

4 May 2022

Executive Director
Key Sites Assessments
Department of Planning, Industry and Environment
12 Darcy Street
Parramatta
NSW 2150

Attention: Maria Divis

Dear Maria,

Response to Independent Environmental Audit #3 (SSD10354 - NSW Cricket Centre).

MostynCopper have been engaged on behalf of Cricket NSW as the nominated Project Managers for the above-mentioned project, located at Wilson Park, Sydney Olympic Park. Pursuant to SSD Condition C8 of SSD 10354, an Independent Environmental Audit has been completed by Ramboll Australia Pty Ltd.

In accordance with SSD Condition C12, MostynCopper, on behalf of Cricket NSW provide the following responses to the Auditor's findings for the Departments consideration in the table below.

Non-Compliances Identified:

- **Condition A17** – An incident involving a stormwater culvert being hit during piling works was not notified to the Department in accordance with the condition. Investigate the reason(s) why the incident was not notified in order to identify appropriate corrective actions to prevent a re-occurrence. Implement a more robust process to ensure that the Department is notified in accordance with this condition in the event that another incident occurs.

MostynCopper's Response – MostynCopper and the wider project team informed both SOPA and Parramatta Council immediately upon the incident taking place. An incident report was prepared and issued to these parties however did not get issued to the Department in accordance with this condition. This was an administrative error and has since been remedied by way of a responsibility matrix to nominate the specific person within MostynCopper responsible for notifying the Department.

- **Condition A22** – The Department was not notified of the review following submission of the 2nd 2021 IEA dated 10/12/2021. Establish and implement a process to ensure that a review of strategies, plans and programs is undertaken following the submission of a compliance report, incident report, IEA, approval of a modification or a direction from the Department, and ensure the Department is notified of the review within the required 3-month timeframe.

MostynCopper's Response – MostynCopper have prearranged reviews of strategies, plans and programmes to coincide with the next scheduled independent audit, to ensure the reviews take place within three months. For previous incidents and non-compliances, meetings will be scheduled to review the relevant strategies, plans and programmes associated with these. Details of which can be provided on request.

- **Condition B4** – Whilst Supporting Documents were submitted to DPE within seven days after the documentation was accepted by the Certifier, Steve Watson & Partners (SWP), the Design Certificates were submitted more than seven days after the documentation was accepted by SWP. No recommendation is made as the Condition B3 documentation has been submitted to DPE.

MostynCopper's Response – MostynCopper have reiterated to the Head Contractor of their obligations to provide the relevant documentation to the Department within the prescribed timeframes.

Condition C3 – The Applicant's response to the 2nd 2021 IEA (December 2021) was not available on the Cricket NSW website and no Construction Updates had been provided since August 2021. The Applicant's response to the 2nd 2021 IEA was subsequently uploaded. The Auditors recommend that the Construction Updates are kept up to date.

MostynCopper's Response – MostynCopper have since remedied this administrative error by way of a responsibility matrix to nominate the specific person within MostynCopper responsible for uploading the prescribed documentation onto the Project website. MostynCopper

provide weekly updates to CNSW, and it was understood these were being uploaded intermittently onto their website, this has not been the case. Additionally, it has now been clarified with the Independent Auditor that the uploading of the Applicants Responses to the IEA's to the Major Project Planning Portal does not satisfy this condition.

- **Condition C11** – The 2nd 2021 IEA revised report and the Applicant's response to that report were not made publicly available within the 60-day timeframe. The Auditors recommend that future IEA reports and Applicant's responses be uploaded to the Cricket NSW website within the required 60-day timeframe

MostynCopper's Response – MostynCopper have since remedied this administrative error by way of a responsibility matrix to nominate the specific person within MostynCopper responsible for uploading the prescribed documentation onto the Project website. MostynCopper provide weekly updates to CNSW, and it was understood these were being uploaded intermittently onto their website, this has not been the case. Additionally, it has now been clarified with the Independent Auditor that the uploading of the Applicants Responses to the IEA's to the Major Project Planning Portal does not satisfy this condition.

- **Condition C12** – The Applicant's response to the 2nd 2021 IEA was not submitted to DPE within the required 2 month timeframe. Investigate the reason for not preparing and submitting the response with the IEA report and implement a process to ensure that responses to IEAs are prepared and submitted to DPE with the IEA report or at least within 2 months of the independent audit site inspection.

MostynCopper's Response – Following the 2nd 2021 IEA, MostynCopper liaised closely with Maria Divis from the Department as to the requirements to satisfy this condition. Following extensive discussions by way of email / phone correspondence and a scheduled meeting, the requirements of MostynCopper to satisfy this condition were confirmed and an agreed timeframe to submit the responses confirmed. MostynCopper uploaded the responses onto the Major Planning Projects Portal in line with the agreed timeframes.

- **Condition D20** – Documentation was not complete for unexpected finds (UFs) of contamination. Ensure that all documentation associated with UF's (waste dockets, waste classifications, inspection reports, clearance certificates, strategies and risk assessment submissions) confirming UF's are recorded, and remediation action and strategies are implemented in accordance with Condition D20. The Auditors recommend that the UFP be reviewed and revised to include the approval and submission requirements.

MostynCopper's Response – Buildcorp advised Ramboll during the site audit that not all waste dockets, waste classifications and clearing certificates were available at that time. MostynCopper have sought this additional information from Buildcorp and have provided to Ramboll. MostynCopper will reiterate the requirements for approval and submission in consultation with all relevant Contractors.

- **Condition D24** – Two gas cylinders were observed not in appropriate storage. They appeared to be left free standing temporarily for later management. The Auditors recommend the provision of further training and facilities to contractors, as considered appropriate, to ensure that hazardous chemicals are stored safely in appropriately designed storages.

MostynCopper's Response – The two gas cylinders in question were momentarily left freestanding outside of the sub-contractors site shed whilst the contractor stepped inside. At that moment the Site Auditor walked past and observed these had been left unsecured and unattended. Immediate steps were taken to secure the cylinders in accordance with the consent conditions and the Site Manager cautioned their sub-contractor on leaving these cylinders unattended. MostynCopper have requested that Buildcorp re-educate their sub-contractor team on the requirements of this condition.

- **Condition D32** – Suitable erosion and sediment controls and measures preventing potential stormwater contamination and cross contamination between stockpiles were not implemented effectively at the time of the site visit. The Auditors recommend that stockpile management be reviewed in accordance with the CEMP. Ensure that contractors working under the CEMP have been adequately trained in accordance with the CEMP requirements.

MostynCopper's Response – MostynCopper immediately contacted Evergreen (responsible contractor) to secure and install additional environmental / sediment controls surrounding the noted stockpiles. It is noted that the site audit was undertaken during an extreme weather event. MostynCopper informed Buildcorp of the two waste stockpiles that required separation and additional controls in the area of the soil treatment bays. This was rectified shortly thereafter and has since been removed from site.

- **Condition D35** – This condition remains non-compliant on the basis that tree protection was not fully re-instated in accordance with the 2020 Tree Removal Plan or to the satisfaction of the Project Arborist. The Auditors recommend that tree protection be reinstated in accordance with the 2020 Tree Removal Plan or otherwise to the satisfaction of the Project Arborist. Consider whether the CEMP could be improved by referencing the 2020 Tree Removal Plan and possibly including a site plan(s) for clarity that shows the locations of required tree protection fencing.

MostynCopper's Response – A review of the tree protection plan will be scheduled with all contractors on site as well as the project arborist to ensure relevant tree protection measures are implemented and maintained in the agreed areas. It is noted that the trees identified as not having protection are well outside the current construction works areas., regardless of this, a review will be undertaken.

Recommendations and Opportunities for improvement Identified:

- **Condition A20** – Notification of the non-compliances following the request by the Department were made in accordance with Appendix 1 requirements for incident notifications and not in accordance with Condition A20. The Auditors recommend that MostynCopper notify future non-compliance in accordance with the requirements of Condition A20. However, if a non-compliance is also an incident, it should be notified in accordance with Condition A18.

MostynCopper's Response – This was an administrative error and has since been remedied by way of a responsibility matrix to nominate the specific person within MostynCopper responsible for notifying the Department.

- **Condition B21** – The car parking spaces were not distributed in accordance with the requirements of Condition B21. The Auditors recommend MostynCopper confirm in writing with DPE that the variation in distribution of the car parking spaces is acceptable.

MostynCopper's Response – CC4 was obtained on 14 April 2022, prior to MostynCopper becoming aware of this recommendation. The PCA (Steve Watson and Partners) have accepted the parking and service vehicle layout plans are in accordance with this condition and therefore no further action is required. The plans have been submitted to the Department for their records and MostynCopper have not received any comment from the Department pertaining to the parking.

- **Condition B22** – The plans provided do not demonstrate compliance with Condition B22 (c) - pedestrian advisory signs at the egress from the car park are not indicated; and Condition B22 (f) – the loading and servicing area for garbage trucks is not indicated. However, the plans were not relevant to CC3 but will be relevant to CC4 in the next Audit Period. The Auditors recommend that the car park and service vehicle layout plan(s) be reviewed and revised to demonstrate compliance with Condition B22 (c) and (f) prior to the issue of CC4.

MostynCopper's Response – CC4 was obtained on 14 April 2022, prior to MostynCopper becoming aware of this recommendation. The PCA (Steve Watson and Partners) have accepted the parking and service vehicle layout plans are in accordance with this condition and therefore no further action is required.

- **Condition C14** – The Auditors could not verify that Evergreen met the requirements of this Condition on the basis of the available information. The Auditors recommend that NSW Cricket ensure that all employees, contractors and subcontractors, including Evergreen, are made aware of, and are instructed to comply with, the conditions of this consent relevant to the activities they carry out in respect of the development.

MostynCopper's Response – C

- **Condition C17** – The Auditors have not sighted evidence to indicate that the Ford Civil and Buildcorp CEMPs were not fully implemented during the Audit Period. However, the Auditors observe that if there is a changeover in contractors onsite there should be a process to ensure that all contractors are working under the approved CEMP (Buildcorp's) and that oversight is provided to ensure that the CEMP is implemented. The Auditors recommend that all contractors are subject to the approved CEMP with appropriate supervision and oversight to ensure that the CEMP is implemented.

MostynCopper's Response – MostynCopper confirm that Ford Civil have now completed the majority of their contracted works on the project with the exception of some minor defects rectification works. It is noted that Ford Civil and Buildcorp had separately approved CEMP's developed specific to their relevant scopes of work. Ford Civil and Buildcorp are responsible for the implementation and compliance with each of their respective CEMP's and therefore MostynCopper do not believe this recommendation / opportunity for improvement is valid.

- **Condition D24** – Gate C was observed to be left open and unattended for a period of time. The Auditors recommend that Buildcorp consider how best to ensure that Gate C is kept secured at all times and not left unattended when open.

MostynCopper's Response – Gate C is located to the south east of the site and is primarily used by Evergreen to obtain access to the site. This Gate is also utilised by Buildcorp and their sub-contractors for material deliveries throughout the prescribed working hours. SOPA and their contractors are required to have 24hr unimpeded access to the north eastern bioremediation area (outside of the project construction site) and as such the gate is used by multiple parties throughout the working day. MostynCopper are not aware of any incidents of the public entering Gate C during the hours of construction however MostynCopper will request that the gate remain closed (locked) during construction and each contractor is responsible for securing the gate after access to ensure the site is secured. This will be achieved by way of "daisy-chained" locks, allowing separate access to the gate.

- **Condition D38** – During the site visit, several chemical containers were observed in two locations in the indoor training facility not contained within a bund. It is considered there is a minimal risk if a leak or spill were to occur as the chemicals were located within the building however a risk assessment of the chemicals should be documented to confirm potential exposure risks. The Auditors recommend that chemicals be stored with appropriate bunding and/or a risk assessment for chemicals to be undertaken.

MostynCopper's Response – MostynCopper and Buildcorp were made aware of the recommendation from the Auditor during the site audit. The chemicals in question were in the process of being used or had been located within the building for imminent use for



construction. MostynCopper will request that Buildcorp undertake a risk assessment of the chemicals and if practicable and required (i.e., not in use), these will be stored in a bunded area.

A Response Table has been prepared for ease of reference and is appended to this report. Formal responses to the no-conformances will be uploaded to the Major Project Planning Portal in accordance with the prescribed timeframes.

Should you have any queries relating to the above, please do not hesitate to contact me to discuss.

Yours Sincerely,

Kael Williams
Senior Project Manager
0418 922 650
kwilliams@mostyncopper.com.au

Condition Number (ID)	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date
Non-compliances					
A17	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.	An incident involving a stormwater culvert being hit during piling works was not notified to the Department in accordance with the condition.	Investigate the reason(s) why the incident was not notified in order to identify appropriate corrective actions to prevent a re-occurrence. Implement a more robust process to ensure that the Department is notified in accordance with this condition in the event that another incident occurs.	MostynCopper and the wider project team informed both SOPA and Parramatta Council immediately upon the incident taking place. An incident report was prepared and issued to these parties however did not get issued to the Department in accordance with this condition. This was an administrative error and has since been remedied by way of a responsibility matrix to nominate the specific person within MostynCopper responsible for notifying the Department.	Completed
A22	Within three months of: (a) the submission of a compliance report under Condition C4 ; (b) the submission of an incident report under Condition A17 ; (c) the submission of an Independent Audit under Condition C8 or C10 ; (d) the approval of any modification of the conditions of this consent; or (e) the issue of a direction of the Planning Secretary under Condition A2 which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.	The Department was not notified of the review following submission of the 2 nd 2021 IEA dated 10/12/2021.	Establish and implement a process to ensure that a review of strategies, plans and programs is undertaken following the submission of a compliance report, incident report, IEA, approval of a modification or a direction from the Department, and ensure the Department is notified of the review within the required 3-month timeframe.	MostynCopper have prearranged reviews of strategies, plans and programmes to coincide with the next scheduled independent audit, to ensure the reviews take place within three months. For previous incidents and non-compliances, meetings will be scheduled to review the relevant strategies, plans and programmes associated with these. Details of which can be provided on request.	12 May 2022
B4	The Applicant must provide a copy of the documentation given to the Certifier under Condition B3 to the Planning Secretary within seven days after the Certifier accepts it.	Whilst Supporting Documents were submitted to DPE within seven days after the documentation was accepted	No recommendation is made as the Condition B3 documentation has been submitted to DPE.	MostynCopper have reiterated to the Head Contractor their obligations to provide the relevant	Completed

Condition Number (ID)	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date
		by the Certifier, Steve Watson & Partners (SWP), the Design Certificates were submitted more than seven days after the documentation was accepted by SWP.		documentation to the Department within the prescribed timeframes.	
C3	At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: the documents referred to in Condition A2 of this consent; (b) all current statutory approvals for the development; (c) all approved strategies, plans and programs required under the conditions of this consent; (d) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent; (e) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; (f) a summary of the current stage and progress of the development;	The Applicant's response to the 2nd 2021 IEA (December 2021) was not available on the Cricket NSW website and no Construction Updates had been provided since August 2021. The Applicant's response to the 2nd 2021 IEA was subsequently uploaded.	The Auditors recommend that the Construction Updates are kept up to date.	MostynCopper have since remedied this administrative error by way of a responsibility matrix to nominate the specific person within MostynCopper responsible for uploading the prescribed documentation onto the Project website. MostynCopper provide weekly updates to CNSW, and it was understood these were being uploaded intermittently onto their website, this has not been the case. Additionally, it has now been clarified with the Independent Auditor that the uploading of the Applicants Responses to the IEA's to the Major Project Planning Portal does not satisfy this condition.	Completed

Condition Number (ID)	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date
	(g) contact details to enquire about the development or to make a complaint; (h) a complaints register, updated monthly; (i) audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report; (j) any other matter required by the Planning Secretary; and (k) keep such information up to date, to the satisfaction of the Planning Secretary.				
C11	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Applicant must: (a) review and respond to each Independent Audit Report prepared under Condition C8 of this consent, or Condition C10 where notice is given by the Planning Secretary; (b) submit the response to the Planning Secretary; and make each Independent Audit Report, and response to it, publicly available 60 days after submission to the Planning Secretary.	The 2 nd 2021 IEA revised report and the Applicant's response to that report were not made publicly available within the 60-day timeframe.	The Auditors recommend that future IEA reports and Applicant's responses be uploaded to the Cricket NSW website within the required 60-day timeframe.	MostynCopper have since remedied this administrative error by way of a responsibility matrix to nominate the specific person within MostynCopper responsible for uploading the prescribed documentation onto the Project website. MostynCopper provide weekly updates to CNSW, and it was understood these were being uploaded intermittently onto their website, this has not been the case. Additionally, it has now been clarified with the Independent Auditor that the uploading of the Applicants Responses to the IEA's to the Major Project Planning Portal does not satisfy this condition.	
C12	Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post	The Applicant's response to the 2 nd 2021 IEA was not submitted to DPE within the required 2 month timeframe.	Investigate the reason for not preparing and submitting the response with the IEA report and implement a process to ensure that responses to IEAs	Following the 2nd 2021 IEA, MostynCopper liaised closely with Maria Divis from the Department as to the requirements to satisfy this condition. Following extensive	Nil

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	Approvals Requirements (2020) unless otherwise agreed by the Planning Secretary.		are prepared and submitted to DPE with the IEA report or at least within 2 months of the independent audit site inspection.	discussions by way of email / phone correspondence and a scheduled meeting, the requirements of MostynCopper to satisfy this condition were confirmed and an agreed timeframe to submit the responses confirmed. MostynCopper uploaded the responses onto the Major Planning Projects Portal in line with the agreed timeframes.	
D20	If unexpected contamination or unexpected soil vapour/hazardous ground gas conditions are found during construction, a risk assessment and a remediation action and strategy should be prepared by a suitably qualified independent expert and submitted to the EPA accredited Site Auditor for approval, and a copy submitted to SOPA and the Certifier. Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination, the Planning Secretary must be immediately notified, and works must cease. Works must not recommence on site until the Planning Secretary confirms works can recommence.	Documentation was not complete for unexpected finds (UFs) of contamination. Ensure that all documentation associated with UFs (waste dockets, waste classifications, inspection reports, clearance certificates, strategies and risk assessment submissions) confirming UFs are recorded, and remediation action and strategies are implemented in accordance with Condition D20.	The Auditors recommend that the UFP be reviewed and revised to include the approval and submission requirements.	Buildcorp advised Ramboll during the site audit that not all waste dockets, waste classifications and clearing certificates were available at that time. MostynCopper have sought this additional information from Buildcorp and have provided to Ramboll. MostynCopper will reiterate the requirements for approval and submission in consultation with all relevant Contractors.	4 May 2022
D24	To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork NSW requirements.	Two gas cylinders were observed not in appropriate storage. They appeared to be left free standing temporarily for later management.	The Auditors recommend the provision of further training and facilities to contractors, as considered appropriate, to ensure that hazardous chemicals are stored safely in appropriately designed storages.	The two gas cylinders in question were momentarily left freestanding outside of the sub-contractors site shed whilst the contractor stepped inside. At that moment the Site Auditor walked past and observed these had been left unsecured and unattended. Immediate steps were taken to secure the cylinders in accordance with the consent conditions and the Site Manager cautioned their sub-contractor on	Completed

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				leaving these cylinders unattended. MostynCopper have requested that Buildcorp re-educate their sub-contractor team on the requirements of this condition.	
D32	The Applicant must ensure: (a) stockpiles of material do not exceed 4 metres in height; (b) stockpiles of material are constructed and maintained to prevent cross contamination; and (c) suitable erosion and sediment controls are in place for stockpiles.	Suitable erosion and sediment controls and measures preventing potential stormwater contamination and cross contamination between stockpiles were not implemented effectively at the time of the site visit.	The Auditors recommend that stockpile management be reviewed in accordance with the CEMP. Ensure that contractors working under the CEMP have been adequately trained in accordance with the CEMP requirements.	MostynCopper immediately contacted Evergreen (responsible contractor) to secure and install additional environmental / sediment controls surrounding the noted stockpiles. It is noted that the site audit was undertaken during an extreme weather event. MostynCopper informed Buildcorp of the two waste stockpiles that required separation and additional controls in the area of the soil treatment bays. This was rectified shortly thereafter and has since been removed from site.	Completed
D35	The Applicant must ensure: (a) the three hollow trees identified for removal in the Biodiversity Development Assessment Report Final, Version 2.3 prepared by Cumberland Ecology dated 2 June 2020 are protected for re-standing; (b) no street trees on any public land are trimmed or removed unless it forms a part of this development consent or is required in an emergency to avoid the loss of life or damage to property; (c) all trees that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures to protect the root systems, trunk and branches during construction, in accordance with AS 4970:2009; and (d) any removal works are to be undertaken by a qualified arborist recognised within the Australian	This condition remains non-compliant on the basis that tree protection was not fully re-instated in accordance with the 2020 Tree Removal Plan or to the satisfaction of the Project Arborist.	The Auditors recommend that tree protection be reinstated in accordance with the 2020 Tree Removal Plan or otherwise to the satisfaction of the Project Arborist. Consider whether the CEMP could be improved by referencing the 2020 Tree Removal Plan and possibly including a site plan(s) for clarity that shows the locations of required tree protection fencing.	A review of the tree protection plan will be scheduled with all contractors on site as well as the project arborist to ensure relevant tree protection measures are implemented and maintained in the agreed areas. It is noted that the trees identified as not having protection are well outside the current construction works areas., regardless of this, a review will be undertaken.	12 May 2022

Condition Number (ID)	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proposed Action / Action Taken / Response (as applicable)	Proposed Action Due Date
	Qualification Framework, with a minimum five years of continual experience within the industry of operational amenity arboriculture and covered by appropriate and current types of insurance to undertake such works and in accordance with AS 4373:2007.				
Opportunities for Improvement					
A20	The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	Notification of the non-compliances following the request by the Department were made in accordance with Appendix 1 requirements for incident notifications and not in accordance with Condition A20.	The Auditors recommend that MostynCopper notify future non-compliance in accordance with the requirements of Condition A20. However, if a non-compliance is also an incident, it should be notified in accordance with Condition A18.	This was an administrative error and has since been remedied by way of a responsibility matrix to nominate the specific person within MostynCopper responsible for notifying the Department.	Completed
B21	The maximum number of car parking spaces to be provided for the development is 221, comprised of 111 spaces in the foreshore car park in the north-western corner of the site and 110 spaces in the car park accessed off Newington Road in the south-eastern corner of the site. Of this total, 4 accessible car parking spaces are to be provided in the north-western car park, and 2 spaces in the south-eastern car park, as indicated on the drawings. Details confirming the parking numbers must be submitted to the Certifier prior to the issue of the relevant Construction Certificate. The existing 22 boat trailer parking spaces that service the existing boat ramp on Parramatta River are not to be included within these car parking spaces.	The car parking spaces were not distributed in accordance with the requirements of Condition B21.	The Auditors recommend MostynCopper confirm in writing with DPE that the variation in distribution of the car parking spaces is acceptable.	CC4 was obtained on 14 April 2022, prior to MostynCopper becoming aware of this recommendation. The PCA (Steve Watson and Partners) have accepted the parking and service vehicle layout plans are in accordance with this condition and therefore no further action is required. The plans have been submitted to the Department for their records and MostynCopper have not received any comment from the Department pertaining to the parking.	Nil
B22	Plans demonstrating compliance with the following traffic and parking requirements must be submitted to the Certifier prior to the issue of the relevant Construction Certificate: (a) all vehicles should enter and leave the site in a forward direction;	The plans provided do not demonstrate compliance with Condition B22 (c) - pedestrian advisory signs at the egress from the car park are not indicated; and Condition B22	The Auditors recommend that the car park and service vehicle layout plan(s) be reviewed and revised to demonstrate compliance with Condition B22	CC4 was obtained on 14 April 2022, prior to MostynCopper becoming aware of this recommendation. The PCA (Steve Watson and Partners) have accepted the parking and service vehicle layout	Nil

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	(b) car parking associated with the proposal (including queuing areas, grades, turn paths, sight distance requirements, aisle widths, and parking bays) must be in accordance with AS 2890.1-2004, AS2890.6 for accessible spaces and AS 2890.2-2002 for heavy vehicle usage; (c) appropriate pedestrian advisory signs are to be provided at the egress from the car park; (d) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority; (e) the swept path of the longest vehicle (including garbage trucks) entering and exiting the Site, as well as manoeuvrability through the Site, must be in accordance with AUSTROADS; and (f) the loading and servicing area must be sufficiently designed to accommodate servicing by garbage trucks.	(f) – the loading and servicing area for garbage trucks is not indicated. However, the plans were not relevant to CC3 but will be relevant to CC4 in the next Audit Period.	(c) and (f) prior to the issue of CC4.	plans are in accordance with this condition and therefore no further action is required.	
C14	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	The Auditors could not verify that Evergreen met the requirements of this Condition on the basis of the available information.	The Auditors recommend that NSW Cricket ensure that all employees, contractors and subcontractors, including Evergreen, are made aware of, and are instructed to comply with, the conditions of this consent relevant to the activities they carry out in respect of the development.	CC4 was obtained on 14 April 2022, prior to MostynCopper becoming aware of this recommendation. The PCA (Steve Watson and Partners) have accepted the parking and service vehicle layout plans are in accordance with this condition and therefore no further action is required.	4 May 2022
C17	Prior to the commencement of works, the Applicant shall prepare and implement a Construction Environmental Management Plan (CEMP) for the development and be submitted to the Certifier. The CEMP must be prepared in	The Auditors have not sighted evidence to indicate that the Ford Civil and Buildcorp CEMPs were not fully implemented during the Audit Period. However, the Auditors observe that if there is a changeover in contractors onsite there should be a process to ensure	The Auditors recommend that all contractors are subject to the approved CEMP with appropriate supervision and oversight to ensure that the CEMP is implemented.	MostynCopper confirm that Ford Civil have now completed the majority of their contracted works on the project with the exception of some minor defects rectification works. It is noted that Ford Civil and Buildcorp had separately approved CEMP's developed specific to their relevant scopes of	Nil

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	consultation with, and approved by, SOPA. The CEMP must: (a) describe the relevant stages and phases of construction, including work program outlining relevant timeframes for each stage/phase; (b) include plans demonstrating the boundary of the construction site and any associated areas to be fenced or closed to the public; (c) describe all activities to be undertaken on the site during site establishment and construction of the development; (d) clearly outline the stages/phases of construction that require ongoing environmental management monitoring and reporting; (e) detail statutory and other obligations that the Applicant is required to fulfil during site establishment and construction, including approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies; (f) include specific consideration of measures to address any requirements of relevant agencies during site establishment and construction; (g) describe the roles and responsibilities for all relevant employees involved in the site establishment and construction of the works; (h) detail how the environmental performance of the site preparation and construction works will be monitored, and what actions will be taken to address identified potential	that all contractors are working under the approved CEMP (Buildcorp's) and that oversight is provided to ensure that the CEMP is implemented.		work. Ford Civil and Buildcorp are responsible for the implementation and compliance with each of their respective CEMP's and therefor MostynCopper do not believe this recommendation / opportunity for improvement is valid.	

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	environmental impacts, including but not limited to noise, traffic and air impacts; (i) include measures to ensure adequate groundwater entitlement is sourced in order to account for groundwater flows into the construction excavations, unless any exemption applies; (j) provide details on any proposed dewatering activities on site, interception of groundwater/leachate and removal of groundwater/leachate when constructing piles for the building foundations; (k) dangerous goods/chemical waste management; (l) workplace and community health and safety management; (m) stormwater management, including an Erosion and Sediment Control Plan and systems, processes and procedures for the implementation, operation and management of: (i) temporary boundary treatment and stormwater overland flow paths; (ii) procedures for management of any spills; and (iii) management of all excess spoil and construction wastes. (n) biodiversity management, including flora and fauna protection measures, such as frog-exclusion fencing, pre-clearance surveys and allowance for fauna dispersal to neighbouring habitats, and offsetting of hollow bearing tree removals; (o) include a Contamination Management Plan, which is to apply to all construction activities associated with the proposed development and including but not limited to filling, excavations,				

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	piling works, re-instatement of the capping layer, spoil management, contamination and soil vapour management measures, leachate management, stockpile management, spoil disposal and waste tracking, unexpected finds, monitoring, validation plan, WHS management and contingency measures are to be undertaken in accordance with the Contamination Management Plan Rev 0 prepared by Douglas Partners dated 23 October 2019 and the Site Auditors recommendations (AECOM Site Audit Report – FM120 NSW Cricket Association Wilson Park, Silverwater, NSW Rev 0 dated 24 October 2019) unless otherwise agreed in writing by the Planning Secretary and SOPA; (p) include a Stockpile Management Plan – including identification, segregations and management of contaminated spoil; (q) document and incorporate all relevant sub environmental management plans (Sub-Plans), control plans, studies and monitoring programs required under this part of the consent; and (r) include arrangements for community consultation and complaints handling procedures during construction. In the event of any inconsistency between the consent and the CEMP, the consent shall prevail. Prior to the commencement of works, a copy of the CEMP must be submitted to SOPA and the Planning Secretary.				
D24	To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and	Gate C was observed to be left open and unattended for a period of time.	The Auditors recommend that Buildcorp consider how best to ensure that Gate C is kept	Gate C is located to the south east of the site and is primarily used by Evergreen to obtain access to the	4 May 2022

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	work must be conducted at all times in accordance with relevant SafeWork NSW requirements.		secured at all times and not left unattended when open.	site. This Gate is also utilised by Buildcorp and their sub-contractors for material deliveries throughout the prescribed working hours. SOPA and their contractors are required to have 24hr unimpeded access to the north eastern bioremediation area (outside of the project construction site) and as such the gate is used by multiple parties throughout the working day. MostynCopper are not aware of any incidents of the public entering Gate C during the hours of construction however MostynCopper will request that the gate remain closed (locked) during construction and each contractor is responsible for securing the gate after access to ensure the site is secured. This will be achieved by way of "daisy-chained" locks, allowing separate access to the gate.	
D38	The Applicant shall store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, EPL requirements and/or EPA's <i>Storing and Handling Liquids: Environmental Protection – Participants Handbook</i> .	During the site visit, several chemical containers were observed in two locations in the indoor training facility not contained within a bund. It is considered there is a minimal risk if a leak or spill were to occur as the chemicals were located within the building however a risk assessment of the chemicals should be documented to confirm potential exposure risks.	The Auditors recommend that chemicals be stored with appropriate bunding and/or a risk assessment for chemicals to be undertaken.	MostynCopper and Buildcorp were made aware of the recommendation from the Auditor during the site audit. The chemicals in question were in the process of being used or had been located within the building for imminent use for construction. MostynCopper will request that Buildcorp undertake a risk assessment of the chemicals and if practicable and required (i.e., not in use), these will be stored in a bunded area.	4 May 2022

