

SM – WSA CSSI 10051

Sydney Metro Response to Audit No.2 Findings

Item	CoA	Type	Requirement	Finding/Recommendation	Status	Sydney Metro Response
10051_IA2_1 NC-006	A2	Non-Compliant	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.	Self-reported non-Compliant: NC-006 CSSI: Sydney Metro – Western Sydney Airport CSSI 10051 Contractor: GHD Pty Ltd; Location: 31-39 Luddenham Road, Orchard Hills - Whilst AECOM and GHD provided Sydney Metro information with regards to access and sieving locations, via email, the Low Impact Work was not reviewed for consistency by GHD with these new locations and a revised LIW was not submitted to Sydney Metro Environment Team for approval prior to works. Date of awareness of non-compliance 22 February 2022.	CLOSED	Notification to the Department was conducted on 23 February 2022 (SSI-10051-PA-36) Non-compliant report was completed and closed on 2/03/2022.
10051_IA2_2	A40	Observation	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.	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. Observation: This audit report IA2 was submitted more than 2 months from site inspection (4 August 2022). 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	OPEN	WolfPeak will endeavour to commit the future submission of the next audit report will be within 2 months from site inspection. However, evaluation of the realistic timeframe will be conducted and Audit Program to be amended.

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				<p>4 October and with the extension approval the report must be submitted on 4 November 2022.</p> <p>Recommendation: To reassess the timeframe of the submission of the audit report to the Department based on the audit program prepared by Sydney Metro.</p>		
10051_IA2_3	A45	Observation	<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. Note: A non-compliance which has been notified as an incident does not need to also be notified as a noncompliance.</p>	<p>Observation: The Non-compliance Report do not include the action date to be notified/reported to DPE and action date to close the NC.</p> <p>Recommendation: Non-compliance Report to be updated to include triggers on notification to DPE and target date to close the issue or complete the Non-compliance Report.</p>	CLOSED	<p>Sydney Metro have updated the Non-compliance Reporting template will review the non-compliance process and make necessary amendments to continually improve the process.</p>
10051_IA2_4	A47	Non-Compliant	<p>The CSSI name, application number, telephone number, postal address and email address required under Condition B3 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 Condition B11.</p>	<p>Self-reported non-compliant. NC-008 - SM – WSA CSSI 10051 - Quickway Constructions against A47 date of incident 6/04/2022 reported to Department on 13/04/2022 As identified by DPE during the ER inspection, the ancillary facilities at both Gipps Street and Lawson Road did not display the required project identifiers and/or contact details for complaints or enquiries.</p>	CLOSED	<p>Quickway constructions had all signage installed on fencing at both sites by Friday, 8th April 2022 at 5:30pm. Project branded shade cloth will be installed at the Lawson Rd Compound during the week commencing the 11th of April 2022.</p>

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10051_IA2_5	B11	Observation	<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.</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>Observation: 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>Recommendation: 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>	OPEN	Sydney Metro WSA team will work with the SM Program team to review and update the website links.
10051_IA2_6	C1	Observation	<p>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.</p>	<p>Observation: 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>Recommendation: 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</p>	OPEN	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.

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				regularly reviewed to confirm they are achieved.		
10051_IA2_7	C1	Observation	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.	<p>Observation: 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>Recommendation: 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>	OPEN	<p>Quickway had acknowledged the opportunity for improving the CEMP.</p> <p>Compliance register to be submitted to Sydney Metro.</p>
10051_IA2_8	C1	Observation	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.	<p>Observation: 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>Recommendation: 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>	OPEN	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.
10051_IA2_09	C10	Observation	Construction must not commence until the CEMP and all CEMP Sub-plans have been approved by the Planning	<p>Observation: Site Inspection 04/08/2022 at Station Box and Tunnels: St Marys Station</p>	CLOSED	Ongoing issues on general housekeeping are getting closed on ER inspections.

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			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.	Construction site (Station Street, Station Plaza) There is a substantial amount of litter present on the street surrounding the site (which is not necessarily dumped by Project personnel). CPBG indicated that housekeeping was ongoing. Recommendation: CPBG to provide evidence that housekeeping measures are communicated and implemented.		
10051_IA2_10	C10	Observation	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.	Observation: AEW St Marys Lift: St Marys Station Fuel containers are stored in an unbunded area. Recommendation: Transport for Tomorrow to store fuel within suitably sized bund.	CLOSED	Transport for Tomorrow had addressed. Issues were also closed in ER inspections
10051_IA2_11	E2	Observation	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	Observation: Site Inspection 04/08/2022 Station Box and Tunnels: 100 Kent Road - Flagging was installed around vegetation that was being temporarily retained, but no signage was installed. CPBG to provide evidence that the CEMP does not require signage to be installed, or that	CLOSED	Ongoing issues and are being closed on ER inspections.

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				concrete barriers have been installed to prevent access. Recommendation: For best practice, signage must be installed to ensure that worker is aware of the reason of flagging and ensure protection of the vegetation.		
10051_IA2_12	E2	Observation	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	Observation: Site Inspection 04/08/2022 AEW St Marys Lift: St Marys Station Whilst the trees on site are permitted to be removed, AEW St Marys Lift have elected to retain the trees. The Auditor observes that the tree protection zones are not in strict accordance with AS4970. Recommendation: Transport for Tomorrow to provide evidence that an arborist has reviewed / agreed to the measures in place.	CLOSED	The trees were retained and being protected. These are also being inspected by the ER.
10051_IA2_13 NC-007	E41	Non-compliant	E41 c) By Approval, including: (i) where different construction hours are permitted or required under an EPL in force in respect of the CSSI; or (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 (iii) negotiated agreements with directly affected residents and sensitive land user(s); or	Self-reported non-compliant. A Non-compliance Report (NC-007) was raised against E41. The out of hours pavement works have approval under the St Marys TBI Out of Hours Works Permit to work up to five nights per week, Sunday through Thursday, in order to offer noise respite to the surrounding community on Friday and Saturday nights. The contractor (WARD Civil) undertook out of hours road pavement works on Queen Street near Station Street on Friday night 11 March 2022, during the respite period committed to in the	CLOSED	TfNSW has lodged a Non-Conformance Report under the project contract around this breach. This will be reported against the contract works and recorded in TfNSW's contractor performance system for consideration in future tenders. WARD has undertaken an internal discussion/review of what lead to these works being approved to proceed without the necessary environment. In response: • The project team will undertake a training session to reinforce the requirements of the out of hours conditions of approval

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				approved St Marys TBI Out of Hours Works Permit. On Thursday 10 March, a pavement machine became available for works on Friday 11 March, and the contractor (WARD Civil) opted to take advantage of this opportunity to complete some road pavement works on Queen St, St Marys that were behind schedule due to recent rain events. WARD Civil knew that this work was against OOHW permit approvals and community notification information which stated that works would only be undertaken 5 nights per week between Sunday to Thursday.		<ul style="list-style-type: none"> Any future substantial changes to the works schedule will be confirmed with the project's Environmental Manager prior to works being undertaken.
10051_IA2_14 NC-009	E41	Non-Compliant	E41 c) By Approval, including: (i) where different construction hours are permitted or required under an EPL in force in respect of the CSSI; or (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 (iii) negotiated agreements with directly affected residents and sensitive land user(s)	Self-reported non-compliant. A Non-compliance Report (NC-009) was raised against E41. Works outside of normal working hours were approved through an OOHW application as part of an OOHW Protocol as permissible under MCoA E41(c(ii)). A component of the approved works (Pilot Shot) occurred on a date not specified for that particular activity, but occurred on a date 2 days earlier, which was approved within the same OOHW Application for a different activity (Survey Setout) at the same location.	CLOSED	Quickway reviewed the OOHW permit process and change process involving Sydney Metro and investigated why Sydney Metro and ER were only informed at 715pm and why they were not included in the conversation. Quickway Investigated the contingencies and considered whether the Comms team was notified to determine if any additional actions would be required as a result of the change of date of the works.
10051_IA2_15	E86	Observation	The Proponent, where liable, must rectify any property damage caused directly or indirectly (for example from vibration or from groundwater change) by the work	Observation: As per site inspection conducted on 4/08/2022 The access to site along 100 Kent Road requires trucks to use the kerb which is damaging the	CLOSED	CPBG had provided hardstand access and toolbox talks.

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			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 Condition E84 unless another timeframe is agreed with the owner of the affected surface or sub-surface structure or recommended by the Independent Property Impact Assessment Panel (IPIAP).	natures strip. This is shown on the Project side of Kent Road in this photo. The Auditor also noted damage to the nature strip occurring on the opposite side of the road (in front of neighbouring properties), although this is out of shot. Recommendation: CPBG to improve access to allow heavy vehicles to enter and exit the site without damaging the nature strip on the opposite side of the road (in front of neighbouring properties). To investigate and compare with the dilapidation reports and rectify damage as required.		
10051_IA2_16 NC-005	E105	Non-compliant	Condition E105 requires: '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 Condition A1 must be approved by the Planning Secretary and be included in the CTMP'.	Self-reported non-compliant. A Non-compliance Report (NC-005) was raised against E105 by AEW Power stage - Quickway Constructions Pty Ltd The mechanism for this approval is the provision of information required by Condition E106 (the HVLR Report) to the Planning Secretary for their assessment and approval or otherwise. The Lawson Road ancillary facility was accessed by Heavy Vehicles on local roads not identified in the documents listed in Condition A1 on 21/02/2022. Planning Secretary's approval was provided in writing on 23/02/2022.	CLOSED	On 23/02/2022 the Planning Secretary approved HVLR document. Sydney Metro provided approval letter to Quickway Environment Team and now being implemented. Non-compliance was now closed.

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				Use of the local road therefore was not approved and constitutes a Non-compliance with condition E105. With the ongoing developments of the HVLR document, the construction team were of the opinion without consultation to the environmental team that HV could access Lawson Rd.		
10051_IA2_17	<i>Not used</i>					
10051_IA2_18	E128	Observation	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>Observation: Site Inspection 04/08/2022 AEW Power: Claremont Meadows Services Facility, Quickway had completed works in this area, with two covered stockpiles of imported materials remaining.</p> <p>Recommendation: Quickway to remove prior to handing site on to next contractor.</p>	CLOSED	Stockpile has been removed. Quickway has completed their work on WSA.
10051_IA2_19	E128	Observation	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>Observation: Site Inspection 04/08/2022 AEW Power: Lawson Road, UAE drilling site. UAE had completed horizontal directional drilling at this location. It was advised that the area would be cleaned up and rehabilitated following removal of the drill rig and containers.</p> <p>Recommendation: Quickway to provide evidence that this has been done.</p>	CLOSED	Quickway had addressed this issue and they have completed their works on WSA.