9 of the document.</p>	C
E79	<p>The PUDCLP must include descriptions and visualisations (as appropriate) of:</p> <p>(a) design of the permanent built elements of the CSSI, including stabling and maintenance and ancillary facilities, service facilities and tunnel portals;</p> <p>(b) plans for station precincts including but not limited to</p> <ul style="list-style-type: none"> <li>(i) justification of the spatial scope of each station precinct plan;</li> <li>(ii) provision for public art and heritage interpretation installations;</li> <li>(iii) placemaking opportunities, having regard to placemaking initiatives in Western Sydney Aerotropolis planning documents;</li> <li>(iv) interchange access plans developed in consultation with the Traffic and Transport Liaison Group;</li> <li>(v) active transport connections and end of trip facilities, design of pedestrian and cycle access, facilities and fixtures;</li> <li>(vi) design of commuter car parking elements, where relevant;</li> </ul> <p>(c) landscaping and building design opportunities to mitigate visual impacts and minimise light spill on the nearby residences;</p> <p>(d) the design of watercourse crossings and east-west corridor movements to give to effect of Condition E14;</p> <p>(e) landscaping:</p> <ul style="list-style-type: none"> <li>(i) landscape plan, hard and soft elements, for the corridor and the station precincts;</li> <li>(ii) use of native species from the relevant native vegetation community (or communities), where identified as appropriate;</li> <li>(iii) water sensitive urban design initiatives</li> <li>(vii) management and routine maintenance standards and regimes for design elements and landscaping work (including weed management) to ensure the success of the design;</li> <li>(viii) measures to prevent wildlife strike risk in proximity to Western Sydney International Airport;</li> </ul> <p>(f) details of strategies to rehabilitate, regenerate or revegetate disturbed areas, where relevant;</p> <p>(g) management and routine maintenance standards and regimes for design elements and landscaping work (including weed management) to ensure the success of the design;</p> <p>(h) operational maintenance standards; and</p> <p>(i) the timing and responsibilities for implementation of elements included within the PUDCLP.</p>	Not Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>Letter DPE to Metro, 14/12/22 (acknowledgement of submission of Design Review Panel Process).</p> <p>SCAW Submission of Design Review Panel, CPBUI (issued to Metro 01/12/22, as per teambinder corro)</p> <p>SCAW PUBCLP, December 2022 (including Appendix C)</p> <p>SCAW PUBCLP portal submission record, 19/12/22</p>	<p>SBT does not construct any elements that trigger this condition.</p> <p>The SCAW PUDCLP addresses the requirements of this condition. This is set out in in Section 1.9 of the document.</p>	C
E80	<p>The ongoing maintenance and operation costs of urban design, open space, landscaping and recreational items and work implemented as part of this approval remain the Proponent's responsibility until satisfactory arrangements have been put in place for the transfer of the asset to the relevant authority. Before the transfer of assets, the Proponent must maintain items and work to at least the design standards established in the PUDCLP, required by <b>Condition E79</b>.</p> <p>The Planning Secretary must be advised prior to the transfer of the asset(s) to the relevant authority</p>	Not Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>SCAW interview 09/02/23</p> <p>SCAW PUBCLP, December 2022 (including Appendix C)</p> <p>SCAW PUBCLP portal submission record, 19/12/22</p>	<p>SBT does not construct any elements that trigger this condition.</p> <p>The SCAW PUDCLP recognizes maintenance during construction, however operational maintenance does form part of SCAWs scope.</p>	NT
E81	<p>Should any plant loss occur during the maintenance period the plants must be replaced by the same plant species unless it is determined by a suitably qualified person that a different species is more suitable for that location</p>	Not Applicable	Not Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>SCAW CEMP, 04/11/22</p> <p>SCAW interview 09/02/23</p>	<p>SBT does not construct any elements that trigger this condition.</p> <p>According to SCAW CEMP and the Staging Report, this does not apply to SCAW&gt;</p>	NT
<b>Socio-Economic, Land Use and Property</b>							

E82	The CSSI must be designed and constructed with the objective of minimising impacts to, and interference with third party property, and that such infrastructure and property is protected during construction.	Applicable	Applicable	Applicable	<p>SBT Building Effects Report, Rev B, 31/10/22</p> <p>SBT Instrument and Monitoring Reports Sep 22 – Jan 23</p> <p>SBT property survey reports and register (96 x properties) including dates on issue to landowner.</p> <p>SCAW Construction Environment Management Plan, 04/11/22 (SCAW CEMP)</p> <p>SCAW interview, 09/02/22</p> <p>Patons Lane Road Dilapidation Report, CPBUI, 15/08/22 (and email Metro to Penrith City Council, 17/08/22)</p> <p>Luddenham Road Dilapidation Report, CPBUI</p> <p>SCAW Work Pack, SMF Earthworks, Rev01</p> <p>Email Water NSW and SCAW, 28/11/22</p> <p>Water NSW Early Works Access Licence, 19/09/22 (access to Water NSW corridor)</p> <p>Email TransGrid to SCAW, 12/12/22 (consultation on works near towers 632 and 633)</p>	<p>The project has provided evidence to show that impacts to third party property has been avoided or minimised. SBT has completed 96 x property reports and were issued to the landowners. The Reports have been prepared by suitably qualified and experienced persons. The SBT Building Effects Report identifies potential impacts associated with tunnelling and station box excavation (settlement). The Instrument and Monitoring Report identifies the monitoring required to track whether adverse impacts occur. SBT team is not aware of doing any property adjustment works. Refer to E48 regarding SBT potential for cosmetic damage. Refer to E120 regarding utilities.</p> <p>The SCAW CEMP recognises this requirement through implementation of procedures and the Environmental Control Maps (current SCAW works are quite remote from nearby properties). Evidence sighted (refer C1) indicates that the CEMP has been implemented to date. Dilapidation Reports have been prepared for local roads (Patons Lane and Luddenham Road). SCAW have provided evidence showing that impacts to third party property (services) is being managed in consultation with the service provider. SCAW are not aware of any damage to third party property.</p>	C
E83	The utilities and services (hereafter "services") potentially affected by construction must be identified to determine requirements for diversion, protection and / or support. Alterations to services must be determined by negotiation between the Proponent and the service providers. Disruption to services resulting from construction must be avoided, wherever possible, and advised to customers where it is not possible.	Applicable	Applicable	Applicable	<p>SBT Sydney Water design, protection and diversion documents, Phillip St, Station Street Landsdowne Road, Kent Road Sydney Water CASE198458PW, CASE190778PW, CASE198747PW, CASE190695PW</p> <p>SBT Telstra (non-contestable) comms protection, diversion and permanent design documents, Kent Road, Phillip St and Station Road</p> <p>SBT Interview 03/02/23</p> <p>SCAW CEMP, 04/11/22</p> <p>SCAW Work Pack, SMF Earthworks, Rev01</p> <p>Email Water NSW and SCAW, 28/11/22</p> <p>Water NSW Early Works Access Licence, 19/09/22 (access to Water NSW corridor)</p> <p>Email TransGrid to SCAW, 12/12/22 (consultation on works near towers 632 and 633)</p> <p>Complaints register current to 23/01/23</p>	<p>Consultation on service protections / diversions and consultation for AEW and electricity were completed prior to the current audit period.</p> <p>Evidence was provided demonstrating protection / support for services potentially affected by SBT and SCAW.</p> <p>One complaint was received regarding supply interruption during the audit period. This was attributed to Sydney Water. The auditees are not aware of any disruptions during the audit period.</p>	C
E84	A suitably qualified and experienced person must undertake condition surveys of all buildings, structures, utilities and the like identified in the documents listed in <b>Condition A1</b> and the further assessment carried out under mitigation measure GW1 of the Submissions Report as being at risk of damage before commencement of any work that could impact on the subject surface / subsurface structure. The results of the surveys must be documented in a <b>Pre-construction Condition Survey Report</b> for each item surveyed. Copies of <b>Pre-construction Condition Survey Reports</b> must be provided to the relevant owners of the items surveyed in the vicinity of the proposed work, and no later than one (1) month before the commencement of the work that could impact on the subject surface / subsurface structure.	Applicable	Applicable	Applicable	<p>SBT Building Effects Report, Rev B, 31/10/22</p> <p>SBT property survey reports and register (96 x properties) including dates on issue to landowner.</p> <p>Patons Lane Road Dilapidation Report, CPBUI, 15/08/22 (and email Metro to Penrith City Council, 17/08/22)</p> <p>Luddenham Road Dilapidation Report, CPBUI</p>	<p>SBT has completed 96 x property reports and were issued to the landowners. The Reports have been prepared by suitably qualified and experienced persons. Evidence indicates that the Reports have been to the landowner prior to works that could impact on the receiver. SCAW has only impacted local roads to date (one of which is captured in the EIS as being used by the project). The Patons Lane dilapidation report was prepared by a suitably qualified and experienced person and provided to Council prior.</p> <p>Refer to the first and second audit reports for the dilapidation reports (and correspondence to stakeholders) associated with site establishment works.</p>	C



E85	Condition surveys of all items for which condition surveys were undertaken in accordance with Condition E84 must be undertaken by a suitably qualified and experienced person after completion of the work identified in <b>Condition E84</b> . The results of the surveys must be documented in a Post-construction Condition Survey Report for each item surveyed. Copies of <b>Post-construction Condition Survey Reports</b> must be provided to the landowners of the items surveyed, and no later than three (3) months following the completion of the work that could impact on the subject surface / subsurface structure.	Applicable	Applicable	Applicable	<p>Site inspection 01/02/23</p> <p>AEW TBI Post Construction Dilapidation Report, Ward Civil 09/05/22</p> <p>Email Tft to Sydney Metro 23/02/23</p> <p>Email Quickway to Sydney Metro, 10/02/23</p> <p>Post-Construction Land Condition Assessment Report, Alliance Geotech, 01/06/22</p> <p>Sydney Metro response to draft Audit Report, email re DRP forward program of dates, received 19/03/23</p>	<p>The AEW TBI Post Construction Dilapidation Report was prepared in May 2022, however, Sydney Metro stated that 'Ward Civil have confirmed that works have not yet been completed as defect works are ongoing. Once the defect works have been completed, Post condition surveys will be provided to the landowners (landowners listed in DNVIS).'</p> <p>Note:</p> <p>AEW Lift Shaft and Stairs relocation package: Email response supporting why a post construction report wasn't required referencing both condition E84 and E85..</p> <p>Roads package: Included within the folder is the post construction report for Derwent Road works. Sydney Metro is the Landowner.</p> <p>Power Package: Condition not triggered by scope of works according to the Quickway Power CEMP and DNVIS.</p>	C
E86	The Proponent, where liable, must rectify any property damage caused directly or indirectly (for example from vibration or from groundwater change) by the work at no cost to the owner. Alternatively, the Proponent may pay compensation for the property damage as agreed with the property owner. Rectification or compensation must be undertaken within 12 months of completion of the work identified in <b>Condition E84</b> unless another timeframe is agreed with the owner of the affected surface or sub-surface structure or recommended by the <b>Independent Property Impact Assessment Panel (IPIAP)</b> .	Applicable	Applicable	Applicable	<p>SBT interview 02/02/23</p> <p>SCAW interview 09/02/23</p> <p>Complaints register current to 23/01/23</p> <p>AEW TBI Post Construction Dilapidation Report, Ward Civil 09/05/22</p>	<p>SBT have not yet had to undertake any rectification works. Complaints regarding property damage were not related to SBT scope, not justified, or not requiring rectification (i.e.: run off).</p> <p>SCAW is not aware of any damage to third party property.</p> <p>The auditees are not aware of any AEW damage requiring rectification. Note however the finding in relation to St Marys TBI in E85.</p>	NT
E87	Appropriate equipment to monitor areas in proximity of ancillary facilities and the tunnel route must be installed during construction with particular reference to at risk buildings, structures and utilities identified in the condition surveys required by <b>Condition E84</b> and / or geotechnical analysis as required. If monitoring during construction indicates exceedance of the vibration criteria identified in the <b>DNVIS</b> prepared under <b>Condition E47</b> , or levels otherwise determined as appropriate by a suitably qualified structural engineer, then all construction affecting settlement must cease immediately and must not resume until fully rectified or a revised method of construction is established that will ensure protection of affected buildings.	Applicable	Applicable	Applicable	<p>Site inspection 01/02/23</p> <p>SBT Building Effects Report, Rev B, 31/10/22</p> <p>SBT Instrument and Monitoring Report, Rev B, 20/10/22</p> <p>SCAW Noise and Vibration Management Plan, 04/11/22</p>	<p>The SBT Building Effects Report identifies potential impacts associated with tunnelling and station box excavation (settlement). The Instrument and Monitoring Report identifies the monitoring required to track whether adverse impacts occur. The relevant works have yet to commence and monitoring equipment yet to be installed.</p> <p>This requirement is addressed in the SCAW NVMP and states that if a DNVIS predicted risk of damage / unacceptable vibration levels, then assessment as per E87 would be conducted. SCAW are not aware of any properties triggering this requirement during the audit period.</p>	C
E88	An <b>IPIAP</b> must be established prior to tunnelling activities commencing. The Planning Secretary must be informed of the members of the IPIAP and must comprise geotechnical and engineering experts independent of the design and construction team. The IPIAP will be responsible for independently verifying condition surveys undertaken under <b>Conditions E84</b> and <b>E85</b> , the resolution of property damage disputes and the establishment of ongoing settlement monitoring requirements.	Applicable	Applicable	Applicable	<p>Metro interview 13/02/23</p> <p>Site inspection 01/02/23</p>	<p>It is understood that procurement of the IPIAP has yet to commence. Tunnelling has yet to commence.</p>	NT
E89	Either the affected property owner or the Proponent may refer unresolved disputes arising from potential and/or actual property impacts to the IPIAP for resolution. All costs incurred in the establishing and implementing of the panel must be borne by the Proponent regardless of which party makes a referral to the IPIAP. The findings and recommendations of the IPIAP are final and binding on the Proponent.	Applicable	Applicable	Applicable	<p>Metro interview 13/02/23</p> <p>Site inspection 01/02/23</p>	<p>It is understood that procurement of the IPIAP has yet to commence. Tunnelling has yet to commence.</p>	NT
E90	Settlement must be monitored for any period beyond the minimum timeframe requirements of <b>Condition E87</b> if directed so by the <b>IPIAP</b> following its review of the monitoring data from the period not less than six (6) months after settlement has stabilised, consistent with <b>Condition E87</b> . The results of the monitoring must be made available to the Planning Secretary upon request.	Applicable	Applicable	Applicable	<p>Metro interview 13/02/23</p> <p>Site inspection 01/02/23</p>	<p>It is understood that procurement of the IPIAP has yet to commence. Tunnelling has yet to commence.</p>	NT
E91	<b>Small Business Owners Engagement Plan(s)</b> must be prepared for St Marys and implemented in accordance with the <b>Overarching Community Communication Strategy</b> to minimise impact on small businesses directly affected by construction activities at St Marys during construction. The plan must be prepared and submitted to the Planning Secretary for information before the commencement of construction at St Marys	Applicable	Not Applicable	Applicable	<p>SBT Small Business Owners Engagement Plan (St Marys), 16/05/22</p> <p>DPE post approval portal lodgement record, 19/08/21 (submission of Small Business Owners Engagement Program)</p> <p>SBT Consultation Manager download, 04/11/22 – 17/02/23 (download of consultation between SBT, Penrith Chamber of Commerce and St Marys business owners)</p>	<p>SBT provided a download of Consultation Manager showing correspondence with the Penrith Valley Chamber of Commerce and small businesses in the St Marys area. The vast majority of consultation provided was from November 2022.</p>	C
<b>Soils and Contamination</b>							



E92	<p>Before commencement of any construction that would result in the disturbance of moderate to high risk contaminated sites as identified in the documents identified in <b>Condition A1, Detailed Site Investigations</b> (for contamination) must be conducted to determine the full nature and extent of the contamination. The <b>Detailed Site Investigation Report(s)</b> and the subsequent report(s), must be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme. The Detailed Site Investigations must be undertaken in accordance with guidelines made or approved under section 105 of <i>Contaminated Land Management Act 1997 (NSW)</i>.</p> <p><b>Note:</b> Nothing in this condition prevents the Proponent from preparing individual Detailed Site Investigation Reports (for contamination) for separate sites.</p>	Applicable	Applicable	Not Applicable	<p>SBT interview 02/02/23</p> <p>SBT Aerotropolis DSI, TTMP, 13/11/22</p> <p>SBT St Marys DSI, Rev 3, 27/09/22, and Addendum 1 (to capture the Plaza, 13/10/22) and Addendum 2 (to capture groundwater, 23/11/22), and groundwater HHRA, 16/01/23</p> <p>SMWSA SSI10051_IA3_Request for Information_SBT_Rev1.1DRAFT_EF, 23/02/23 (SBT response to Auditor's request for information)</p> <p>SCAW CPBUI DSI Tracker, 17/01/23, plus DSIs x 8 from Douglas Partners (various dates)</p> <p>SCAW interview 09/02/23</p> <p>ER interview 31/01/23</p>	<p>The SBT Aerotropolis and St Marys (+ Plaza) DSIs were prepared by a CEnvP(SC). The Aerotropolis DSI recommended implementation of a RAP to make the site suitable for future use. No remediation of soils at St Marys was required. However remediation of groundwater is recommended (to manage groundwater inflow of offsite contamination that is predicted to occur following excavation below the groundwater table. Excavation has yet to reach this extent).</p> <p>In response to the Auditor's request for information on the timing of works and the timing of receipt of the applicable DSI, SBT responded as follows:</p> <p><i>'St Marys Plaza</i></p> <p><i>Given that the investigation at St Marys Plaza was unable to be completed until after the structure had been demolished, an addendum to the St Marys DSI (dated 30/09/2022) was prepared by TTMP and approved by a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (SMWSASBT-CPG-SWD-SW000-GE-RPT-040516).</i></p> <p><i>Upon receiving of the addendum, CPBG commenced work in the area which comprised of filling the plaza site.</i></p> <p><i>Aerotropolis</i></p> <p><i>A technical memorandum was provided by TTMP on 04/08/2022 (SMWSASBT-CPG-SWD-SW000-GE-MEM-040552). This report reclassified the southern, western and northern portion of AEC6 as low risk, meaning they could be managed in accordance with the SWMP as required by REMMs SC1 and SC2. This conclusion was reviewed and approved by the Site Auditor on 18/08/2022 for which evidence has been provided (Letter - Aerotropolis Technical Memorandum, August 2022).</i></p> <p><i>The central portion of AEC46 remained classified as medium risk and was addressed by the Aerotropolis DSI (SMWSASBT-CPBG-SWD-SW000-GE-RPT-040515).</i></p> <p><i>The DSI was reviewed and approved by an accredited CEnvP on 19/10/2022. During the ER inspection on 10/11/2022, the ER observed the delineation of the delineation of the medium risk area (Environmental Representative Site Inspection Report #13, ER No. 13.20) indicating that no ground disturbance occurred until after the DSI has been prepared in accordance with the requirements of E92'.</i></p> <p>The Auditor (WolfPeak) notes that E92 is not consistent with REMMs SC1 and SC2 and, in accordance with A3, E92 must be complied with.</p> <p>When interviewed the ERs indicated that they were satisfied of the timing of DSIs and the works during the current audit period, and that the issue associated with SBT involving the timing of works and receipt of the DSI identified in the previous audit period had been resolved and had not been repeated.</p> <p>SCAW have 17 sites that qualify for DSI, three of which sit outside its boundary. Eight sites have DSIs issued, with IAA received for 5 sites. According to the ER, Metro and SCAW (and the audit site inspection) construction on the applicable sites has not commenced until after the DSI has been completed.</p> <p>AEW works were essentially complete at the commencement of the audit period. The Auditor is not aware of any remediation being required for AEW.</p>	C
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E93	<p>Should remediation be required to make land suitable for the final intended land use, a <b>Remedial Action Plan</b> must be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme. The <b>Remedial Action Plan</b> must be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the Contaminated Land Management Act 1997 (NSW) and must include measures to remediate the contamination at the site to ensure the site will be suitable for the proposed use when the Remedial Action Plan is implemented.</p> <p><b>Note:</b> Nothing in this condition prevents the Proponent from preparing individual Remedial Action Plans for separate sites.</p>	Applicable	Applicable	Not Applicable	<p>SBT Aerotropolis RAP, 16/11/22</p> <p>SBT Aerotropolis Site Audit Report and Site Audit Statement (Section B), JBS&amp;G, 0503-2305</p> <p>SCAW CPBUI DSI Tracker, 17/01/23, plus DSIs x 8 from Douglas Partners (various dates)</p> <p>SCAW RAP for AEC43, Douglas Partners, 07/12/22</p> <p>SCAW interview 09/02/23</p>	<p>SBT prepared a RAP for the Aerotropolis site. The RAP was prepared by CEnvP(SC) in accordance with the guidelines. The Site Auditor confirmed that the RAP is adequate.</p> <p>SCAW has had one RAP prepared to date (for AEC 43), with the remaining seven sites assessed not requiring a RAP. The RAP addresses the requirements of this condition. Remediation works have yet to commence.</p> <p>The Auditor is not aware of remediation being required for AEW.</p>	C
E94	<p>Before commencing remediation, a <b>Section B Site Audit Statement(s)</b> must be prepared by an NSW EPA-accredited Site Auditor that certifies that the <b>Remedial Action Plan(s)</b> is/are appropriate and that the site can be made suitable for the proposed use. The Remedial Action Plan(s) must be implemented and any changes to the Remedial Action Plan(s) must be approved in writing by the NSW EPA-accredited Site Auditor.</p> <p><b>Note:</b> Nothing in this condition prevents the Proponent from engaging an NSW EPA-accredited Site Auditor to prepare individual Site Audit Statements for Remedial Action Plans for separate sites.</p>	Applicable	Applicable	Not Applicable	<p>SBT Aerotropolis RAP, 16/11/22</p> <p>SBT Aerotropolis Site Audit Report and Site Audit Statement (Section B), JBS&amp;G, 0503-2305</p> <p>SBT St Marys RAP (groundwater), 02/02/23</p> <p>SCAW RAP for AEC43, Douglas Partners, 07/12/22</p> <p>SCAW interview 09/02/23</p>	<p>SBT prepared a RAP for the Aerotropolis site. The RAP was prepared by CEnvP(SC) in accordance with the guidelines. The Site Auditor confirmed that the RAP is adequate.</p> <p>SBT prepared a RAP for the St Marys site. A Section B Site Audit Statement has yet to be obtained for St Marys. Remediation works at St Marys has not commenced.</p> <p>SCAW has had one RAP prepared to date (for AEC 43), with the remaining seven sites assessed not requiring a RAP. The RAP has yet to have had a Site Audit Statement issued from the Auditor. Remediation works have yet to commence.</p> <p>The Auditor is not aware of remediation being required for AEW.</p>	C
E95	<p><b>Validation Report(s)</b> must be prepared in accordance with Consultants Reporting on Contaminated Land: Contaminated Land Guidelines (EPA, 2020) and relevant guidelines made or approved under section 105 of the Contaminated Land Management Act 1997 (NSW).</p> <p><b>Note:</b> Nothing in this condition prevents the Proponent from preparing individual Validation Reports for separate sites.</p>	Applicable	Applicable	Not Applicable	<p>Site inspection 01/02/23</p> <p>SBT interview 02/02/23</p> <p>SCAW interview 09/02/23</p>	<p>SBT and SCAW remediation works are yet to be completed.</p> <p>The Auditor is not aware of remediation being required for AEW.</p>	NT
E96	<p>A <b>Section A1 or Section A2 Site Audit Statement</b> (accompanied by an Environmental Management Plan) and its accompanying Site Audit Report, which state that the contaminated land disturbed by the work has been made suitable for the intended land use, must be submitted to the Planning Secretary and the Relevant Council(s) after remediation and before the commencement of operation of the CSSI.</p> <p><b>Note:</b> Nothing in this condition prevents the Proponent from obtaining Section A Site Audit Statements for individual parcels of remediated land.</p>	Applicable	Applicable	Not Applicable	<p>Site inspection 01/02/23</p> <p>SBT interview 02/02/23</p> <p>SCAW interview 09/02/23</p>	<p>SBT and SCAW remediation works are yet to be completed.</p> <p>The Auditor is not aware of remediation being required for AEW.</p>	NT
E97	<p>A copy of <b>Detailed Site Investigation Report(s), Remedial Action Plan(s), Validation Report(s), Site Audit Report(s) and Site Audit Statement(s)</b> must be submitted to the Planning Secretary and the Relevant Council(s) for information</p>	Applicable	Applicable	Not Applicable	<p>SBT interview 02/02/23</p> <p>SCAW interview 09/02/23</p>	<p>There is no timing identified for this requirement.</p> <p>SBT and SCAW are of the view that this information would be sent once, following receipt of the Site Audit Reports and Site Audit Statements.</p>	NT
E98	<p>An <b>Unexpected Contaminated Land and Asbestos Finds Procedure</b> must be prepared before the commencement of construction and must be followed should unexpected contaminated land or asbestos (or suspected contaminated land or asbestos) be excavated or otherwise discovered during construction</p>	Applicable	Applicable	Applicable	<p>SBT SWMP, 21/09/22 (Table 11)</p> <p>SBT Work Pack Aerotropolis, Site Establishment, 261087, Rev00</p> <p>SBT Project induction (no date) including information on sustainability, hold points, legal requirements, soil and water, contamination and spills, noise and vibration, flora and fauna, visual amenity, air quality, waste</p> <p>SBT asbestos awareness training records, 23/09/22, 03/11/22</p> <p>SCAW Soil and Water Management Plan, 04/11/22 (Appendix C5)</p> <p>SCAW Project induction, Rev21 (covers air quality, contamination, biodiversity, heritage, unexpected finds (heritage and contam), spoil import, ERSER, noise and vibration, waste chemicals, spills, incidents and permits)</p> <p>Email chain CPBUI, 16/01/23 (unexpected find notice)</p> <p>Email CPBUI to Metro 19/12/22 (unexpected find notice)</p> <p>Notice, SCAW to Metro, 09/12/22 (unexpected find notice)</p> <p>Notice SCAW to Metro, 01/12/22 (unexpected find notice), and asbestos material inspection report.</p>	<p>SBT Unexpected Contaminated Land and Asbestos Finds Procedure is captured within Table 11 of the SBT SWMP. The Procedure has been communicated to the workforce. SBT are not aware of any circumstances of unexpected contamination finds during the audit period.</p> <p>The SCAW Unexpected Contaminated Land and Asbestos Finds Procedure is captured in Appendix C5 of the SWMP. The procedure has been communicated to the workforce. Correspondence between SCAW and Metro indicates that the unexpected find procedure has been enacted and followed during the audit period.</p>	C

E99	The <b>Unexpected Contaminated Land and Asbestos Finds Procedure</b> must be implemented throughout construction.	Applicable	Applicable	Applicable	<p>SBT SWMP, 21/09/22 (Table 11)</p> <p>SBT Work Pack Aerotropolis, Site Establishment, 261087, Rev00</p> <p>SCAW Soil and Water Management Plan, 04/11/22 (Appendix C5)</p> <p>SCAW Project induction, Rev21 (covers air quality, contamination, biodiversity, heritage, unexpected finds (heritage and contam), spoil import, ERSED, noise and vibration, waste chemicals, spills, incidents and permits)</p> <p>Email chain CPBUI, 16/01/23 (unexpected find notice)</p> <p>Email CPBUI to Metro 19/12/22 (unexpected find notice)</p> <p>Notice, SCAW to Metro, 09/12/22 (unexpected find notice)</p> <p>Notice SCAW to Metro, 01/12/22 (unexpected find notice), and asbestos material inspection report.</p> <p>SCAW incident register current to 08/02/23</p>	<p>SBT Unexpected Contaminated Land and Asbestos Finds Procedure is captured within Table 11 of the SBT SWMP. The Procedure has been communicated to the workforce. SBT are not aware of any circumstances of unexpected contamination finds during the audit period.</p> <p>The SCAW Unexpected Contaminated Land and Asbestos Finds Procedure is captured in Appendix C5 of the SWMP. The procedure has been communicated to the workforce. Correspondence between SCAW and Metro indicates that the unexpected find procedure has been enacted and followed during the audit period.</p>	C
<b>Sustainability</b>							
E100	A <b>Sustainability Plan</b> must be prepared to achieve an Infrastructure Sustainability Council of Australia (ISCA) Infrastructure Sustainability rating of +75 (Version 1.2) (or equivalent level of performance using a demonstrated equivalent rating tool) or a 5-Star Green Star rating (or equivalent level of performance using a demonstrated equivalent rating tool).	Applicable	Applicable	Applicable	<p>Sustainability Plan, Sydney Metro, January 2022</p> <p>Letter Sydney Metro to DPE, 21/01/22</p> <p>DPE post approval portal lodgement record 24/01/22</p> <p>Letter DPE to Sydney Metro, 25/03/22 (acceptance of sustainability plan)</p>	<p>The Metro WSA wide Sustainability Plan was prepared and submitted in line with this condition and accepted by the Department on 25/03/22.</p>	C

E101	<p>The <b>Sustainability Plan</b> must be submitted to the Planning Secretary for information within six (6) months of the date of this approval and must be implemented throughout construction and operation.</p> <p><b>Note:</b> Nothing in this condition prevents the Proponent from preparing separate Sustainability Strategies for the construction and operational stages of the CSSI.</p>	Applicable	Applicable	Applicable	<p>Sustainability Plan, Sydney Metro, January 2022</p> <p>Letter Sydney Metro to DPE, 21/01/22</p> <p>DPE post approval portal lodgement record 24/01/22</p> <p>Letter DPE to Sydney Metro, 25/03/22 (acceptance of sustainability plan)</p> <p>SBT Sustainability Plan, 12/07/22</p> <p>SBT Sustainability Design Report, 28/10/22</p> <p>SBT Sustainability Initiatives and Opportunity Register, Feb 2023</p> <p>SBT environmental inspection module (online)</p> <p>SBT Sustainability Dashboard, January 2023</p> <p>SBT Monthly Progress Report, November 2022</p> <p>SBT Monthly Sustainability Report, January 2023</p> <p>SBT Quarterly Sustainability Report, (Q4 2022), 15/12/22</p> <p>SCAW Sustainability Plan, 04/10/22</p> <p>SCAW Sustainability Design Report Stages 1 and 2, 16/02/23</p> <p>SCAW Sustainability Progress Meeting, 23/09/22, 09/09/23</p> <p>SCAW weekly environmental inspections (online)</p> <p>SCAW Monthly Progress Report, January 2023</p> <p>SCAW Monthly Sustainability Report, January 2023</p> <p>SCAW Quarterly Sustainability Reports, 10/06/22, 14/10/22</p> <p>Sydney Metro and CPBUI response to draft Audit Report, including SCAW Sustainability Dashboard, Workshop Minutes, Monthly Report for January 2023, Opportunities Register, Quarterly Sustainability report for Q4 2022 and Sustainability design report, received 19/03/23</p> <p>Metro interview 13/02/23.</p> <p>Sustainability Management Plan, AEW St Marys Lift, TTT, 25/07/22</p> <p>Sustainability Plan, AEW Power, 14/06/22</p> <p>2210-Quickway (AEW Power Sustainability Monthly Reporting)</p> <p>AEW St Marys Lift Sustainability Monthly Reporting, September 2022</p>	<p>The Metro WSA wide Sustainability Plan was prepared and submitted in line with this condition and accepted by the Department on 25/03/22. AEW packages were scoped out of ISC requirement, however there are elements of the overarching Sustainability Plan that must be implemented by contractors. The overarching Sustainability Plan was passed on to the contractors for localization and implementation.</p> <p>SBT Sustainability Plan has been prepared to address this condition and is consistent with the WSA wide Sustainability Plan and the target of +75 rating. The Design Report documents the compliance with sustainability requirements. The Sustainability Initiatives and Opportunity Register identifies sustainability elements/categories, opportunities, benefits and status. The Sustainability Dashboard captures sustainability metrics. Inspections are occurring as per the Sustainability Plan.</p> <p>SCAW Sustainability Plan has been prepared to address this condition and is consistent with the WSA wide Sustainability Plan and the target of +75 rating. The Design Report documents the compliance with sustainability requirements. The Progress meeting minutes identify the tracking of actions / requirements. The weekly environmental inspection regime includes sustainability initiatives (resource, waste energy, community etc).</p> <p>The Sustainability Monthly Reports provided by each contractor (SBT, SCAW, AEW St Marys and AEW Power) assess their performance against the metrics set out in the overarching Sustainability Plan.</p> <p>Monthly Progress Reports from SCAW and SBT (to Metro) include key sustainability deliverables and state on how the contractors are performing. Quarterly Reports are also prepared by SBT and SCAW. These provide in depth details on how the packages are tracking against requirements.</p> <p><b>Observation: At the time of the audit interviews the Sydney Metro Sustainability Team did not have a record of receiving a final Sustainability Design Report for SCAW. In response to a Request for Information, issued by the Auditor to the auditees, SCAW provided a copy of the Sustainability Design Report, dated 16/02/23 (dated after the Sydney Metro interview).</b></p> <p><b>Further, as at the time of the February 2023 interview, Sydney Metro had received insufficient evidence demonstrating implementation of the SCAW Sustainability Plan (e.g.: there was no data on electricity, fuel, water and waste despite this metrics being relevant for the works being undertaken) and the latest Quarterly Report sighted is from October 2022. SCAW was not able to provide any further information during the audit to demonstrate that these deliverables had been completed. Therefore, the Auditor was not able to confirm if the SCAW Sustainability Plan had been implemented during the audit period.</b></p> <p><b>In response to this finding in the draft Audit Report, Sydney Metro and CPBUI provided the following statement (with accompanying evidence): 'Please find the response from CPBUI regarding the implementation of the sustainability during the audit period. Sydney Metro will continue to work with CPBUI to obtain outstanding sustainability documentation.'</b></p> <p><b>CPBUI JV does not consider this a non-compliance as there is substantial evidence to demonstrate that the Project's sustainability management system is being implemented. The SCAW Sustainability Management Plan (attached) was approved 23/09/2023 and has been implemented on the Project since this date. This is reflected in the progress updates provided in Project monthly reports submitted to Sydney Metro.</b></p> <p><b>The SCAW Q4 2022 Quarterly Sustainability Report has been finalised for submission to Sydney Metro (report dated 10/03/2023, attached). Despite the late submission of this</b></p>	C
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						<p>report, it is noted that monthly updates on sustainability progress and performance have been provided in the in Project monthly reports submitted to Sydney Metro.</p> <p>CPBUI JV has been working on establishing sustainability data capture and reporting processes as site establishment has progressed. Available sustainability data was reported in the January 2023 monthly report (attached – see Appendix J), and updated waste and water data is provided with this response (also attached). The Project is in the process of establishing an online subcontractor sustainability reporting system using CPB's PSC Forms platform. It is noted that there has been no electricity consumption onsite as the Project site is not connected to the electricity grid.</p> <p>The Sustainable Design Report for Stages 1 and 2 Design was submitted to Sydney Metro on 20/02/2023. It is noted that there was no contractual submission date for this report and that Stage 2 design was reached for the majority of design packages by mid-November 2022. It is noted that the Sustainable Design Report is a contract requirement.</p> <p>In addition, a Sustainability Opportunities Register has been established to document the identification and implementation of sustainability initiatives from tender, throughout design development, and into the site establishment phase (see attached). Numerous sustainability workshops have been undertaken on during design development to identify and review initiatives, including a Multidisciplinary Workshop held 23/08/2022 (minutes attached).'</p> <p>The Auditor acknowledges Sydney Metro and CPBUI's response. The evidence indicates that the Sustainability Plan is largely being implemented with the exception of the tracking of some key metrics (e.g.: diesel and, therefore, greenhouse gas emissions) and the Quarterly Report was not submitted within the timeframes specified in the Plan.</p>	
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E102	<p>A <b>Water Reuse Strategy</b> must be prepared, which sets out options for the reuse of collected stormwater and groundwater during construction and operation. The Water Reuse Strategy must include, but not be limited to:</p> <p>(a) evaluation of reuse options;</p> <p>(b) details of the preferred reuse option(s), including volumes of water to be reused, proposed reuse locations and/or activities, proposed treatment (if required), and any additional licences or approvals that may be required;</p> <p>(c) measures to avoid misuse of recycled water as potable water;</p> <p>(d) consideration of the public health risks from water recycling; and</p> <p>(e) time frame for the implementation of the preferred reuse option(s).</p> <p>The <b>Water Reuse Strategy</b> must be prepared based on best practice and advice sought from relevant agencies, as required. The Strategy must be applied during construction.</p> <p>Justification must be provided to the Planning Secretary if it is concluded that no reuse options prevail.</p> <p>A copy of the Water Reuse Strategy must be made publicly available.</p> <p><b>Note:</b> Nothing in this condition prevents the Proponent from preparing separate Water Reuse Strategies for the construction and operational stages of the CSSI.</p>	Applicable	Applicable	Applicable	<p>SBT Water Reuse Strategy, 29/07/2022  <a href="https://cimicdigital-cdn.azureedge.net/-/media/projects/cimic/cpb/pdfs/environmental-materials/sydney-metro-western-sydney-airport-sbt/other-documents/smwsasbt-cpg-1nl-nl000-wa-rpt-000001_water-re-use-strategy_accessible.pdf?la=en">https://cimicdigital-cdn.azureedge.net/-/media/projects/cimic/cpb/pdfs/environmental-materials/sydney-metro-western-sydney-airport-sbt/other-documents/smwsasbt-cpg-1nl-nl000-wa-rpt-000001_water-re-use-strategy_accessible.pdf?la=en</a></p> <p>Site inspection 01/02/23</p> <p>SMWSA SSI10051_IA3_Request for Information_SBT_Rev1.1DRAFT_EF, 23/02/23 (SBT response to Auditor request for information)</p> <p>Email, SBT to SBT 02/09/22 (commentary on procurement of rainwater tanks).</p> <p>SCAW Water Reuse Strategy, 30/08/22  <a href="https://cimicdigital-cdn.azureedge.net/-/media/projects/cimic/cpb/pdfs/environmental-materials/wsa_scaw/other-documents/water-reuse.pdf?la=en">https://cimicdigital-cdn.azureedge.net/-/media/projects/cimic/cpb/pdfs/environmental-materials/wsa_scaw/other-documents/water-reuse.pdf?la=en</a></p> <p>SCAW interview 09/02/23</p> <p>SCAW water reuse tracker, current to December 2022</p>	<p>SBT had developed the Water Reuse strategy and it was posted on the contractor website. The Strategy addresses the requirements from this condition. Sediment basins are in place to reuse water. Due to the wet weather, water demand has been below average. It is noted that salinity of groundwater and selected treatment option may mean that groundwater reuse in tunnelling may not achieve the reuse target. Tunnelling has yet to commence and, therefore, reuse of tunnel water is pending.</p> <p><b>Observation: SBTs preparatory construction commenced in April 2022, and main construction commenced in November 2022. The Water Reuse Strategy was finalised in July 2022 and, whilst there is no timing on the installation of rainwater harvesting, SBT had still not installed rain water harvesting on site sheds (due to changing configurations of crib shed layouts). Therefore, this element of the Water Reuse Strategy was considered not to have been implemented.</b></p> <p><b>The Auditor also observes the barrier for reuse of groundwater in tunnelling process and surface construction due to the high salinity present. SBT continue to investigate reuse options.</b></p> <p>In response to this finding in the draft Audit Report, CPBG provided the following statement: <i>'This NC relates specifically for the implementation of rainwater harvesting. CPBG notes that the CoA E102 does not require the specific implementation of rainwater harvest. Nor does the Water Reuse Strategy commit to rainwater harvest.</i></p> <p><i>(Water Reuse Strategy, Section 4.3) – "Rainwater has been identified as a potential source of non-potable water"</i></p> <p><i>Further feasibility and practicality of rainwater harvest will be completed on a site-by-site basis.</i></p> <p><i>CPBG understands that this CoA would be triggered as an NC if CPBG had not used any non-potable water, given the requirement for the water reuse strategy to be implemented during construction. However, this is also not the case.</i></p> <p><i>CPBG has used non-potable water, both at OHE and on-airport. At Orchard Hills, CPBG owns a water cart and therefore is able to use surface water in the cart in place of potable water for dust suppression.</i></p> <p><i>See RE_Airport-Non-Potable Water Reuse 3.11.2022, which confirms onsite reuse of non-potable water dust suppression using the sediment basin water at the airport site</i></p> <p><i>As referenced in the Water Reuse Strategy, further feasibility assessment of rainwater harvest has been undertaken, and rainwater tanks have been procured and are onsite. Offices were temporary initially and the more "permanent" offices have been only recently established – which the rainwater tanks were procured for.'</i></p> <p>SCAW had developed the Water Reuse strategy and it was posted on the contractor website. The Strategy addresses the requirements from this condition. The main source of water will be site won (from basins, treatment tanks, depressions and potentially local water bodies). Reuse of site won water has been occurring on site (11ML).</p>	C
Traffic and Transport							



E103	<p><b>Construction Traffic Management Plans (CTMPs)</b> must be prepared in accordance with the Construction Traffic Management Framework. A copy of the CTMPs must be submitted to the Planning Secretary for information before the commencement of any construction in the area identified and managed within the relevant CTMP.</p>	Applicable	Applicable	Applicable	<p>Overarching Construction Traffic Management Plan, Rev C, 24/01/22</p> <p>Letter DPE to Sydney Metro, 18/02/22 (approval of overarching Construction Traffic Management Plan)</p> <p>Advanced and Enabling Works (AEW) Construction Traffic Management Plan (CTMP), Rev 9, 07/01/22</p> <p>Letter DPE to Sydney Metro, 18/05/22 (acknowledgement of AEW CTMP)</p> <p>AEW St Marys Lift and Stair Works Construction Traffic Management Plan, 24/05/22</p> <p>Letter DPE to Sydney Metro, 10/06/22 (approval of AEW St Marys Lift and Stair Works Construction Traffic Management Plan)</p> <p>Interview SBT 03/02/23</p> <p>SBT Overarching Construction Traffic Management Plan, 16/06/22 (CTMP) and SBT CTMP Aerotropolis 09/06/22, SBT CTMP Bringelly 02/06/22, SBT CTMP Claremont Meadows 15/06/22, SBT CTMP St Marys Site Estab May 22 (revised Jan 23), SBT CTMP Geotech Scope North 09/06/22, SBT CTMP Orchard Hills Site Estab 27/06/22, SBT CTMP St Marys Demolition 27/06/22, SBT CTMP Orchard Hills Operations Sep 22</p> <p>Letter DPE to Sydney Metro, 16/12/21 (acknowledgement of receipt of St Marys CTMP)</p> <p>Letter DPE to Metro, 06/12/22 (approval of overarching SBT CTMP 16/06/22, Geotech Scope North 14/09/22, Aerotropolis 09/06/22, Bringelly 02/06/22, Claremont Meadows 15/06/22, Orchard Hills Site Estab 05/07/22, Orchard Hills Operations Sep 22)</p> <p>Letter DPE to Metro (SSI-10051-PA-98), approval of local roads (HVLRL) at St Marys, plus acknowledgement of receipt of CTMP for St Marys Demolition.</p> <p>SCAW Overarching Construction Traffic Management Plan 29/09/22 (CTMP), SCAW CTMP Patons Lane 28/09/22, SCAW CTMP Elizabeth Drive 17/10/22, SCAW CTMP Luddenham Road 03/11/22 (revised 19/01/23)</p> <p>DPE post approval portal lodgment, 16/09/22 (submission of SCAW Overarching CTMP)</p> <p>Letter DPE to Sydney Metro, 19/09/22 (DPE acknowledgment of the SCAW Overarching CTMP)</p> <p>DPE post approval portal, 14/10/22 (submission of Elizabeth Drive CTMP) note works commenced in middle of October (after PCEMP)</p> <p>DPE post approval portal, 19/01/23 (submission of Luddenham Road CTMP) note works commenced in February 2023</p> <p>DPE post approval portal, 26/09/23 (submission of Patons Lane Road CTMP) note works commenced in middle of October 2022 (after PCEMP).</p>	<p>All AEW CTMPs were prepared and submitted prior to the current audit period. The SBT St Marys Site Establishment CTMP was prepared and submitted prior to the current audit period.</p> <p>SBT has one overarching CTMP and eight site level CTMPs. SCAW has one overarching and three local CTMPs. All of the CTMPs identify the requirements from the CTMF. Once prepared each CTMP goes to Metro, TfNSW and Council for comment. Once comments are addressed it is sent for approval by TfNSW CJP. Once approved by TfNSW CJP the document is sent to the Department and published online.</p> <p>Based on the dates of the CTMPs and the correspondence from the Department, submission of each was completed prior to commencement of the relevant works. The Auditor notes that he does not have experience or technical knowledge in traffic.</p>	C
E104	<p>The locations of all Heavy Vehicles used for spoil haulage must be monitored in real time and the records of monitoring be made available electronically to the Planning Secretary and the EPA upon request for a period of no less than one (1) year following the completion of construction</p>	Applicable	Applicable	Applicable	<p>SBT Virtual Superintendent (online tracking module)</p> <p>SCAW interview 09/02/23 and site inspection 01/02/23</p>	<p>SBT operates and online tool with real-time GPS tracking of all spoil trucks. The system uses geofencing to identify if a truck has left the approved routes. The system alerts the traffic team of speeding, braking, fatigue and departure from approved routes.</p> <p>SCAW has not undertaken spoil haulage during the audit period.</p>	C

E105	Local roads proposed to be used by Heavy Vehicles to directly access ancillary facilities / construction sites that are not identified in the documents listed in <b>Condition A1</b> must be approved by the Planning Secretary and be included in the CTMP.	Applicable	Applicable	Applicable	<p>SBT Virtual Superintendent (online tracking module)</p> <p>SBT Heavy Vehicle Local Road Report, 29/07/22</p> <p>Heavy Vehicles on Local Roads Request for the St Marys Station Box Works, Rev B.01, 15/06/222</p> <p>Letter DPE to Metro (SSI-10051-PA-98), approval of local roads (HVLRL) at St Marys, plus acknowledgement of receipt of CTMP for St Marys Demolition</p> <p>8986 Caddens Hill VMP (no date), JK Williams</p> <p>Site inspection 01/02/23</p> <p>SCAW interview 09/02/23</p> <p>Letter DPE to Sydney Metro, 23/02/22 (approval of AEW heavy vehicle local road request)</p> <p>AEW St Marys Lift and Stairs Heavy Vehicle Local Road Report, TTT, 15/07/22</p> <p>Letter DPE to Sydney Metro, 15/07/22 (approval of AEW St Marys Lift and Stairs Heavy Vehicle Local Road Report)</p>	<p>SBT operates an online tool with real-time GPS tracking of all spoil trucks. The system uses geofencing to identify if a truck has left the approved routes. The system alerts the traffic team of speeding, braking and departure from approved routes. The SBT Traffic Manager states that instances whereby trucks leave the geofencing and entering a local road is considered a non-conformance. A Heavy Vehicle Local Road approval was obtained for St Marys prior to use of local roads in that location.</p> <p>SBT provided the following in response to the Auditor's request for information: <i>'There have been no instances since the 01/09/2022 of route breaches identified by Virtual Superintendent. An investigation in regard to a route compliance was initiated in response to a community complaint. One of SBT's spoil trucks was observed using a local Council Road to access one of our disposal sites. The spoil haulage contractor informed CPBG that they were following the disposal site's Vehicle Management Plan which was approved by Council as part of the DA process. A copy of the site VMP has been provided. Given that E105 applies to "local roads proposed to be used by Heavy Vehicles to directly access ancillary facilities / construction sites", no non-compliance was triggered.'</i></p> <p>The Auditor has considered the information and agrees with SBT's assessment (i.e.: the truck was travelling to a spoil receiving site, not a WSA ancillary facility / construction site).</p> <p>SCAW are not using any local roads that are not already identified in the EIS.</p>	C
E106	<p>All requests to the Planning Secretary for approval to use local roads under Condition E105 above must include the following:</p> <p>(a) a swept path analysis;</p> <p>(b) demonstration that the use of local roads by Heavy Vehicles for the CSSI will not compromise the safety of pedestrians and cyclists of the safety of two-way traffic flow on two-way roadways;</p> <p>(c) details as to the date of completion of the road dilapidation surveys for the subject local roads; and</p> <p>(d) measures that will be implemented to avoid where practicable the use of local roads past schools, aged care facilities and child care facilities during their peak operation times; and</p> <p>(e) written advice from an appropriately qualified professional on the suitability of the proposed Heavy Vehicle route which takes into consideration items (a) to(d) of this condition.</p>	Applicable	Applicable	Applicable	<p>SBT Heavy Vehicle Local Road Report, 29/07/22</p> <p>Letter DPE to Metro (SSI-10051-PA-98), approval of local roads at St Marys.</p> <p>SBT Overarching Construction Traffic Management Plan, 16/06/22 (CTMP) and SBT CTMP Aerotropolis 09/06/22, SBT CTMP Bringelly 02/06/22, SBT CTMP Claremont Meadows 15/06/22, SBT CTMP St Marys Site Estab May 22 (revised Jan 23), SBT CTMP Geotech Scope North 09/06/22, SBT CTMP Orchard Hills Site Estab 27/06/22, SBT CTMP St Marys Demolition 27/06/22, SBT CTMP Orchard Hills Operations Sep 22</p> <p>Site inspection 01/02/23</p> <p>SCAW interview 09/02/23</p> <p>SCAW Overarching Construction Traffic Management Plan 29/09/22 (CTMP), SCAW CTMP Patons Lane 28/09/22, SCAW CTMP Elizabeth Drive 17/10/22, SCAW CTMP Luddenham Road 03/11/22 (revised 19/01/23)</p>	<p>SBT Heavy Vehicle Local Road Report was prepared and was included the information from this condition was included. The Heavy Vehicle Local Road approval was obtained for St Marys prior to use of local roads in that location. All other roads were already identified in the EIS.</p> <p>SCAW are not using any local roads that are not already identified in the EIS.</p>	C

E107	<p>Before any local road is used by a Heavy Vehicle for the purposes of construction of the CSSI, a Road Dilapidation Report must be prepared for the road. A copy of the <b>Road Dilapidation Report</b> must be provided to the Relevant Road Authority(s) within three (3) weeks of completion of the survey and at no later than one (1) month before the road being used by Heavy Vehicles associated with the construction of the CSSI.</p>	Applicable	Applicable	Applicable	<p>SBT interview 03/02/23</p> <p>SBT Road dilapidation Surveys 8/07/22 by Pavement Management Services provided Penrith City Council on 11/07/22 and PCC accepted it on 9/8/22</p> <p>SBT Focus Dilapidation Report, Glossip Street and Lansdowne Road, Pavement Management Services, 11/11/22, and email from Sydney Metro to SBT dated 18/01/23 confirming Penrith City Council had no comments on the documents.</p> <p>AEW Preconstruction Dilapidation Report for Liverpool City Council, 20/12/21 (dilap for power supply and local roads in the Liverpool City Council)</p> <p>AEW Preconstruction Dilapidation Report for Penrith City Council, 20/12/21 (dilap for power supply and local roads in the Liverpool City Council)</p> <p>AEW Dilapidation Reports for Phillip and Lethbridge Streets, East Lane, Gidley Street, Glossop Street, Nariel Street, Queen Street, Station Street, Effective Building &amp; Consultancy, various dates</p> <p>AEW St Marys Dilapidation Investigation Register, TfNSW, dated 05/12/2021 (and accompanying dilapidation reports)</p> <p>AEW Letter TfNSW to Council, 28/09/21 and 04/02/22 (submission of road design and confirmation of road authority designation)</p> <p>Road Condition Report, ARRB, 01/12/22 (SCAW wide)</p> <p>Patons Lane Road Dilapidation Report, CPBUI, 15/08/22 (and email Metro to Penrith City Council, 17/08/22)</p>	<p>A number of dilapidation reports for roads around St Marys were completed by AEW prior to SBT. Refer to audit reports 1 and 2 for dilapidation reports for AEW works conducted during earlier audit periods.</p> <p>Road Dilapidation Reports for SBT (where not already completed by AEW) were prepared for the local road to be used and were provided to the Council.</p> <p>SCAW Road Dilapidation Reports for local roads (one of) was prepared and submitted to Council in August 2022, which was prior to construction for the local roads to be used.</p>	C
E108	<p>If damage to roads occurs as a result of the construction of the CSSI, the Proponent must either (at the Relevant Road Authority's discretion):</p> <p>(a) compensate the Relevant Road Authority for the damage so caused; or</p> <p>(b) rectify the damage to restore the road to at least the condition it was in pre-work as identified in the Road Dilapidation Report.</p>	Applicable	Applicable	Applicable	<p>Site inspection 01/02/23</p> <p>SBT interview 03/02/23</p> <p>SCAW interview 09/02/23</p> <p>Email Penrith City Council to WolfPeak, 30/01/23 (consultation on audit scope)</p> <p>Email Liverpool City Council to WolfPeak, 20/02/23 (consultation on audit scope)</p>	<p>Council did not identify concerns regarding damage to roads when consulted on as part of this audit, noting however that Liverpool Council did ask for the audit to assess compliance with traffic related conditions. The Auditor notes the road dilapidation reports identified in E107 which has assessed the condition of local roads being used by Heavy Vehicles. Any pre-existing damage has been recorded. Construction is ongoing. The auditees are not aware of any road damage having been identified.</p>	C
E109	<p>Vehicles associated with the project workforce (including light vehicles and Heavy Vehicles) must be managed to:</p> <p>(a) minimise parking on public roads;</p> <p>(b) minimise idling and queueing on state and regional roads;</p> <p>(c) not carry out marshalling of construction vehicles near sensitive land use(s);</p> <p>(d) not block or disrupt access across pedestrian or shared user paths at any time unless alternate access is provided; and</p> <p>(e) ensure spoil haulage vehicles adhere to the nominated haulage routes identified in the CTMP.</p>	Applicable	Applicable	Applicable	<p>ER Monthly Reports for August 2022, September 2022, October 2022, November 2022, December 2022</p> <p>SBT Virtual Superintendent (online tracking module)</p> <p>SBT Overarching Construction Traffic Management Plan, 16/06/22 (CTMP) and SBT CTMP Aerotropolis 09/06/22, SBT CTMP Bringelly 02/06/22, SBT CTMP Claremont Meadows 15/06/22, SBT CTMP St Marys Site Estab May 22 (revised Jan 23), SBT CTMP Geotech Scope North 09/06/22, SBT CTMP Orchard Hills Site Estab 27/06/22, SBT CTMP St Marys Demolition 27/06/22, SBT CTMP Orchard Hills Operations Sep 22</p> <p>SCAW Overarching Construction Traffic Management Plan 29/09/22 (CTMP), SCAW CTMP Patons Lane 28/09/22, SCAW CTMP Elizabeth Drive 17/10/22, SCAW CTMP Luddenham Road 03/11/22 (revised 19/01/23)</p> <p>Site inspection 01/02/23</p> <p>Complaints register current to 23/01/23</p>	<p>SBT operates an online tool with real-time GPS tracking of all spoil trucks. The system uses geofencing to identify if a truck has left the approved routes. The system alerts the surveiler of speeding, marshalling, braking, fatigue and departure from approved routes.</p> <p>SBT CTMPs identify parking and internal traffic movements to prevent parking and idling, marshalling external to the site.</p> <p>SBT had one justified complaint regarding parking at an informal property gate was received during the audit period. The plant was moved as soon as the complaint was received.</p> <p>SCAW CTMPs recognise that adequate space is on site for parking and marshalling, haul routes etc. Adequate space was observed on site. SCAW has not commenced off site haulage. No complaints received regarding this requirement on SCAW during the audit period.</p> <p>The ER has not identified any compliance issues with this requirement.</p>	C

E110	Access to all utilities and properties must be maintained during works, unless otherwise agreed with the relevant utility owner, landowner or occupier.	Applicable	Applicable	Applicable	<p>ER Monthly Reports for August 2022, September 2022, October 2022, November 2022, December 2022</p> <p>Site inspection 01/02/23</p> <p>SBT Virtual Superintendent (online tracking module)</p> <p>SBT Overarching Construction Traffic Management Plan, 16/06/22 (CTMP) and SBT CTMP Aerotropolis 09/06/22, SBT CTMP Bringelly 02/06/22, SBT CTMP Claremont Meadows 15/06/22, SBT CTMP St Marys Site Estab May 22 (revised Jan 23), SBT CTMP Geotech Scope North 09/06/22, SBT CTMP Orchard Hills Site Estab 27/06/22, SBT CTMP St Marys Demolition 27/06/22, SBT CTMP Orchard Hills Operations Sep 22</p> <p>SBT Sydney Water design, protection and diversion documents, Phillip St, Station Street Landsdowne Road, Kent Road Sydney Water CASE198458PW, CASE190778PW, CASE198747PW, CASE190695PW</p> <p>SBT Telstra (non-contestable) comms protection, diversion and permanent design documents, Kent Road, Phillip St and Station Road</p> <p>SCAW Overarching Construction Traffic Management Plan 29/09/22 (CTMP), SCAW CTMP Patons Lane 28/09/22, SCAW CTMP Elizabeth Drive 17/10/22, SCAW CTMP Luddenham Road 03/11/22 (revised 19/01/23)</p> <p>Complaints register current to 23/01/23</p> <p>Email Water NSW and SCAW, 28/11/22</p> <p>Water NSW Early Works Access Licence, 19/09/22 (access to Water NSW corridor)</p> <p>Email TransGrid to SCAW, 12/12/22 (consultation on works near towers 632 and 633)</p>	<p>SBT is not aware of any works requiring obstruction to access. No obstructions were observed during the inspection.</p> <p>SBT operates and online tool with real-time GPS tracking of all spoil trucks. The system uses geofencing to identify if a truck has left the approved routes. The system alerts the surveiler of speeding, marshalling, braking, fatigue and departure from approved routes.</p> <p>SBT CTMPs identify parking and internal traffic movements to prevent parking and idling, marshalling external to the site.</p> <p>SBT had one justified complaint regarding parking at an informal property gate was received during the audit period. The plant was moved as soon as the complaint was received.</p> <p>SCAW CTMPs recognise that access must be maintained. Agreement from Water NSW when working in their corridor. No issues have been observed on site, noting the sites are relatively isolated from other properties and utilities. No complaints received regarding this requirement on SCAW during the audit period.</p> <p>Evidence was provided demonstrating protection / support for services potentially affected by SBT and SCAW.</p> <p>One complaint was received regarding supply interruption during the audit period. This was attributed to Sydney Water. The auditees are not aware of any disruptions during the audit period.</p>	C
E111	The Proponent must maintain access to properties during the entirety of works unless an alternative access is agreed in writing with the landowner(s) whose access is impacted by the CSSI works.	Applicable	Applicable	Applicable	<p>ER Monthly Reports for August 2022, September 2022, October 2022, November 2022, December 2022</p> <p>Site inspection 01/02/23</p> <p>SBT Virtual Superintendent (online tracking module)</p> <p>SBT Overarching Construction Traffic Management Plan, 16/06/22 (CTMP) and SBT CTMP Aerotropolis 09/06/22, SBT CTMP Bringelly 02/06/22, SBT CTMP Claremont Meadows 15/06/22, SBT CTMP St Marys Site Estab May 22 (revised Jan 23), SBT CTMP Geotech Scope North 09/06/22, SBT CTMP Orchard Hills Site Estab 27/06/22, SBT CTMP St Marys Demolition 27/06/22, SBT CTMP Orchard Hills Operations Sep 22</p> <p>SCAW Overarching Construction Traffic Management Plan 29/09/22 (CTMP), SCAW CTMP Patons Lane 28/09/22, SCAW CTMP Elizabeth Drive 17/10/22, SCAW CTMP Luddenham Road 03/11/22 (revised 19/01/23)</p> <p>Complaints register current to 23/01/23</p>	<p>SBT is not aware of any works requiring obstruction to access. No obstructions were observed during the inspection. The ER has not identified any compliance issue with this requirement.</p> <p>SBT operates and online tool with real-time GPS tracking of all spoil trucks. The system uses geofencing to identify if a truck has left the approved routes. The system alerts the surveiler of speeding, marshalling, braking, fatigue and departure from approved routes.</p> <p>SBT CTMPs identify parking and internal traffic movements to prevent parking and idling, marshalling external to the site.</p> <p>Only one justified complaint regarding parking at an informal property gate was received during the audit period. The plant was moved as soon as the complaint was received.</p> <p>SCAW CTMPs recognise that access must be maintained. No issues have been observed on site, noting the sites are relatively isolated from other properties and utilities. No complaints received regarding this requirement on SCAW during the audit period.</p>	C

E112	Where construction of the CSSI restricts a property's access to a public road, the Proponent must, until their primary access is reinstated, provide the property with temporary alternate access to an agreed road decided through consultation with the landowner, at no cost to the property landowner, unless otherwise agreed with the landowner.	Applicable	Applicable	Applicable	<p>ER Monthly Reports for August 2022, September 2022, October 2022, November 2022, December 2022</p> <p>Site inspection 01/02/23</p> <p>SBT Virtual Superintendent (online tracking module)</p> <p>SBT Overarching Construction Traffic Management Plan, 16/06/22 (CTMP) and SBT CTMP Aerotropolis 09/06/22, SBT CTMP Bringelly 02/06/22, SBT CTMP Claremont Meadows 15/06/22, SBT CTMP St Marys Site Estab May 22 (revised Jan 23), SBT CTMP Geotech Scope North 09/06/22, SBT CTMP Orchard Hills Site Estab 27/06/22, SBT CTMP St Marys Demolition 27/06/22, SBT CTMP Orchard Hills Operations Sep 22</p> <p>SCAW Overarching Construction Traffic Management Plan 29/09/22 (CTMP), SCAW CTMP Patons Lane 28/09/22, SCAW CTMP Elizabeth Drive 17/10/22, SCAW CTMP Luddenham Road 03/11/22 (revised 19/01/23)</p> <p>Complaints register current to 23/01/23</p>	<p>SBT is not aware of any works requiring obstruction to access. No obstructions were observed during the inspection. The ER has not identified any compliance issue with this requirement.</p> <p>SBT operates and online tool with real-time GPS tracking of all spoil trucks. The system uses geofencing to identify if a truck has left the approved routes. The system alerts the surveiler of speeding, marshalling, braking, fatigue and departure from approved routes.</p> <p>SBT CTMPs identify parking and internal traffic movements to prevent parking and idling, marshalling external to the site.</p> <p>Only one justified complaint regarding parking at an informal property gate was received during the audit period. The plant was moved as soon as the complaint was received.</p> <p>SCAW CTMPs recognise that access must be maintained. No issues have been observed on site, noting the sites are relatively isolated from other properties and utilities. No complaints received regarding this requirement on SCAW during the audit period.</p>	NT
E113	Any property access physically affected by the CSSI must be reinstated to at least an equivalent standard, unless otherwise agreed by the landowner or occupier. Property access must be reinstated within one (1) month of the work that physically affected the access is completed or in any other timeframe agreed with the landowner or occupier.	Applicable	Applicable	Applicable	<p>ER Monthly Reports for August 2022, September 2022, October 2022, November 2022, December 2022</p> <p>Site inspection 01/02/23</p> <p>SBT interview 03/02/23</p> <p>SCAW interview 09/02/23</p> <p>Complaints register current to 23/01/23</p>	<p>SBT are not aware of instances whereby property has been physically affected during the audit period with the exception of impact to the verge on the opposite side of the Claremont Meadows site (identified prior to the current audit period). The verge appears to have been repaired.</p> <p>SCAW is not aware of any works requiring restriction of access. No complaints received regarding this requirement on SCAW during the audit period.</p> <p>The ER has not identified any compliance issue associated with this requirement.</p>	C
E114	During construction, all reasonably practicable measures must be implemented to maintain pedestrian, cyclist and vehicular access to, and parking in the vicinity of, businesses and affected properties. Disruptions are to be avoided, and where avoidance is not possible, minimised. Where disruption cannot be avoided, alternative pedestrian, cyclist and vehicular access, and parking arrangements must be developed in consultation with affected businesses and landowners and implemented before the disruption. Adequate signage and directions to businesses must be provided before, and for the duration of, any disruption.	Applicable	Applicable	Applicable	<p>Site inspection 01/02/23</p> <p>SBT Overarching Construction Traffic Management Plan, 16/06/22 (CTMP) and SBT CTMP Aerotropolis 09/06/22, SBT CTMP Bringelly 02/06/22, SBT CTMP Claremont Meadows 15/06/22, SBT CTMP St Marys Site Estab May 22 (revised Jan 23), SBT CTMP Geotech Scope North 09/06/22, SBT CTMP Orchard Hills Site Estab 27/06/22, SBT CTMP St Marys Demolition 27/06/22, SBT CTMP Orchard Hills Operations Sep 22</p> <p>SCAW Overarching Construction Traffic Management Plan 29/09/22 (CTMP), SCAW CTMP Patons Lane 28/09/22, SCAW CTMP Elizabeth Drive 17/10/22, SCAW CTMP Luddenham Road 03/11/22 (revised 19/01/23)</p> <p>Complaints register current to 23/01/23</p> <p>ER Monthly Reports for August 2022, September 2022, October 2022, November 2022, December 2022</p>	<p>With the exception of St Marys, SBT sites are relatively isolated from pedestrian, cyclist and vehicular access and parking. SBT is not aware of any works requiring obstruction to access. No obstructions were observed during the inspection. Only one justified complaint regarding parking at an informal property gate was received during the audit period. The plant was moved as soon as the complaint was received.</p> <p>SCAW sites during the audit period are very isolated from pedestrian, cyclist and vehicular access and parking. CTMPs recognise that access must be maintained. Pedestrian, cyclist, vehicular access interfaces of risk. No complaints received regarding this requirement on SCAW during the audit period.</p> <p>The ER has not identified any non-compliances with this requirement.</p>	C
E115	Safe pedestrian and cyclist access must be maintained around the St Marys construction site during construction. In circumstances where pedestrian and cyclist access is restricted or removed due to construction activities, a proximate alternate route which complies with the relevant standards, must be provided and signposted before the restriction or removal of the impacted access.	Applicable	Not Applicable	Applicable	<p>SBT Overarching Construction Traffic Management Plan, 16/06/22 (CTMP) SBT CTMP St Marys Site Estab May 22 (revised Jan 23), SBT CTMP St Marys Demolition 27/06/22</p> <p>Site inspection 01/02/23</p> <p>ER Monthly Reports for August 2022, September 2022, October 2022, November 2022, December 2022</p>	<p>No issues observed. No non-compliances with this requirement identified by the auditees or ER during the audit period. No complaints received regarding access during the audit period.</p>	C
E116	A <b>Traffic and Transport Liaison Group(s)</b> must be established in accordance with the Construction Traffic Management Framework to inform the development of CTMP.	Applicable	Applicable	Applicable	<p>TTLG Terms of Reference SM-WSA-04/02/2022</p> <p>WSA TTLG meeting minutes 02/02/23, 11/12/22, 03/11/22</p>	<p>The WSA TTLG has been established and meets monthly. It runs through any works that may impact on traffic and road safety. The group is made up of each contractor, Road Authority, Metro, emergency services, transport operators.</p>	C



E117	<p>Supplementary analysis and modelling as required by TfNSW and / or the Traffic and Transport Liaison Group(s) must be undertaken to demonstrate that construction and operational traffic can be managed to minimise disruption to traffic network operations, including changes to and the management of pedestrian, bicycle and public transport networks, public transport services, and pedestrian and cyclist movements. Revised traffic management measures must be incorporated into the CTMP.</p> <p>Permanent road works included in the CSSI must be designed, constructed and operated with the objective of integrating with existing and proposed road and related transport networks and minimising adverse changes to the safety, efficiency and, accessibility of the network. Design and assessment of related traffic, parking, pedestrian and cycle accessibility impacts and changes shall be undertaken:</p> <p>(a) in consultation with, and to the reasonable requirements of the relevant Traffic and Transport Liaison Group;</p> <p>(b) in consideration of existing and future demand, connectivity (in relation to permanent changes), performance and safety requirements;</p> <p>(c) to minimise and manage local area traffic impacts;</p> <p>(d) to, where possible and appropriate, retain or reinstate parking in St Marys;</p> <p>(e) to ensure access is maintained to property and infrastructure</p> <p>(f) to address relevant design, engineering and safety guidelines, including Austroads, Australian Standards and TfNSW requirements.</p> <p>Copies of civil, structural and traffic signal design plans shall be submitted to the Relevant Road Authority for consultation during design development and before completion of construction of the CSSI.</p>	Applicable	Applicable	Applicable	<p>TTLG Terms of Reference SM-WSA-04/02/2022</p> <p>WSA TTLG meeting minutes 02/02/23, 11/12/22, 03/11/22</p> <p>SBT Overarching Construction Traffic Management Plan, 16/06/22 (CTMP) and SBT CTMP Aerotropolis 09/06/22, SBT CTMP Bringelly 02/06/22, SBT CTMP Claremont Meadows 15/06/22, SBT CTMP St Marys Site Estab May 22 (revised Jan 23), SBT CTMP Geotech Scope North 09/06/22, SBT CTMP Orchard Hills Site Estab 27/06/22, SBT CTMP St Marys Demolition 27/06/22, SBT CTMP Orchard Hills Operations Sep 22</p> <p>SCAW Overarching Construction Traffic Management Plan 29/09/22 (CTMP), SCAW CTMP Patons Lane 28/09/22, SCAW CTMP Elizabeth Drive 17/10/22, SCAW CTMP Luddenham Road 03/11/22 (revised 19/01/23)</p>	<p>Supplementary analysis and modelling has been completed and incorporated into the CTMPs, or has not been deemed as being required by TfNSW / TTLG. The CTMPs identify how traffic can be managed in accordance with this requirement. The CTMPs go to Metro, TTLG, TfNSW and Council for comment. Once comments are addressed it is sent for approval by TfNSW CJP. Once approved by TfNSW CJP the document is sent to the Department.</p> <p>SBT and SCAW are not delivering any permanent road works.</p>	C
E118	<p>As part of Condition E117 the Traffic and Transport Liaison Group(s) is to identify opportunities to improve the intersection performance during operation at:</p> <p>(a) Queen Street/Great Western Highway/Mamre Road in St Marys;</p> <p>(b) Glossop Street/ Forrester Road in St Marys; and</p> <p>(c) Glossop Street / Great Western highway in St Marys. Identified improvements must be implemented prior to the commencement of operation.</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>TTLG Terms of Reference SM-WSA-04/02/2022</p> <p>WSA TTLG meeting minutes 02/02/23, 11/12/22, 03/11/22</p> <p>SBT Overarching Construction Traffic Management Plan, 16/06/22 (CTMP)</p> <p>SCAW Overarching Construction Traffic Management Plan 29/09/22 (CTMP)</p>	<p>SBT and SCAW are not delivering any permanent road works.</p>	NT
E119	<p>Permanent road works, including vehicular access, signalised intersection works, and works relating to pedestrians, cyclists, and public transport users must be subject to safety audits demonstrating consistency with relevant design, engineering and safety standards and guidelines. Safety audits must be prepared in consultation with the relevant <b>Traffic and Transport Liaison Group</b> before the completion and use of the subject infrastructure and must be made available to the Planning Secretary upon request.</p>	Applicable	Applicable	Applicable	<p>Staging Report, Sydney Metro, Rev 7, 30/09/22</p> <p>TTLG Terms of Reference SM-WSA-04/02/2022</p> <p>WSA TTLG meeting minutes 02/02/23, 11/12/22, 03/11/22</p> <p>SBT Overarching Construction Traffic Management Plan, 16/06/22 (CTMP)</p> <p>SCAW Overarching Construction Traffic Management Plan 29/09/22 (CTMP)</p>	<p>SBT and SCAW are not delivering any permanent road works.</p>	NT
Utilities Management							



E120	<p>The CSSI must be designed and constructed with the objective of minimising impacts to, and interference with utilities infrastructure, and that such infrastructure and property is protected during construction. Utilities, services and other infrastructure potentially affected by construction must be identified before works affecting the item, to determine requirements for access to, diversion protection, and / or support. The relevant owner(s) and / or provider(s) of services must be consulted to make suitable arrangements for access to diversion, protection, and / or support of the affected infrastructure as required. The Proponent must ensure that disruption to any service is minimised and be responsible for advising local residents and businesses affected before any planned disruption of service.</p>	Applicable	Not Applicable	Applicable	<p>SBT Settlement and Predicted Impacts Report, 25/01/23</p> <p>SBT Utilities Design Report (various)</p> <p>SBT TransGrid meeting minutes 10/11/22</p> <p>SBT Jemena meeting minutes 08/11/22</p> <p>SBT Sydney Water meeting minutes 07/12/22 (example of weekly coordination meetings)</p> <p>SBT Telstra Diversion approved drawings (various)</p> <p>SBT Sydney Water design, protection and diversion documents, Phillip St, Station Street Landsdowne Road, Kent Road Sydney Water CASE198458PW, CASE190778PW, CASE198747PW, CASE190695PW</p> <p>SBT Telstra (non-contestable) comms protection, diversion and permanent design documents, Kent Road, Phillip St and Station Road</p> <p>SCAW CEMP, 04/11/22</p> <p>SCAW Work Pack, SMF Earthworks, Rev01</p> <p>Email Water NSW and SCAW, 28/11/22</p> <p>Water NSW Early Works Access Licence, 19/09/22 (access to Water NSW corridor)</p> <p>Email TransGrid to SCAW, 12/12/22 (consultation on works near towers 632 and 633)</p> <p>Complaints register current to 23/01/23</p>	<p>SBT Settlement and Predicted Impacts Report assesses the predicted impacts on utilities and services as a result of settlement. The Report identifies a range of services along the alignment, but for all that have been assessed so far the influence is not expected to adversely influence the service. The Utility Design Reports identify all utilities likely to be impacted during the works and the level / type of treatment required. Evidence shows that SBT has identified utilities that are potentially impacted and that utilities are being consulted with on impacts and necessary actions to manage impacts. Note Endeavour Energy adjustments were managed under AEW prior to the current audit period. Refer Independent Audit Report No. 2.</p> <p>The SCAW CEMP and Work Packs include guidance on the identification and management of services. This includes the requirement to complete DBYD investigations and (if anything identified) contact with service provider. To date SCAW has shown consultation with Water NSW and TransGrid. They are not aware of other services potentially affected during the audit period.</p> <p>One complaint was received regarding supply interruption during the audit period. This was attributed to Sydney Water. The auditees are not aware of any disruptions during the audit period.</p>	C
E121	<p>The proponent must consult with WaterNSW regarding design, construction and operational management where the proposal interacts with the Warragamba to Prospect Water Supply Pipeline, and ensure that proposed construction and operational agreements are consistent with the "Guidelines for Development Adjacent to the Upper Canal and Warragamba Pipelines" and implement all practical measures to protect the Warragamba to Prospect Water Supply Pipelines infrastructure, or as otherwise agreed to by WaterNSW.</p>	Not Applicable	Applicable	Applicable	<p>SBT interview 03/02/22</p> <p>SCAW interview, 09/02/23</p> <p>Email Water NSW and SCAW, 28/11/22</p> <p>Water NSW Early Works Access Licence, 19/09/22 (access to Water NSW corridor)</p>	<p>SBT do not interact with the Warragamba to Prospect Water Supply Pipeline</p> <p>The only SCAW works conducted to date that interface with the Water NSW infrastructure are the early works. These have been conducted in consultation with, and approval from, Water NSW. Design development is ongoing and will be conducted in consultation with Water NSW.</p>	C
<b>Waste</b>							
E122	<p>Waste generated during construction and operation must be dealt with in accordance with the following priorities:</p> <p>(a) waste generation must be avoided and where avoidance is not reasonably practicable, waste generation must be reduced;</p> <p>(b) where avoiding or reducing waste is not possible, waste must be re-used, recycled, or recovered; and</p> <p>(c) where re-using, recycling or recovering waste is not possible, waste must be treated or disposed of.</p>	Applicable	Applicable	Applicable	<p>SBT Waste CEMP Sub-plan, 10/10/22</p> <p>SBT Sustainability Dashboard, January 2023</p> <p>SBT Waste Disposal Site Approval Guidance, 08/09/22</p> <p>SBT Waste Disposal Register, 24/01/23</p> <p>SCAW Waste Management Plan, 10/10/22</p> <p>SCAW Project induction, Rev21 (covers air quality, contamination, biodiversity, heritage, unexpected finds (heritage and contam), spoil import, ERSED, noise and vibration, waste chemicals, spills, incidents and permits)</p> <p>SCAW environmental inspection checklists (online)</p> <p>SCAW ACM Waste docket, Bingo Eastern Creek, 29/11/22</p> <p>Bingo EPL 13426</p> <p>Aussie Skips Monthly Report, December 2022.</p>	<p>The SBT Waste CEMP Sub-plan identifies waste avoidance, reduction, reuse/recycle options and disposal requirements. The SBT Sustainability Dashboard identifies waste and resource consumption and reuse/recycling. The SBT Waste Disposal Register identifies resource recovery facilities / service providers for recycling and / or disposal. The Waste Disposal Site Approval Guidance establishes a process for securing waste disposal sites (including development sites for reuse of soil).</p> <p>The SCAW Waste Management Plan identifies waste avoidance, reduction, reuse/recycle options and disposal requirements. Waste management approaches have been communicated to the workforce. Works conducted during the audit period have involved earthworks whereby material suitable for reuse has been reused on site (cut to fill) and the site is actually consuming material for construction. The environmental inspections include checks on waste segregation, stabilized, bin use etc. Records show that ACM materials has been disposed to a facility lawfully permitted to receive it. Building and demolition waste is being managed by Aussie Skips. Monthly report shows where the waste has gone for recycling / recover / disposal (refer E124 for an observation in relation to this).</p>	C

E123	The importation of waste and the storage, treatment, processing, reprocessing or disposal of such waste must comply with the conditions of the current EPL for the CSSI, or be done in accordance with a Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014, as the case may be.	Applicable	Applicable	Applicable	<p>SBT interview 03/02/23</p> <p>SBT Material Importation Tracker, current to January 2023</p> <p>SBT Material Importation Form and accompanying Material Classification Report, 07/10/22</p> <p>SCAW interview 09/02/23</p> <p>The M6 Stage 1 (hard ground) tunnel spoil exemption February 2022</p> <p>The M6 Stage 1 (hard ground) tunnel spoil order February 2022</p> <p>Spoil Receival Letter and Section 143 Certificate 31/08/22 (for acceptance of M6 tunnel soil)</p> <p>Section 143 certificate 29/11/22 (for Rozelle Tunnel Material) and Rozelle Interchange RRE and RRO, 17/12/29</p> <p>Section 143 Certificate, 30/09/22, VENM certificate for Patridge Ave, EI Australia, 02/02/22</p>	<p>SBT material import is managed through a material importation form. The form identifies under what mechanism the material can be imported (i.e.: EPL, RRO, POEO Waste Reg). The form is accompanied by a material classification report where applicable. No issues identified.</p> <p>SCAW is importing fill for construction of the whole alignment. Evidence shows that the material was covered under the EPL and Resource Recovery Exemption.</p>	C
E124	Waste must only be exported to a site licensed by the EPA for the storage, treatment, processing, reprocessing or disposal of the subject waste, or in accordance with a Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014, or to any other place that can lawfully accept such waste.	Applicable	Applicable	Applicable	<p>SBT Waste Disposal Site Approval Guidance, 08/09/22</p> <p>SBT Waste Disposal Register, 24/01/23</p> <p>SBT Nepean Business Park inbound spoil daily reports February 2023</p> <p>SCAW ACM Waste docket, Bingo Eastern Creek, 29/11/22</p> <p>Bingo EPL 13426</p> <p>Aussie Skips Monthly Reports, November 2022 – January 2023</p> <p>Waste disposal facility environment protection licences: EPL 12168, EPL 13426, EPL 20855, EPL 21389, EPL 21577</p>	<p>SBT Waste Disposal Site Approval Guidance establishes a process for securing waste disposal sites (including development sites for reuse of soil). The SBT Waste Disposal Register identifies resource recovery facilities / service providers for recycling and / or disposal.</p> <p>SCAW works conducted during the audit period have involved earthworks whereby material suitable for reuse has been reused on site (cut to fill). Records show that ACM materials has been disposed to a facility lawfully permitted to receive it. Building and demolition waste is being managed by Aussie Skips. Monthly Report shows where the waste has gone for recycling / recover / disposal. SCAW has not exported spoil from site during the audit period.</p>	C
E125	All waste must be classified in accordance with the EPA's Waste Classification Guidelines, with appropriate records and disposal dockets retained for audit purposes.	Applicable	Applicable	Applicable	<p>SBT Waste Classification Reports St Marys, Aerotropolis, Claremont Meadows, Orchard Hills, (various reports)</p> <p>SBT interview 03/02/23</p> <p>SBT Waste Disposal Site Approval Guidance, 08/09/22</p> <p>SBT Waste Disposal Register, 24/01/23</p> <p>SCAW Waste Classification Report, VENM from AEC 44SP1, 27/01/23</p> <p>SCAW ACM test reports x 5, eurofins, various dates</p> <p>SCAW ACM Waste docket, Bingo Eastern Creek, 29/11/22</p> <p>Bingo EPL 13426</p> <p>Aussie Skips Monthly Reports, November 2022 – January 2023</p> <p>Waste disposal facility environment protection licences: EPL 12168, EPL 13426, EPL 20855, EPL 21389, EPL 21577</p>	<p>Building and demolition waste is pre-classified under the Waste Classification Guidelines. Excavated material has undergone analysis and classification in accordance with the Guidelines. Refer E124 for disposal.</p>	C
<b>Water</b>							

E126	<p>The CSSI must be designed and constructed so as to maintain the NSW Water Quality Objectives (NSW WQO) where they are being achieved as at the date of this approval, and contribute towards achievement of the NSW WQO over time where they are not being achieved as at the date of this approval, unless an EPL in force in respect of the CSSI contains different requirements in relation to the NSW WQO, in which case those requirements must be complied with.</p>	Applicable	Applicable	Applicable	<p>SBT interview 03/02/23</p> <p>SBT Site Establishment Design Reports Orchard Hills (031801), Aerotropolis (033701)</p> <p>SBT EPL 21672</p> <p>SBT Water Quality Impact Assessment, 17/11/22 and addendum, 19/01/23</p> <p>SBT Water Discharge Permits (various)</p> <p>SBT ERSED plans, St Marys: SMWSASBT-CPG-STM-SN100-EN-PLN-202069, Claremont Meadows: SMWSASBT-CPG-OHE-SF150-EN-PLN-202138, Orchard Hills: SMWSASBT-CPG-OHE-SN150-EN-PLN-202077, Bringelly: SMWSASBT-CPG-AEC-SF400-EN-PLN-202076, Aerotropolis: AEC – Interim ERSED – Jan 2023</p> <p>SCAW Design Report, drainage water quality and scour protection North to SMF, Rev C</p> <p>SCAW Design Report, drainage water quality and scour protection SMF to Cosgrove, Rev 1</p> <p>SCAW Design Report, drainage water quality and scour protection south, Rev B</p> <p>SCAW Design Report, drainage water quality and scour protection WSA, Rev C</p> <p>SCAW Erosion and Sediment Control Plans (ERSED Plan) Elizabeth Drive Compound Rev 3, Jan 2023</p> <p>SCAW Erosion and Sediment Control Plans (ERSED Plan) SMF Rev 3, Jan 2023</p>	<p>The SBT Design Reports include design elements for site that relate to compliance with Blue Book (with the objective of meeting water quality objectives).</p> <p>SBT Water Treatment Plants have yet to be commissioned and will be regulated through an EPL. Water Quality Impact Assessment has been prepared to assist with the approval to discharge under the EPL.</p> <p>The ER has identified instances whereby the works appeared to have had minor departures from the ERSED plans on site. The ER has not stated that this has resulted in any breaches of S120 or risked non-conformance with the WQOs. Refer to finding in relation to E128.</p> <p>The SBT Design Reports include assessment of design and modelling to demonstrate conformance with the WQOs (identified as being achieved). There are no Water Treatment Plants on SCAW during the audit period. ERSED plans have been prepared and implemented on site. No issues observed.</p>	C
E127	<p>The Proponent must consider the Guidelines for controlled activities on waterfront land riparian corridors (Department of Industry 2018) when carrying out work within 40 metres of a watercourse, including its bed.</p>	Applicable	Applicable	Applicable	<p>SBT interview 03/02/23</p> <p>Site inspection 01/02/23</p> <p>SCAW Design Report, drainage water quality and scour protection North to SMF, Rev C</p> <p>SCAW Design Report, drainage water quality and scour protection SMF to Cosgrove, Rev 1</p> <p>SCAW Design Report, drainage water quality and scour protection south, Rev B</p>	<p>SBT does not work on waterfront land.</p> <p>SCAW Design Reports involving works in riparian zone show that the controlled activity guidelines have been considered.</p>	C

E128	<p>Before undertaking any work and during maintenance or construction activities, erosion and sediment controls must be implemented and maintained to prevent water pollution consistent with Managing Urban Stormwater: Soils and Construction Vol 1 4th ed. by Landcom, 2004 (The Blue Book).</p>	Applicable	Applicable	Applicable	<p>ER Monthly Reports for August 2022, September 2022, October 2022, November 2022, December 2022</p> <p>SBT ERSED plans, St Marys: SMWSASBT-CPG-STM-SN100-EN-PLN-202069, Claremont Meadows: SMWSASBT-CPG-OHE-SF150-EN-PLN-202138, Orchard Hills: SMWSASBT-CPG-OHE-SN150-EN-PLN-202077, Bringelly: SMWSASBT-CPG-AEC-SF400-EN-PLN-202076, Aerotropolis: AEC – Interim ERSED – Jan 2023</p> <p>SCAW Erosion and Sediment Control Plans (ERSED Plan) Elizabeth Drive Compound Rev 3, Jan 2023</p> <p>SCAW Erosion and Sediment Control Plans (ERSED Plan) SMF Rev 3, Jan 2023</p> <p>Sydney Metro and CPBG response to draft Audit Report, including Orchard Hills Revised ERSED Plan, AEC ERSED Plan, ESCP update 28/02/23, ESCP Station Box update 28/02/23, photo of wheel wash, received 19/03/23</p>	<p>The only active AEW works during the audit period were AEW – Power, AEW – Roadworks and AEW – St Marys Station Lift Relocation. None of these were active at the time of the audit. The ER has not identified any material issues with soil and water controls for these works.</p> <p>SCAW ERSED Plans appear to have been implemented in accordance with this condition. Whilst the ER has identified some areas for improvement, the deficiencies are not material and appear to have been actioned.</p> <p><b>Non-compliance: The ER has consistently and persistently identified deficiencies with the SBT soil and water controls, noting that they have regularly departed from the ERSED plans prepared for the sites. Issues include specifications and locations of basins, rock protection and the like. The ER has not identified these are a non-compliance with this condition, nor has the ER found breaches of s120 of the POEO Act or of the NSW Water Quality Objectives.</b></p> <p>Nevertheless, during the audit, the SBT environment team pointed out several excavations being used as basins (at Orchard Hills (SB1 and SB2 southern end) and Aerotropolis (eastern boundary)). The Auditor is of the view that, upon review of the Blue Book, none of these excavations appeared to be designed or constructed in accordance with Section 6.3.3 of the Blue Book.</p> <p>Further, the Auditor considers the reliance on the streetsweeper to control material tracking from the egress on Phillip Street (at St Marys) to be insufficient.</p> <p>Finally, whilst significant rain had fallen prior to the construction water incident that occurred at Aerotropolis on 01/02/23, water was not held or directed to the nominated basins or sump. The Auditor is of the view that this was avoidable, had controls been properly installed and communicated to the workforce.</p> <p>It is the combination of the above that has led the Auditor to find this as non-compliant.</p> <p>In response to this finding in the draft Audit Report, CPBG provided the following statement: <i>‘Initial ERSED plans were developed by SEEC for final design. These assumed all sites open and exposed for potential erosion and as such basins were designed to that catchment size. The sites have not completely opened up everywhere and in numerous cases, such as Aerotropolis, contamination has been a big impediment in fully developing sites. However all reasonably practical measures have been installed consistent with the Blue Book. Progressive ERSED plans have been developed by the site teams which design basins and mitigation measures appropriate to the level of development on-site at that stage of works. ERSED plans for Aerotropolis, STM, and OHE have been attached with photos of sediment development. The ERSED plans show that the basins have been established appropriately for the level of exposure and earthworks occurring, in line with the blue book. In the past week, with removal of the stockpiles at OHE, sediment basins have been able to be completed to be adequate for the catchment size. Added photos show development of basin. The ESCP shows the new basin design for the catchment.’</i></p> <p>The Auditor acknowledges the response and the actions noted by CPBG. The actions taken in response to the findings are positive but do not alter the finding for the audit period.</p>	NC
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E129	<p>Unless an EPL is in force in respect to the CSSI and that licence specifies alternative criteria, discharges from construction wastewater treatment plants to surface waters must not exceed:</p> <p>(a) the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2018 (ANZG (2018)) default guideline values for toxicants at the 95 per cent species protection level;</p> <p>(b) for physical and chemical stressors, the guideline values set out in Tables 3.3.2 and 3.3.3 of the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000 (ANZECC/ARMCANZ); and</p> <p>(c) for bioaccumulative and persistent toxicants, the ANZG (2018) guidelines values at a minimum of 99 per cent species protection level.</p> <p>Where the ANZG (2018) does not provide a default guideline value for a particular pollutant, the approaches set out in the ANZG (2018) for deriving guideline values, using interim guideline values and/or using other lines of evidence such as international scientific literature or water quality guidelines from other countries, must be used.</p>	Applicable	Applicable	Applicable	<p>SBT EPL 21672</p> <p>SBT Water Quality Impact Assessment, 17/11/22 and addendum, 19/01/23</p> <p>Site inspection 09/02/23</p>	<p>SBT EPL is in force and contains basin discharge monitoring and water quality requirements. SBT Water Treatment Plants have yet to be commissioned and will be regulated through an EPL. Water Quality Impact Assessment has been prepared to assist with the approval to discharge from WTP under the EPL.</p> <p>SCAW does not have any construction water treatment plants on site.</p>	C
E130	<p>If construction stage stormwater discharges are proposed, a <b>Water Pollution Impact Assessment</b> will be required. Any such assessment must be prepared in consultation with the EPA and be consistent with the National Water Quality Guidelines, with a level of detail commensurate with the potential water pollution risk.</p> <p><b>Note:</b> If an EPL is required the Water Pollution Impact Assessment will be required to inform licensing consistent with section 45 of the POEO Act.</p>	Applicable	Applicable	Applicable	<p>SBT Discharge Impact Assessment, 24/03/22</p> <p>SBT EPL 21672</p> <p>SBT Water Quality Impact Assessment, 17/11/22 and addendum, 19/01/23</p> <p>Site inspection 09/02/23</p> <p>Construction Discharge Impact Assessment, SEEC, 13/07/22</p> <p>Email SCAW to EPA, 17/06/22</p> <p>SCAW EPL 21695</p>	<p>The SBT Discharge Impact Assessment was prepared as part of the original EPL application. The EPL was granted prior to construction. SBT EPL is in force and contains basin discharge monitoring and water quality requirements. SBT Water Treatment Plants have yet to be commissioned and will be regulated through an EPL. Water Quality Impact Assessment has been prepared to assist with the approval to discharge from WTP under the EPL.</p> <p>The SCAW Discharge Impact Assessment was prepared as part of the original EPL application. The EPL was granted prior to construction. SCAW does not have any construction water treatment plants on site.</p>	C
E131	<p>Drainage feature crossings (permanent and temporary watercourse crossings and stream diversions) and drainage swales and depressions must be carried out in accordance with relevant guidelines and designed by a suitably qualified and experienced person.</p>	Applicable	Applicable	Applicable	<p>SBT Site Establishment Design Reports Orchard Hills (031801), Aerotropolis (033701)</p> <p>SBT ERSED plans, St Marys: SMWSASBT-CPG-STM-SN100-EN-PLN-202069, Claremont Meadows: SMWSASBT-CPG-OHE-SF150-EN-PLN-202138, Orchard Hills: SMWSASBT-CPG-OHE-SN150-EN-PLN-202077, Bringelly: SMWSASBT-CPG-AEC-SF400-EN-PLN-202076, Aerotropolis: AEC – Interim ERSED – Jan 2023</p> <p>SCAW Design Report, drainage water quality and scour protection North to SMF, Rev C</p> <p>SCAW Design Report, drainage water quality and scour protection SMF to Cosgrove, Rev 1</p> <p>SCAW Design Report, drainage water quality and scour protection south, Rev B</p> <p>SCAW Design Report, drainage water quality and scour protection WSA, Rev C</p> <p>SCAW Erosion and Sediment Control Plans (ERSED Plan) Elizabeth Drive Compound Rev 3, Jan 2023</p> <p>SCAW Erosion and Sediment Control Plans (ERSED Plan) SMF Rev 3, Jan 2023</p>	<p>No drainage crossings and swales have been constructed for SBT. Site ERSED plans have been prepared for temporary works, in accordance with the Blue Book.</p> <p>SCAW Design Reports have been prepared to satisfy this condition. The Reports include details of the authors (drainage engineers) and application of the design guidelines and engineering standards (section 2).</p>	C
E132	<p>Unless an EPL is in force in respect to the CSSI and that licence specifies alternative criteria, discharges from operational water treatment plants to surface waters must not exceed:</p> <p>(a) the ANZG 2018 default guideline values for toxicants at the 95 per cent species protection level;</p> <p>(b) for physical and chemical stressors, the guideline values set out in Tables 3.3.2 and 3.3.3 of the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ, 2000); and</p> <p>(c) for bioaccumulative and persistent toxicants, the ANZG 2018 guideline values at a minimum of 99 per cent species protection level.</p> <p>Where the ANZG 2018 does not provide a default guideline value for a particular pollutant, the approaches set out in the ANZG 2018 for deriving guideline values, using interim guideline values and/or using other lines of evidence such as international scientific literature or water quality guidelines from other countries, must be used.</p>	Not Applicable	Not Applicable	Applicable	<p>Site inspection 01/02/23</p>	<p>The Project is in construction.</p>	NT
E133	<p>Make good provisions for groundwater users must be provided in the event of a material decline in water supply levels, quality or quantity from registered existing bores associated with groundwater changes from either construction and/or ongoing operational dewatering caused by the CSSI.</p>	Not Applicable	Not Applicable	Applicable	<p>Site inspection 01/02/23</p>	<p>The Project is in construction. Tunnelling has yet to commence. Groundwater depletion has not occurred during the audit period.</p>	NT



E134	<p>The Proponent must submit a revised Groundwater Modelling Report to the Planning Secretary for information before bulk excavation at the relevant construction location. The Groundwater Modelling Report must include:</p> <p>(a) for each construction site where excavation will be undertaken, cumulative (additive) impacts from nearby developments, parallel transport projects and nearby excavation associated with the CSSI;</p> <p>(b) predicted incidental groundwater take (dewatering) including cumulative project effects;</p> <p>(c) potential impacts of the CSSI or detail and demonstrate why the CSSI will not have lasting impacts to the groundwater system, ongoing groundwater incidental take and groundwater level drawdown effects;</p> <p>(d) actions required to minimise the risk of inflows (including in the event the CSSI are delayed or do not progress) and a strategy for accounting for any water taken beyond the life of the operation of the CSSI;</p> <p>(e) saltwater intrusion modelling analysis, from saline groundwater in shale, into metro station sites; and</p> <p>(f) a schematic of the conceptual hydrogeological model.</p>	Applicable	Not Applicable	Applicable	<p>SBT Groundwater Modelling Report, 29/07/22</p> <p>SMWSA SSI10051_IA3_Request for Information_Sydney Metro_Rev1.1, 23/02/23 (Sydney Metro response to Auditor request for information)</p> <p>Sydney Metro response to draft Audit Report, including Post approval portal lodgement of non-compliance with E134, Letter for E134 submission, received 19/03/23</p>	<p>SBT Groundwater Modelling Report was prepared and it addresses the requirements of this condition, noting that some detailed requirements are presented in subordinate groundwater plans for each structure.</p> <p>This requirement does not apply to SCAW.</p> <p><b>Non-compliance: The Auditor requested evidence to demonstrate that the SBT revised Groundwater Modelling Report had been submitted to the Department prior to bulk excavation. No evidence was provided. According to Sydney Metro, as at 23/02/23, the revised Groundwater Modelling Report for SBT had not been submitted to the Department.</b></p> <p><b>In response to this finding in the draft Audit Report, Sydney Metro provided the following statement: 'The Groundwater Modelling Report was submitted to DPE for information on 28 Feb 2023. Sydney Metro submitted an NC report to DPE on 28 Feb 2023 on behalf of CPBG noting the report was submitted after the commencement of bulk excavation.'</b></p> <p>The Auditor acknowledges Sydney Metro's response (and supporting evidence) demonstrating that the non-compliance was reported in accordance with A44/A45.</p>	NC
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## **APPENDIX B – PLANNING SECRETARY AGREEMENT OF INDEPENDENT AUDITORS**

**Department of Planning and Environment**

**Our ref:** SSI-10051-PA-167

via Major Projects Portal

23 December 2022

**Attention:** Mr David Virtue, Sydney Metro Associate Director Environment

---

**Subject:** Sydney Metro SSI-10051 – approval of independent auditors

Dear David,

I refer to your letter dated 21 December 2022 (PA-167) requesting the Planning Secretary's approval of suitably qualified, experienced, and independent persons as independent environmental auditors of the Sydney Metro - Western Sydney Airport project (SSI-10051, as modified).

NSW Planning has reviewed the information you have provided against the *Independent Audit Post Approval Requirements*. NSW Planning is limiting approval of the audit team for the third construction phase independent audit to two auditors only. Consequently, I can advise that under Condition A38 of SSI-10051, the Planning Secretary has approved the following audit team for the third construction phase independent audit:

- Mr Steve Fermio, Wolfpeak, as lead auditor
- Mr Derek Low, Wolfpeak, as auditor.

NSW Planning is satisfied that the two auditors named above are certified with Exemplar Global as either principal or lead auditors in environmental management systems, are suitably experienced in state significant projects, and have supplied declarations of independence.

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

The Independent Audit must be prepared, undertaken and finalised in accordance with the *Independent Audit Post Approval Requirements* and take into consideration the feedback provided on the 22 December 2022 on the first and second construction phase independent audits (PA-147). Failure to meet these requirements will require revision and resubmission.

Please note that a further auditor nomination must be made and written approval from the Planning Secretary provided prior to undertaking any subsequent independent audits. The department also reserves the right to request an alternate auditor or audit team for future audits.

Should you wish to discuss the matter further, please contact Alex McGuirk, Senior Compliance Officer.

Yours sincerely,



Rob Sherry

**A/Director Compliance  
NSW Planning**

*As nominee of the Planning Secretary*

## APPENDIX C – ATTENDANCE RECORDS

**INDEPENDENT AUDIT MEETING ATTENDANCE RECORD**

PROJECT (NAME AND APPROVAL NUMBER)		SYDNEY METRO WESTERN SYDNEY AIRPORT SSI (CCT)			
LOCATION:		ST WALKERS TO AIRPORT CHECK - WALKERS TO M12 SITE OFFICE			
DATE/TIME (Opening Meeting):		1/2/23	DATE/TIME (Closing Meeting):		2/3/23
Lead Auditor:		Derek Low	Audit Scope:		IAAR
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE		
			Opening Meeting	Closing Meeting	
Michael Watts	Env Manager	CPBU		ONLINE	
Alex Gale	ER	HR			
Ella Somerset	Enviro Coordinator	Sydney Metro	ES	ONLINE	
Simon Williams	CPB NEW ENV MANAGER	CPBU	SW		
Andrew Zurebins	CPB ENV MANAGER	CPBU	AZ		
Tim Solomon	MANAGER ENVIRONMENT	SYDNEY METRO		ONLINE	

**INDEPENDENT AUDIT MEETING ATTENDANCE RECORD**

PROJECT (NAME AND APPROVAL NUMBER)		SM WSA SSI 10051 SBT			
LOCATION:		WALKERS OFFICE			
DATE/TIME (Opening Meeting):		1/2/23	DATE/TIME (Closing Meeting):		3/3/22
Lead Auditor:		Derek Low	Audit Scope:		IAAR
NAME	POSITION / TITLE	ORGANISATION	SIGNATURE		
			Opening Meeting	Closing Meeting	
Jeremy Slattery	Approvals Sustainability Mgr	CPBU		ONLINE	
Andrew Smith	SM Env. metro.	SM		ONLINE	
Ruf Kawa	CPB ops env wcc	CPBU			
Emma Kline	Approvals, Enviro & Sustainability Mgr	CPBU		ONLINE	
Emily FROA	ENV COORDINATOR	CPBU		ONLINE	
APDULKAH KANN	TRAFFIC MGR	CPBU		ONLINE	

Sydney Metro WSA Independent Audit 3 - Sydney Metro closing meeting 03/03/23 - Teams attendance list			
Full Name	Title	User Action	Timestamp
Derek Low	Auditor	Joined	3/3/2023, 12:58:21 PM
Alex Gale	ER	Joined	3/3/2023, 1:00:12 PM
Hugh Chapman	A/Director Environment, Sustainability & Planning	Joined	3/3/2023, 1:00:13 PM
David Virtue	A/Associate Director Environment	Joined	3/3/2023, 1:01:08 PM
Andrew Smith	Manager Environment	Joined	3/3/2023, 1:01:09 PM
Tim Solomon	Manager Environment	Joined	3/3/2023, 1:01:30 PM
Elizabeth Low	Acting Director Project Communications	Joined	3/3/2023, 1:02:18 PM
Luke Brevia	Environment Coordinator	Joined	3/3/2023, 1:03:07 PM

## APPENDIX D – CONSULTATION RECORDS

## Derek Low

---

**From:** Alex McGuirk <Alex.McGuirk@dpie.nsw.gov.au>  
**Sent:** Wednesday, 25 January 2023 4:23 PM  
**To:** Derek Low; Derek Low  
**Subject:** RE: Sydney Metro Western Sydney Airport - SSI 10051 - Independent Audit No. 3 - Department consultation

Hi Derek,

Thank you for your email below and subsequent reminder emails.

Further to the approval (our ref. PA-167) of Mr Steve Fermio and yourself to undertake the third construction phase independent audit of the Sydney Metro Western Sydney Airport project (SSI-10051), please ensure the audit is conducted in accordance with Condition A36 of Infrastructure Approval SS-10051, which requires the audit to be carried out in accordance with the *Independent Audit Post Approval Requirements* (May, 2020). Consistent with section 3.3 of those requirements, please ensure:

- All conditions applicable to the current stages are audited, noting that the staged construction
- The environmental performance of the development is assessed, including but not limited to actual versus predicted impacts
- A high level assessment of the environmental management plans/sub-plans is included.

Please also consult with Penrith and Liverpool City Councils.

Kind regards,

**Alex McGuirk**

**A/Team Leader Compliance – Government Projects**

NSW Planning | Department of Planning & Environment

Locked Bag 5022 | PARRAMATTA NSW 2124

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



---

**From:** Derek Low <[dlow@wolfpeak.com.au](mailto:dlow@wolfpeak.com.au)>  
**Sent:** Thursday, 15 December 2022 1:49 PM  
**To:** DPE PSVC Compliance Mailbox <[compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)>; Alex McGuirk <[Alex.McGuirk@dpie.nsw.gov.au](mailto:Alex.McGuirk@dpie.nsw.gov.au)>; Rob Sherry <[Rob.Sherry@planning.nsw.gov.au](mailto:Rob.Sherry@planning.nsw.gov.au)>  
**Cc:** [Andrew.Smith5@transport.nsw.gov.au](mailto:Andrew.Smith5@transport.nsw.gov.au); Jeremy Slattery <[Jeremy.Slattery@transport.nsw.gov.au](mailto:Jeremy.Slattery@transport.nsw.gov.au)>; Steve Fermio <[sfermio@wolfpeak.com.au](mailto:sfermio@wolfpeak.com.au)>; Annabelle Tungol <[atungol@wolfpeak.com.au](mailto:atungol@wolfpeak.com.au)>; David Virtue <[David.Virtue@transport.nsw.gov.au](mailto:David.Virtue@transport.nsw.gov.au)>  
**Subject:** Sydney Metro Western Sydney Airport - SSI 10051 - Independent Audit No. 3 - Department consultation

Hi there.

Sydney Metro Western Sydney Airport – SSI 10051 (the Project) is required to undertake Independent Audits in accordance with SSI 10051 condition A36 and the Department’s 2020 Independent Audits Post Approval Requirements (or IAPAR).

The Approval is available at the following link: <https://www.planningportal.nsw.gov.au/major-projects/project/35016>



The IAPAR is available at the following link: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/Assess-and-regulate/About-Compliance/independent-audit-post-approval-requirements-2020-05-19.pdf>

The third audit on the Project is scheduled to commence in early 2023 (site inspection due by 2 February 2023). The audit pertains to post-approval requirements and compliance.

WolfPeak has yet to be approved by the Department to undertake the third independent audit on the Project (and will not commence the audit until such approval is granted). The application is expected to be submitted to the Department in the coming days. Nevertheless, to provide the Department with adequate time to consider the scope of the audit, we provide this email on behalf of Sydney Metro inviting the Department to:

- identify any matters it wishes considered / focussed on in the audit, and
- for confirmation as to whether other parties or agencies are to be consulted.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request Department confirm:

- if any key issues it would like examined, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR; or
- if it recommends that other parties or agencies are to be consulted. If so I request that the Department identify those parties.

Please let me know if you have any questions in relation to the above.

I look forward to hearing from you.

Regards,

**Derek Low | Principal**  
General Manager



Proud sponsor of:



E: [dlow@wolfpeak.com.au](mailto:dlow@wolfpeak.com.au)

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M: 0402 403 716

A: Suite 2, Level 10, 82 Elizabeth St, Sydney NSW 2000

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## Derek Low

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**From:** Derek Low  
**Sent:** Monday, 20 February 2023 11:26 AM  
**To:** Peter Nelson  
**Cc:** Charles Wiafe; Stella Qu; Ian Stendara  
**Subject:** RE: Sydney Metro Western Sydney Airport - SSI 10051 - Independent Audit No. 3 SSD1-25/2020

Thanks Peter.

I will consider your input as part of the audit.

I note that I provide the draft Audit Report to the auditees (Sydney Metro and its contractors). The final Report is then submitted by Sydney Metro to the Department and made publicly available.

I do not have the power to provide the Report to other parties. Further, the Department's audit guideline does not provide for third party input into the draft Report.

If you wish to receive a copy you can request this from Sydney Metro. I will let them know that you are interested in it.

Thanks again for the input.

**Derek Low | Principal**  
General Manager



**P:** 1800 979 716

**M:** 0402 403 716

**A:** Suite 2, Level 10, 82 Elizabeth St, Sydney NSW 2000

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---

**From:** Peter Nelson <NelsonP@liverpool.nsw.gov.au>  
**Sent:** Monday, February 20, 2023 8:45 AM  
**To:** Derek Low <dlow@wolfpeak.com.au>  
**Cc:** Charles Wiafe <WiafeC@liverpool.nsw.gov.au>; Stella Qu <QuS@liverpool.nsw.gov.au>; Ian Stendara <Stendaral@liverpool.nsw.gov.au>  
**Subject:** RE: Sydney Metro Western Sydney Airport - SSI 10051 - Independent Audit No. 3 SSD1-25/2020

Hi Derek,

Following a review of Section 3.2 and 3.3 of the IAPAR, Council would note the following:

- (1) No objection is raised in relation to the scope of the audit.
- (2) It is requested that the Audit confirm that all access and egress points to the site (e.g. on Derwent Road, see EIS, Chapter 8, p37 and the associated extent of Derwent Road between the site and The Northern Road) have been surveyed in accordance with E84 of the Instrument of Approval.
- (3) It is requested that the Audit confirm that sufficient information has been provided to ensure that any damage caused to council roads and infrastructure as a result of the approved works (including heavy vehicle movements) may be rectified in accordance with condition E86 of the Instrument of Approval.

Council's Transport Management team have also requested that the audit scope is to include all the traffic and road related conditions:

- (4) B2-B10 complaints management system;
- (5) E61/E62 Construction Sites;
- (6) E65/E66 Design Guidance and Standards – Active Transport;
- (7) E103 Construction Traffic Management Plans (CTMPs) including road safety audit reports during construction;
- (8) E104-106 Management of Heavy Vehicle Movements;
- (9) E107 Road Dilapidation report;
- (10) E108 Road restoration and rectification, particularly for Lawson Road, Derwent Road, Badgerys Creek Road and Pitt Street;
- (11) E109 Construction Parking and Access Management;
- (12) E115 Pedestrian and cyclist Access; and
- (13) E116-E119 Road Traffic and Safety including safe construction site and access along Derwent Road and Badgerys Creek Road.

At least one independent audit is to be carried out for each stage: construction, operation, and closure/rehabilitation. A draft independent audit report is to be submitted to Council for review and comment prior to being finalised.

Should you have any questions in relation to the above or would like to discuss this in further detail, I may be contacted on 0491 187 212.

Regards,

**Peter Nelson**  
Principal Strategic Planner



02 8711 7895 | | [NelsonP@liverpool.nsw.gov.au](mailto:NelsonP@liverpool.nsw.gov.au)

Customer Service: 1300 36 2170 | 33 Moore Street Liverpool, NSW 2170, Australia



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



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---

**From:** Derek Low <[dlow@wolfpeak.com.au](mailto:dlow@wolfpeak.com.au)>  
**Sent:** Friday, 27 January 2023 1:05 PM  
**To:** Charles Wiafe <[WiafeC@liverpool.nsw.gov.au](mailto:WiafeC@liverpool.nsw.gov.au)>; Stella Qu <[QuS@liverpool.nsw.gov.au](mailto:QuS@liverpool.nsw.gov.au)>; Peter Nelson <[NelsonP@liverpool.nsw.gov.au](mailto:NelsonP@liverpool.nsw.gov.au)>; LCC <[LCC@liverpool.nsw.gov.au](mailto:LCC@liverpool.nsw.gov.au)>  
**Cc:** Foster Walker <[Foster.Walker@transport.nsw.gov.au](mailto:Foster.Walker@transport.nsw.gov.au)>; Tim Solomon <[Tim.Solomon@transport.nsw.gov.au](mailto:Tim.Solomon@transport.nsw.gov.au)>;

Andrew Smith <[Andrew.Smith5@transport.nsw.gov.au](mailto:Andrew.Smith5@transport.nsw.gov.au)>

**Subject:** Sydney Metro Western Sydney Airport - SSI 10051 - Independent Audit No. 3 SSD1-25/2020

Hi there.

I am one of the Department of Planning and Environment (the Department) approved independent auditors on the Sydney Metro Western Sydney Airport – SSI 10051 (the Project).

I am currently preparing to undertake the third independent audit on the Project. The audit is required to be conducted in accordance with SSI 10051 condition A36 and the Department's 2020 *Independent Audits Post Approval Requirements* (or IAPAR).

The Approval is available at the following link: <https://www.planningportal.nsw.gov.au/major-projects/project/35016>

The IAPAR is available at the following link: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/Assess-and-regulate/About-Compliance/independent-audit-post-approval-requirements-2020-05-19.pdf>

The on-site component of the audit is scheduled to occur on in February 2023, with the report to be submitted to the Department two months afterwards. The audit pertains to post-approval requirements and compliance.

In accordance with Section 3.2 of the IAPAR and the Department's instructions, I am consulting with Council on the scope of the audit.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request Council confirm if it any key issues it would like examined, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR.

Any questions please let me know. I look forward to hearing from you.

Regards,

**Derek Low | Principal**

General Manager



E: [dlow@wolfpeak.com.au](mailto:dlow@wolfpeak.com.au)

P: 1800 979 716

M: 0402 403 716

A: Suite 2, Level 10, 82 Elizabeth St, Sydney NSW 2000

[www.wolfpeak.com.au](http://www.wolfpeak.com.au)

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## Derek Low

---

**From:** Lauren Vallejo <Lauren.Vallejo@penrith.city>  
**Sent:** Monday, 30 January 2023 2:36 PM  
**To:** Derek Low  
**Subject:** RE: Sydney Metro Western Sydney Airport - SSI 10051 - Independent Audit No. 3

Hi Derek

Thank you for the opportunity to provide any key issues to be examined in the upcoming audit.

Council has no comment or issue to raise at this point in time.

Kind Regards  
Lauren

**Lauren Vallejo**  
**Project Interface - Sydney Metro**

E [Lauren.Vallejo@penrith.city](mailto:Lauren.Vallejo@penrith.city)  
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[www.penrithcity.nsw.gov.au](http://www.penrithcity.nsw.gov.au)

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CITY COUNCIL**

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**From:** Derek Low <dlow@wolfpeak.com.au>  
**Sent:** Friday, January 27, 2023 1:07 PM  
**To:** Lauren Vallejo <Lauren.Vallejo@penrith.city>; Penrith City Council - RECORDS <council@penrith.city>  
**Cc:** Foster Walker <Foster.Walker@transport.nsw.gov.au>; Tim Solomon <Tim.Solomon@transport.nsw.gov.au>; Andrew Smith <Andrew.Smith5@transport.nsw.gov.au>  
**Subject:** Sydney Metro Western Sydney Airport - SSI 10051 - Independent Audit No. 3

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Hi there.

I am one of the Department of Planning and Environment (the Department) approved independent auditors on the Sydney Metro Western Sydney Airport – SSI 10051 (the Project).

I am currently preparing to undertake the third independent audit on the Project. The audit is required to be conducted in accordance with SSI 10051 condition A36 and the Department's 2020 *Independent Audits Post Approval Requirements* (or IAPAR).

The Approval is available at the following link: <https://www.planningportal.nsw.gov.au/major-projects/project/35016>

The IAPAR is available at the following link: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/Assess-and-regulate/About-Compliance/independent-audit-post-approval-requirements-2020-05-19.pdf>



The on-site component of the audit is scheduled to occur on in February 2023, with the report to be submitted to the Department two months afterwards. The audit pertains to post-approval requirements and compliance.

In accordance with Section 3.2 of the IAPAR and the Department's instructions, I am consulting with Council on the scope of the audit.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request Council confirm if it any key issues it would like examined, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR.

Any questions please let me know. I look forward to hearing from you.

Regards,

**Derek Low | Principal**  
General Manager



E: [dlow@wolfpeak.com.au](mailto:dlow@wolfpeak.com.au)

P: 1800 979 716

M: 0402 403 716

A: Suite 2, Level 10, 82 Elizabeth St, Sydney NSW 2000

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## APPENDIX E – PHOTOS


No.	Comment	Photograph
1	<p><b>AEW St Marys TBI</b></p> <p>St Marys TBI in operation. Refer to Table 7 regarding the deficiency in the Post Construction Survey for these works.</p>	
2	<p><b>AEW St Marys Lift and Stairs</b></p> <p>Completed St Marys Lift Shaft and Stair relocation. No issues observed.</p>	
3	<p><b>SBT St Marys</b></p> <p>Note the presence of material tracking on Phillip Street. There is a heavy reliance on the street sweeper to control this. Refer finding for E128.</p>	






No.	Comment	Photograph
4	<p>SBT St Marys</p> <p>Internal haul road feeding to the Phillip Street egress. Refer finding for E128.</p>	
5	<p>SBT St Marys</p> <p>Example of Project boundary / hoarding. Refer finding against E62.</p>	
6	<p>SBT St Marys</p> <p>Portal excavation well underway in foreground and piling at rear.</p>	



No.	Comment	Photograph
7	<p>SBT St Marys</p> <p>Well maintained and organised material laydown and storage at the former plaza site.</p>	
8	<p>SBT St Marys</p> <p>Water cart washing down access. Note Project signage on hoarding on left of shot.</p>	
9	<p>SBT Claremont Meadows</p> <p>Good soil and water controls.</p>	



No.	Comment	Photograph
10	<p>SBT Claremont Meadows</p> <p>Good soil and water controls.</p>	
11	<p>SBT Claremont Meadows</p> <p>Shaft excavation is well advance.</p>	
12	<p>SBT Claremont Meadows</p> <p>Some very limited material tracking was observed. The Auditor observes that there is a large non-Sydney Metro site to the south of this site, which appears to be generating material tracking.</p>	




No.	Comment	Photograph
13	<p>SBT Orchard Hills</p> <p>Northern stockpile well stabilised.</p>	
14	<p>SBT Orchard Hills</p> <p>Good basin arrangement (SB6).</p>	
15	<p>SBT Orchard Hills</p> <p>Good basin spillway arrangement (SB6).</p>	



No.	Comment	Photograph
16	<p>SBT Orchard Hills</p> <p>Spill kits were stocked and readily available.</p>	
17	<p>SBT Orchard Hills</p> <p>Waste segregation, labelling and stable.</p>	
18	<p>SBT Orchard Hills</p> <p>Portal excavation underway.</p>	



No.	Comment	Photograph
19	<p>SBT Orchard Hills</p> <p>Site hoarding / noise walls being erected.</p>	
20	<p>SBT Orchard Hills</p> <p>Major southern stockpile that needs stabilisation if it is to remain in place. Refer finding for E1.</p>	
21	<p>SBT Orchard Hills</p> <p>This basin does not appear to mee the Blue Book requirements (spilling in location contrary to design). Refer finding for E128.</p>	

No.	Comment	Photograph
22	<p>SBT Orchard Hills</p> <p>Another angle of basin from photo 21. This basin does not appear to mee the Blue Book requirements (spilling in location contrary to design). Refer finding for E128.</p>	
23	<p>SBT Bringelly</p> <p>Good soil and water controls. No issues.</p>	



No.	Comment	Photograph
24	<p>SBT Bringelly</p> <p>Use of pallet bunds for short term storage of chemicals.</p>	
25	<p>SBT Bringelly</p> <p>Example of Project marking on spoil truck.</p>	

No.	Comment	Photograph
26	<p>SBT Bringelly</p> <p>The access and egress for Bringelly appears consistent with CTMP. Refer response to matter raised by Liverpool City Council (Section 3.5).</p>	
27	<p>SBT Aerotropolis</p> <p>Covered stockpiles awaiting classification.</p>	
28	<p>SBT Aerotropolis</p> <p>Location of incident observed 01/02/23. Note the bypass of the sump and also that the sump does not appear to meet design of a basin from the Blue Book. Refer finding for A41 and E128.</p>	



No.	Comment	Photograph
29	<p>SBT Aerotropolis</p> <p>Location of incident observed 01/02/23. Note the bypass of the sump and also that the sump does not appear to meet design of a basin from the Blue Book. Refer finding for A41 and E128.</p>	
30	<p>SCAW SMF</p> <p>Bulk cut to fill earthworks well underway.</p>	
31	<p>SCAW SMF</p> <p>Bulk cut to fill earthworks well underway. Note that SCAW environment team acknowledge dust to be a high risk issue during dryer conditions.</p>	

No.	Comment	Photograph
32	<p>SCAW SMF</p> <p>Basin with suitable storage and consistent with erosion and sediment control plan.</p>	
33	<p>SCAW SMF</p> <p>Basin with suitable storage and consistent with erosion and sediment control plan.</p>	
34	<p>SCAW SMF</p> <p>Nest box in place.</p>	
35	<p>SCAW SMF</p> <p>Good erosion and sediment controls, consistent with erosion and sediment control plan.</p>	



No.	Comment	Photograph
36	<p>SCAW Elizabeth Drive</p> <p>Material import and handling underway.</p>	
37	<p>SCAW Elizabeth Drive</p> <p>Rock filter dam installed, consistent with erosion and sediment control plan.</p>	
38	<p>SCAW Elizabeth Drive</p> <p>M12 bridge site. Piling underway. This site has a MAF situated on it (behind camera). Refer finding for A22.</p>	

## APPENDIX F – DECLARATIONS

<b>Project Name:</b>	Sydney Metro Western Sydney Airport
<b>Consent Number:</b>	SSI 10051
<b>Description of Project:</b>	<p>Development of the Sydney Metro Western Sydney Airport project comprising:</p> <ul style="list-style-type: none"> <li>• construction and operation of approximately 23 kilometres of railway track between the T1 Western Line rail line and the proposed Western Sydney Aerotropolis in Bringelly,</li> <li>• construction and operation of new stations and associated ancillary infrastructure at St Marys, Orchard Hills, Luddenham and the Aerotropolis Core precinct,</li> <li>• interchange links with the existing T1 Western Line rail line,</li> <li>• construction and operation of a train stabling and maintenance facility, including an operational control centre,</li> <li>• construction and operation of associated rail infrastructure facilities,</li> <li>• construction of tunnels, bridges, viaducts and associated works,</li> <li>• site preparation and enabling earthworks, including land remediation,</li> <li>• associated ancillary infrastructure and works.</li> </ul>
<b>Project Address:</b>	Land between St Marys, Orchard Hills, Luddenham and the Aerotropolis Core
<b>Proponent:</b>	Sydney Metro
<b>Title of Audit</b>	Independent Audit No 3
<b>Date:</b>	02/03/23

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2020)*;
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit;
  - **WolfPeak has involvements in this Project which were declared to the Department in the pre-audit declarations made on 21 December 2022. The details are declared on pages 2 and 3 of this document.**
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)



Derek Low has no personal conflicts.

As per our pre-audit declarations WolfPeak declares the following involvement in the Project:

### *Sydney Metro Western Sydney Airport SSI 10051 – Station Box and Tunnels*

WolfPeak were working with the contractor delivering the Sydney Metro Western Sydney Airport – Station Box and Tunnels. Two (2) staff members were providing environmental support to the contractor. These people did not form part of the audit team. This was declared to Sydney Metro and the Department prior to commencing both the first, second and third Independent Audits on SSI 10051. WolfPeak's involvement in this package was completed in October 2022 and we do not expect any further involvement at this time.

One (1) additional staff member is acting as the ISC Independent Sustainability Professional on the SBT package. This support is expected to continue for the life of the package. This staff member does not form part of the audit team. This ISP engagement commenced after the first Independent Audit and was declared to Sydney Metro and the Department prior to commencing the second and third Independent Audits.

### *Sydney Metro Western Sydney Airport SSI 10051 – Surface and Civil Alignment Works*

WolfPeak were working with the contractor delivering the Sydney Metro Western Sydney Airport – Surface and Civil Alignment Works. One (1) staff member was providing environmental support to the contractor. This person did not form part of the audit team. This was declared to Metro and the Department prior to undertaking the second and third Independent Audits. To note this package did not form part of the scope of the first Independent Audit on SSI 10051 (and our environmental support work commenced after the first audit). WolfPeak's involvement in this package was completed in October 2022 and we do not expect any further involvement at this time.

Two (2) staff members are providing sustainability support to the contractor. This support is expected to continue until the Q2 2023. The staff members do not form part of the audit. This involvement commenced after the first Independent Audit, and was declared to the Sydney Metro and the Department prior to undertaking the second and third Independent Audit.

### *Sydney Metro Western Sydney Airport SSI 10051 – SSTOM*

One (1) WolfPeak staff member provided environmental support to one of the tendering consortia. This staff member did not form part of the audit team.


The consortia has been successful with its tender and has elected to include WolfPeak as part of the delivery team. WolfPeak has been engaged to deliver the Construction Environmental Management Plan and associated documents. The staff members do not form part of the audit team. This package has not formed part of the scope of this third Independent Audit.

### **Controls in place to manage potential conflict**

The following controls are in place to manage potential conflicts during the Independent Audit.

- WolfPeak would not audit its own work.
- None of the nominated WolfPeak audit team have provided or will provide any other services to the Project.
- None of the WolfPeak employees who have or are working for the contractor/s have or are on the WolfPeak audit team.
- The WolfPeak audit team has signed non-disclosure agreements with Sydney Metro.
- The WolfPeak employees who have or are working for the contractor/s have signed non-disclosures with the contractor/s.
- The following controls have been and are in place to manage the potential for unintended sharing of information:
  - The WolfPeak employees who have or are working for the contractor/s work in the contractor systems and drives. They have and do not undertake work on the Project within WolfPeak systems and drives. The only records retained on the WolfPeak drives are the engagement contract / agreement and information required for invoicing (timesheets). To note, the WolfPeak ISC Independent Sustainability Professional is an independent role and therefore continues to work on WolfPeak systems.

- The WolfPeak audit team has and does not have access to the contractor/s systems and drives unless this was arranged by the contractor during an Independent Audit in their role as an auditee and as a method of sharing files for the purposes of being subject to audit.
- The WolfPeak Project (i.e.: Sydney Metro Independent Audit services) files / folders have been locked so only the WolfPeak audit team has access.
- The WolfPeak team who have been or are working for the contractor/s have not been or are not the owners of any of the documents being produced. WolfPeak has assisted or is assisting with drafting and preparation for the contractor managers / advisors to finalise and implement.
- The WolfPeak team who have worked on site for the contractor/s have not been responsible for site works on which audit inspections have occurred. WolfPeak has provided feedback to the contractor managers / advisors to consider.

<b>Name of Auditor:</b>	Derek Low
<b>Signature:</b>	
<b>Qualification:</b>	Master of Environmental Engineering Management Exemplar Global Auditor Number 114283
<b>Company:</b>	WolfPeak Pty Ltd

<b>Project Name:</b>	Sydney Metro Western Sydney Airport
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<b>Proponent:</b>	Sydney Metro
<b>Title of Audit</b>	Independent Audit No 3
<b>Date:</b>	03/03/23

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2020)*;
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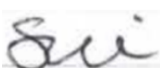
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<b>Name of Auditor:</b>	Steve Fermio
<b>Signature:</b>	
<b>Qualification:</b>	Bachelor of Science, ANU Honours in Geology, Monash University Exemplar Global Lead Environmental Auditor Number 110498
<b>Company:</b>	WolfPeak Pty Ltd