

## SM – WSA CSSI 10051

### Sydney Metro Response to Audit No.3 Findings

Item	Ref	Type	Requirement	Finding	Recommended or completed action	By Whom and by When	Status	Sydney Metro Response
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</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</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>	<p>CPBG have advised that they will consult with SES to address this requirement and update document if required in accordance with HYD1.</p>

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			<p><i>approaches to the management of flood events (off-airport only)</i></p> <ul style="list-style-type: none"> <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><b>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>				
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</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</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>	<p>CPBUI to obtain a signed copy of the minor ancillary facility checklist for the M12 Bridge.</p>

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			<p>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>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.</p>				
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><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>Sydney Metro to elect and follow a single pathway for assessment and establishment of the 19 Harris Street site.</p>	<p>Sydney Metro Prior to commencement of activities not already assessed in the exempt development assessment and determination.</p>	OPEN	<p>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</p>

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			<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>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>• <b>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.</b></li> <li>• <b>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.</b></li> </ul>				<p>(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.</p>

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				At the time of the audit interviews, the 19 Harris Street facility had yet to be established.				
10051_IA3_5	A32	Observation	<p><i>For the duration of the work until the commencement of operation, or as agreed with the Planning Secretary, the approved ER must:</i></p> <p><i>(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;</i></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</b></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</p>	<p>ER (HBI) In future ER Monthly Reports</p>	OPEN	<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, Subplans and monitoring programs when</p>

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				<p><b>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</b></p>	<p>order to support its position.</p>			<p>raising an issue or recommendation.”</p> <p>This is incorrect. The ER Monthly Reports for August – December 2022 do in fact reference specific conditions or mitigation measures.</p> <p>The ER will continue to independently raise issue and actions and where relevant, continue to link these to specific mitigation measure requirements when it is appropriate.</p> <p>We also note that the recommended action remains unchanged following the ER submission to the Revision 1 report and should ideally be either updated for accuracy or the item removed.</p>

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				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.				
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><b>Independent Audit no. 1 – Audit Report (WolfPeak, revision 4.0, 06/04/22)</b></li> <li><b>Independent Audit no. 2 – Audit Report (WolfPeak, revision 1.0, 03/11/22).</b></li> </ul> <p><b>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,</b></p>	This Independent Audit has sought to adopt the Department's recommendations, and has been conducted in accordance with the IAPAR.	WolfPeak	CLOSED	N/A

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				<p>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>				
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.</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. The non-compliance with E2 was reported</p>	<p>SBT (CPBG) and SCAW (CPBUI)</p>	<p>CLOSED</p>	<p>N/A</p>



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				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.	in accordance with A44/A45.			
10051_IA3_8	B11	Non-compliance	<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>	<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).  At the time of the audit interviews, the auditees were not able to demonstrate that all</b>	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.  Sydney Metro to develop and	Sydney Metro  Prior to the next Independent Audit	OPEN	<b>Updated 2/6/23</b>  <b>Sydney Metro notes the concerns and views of the auditor and DPE with respect to the requirements of Condition B11.</b>  <b>Sydney Metro considers the practical intent of this condition is satisfied through the use of multiple web sites, which is a practical necessity due to the size and complexities of our projects and the delivery</b>

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			<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><i>All information required in this condition is to be provided on the website or webpage, and easy to navigate.</i></p>	<p><b>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><b>does not identify the date of approval of the document or commencement of relevant works</b></li> <li><b>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).</b></li> </ul> <p><b>Therefore the Auditor cannot confirm (within the confines of this audit) whether the timing requirement from B11(e) has been met for each document.</b></p> <p><b>Further, the following documents were not able to be located by the Auditor on the Sydney Metro website at the time of preparing</b></p>	<p>implement a system that verifies that all Project documents (excluding confidential, private, commercial information or other documents as agreed to by the Planning Secretary) are published in accordance with B11(e).</p>			<p><b>structure employed. We ensure our main contractors have websites which they update whenever changes are made to a document or a document is finalised, in accordance with their contractual obligations with Sydney Metro. This approach reduces the administrative burden and enables the contractors to provide current information and respond to community enquiries more efficiently, including by referring the community to any documents that may be relevant for an appropriate and fulsome response to complaints or questions. Links to contractors’ websites can be found on the Sydney Metro website under the “sustainability and planning” drop down from the main page under the heading of “Compliance</b></p>

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				<p>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</p>				<p>documentation" (Western Sydney Airport line planning and compliance   Sydney Metro).</p> <p>Sydney Metro is investigating opportunities to improve the navigability of our website and the ease by which documents may be accessed. Discussions with DPE on potential enhancements to Sydney Metro's website are continuing.</p> <p>With respect to the auditor's comments on the register Sydney Metro keeps of documents to be uploaded, Sydney Metro responds as follows:</p> <ul style="list-style-type: none"> <li>Sydney Metro has acknowledged the auditor's comments and updated its register to identify the date of approval of each document and the date of</li> </ul>

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				<p>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>				<p>commencement of relevant works as suggested; and</p> <ul style="list-style-type: none"> <li>going forward, Sydney Metro is updating its register to record the date that documents are required to be uploaded on contractor's websites to enable it to demonstrate compliance with Condition B11.</li> </ul> <p>With respect to the documents that the auditor could not locate on a website, Sydney Metro responds as follows:</p> <ul style="list-style-type: none"> <li>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.) For the reasons set out above, Sydney Metro's</li> </ul>

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								<p>contractor's publish these documents on their websites.</p> <ul style="list-style-type: none"> <li>• Proponent response to the second Audit Report has been uploaded the Sydney Metro document library  <a href="https://www.sydneymetro.info/sites/default/files/2023-05/Sydney_Metro_WSA_Independent_Audit_No.2.pdf">https://www.sydneymetro.info/sites/default/files/2023-05/Sydney_Metro_WSA_Independent_Audit_No.2.pdf</a> </li> <li>• OOHW consultation on respite has been uploaded. Please see the attached link:  <a href="#">SM WSA Tempoary Bus Interchange Out of Hours Works Community Consultation on Respite (sydneymetro.info)</a> </li> <li>• Design review panel terms of reference has been uploaded. Please see the attached</li> </ul>

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								<p>link: <a href="#">Sydney Metro Design Review Panel Terms of Reference (sydneymetro.info)</a></p> <ul style="list-style-type: none"> <li>SCAW PUDCLP has been uploaded on the contractor's website. Please see the attached link: <a href="#">place-urban-design-and-corridor-landscape-plan.pdf (azureedge.net)</a></li> </ul>
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	CPBG have advised that they have no objection to this observation and are actioning.
10051_IA3_10	C10	Observation	<i>Construction must not commence until the CEMP and all CEMP Sub-plans have been approved by the</i>	<b>Observation: The Auditor observes that both the SBT and SCAW CEMPs require an audit to</b>	Sydney Metro to commence periodic audits	Sydney Metro	OPEN	As communicated to the Auditor, Sydney Metro acknowledges this

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			<i>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>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>	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.	Prior to next Independent Audit		observation and will be addressed as part of the Compliance Working Group held with each Contractor.
10051_IA3_11	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</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	SBT (CPBG)	CLOSED	N/A

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				<b>SBT CEMP and Section 7.4 of the SBT SWMP.</b>	requirement for future audit periods will be included in the scope of future audits.			
10051_IA3_12	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>	<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><b>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></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>	SCAW (CPBUI) 01/06/23	OPEN	<p>A non-compliance has been raised and reported to the Department on the 17/2/23. CPBUI has updated the project Clearing and Grubbing ITP (document which outlines the internal hold point process) to include the additional survey hold point on 13<sup>th</sup> March 2023.</p> <p>The SCAW FFMP is currently undergoing a revision and is expected to be ready for submission to DPE before the proposed action due date.</p>



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					This hold point is to be a pre-requisite requirement for the release of the Clearing Permit Hold point by the CPBUI Environment Manager.			
10051_IA3_13	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 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</b></p>	<p>SBT (CBPG) 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>	SBT (CPBG)	CLOSED	N/A

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				modelling and whether consultation under E17 is required.				
10051_IA3_14	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</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	N/A

Item	Ref	Type	Requirement	Finding	Recommended or completed action	By Whom and by When	Status	Sydney Metro Response
				<b>the design refinement and completion of the modelling.</b>				
10051_IA3_15	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>	<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>	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.	SBT (CPBG) and Sydney Metro	CLOSED	N/A
10051_IA3_16	E38	Non-compliance	<i>Work must only be undertaken during the following hours: (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.</i>	<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</b>	SBT (CPBG) had its EPL varied to enable out-of-hours concrete pours to run (under certain circumstances) up until 10pm.	SBT (CPBG)	CLOSED	CPBG and Sydney Metro have reported this non-compliance to DPE. CPBG have implemented the corrective actions.

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				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.	The Auditor is not aware of any further breach.			
10051_IA3_17	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>	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.	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 identified in E38, or where receivers will be highly noise	OPEN	<p><b>Updated 2/6/23</b></p> <p><b>Sydney Metro understands that DNVISs are required to be prepared for any work which may exceed relevant criteria / levels at residences, outside of construction hours or where receivers will be highly noise affected or subject to specified vibration levels. As communicated to the Auditor, Sydney Metro has not identified any activities that may exceed the noise levels or vibration criteria at residences, or cause receivers to be highly noise affected or subjected to the relevant vibration levels, such that a DNVIS with specific</b></p>

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						<p>affected or subject to vibration levels above those otherwise determined as appropriate by a suitably qualified structural engineer under E87.</p>		<p><b>mitigation measures is required.</b></p> <p><b>Despite this, Sydney Metro has prepared DNVISs for SCAW and SBT that contain standard noise and vibration mitigation measures and Sydney Metro's community notifications have been issued to hundreds of residents across the alignment.</b></p> <p><b>As part of community consultation, notifications are sent out every 2 months for SBT &amp; SCAW, outlining the OOH works proposed to be carried out over the coming 6 months. Where feedback is received from affected receivers regarding noise mitigations, these would inform updates to the DNVIS including the documentation of such consultation.</b></p>

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								<p>Future notifications will also include specific references to the mitigation measures in the DNVIS and invite residents and the community to provide comments.</p> <p>In the circumstance where a DNVIS does identify a potential exceedance of relevant criteria at residences, outside of construction hours or receivers who will be highly noise affected or subject to specified vibration levels, community consultation will be carried out via the place managers in relation to specific mitigation measures and those measures will be set out in the DNVIS.</p>
10051_IA3_18	E57	Observation	<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</i>	<b>Observation: During the interview with the ER as part of this Independent Audit, the ER noted the ambiguity of this condition</b>	As noted, the evidence indicates that the Department is aware of	Sydney Metro	CLOSED	N/A

Item	Ref	Type	Requirement	Finding	Recommended or completed action	By Whom and by When	Status	Sydney Metro Response
			<p><i>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</i></p>	<p><b>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</b></li> </ul>	<p>Sydney Metro’s interpretation and application of this requirement and has not raised any objection.</p>			

Item	Ref	Type	Requirement	Finding	Recommended or completed action	By Whom and by When	Status	Sydney Metro Response
			<p><i>out-of-hours work would not be more than 5 dB(A) above the RBL at any residence.</i></p>	<p><b>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></p> <ul style="list-style-type: none"> <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>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 OOH 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.</p> <p>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</p>				



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				this requirement and has not raised any objection.				
10051_IA3_19	E62	Observation	<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>	<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 Metro) to ‘integrate with the sky.’ 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.</b>	Mitigation measures have been incorporated where practicable.	Sydney Metro, SBT (CPBG) and SCAW (CPBUI)	CLOSED	N/A
10051_IA3_20	E63	Observation	<i>The CSSI must be designed with consideration of:</i>	<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</b>	As noted, there is no requirement to adopt all the recommendation	SCAW (CPBUI) and Sydney Metro	CLOSED	N/A

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			<p>(a) the design objectives, principles and guidelines identified in documents listed in Condition A1;</p> <p>(b) the principles and objectives of the draft Connecting with Country Framework;</p> <p>(c) relevant land use changes, masterplans and initiatives, where this information is known and/or available;</p> <p>(d) existing and proposed future local context and character; and</p> <p>(e) transport and land use integration and system functionality in the context of precincts, to the extent it is known and/or defined.</p> <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>Note: In accordance with Condition A10 and Condition A16, the</p>	<p><b>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</b></p>	<p>s 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>			

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			<i>requirements of this condition can be staged.</i>	<b>adopted by SCAW and Sydney Metro in its final response.</b> <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>				
10051_IA3_21	<i>Not used</i>							
10051_IA3_22	<i>Not used</i>							
10051_IA3_23	E101	Observation	<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>  <i>Note: Nothing in this condition prevents the Proponent from preparing separate Sustainability Strategies for the construction and operational stages of the CSSI.</i>	<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>	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	Accepted – CPBUI sustainability team to review reporting frequency and data collection process.
10051_IA3_24	E102	Observation	<i>A Water Reuse Strategy must be prepared, which sets out options for the reuse of collected stormwater and groundwater during</i>	<b>Observation: SBTs preparatory construction commenced in April 2022, and main construction commenced in November 2022.</b>	SBT (CPBG) to install rainwater harvesting on the 'permanent'	SBT (CPBG) Install rainwater harvesting	OPEN	CPBG have accepted this finding and will action it per their response.

Item	Ref	Type	Requirement	Finding	Recommended or completed action	By Whom and by When	Status	Sydney Metro Response
			<p><i>construction and operation. The Water Reuse Strategy must include, but not be limited to:</i></p> <p><i>(a) evaluation of reuse options;</i></p> <p><i>(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;</i></p> <p><i>(c) measures to avoid misuse of recycled water as potable water;</i></p> <p><i>(d) consideration of the public health risks from water recycling; and</i></p> <p><i>(e) time frame for the implementation of the preferred reuse option(s).</i></p> <p><i>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.</i></p> <p><i>Justification must be provided to the Planning Secretary if it is concluded that no reuse options prevail.</i></p> <p><i>A copy of the Water Reuse Strategy must be made publicly available.</i></p>	<p><b>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>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>	<p>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 reuse is viable, implement the reuse options.</p>		

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			<i>Note: Nothing in this condition prevents the Proponent from preparing separate Water Reuse Strategies for the construction and operational stages of the CSSI.</i>					
10051_IA3_25	E128	Non-compliance	<i>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).</i>	<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><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</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</p>	SBT (CPBG)	CLOSED	<p>CPBG have investigated the auditor's conclusion and have issued a non-compliance report to Sydney Metro on 31 March 2023.</p> <p>Sydney Metro have provided a non-compliance report to DPE through the portal on 31 March 2023.</p>

Item	Ref	Type	Requirement	Finding	Recommended or completed action	By Whom and by When	Status	Sydney Metro Response
				<p>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>	water incident at Aerotropolis.			
10051_IA3_26	E134	Non-compliance	<p><i>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:</i></p> <p><i>(a) for each construction site where excavation will be undertaken, cumulative (additive) impacts from</i></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</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</p>	SBT (CPBG) and Sydney Metro	CLOSED	N/A

Item	Ref	Type	Requirement	Finding	Recommended or completed action	By Whom and by When	Status	Sydney Metro Response
			<p><i>nearby developments, parallel transport projects and nearby excavation associated with the CSSI;</i></p> <p><i>(b) predicted incidental groundwater take (dewatering) including cumulative project effects;</i></p> <p><i>(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;</i></p> <p><i>(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;</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>	<p><b>for SBT had not been submitted to the Department.</b></p>	<p>28/02/23 in accordance with A44/A45.</p>			

## Sydney Metro Response to Audit No.2 Findings

Item	Ref	Type	Requirement	Finding/Recommendation	Auditee response at the second Independent Audit	Status as at the third Independent Audit	Sydney Metro Response
10051_IA2_2	A40	Observation	<p><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>	<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>	N/A



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</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>	<p>Please refer to the response provided in 10051_IA3_8</p>
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Item	Ref	Type	Requirement	Finding/Recommendation	Auditee response at the second Independent Audit	Status as at the third Independent Audit	Sydney Metro Response
			<p><i>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>				

Item	Ref	Type	Requirement	Finding/Recommendation	Auditee response at the second Independent Audit	Status as at the third Independent Audit	Sydney Metro Response
10051_IA2_6	C1	Observation	<p><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>	<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>	<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>	<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>	N/A

Item	Ref	Type	Requirement	Finding/Recommendation	Auditee response at the second Independent Audit	Status as at the third Independent Audit	Sydney Metro Response
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>	N/A

Item	Ref	Type	Requirement	Finding/Recommendation	Auditee response at the second Independent Audit	Status as at the third Independent Audit	Sydney Metro Response
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>	N/A