

SM – WSA CSSI 10051

Sydney Metro Response to Audit No.1 Findings

Item	Ref.	Type	Details of item	Recommended or completed actions	By whom and by when	Status	Sydney Metro Response
10051_IA 1_1	A2	Observation	<p>Requirement: <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>Observation: A review was conducted to verify whether the procedures, commitments, preventative actions, performance criteria and mitigation measures were being implemented for the works being undertaken during the audit period. These requirements were assessed as being addressed with the exception of the following:</p>				
			<ul style="list-style-type: none"> REMM LV2: During the inspection it was observed that some polypipe was placed within the tree protection zone of a tree on the St Marys TBI, contrary to the requirement of REMM LV2. 	The materials had been removed from within the tree protection zone at the St Marys TBI prior to finalizing this Audit Report.	Ward / Sydney Roads (Transport for NSW)	CLOSED	-

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			<p>Further, in completing this Independent Audit, it became apparent that a number of REMMs deemed ‘applicable’ to AEW in Appendix C of the Staging Report were not triggered or not relevant. Examples include (but are not limited to) NAH5, OAH1, GW1, SE1, HR2, HR4, OHR4, CL1. Note that this observation about the Staging Report is essentially the same as that identified in finding 10051_IA1_2.</p>	<p>Consideration should be given to reviewing how the conditions and REMMs actually apply to AEW, should the Staging Report be subject to another update prior to these works being completed. Refer also finding 10051_IA1_2.</p>	<p>Sydney Metro At next review of the Staging Report.</p>	<p>OPEN</p>	<p>See response to 10051_IA1_2</p>
10051_IA 1_2	A13	Observation	<p>Requirement: <i>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.</i></p> <p>Observation: In completing this Independent Audit, it became apparent that a number of conditions and REMMs deemed ‘applicable’ to AEW in Appendix B and Appendix C of the Staging Report were not triggered or not relevant. Examples include (but are not limited to) E63, E100, T3, T8, NAH5, OAH1, GW1, SE1, HR2, HR4, OHR4, CL1.</p>	<p>Consideration should be given to reviewing how the conditions and REMMs actually apply to AEW, should the Staging Report be subject to another update prior to these works being completed.</p>	<p>Sydney Metro At next review of the Staging Report.</p>	<p>OPEN</p>	<p>Sydney Metro disagrees with this finding.</p> <p>When developing the Staging Report, which is a document developed to advise DPE on how Sydney Metro intend to stage the compliance documents for a package of works, some conditions are deemed ‘applicable’ in case they have the potential to be triggered during delivery. In certain circumstances, the requirement of the condition may not be triggered by the Stage. Hence it remains ‘applicable’, but not triggered.</p> <p>This approach is not unique to SM-WSA and SSI 10051, and is consistent with how Sydney Metro has implemented Staging Report across the entire program of works.</p>

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10051_IA 1_3	A22	Non-compliance	<p>Requirement: <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>Non-compliance: Ward Civil commenced establishment of the Station Street MAF on 20/10/21 which was prior to receiving approval from the ER to do so. This non-compliance was reported to the Department on 09/11/21 in accordance with condition A44.</p>	This non-compliance was reported to the Department on 09/11/21 in accordance with condition A44.	Sydney Metro	CLOSED	-
10051_IA 1_4	A34/ A35	Non-compliance	Requirement (A34): <i>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.</i>	This non-compliance was reported to the Department on 25/11/21 in	Sydney Metro	CLOSED	-

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			<p>Requirement (A35): <i>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.</i></p> <p>Non-compliance: Sydney Metro notified the Department of commencement of construction (TBI) on 24/11/21. Construction commenced on 25/11/21, therefore the 7 day notification was not provided. This non-compliance was reported to the Department on 25/11/21 in accordance with condition A44.</p>	accordance with condition A44.			
10051_IA 1_5	A43	Observation	<p>Requirement: <i>Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix A.</i></p> <p>Observation: The Staging Report (both revisions 4 and 5) identifies this requirement as not being triggered for AEW Demolition, Gas, Power, Water. This appears to be incorrect.</p>	Consideration should be given to reviewing how the conditions and REMMs actually apply to AEW, should the Staging Report be subject to another update prior to these works being completed.	Sydney Metro At next review of the Staging Report.	OPEN	The Sydney Metro SM-WSA Staging Report is currently being revised to revision 6. In revising the Staging Report, CoA A43 will be made 'applicable for the AEW Demolition, AEW Gas, AEW Power and AEW Water Stages. Following amendment, revision 6 of the Staging Report will be issued to DPE in accordance with CoA A14.
10051_IA 1_6	B1	Observation	<p>Requirement: <i>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.</i></p>	Sydney Metro advise that the OCCS is currently going through further revision, which will be completed by mid-April 2022.	Sydney Metro 30/04/22	OPEN	The Sydney Metro OCCS is currently being revised. Once the document is revised it will be submitted to DPE in accordance with CoA B1.

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			<p>Observation: The Overarching Community Communication Strategy (OCCS) has been updated since the submission in the RtS and the updated OCCS had not been submitted to the Department. The Auditor observes that there is no timing for submission of the update specified by this condition.</p>	<p>The updated OCCS will be submitted to the Department in accordance with condition B1 after this update.</p>			
10051_IA 1_7	B11	Observation	<p>Requirement: 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 Condition A1, 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>No action is recommended at this time. This condition may be subject to assessment in future audit periods when Project works expand.</p>	NA	CLOSED	-

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			<p><i>(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;</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>(f) a copy of the audit reports required under this approval.</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>Observation: The Department requested that the audit give special consideration to whether the Project website is easy to navigate as is required by this condition. In reviewing this requirement, it was observed that the Sydney Metro website is consolidated across all Sydney Metro projects (including C&SW, West and WSA). This results in a voluminous amount of information being available, much of which is not relevant to the WSA Project. Further, the document library is not structured in a way that allows someone to easily find certain documents. Whilst this is not a substantial issue at</p>				

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			<p>this time (with 29 x documents posted which are currently deemed by Sydney Metro as being relevant to the Project Approval), this will become challenging to find a specific document as the Project progresses particularly if the user is not aware of the document title.</p> <p>In response to the draft Audit Report Sydney Metro highlighted:</p> <ul style="list-style-type: none"> the search function on the website which allows for ease of navigation, and the purpose of the website (to inform people of the overall Sydney Metro program, not just WSA). <p>The Auditor maintains that finding a document will become increasingly challenging over time as the volume of information grows (unless the user knows the correct search term to enter). However, the Auditor accepts that the website serves a wide group of stakeholders and appreciates that any restructuring could in theory reduce useability for some audiences.</p>				
10051_IA 1_8	C10	Observation	<p>Requirement: <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></p>	<p>Ward / Sydney Roads (Transport for NSW) confirmed that, prior to the finalization of this Audit Report, waste had been removed from the spill kits, signage was rectified and</p>	<p>Ward / Sydney Roads (Transport for NSW)</p>	CLOSED	-

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			<p>Observation: It was observed during the audit site inspection that, at the St Marys TBI site:</p> <ul style="list-style-type: none"> the spill kits had waste material within them signage for the spill kit was not in the same location as the spill kit, and housekeeping was required at the St Marys TBI Minor Ancillary Facility. 	housekeeping was completed.			
10051_IA 1_9	E38	Non-compliance	<p>Requirement: <i>Work must only be undertaken during the following hours:</i></p> <p>(a) 7:00am to 6:00pm Mondays to Fridays, inclusive; (b) 8:00am to 1:00pm Saturdays; and (c) at no time on Sundays or public holidays.</p> <p>Non-compliance: On 01/12/21 works at the St Marys TBI extended beyond 6pm without an Out of Hours Work (OOHW) application having been approved. Sydney Metro was made aware on 08/12/21 and reported the non-compliance on 13/12/21 in accordance with A44.</p>	Sydney Metro was made aware on 08/12/21 and reported the non-compliance on 13/12/21 in accordance with A44.	Sydney Metro	CLOSED	-
10051_IA 1_10	E46	Observation	<p>Requirement: <i>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:</i></p> <p>(a) use of regularly serviced low sound power equipment; (b) at source control, temporary noise barriers (including the arrangement of plant and equipment)</p>	Ward / Sydney Roads (Transport for NSW) confirmed, prior to finalizing the Audit Report, that noise blankets had been adjusted so they are correctly installed.	Ward / Sydney Roads (Transport for NSW)	CLOSED	-

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			<p><i>around noisy equipment and activities such as rock hammering and concrete cutting;</i></p> <p><i>(c) use of non-tonal reversing alarms; and</i></p> <p><i>(d) use of alternative construction and demolition techniques.</i></p> <p>Observation: The noise curtains at the St Marys TBI Minor Ancillary Facility had gaps between each curtain and required maintenance. The Auditor observes that no complaints regarding noise emissions from St Marys TBI have been received, despite this deficiency.</p>				
10051_IA 1_11	E57	Non-compliance	<p>Requirement: <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</i></p>	<p>This non-compliance was notified to the Department on 15/02/22 in accordance with A44.</p> <p>Works at St Marys TBI is essentially complete, therefore no further community updates are planned.</p>	Ward / Sydney Roads (Transport for NSW)	CLOSED	-

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			<p><i>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>Non-compliance: On 08/02/22 Sydney Metro became aware of a non-compliance with this condition. The outcome of the community consultation had not been provided to the EPA or Planning Secretary. This non-compliance was notified to the Department on 15/02/22 in accordance with A44.</p> <p>The Auditor also observes that the description of the noise characteristics may not be representative of the noise from the works (i.e.: construction noise was described as being similar to consistent traffic at 40km/h).</p>				