

Part E: Env. Manage, Report and Audit

Requirement	Unique ID	Compliance Requirement	Development Phase	Monitoring Methodology	Evidence and Comments	Compliance Status
Schedule 2 Part E: Environmental Management, Reporting and Auditing/ Environmental Management - Management Plan Requirements	E1	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: (a) detailed baseline data; (b) details of: i. the relevant statutory requirements (including any relevant approval, licence or lease conditions); ii. any relevant limits or performance measures and criteria; iii. the results of any relevant risk assessment and analysis that has been undertaken; and iv. the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; (d) a program to monitor and report on the: i. impacts and environmental performance of the development; and ii. effectiveness of the management measures set out pursuant to paragraph (c) above; (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible; (f) a program to investigate and implement ways to improve the environmental performance of the development over time; (g) a protocol for managing and reporting any: i. incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria); ii. complaint; iii. failure to comply with statutory requirements; and (h) a protocol for periodic review of the plan. Notes: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans	At all times	DPIE Approvals, Internal Compliance Audits	All required management plans were prepared according to the requirements of Condition E1 and approved by the Planning Secretary within required timelines. Please refer to section 4.1 of the Independent Audit Report for details.	Compliant
Schedule 2 Part E: Environment Management, Reporting and Auditing/ Environmental Management - Revision of Strategies, Plans & Programs	E2	Within three months of: (a) the submission of a PER under Condition D17; (b) the submission of a Compliance Report under Condition E8; (c) the submission of an incident report under Condition E4; (d) the submission of an Independent Audit under Condition E10; (e) the approval of any modification of the conditions of this consent; or (f) the issue of a direction of the Planning Secretary under Condition A2(b) 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	At all times	Internal Compliance Audits	Parklands notified the DPIE on 29/02/2020 that it intends to review all strategies, plans and programs as a result of lodging its first Compliance Report due on 12 March 2020. Evidence Sighted: - Ongoing reviews achieved through: => PER's; => Compliance Reporting; and => this Independent Audit - Ongoing updates to strategies, plans and programs (as required) resulting from the above, evident through resubmitted management plans.	Compliant
	E3	If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised. Where revisions are required, the revised document must be submitted to the Planning Secretary within six weeks of the review. Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.	At all times	Internal Compliance Audits	All management plans approved in the reporting period will be reviewed in the next reporting period commencing 13 March 2020. Examples of reviews and subsequent re-submissions are detailed throughout this audit: - Infrastructure Staging Plan: => NBP 12/04/2019 Revised 18/10/2019 => DPIE Initial Approval 23/04/2019 - Re-approved 20/12/2019.	Not triggered
Schedule 2 Part E: Environment Management, Reporting and Auditing/ Reporting and Auditing - Incident Notification, Reporting and Response	E4	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. Subsequent notification requirements must be given and reports submitted in accordance with the requirements set out in Appendix 6.	At all times	Review of Incidents	One notification provided to the Department during the reporting period. Evidence Sighted: - NBP to DPIE/ Incident Notification Letter (20/02/2019). => NBP notified of incident 17/02/2019; => NBP reported incident to DPIE 20/02/2019 OF: Whilst there was sufficient evidence provided that Department of Planning, Infrastructure and Environment were notified of a suspected non-compliance, the information was provided directly to principle contacts within DPIE and omitted the required generic email from the initial notification.	Compliant
Schedule 2 Part E: Environment Management, Reporting and Auditing/ Reporting and Auditing - Non-Compliance Notification	E5	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance	At all times	Review of Incidents	One notification provided to the Department during the reporting period. Evidence Sighted: - NBP to DPIE/ Non-Compliance Notification Letter (03/07/2019). In accordance with Development Consent - Appendix 6/ S1: Written Incident Notification Requirements - NBP met the requirement to notify DPIE within seven days of becoming aware of the incident and providing a report with 30 days on which the incident occurred.	Compliant
	E6	A non-compliance notification must identify the development and the application number for it, set out the condition/s 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	At all times	Review of Incidents	One notification provided to the Department during the reporting period. Evidence Sighted: - DPIE response to N/C notification which states: => the Compliance Report has been received by the Department in accordance with the Compliance Monitoring and Reporting Program	Compliant
	E7	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance	At all times	Review of Incidents	Noted	Compliant
Schedule 2 Part E: Environment Management, Reporting and Auditing/ Reporting and Auditing/ Compliance Reporting	E8	Within 12 months of the date of this consent, and in the same month each subsequent year (or other timing as may be agreed to by the Planning Secretary), compliance reports of the development (excluding large events that are subject to a PER under Condition D9) must be carried out in accordance with the Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018)	At all times	Compliance Reporting	A Compliance Report has been prepared and will be lodged with the Department prior to 12 March 2020 Evidence Sighted: - NBP Operation Compliance Report - SSD8169 06/03/2020-Final - DPIE to NBP/ Notification of acknowledgement of receipt of Compliance Report (23/03/2020).	Compliant
	E9	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least 7 days before this is done	At all times	Compliance Reporting	The Compliance Report will be posted on the Parklands' website and the Department notified in writing Evidence Sighted: - The availability of the NBP Operation Compliance Report - SSD8169 06/03/2020-Final on the NBP website; - eMail DPIE to NBP confirming receipt of notification (10/03/2019) of - NBP Operation Compliance Report - SSD8169 06/03/2020-Final Report being uploaded to NBP website. This met the 60 day notification timeframe.	Compliant
Schedule 2 Part E: Environment Management, Reporting and Auditing/ Reporting and Auditing - Independent Audit	E10	Within 12 months of the date of this consent, and every three years thereafter, unless the Planning Secretary directs otherwise, the Proponent must carry out an Independent Audit of the development in accordance with the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018)	At all times	Independent Audit Report	Parklands received fee proposals from two service providers in early February 2020. A request for an extension to undertake the first Independent Audit was sent to the Planning Secretary on 17 February 2020 given a number of time constraints. An extension was granted by the Planning Secretary to 30 June 2020. Evidence Sighted: - eMail NBP to DPIE requesting extension for the Independent Audit (17/02/2020). - DPIE to NBP response approving Independent Audit extension (03/03/2020); - DPIE to NBP/ notification of agreement of auditor appointment (24/04/2020).	Compliant
	E11	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: (a) review and respond to each Independent Audit Report prepared under Condition E10 of this consent; (b) submit the response to the Department; and	At all times	Independent Audit Report	During this reporting period no Independent Audits preceded this period. Therefore no review or response is required.	Not Triggered

		(c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done				
Schedule 2 Part E: Environment Management, Reporting and Auditing - Reporting and Auditing - Monitoring and Environmental Audits	E12	<p>Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.</p> <p>Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development</p>	At all times	Compliance Reporting	<p>Noted. Environmental monitoring as required under the Flora and Fauna Monitoring and Adaptive Management Plan and the Koala Plan of Management are reported as part of the Performance Evaluation Reports (PER).</p> <p>Evidence Sighted: - Year 7 Environmental Performance Report: Ecology. A report prepared for North Byron Parklands (19/09/2019) covering FF2018/19 & SITG 2019; - Performance Evaluation Report #1 May 2019 (evaluating SITG 2018); - PER's were available on the North Byron Parklands website.</p>	Compliant
Schedule 2 Part E: Environment Management, Reporting and Auditing/ Access to Information	E13	<p>Within six months of the date of this consent, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ol style="list-style-type: none"> i. the documents referred to in Condition A2 of this consent; ii. all current statutory approvals for the development; iii. all approved strategies, plans and programs required under the conditions of this consent; iv. minutes of RWG meetings; v. regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent; vi. 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; vii. a summary of the current stage and progress of the development; viii. contact details to enquire about the development or to make a complaint; ix. a complaints register, updated monthly; x. the Compliance Report of the development; xi. audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report; xii. any other matter required by the Planning Secretary; and <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary</p>	At all times	Provision of documents on Parklands website	<p>This information is available on the Parklands website.</p> <p>Evidence Sighted: - Sighted on the NBP website: => Parklands Environmental Impact Statement => Parklands Response to Submissions => Architectural Drawings => Civil Plans => Concept Plan => Development Consent => Contact Details are listed. => Complaints Register (current as at February) => Compliance Report 2019/20 - All information appeared current.</p>	Compliant