

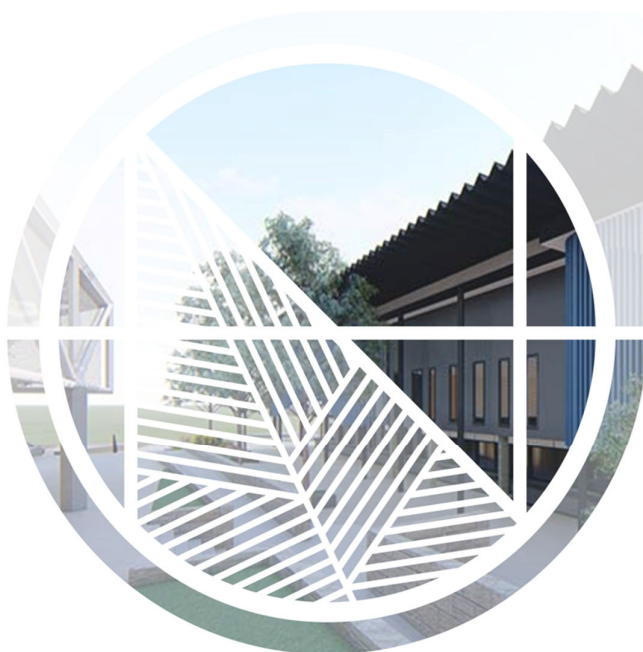


INDEPENDENT AUDIT REPORT

Catherine McCauley Catholic College SSD 8989

28 July 2020

Report Number: 2



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1. INTRODUCTION

1.1. BACKGROUND

The Catholic Diocese of Maitland – Newcastle are developing a new Catholic College at Medowie Road, Medowie within the Port Stephens Local Government Area (LGA). The development will provide the Medowie community with additional facilities to meet ongoing education needs.

The development is considered State Significant Development under Clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 and Part 4, Division 4.1 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

The site is located at 2 Kingfisher Close and 507 Medowie Road, Medowie (Lot 412 and Lot 413 DP 1063902) (the site). The site is approximately 20 kilometres north of Newcastle and approximately 30 kilometres west of Nelson Bay.

The following works are associated with the delivery of the new school facility:

- Classrooms and other learning spaces (Technology and Applied Studies, Art, Science, Personal Development, Health and Physical Education, Music, Drama, Hospitality, Food Technology)
- Flexible learning village
- Library learning hub
- Multipurpose hall
- Canteen and community use cafe
- Chapel
- Early Learning Centre
- Administration and other staff and student support facilities.

Principle Project Management has been engaged by the Diocese to oversee the delivery of the project and act as Principals Representative.

North Constructions have been engaged to construct the Site Works and Stage 1a and 1b building works for the project. The Roadworks stage has yet to be commissioned.

1.2. AUDIT TEAM

The audit was undertaken by Erwin Budde, Exemplar Global Certified Principal Environmental Auditor. Erwin has over 21 years experience as an environmental professional and 17 years of auditing experience. Erwin was Approved as the Independent Environmental Auditor by the Department of Planning, Industry and Environment (the Department) (Appendix B)

1.3. OBJECTIVES

The objectives of the audit were to conduct an independent review of compliance with the Conditions of Approval SSD 8989 issued by the Minister for Planning on the 26th July 2019, and in accordance with the requirements of the Independent Audit Post Approval Requirements, June 2018 (Department 2018).

1.4. AUDIT SCOPE

This is the second Independent Environmental Audit of the project.

The scope of this audit was generally in accordance with Section 3.3 of the Independent Audit Post Approval Requirements (Department 2018). The scope in general included:

- Conditions of consent applicable to Site Works, Roadworks, Stage 1a and Stage 1b stages of the project, including relevant construction conditions
- All relevant post approval documents required by the conditions of consent (eg EMPs)
- All relevant environmental licences and approvals applicable to the development (excluding EPL)
- An assessment of the environmental performance of the development
- A high-level review of the project's EMS
- A high-level assessment of whether Environmental Management Plans and Sub-plans are adequate

1.5. AUDIT PERIOD

The audit period for this audit was from the date of the last audit, 6th February 2020 up to the date of the site audit, 15th July 2020.

2. AUDIT METHODOLOGY

2.1. AUDITOR APPROVAL

The Department agreed to the nomination of Erwin Budde as the Auditor for the project on 28/8/19 (Appendix B).

2.2. SCOPE DEVELOPMENT

The audit scope as developed during the preparation of the Audit program. This involved:

1. Reviewing the SSD 8989 Conditions
2. Reviewing the Independent Audit – Post Approval requirements (June 2018)
3. Consultation with agencies
4. Preparing the Audit Table.

2.3. AUDIT PROCESS

A document review was undertaken prior to the audit and off site. The document review included a review of the Conditions of Approval and all management plans and sub plans, using evidence submitted.

The Audit program was submitted to the Auditee indicating the dates of the site audit, scope, criteria, audit details and required project representatives.

An Opening Meeting was held on 15th July 2020 at 8am on site. Present at the opening meeting were:

- Harry Crosley
- Callan Denny
- Jonathon Horton
- Emily Spurway

A closing meeting was held on 15th July 2020 at 2.30pm at the site office. Present at the closing meeting were:

- Harry Crosley
- Callan Denny
- Jonathan Horton
- Emily Spurway

2.4. AUDIT INTERVIEWS

Interviews were held with a number of staff including:

- Harry Crosley
- Callan Denny
- Jonathan Horton
- Emily Spurway

No interview requests were not granted.

2.5. SITE INSPECTION

A site inspection was conducted on 15th July 2020 (8.30am). The purpose of site visit was to undertake an inspection of works on site, view the site and access arrangements and gain an understanding of the current scope of the works. No restrictions to access occurred during the site visit.

2.6. CONSULTATION

Email consultation was undertaken with:

- Department of Planning, Infrastructure and Environment
- Transport for NSW
- Roads and Maritime Services
- Port Stephens City Council

A response was only received from DPIE (Appendix C).

2.7. COMPLIANCE STATUS DESCRIPTORS USED IN THIS REPORT

The compliance descriptors used in this report are:

- | | |
|----------------------|---|
| Compliant | Requirement has been met |
| Non-Compliant | Requirement has not been met |
| Not Triggered | Requirement not relevant to the current stage of work |

3. AUDIT FINDINGS

3.1. APPROVAL AND DOCUMENT LIST

The list below shows all documentation used as evidence in both audits. Evidence specific to the second audit is shown in **red text**:

- Consent Documents
 - Environmental Impact Statement, Proposed Catholic College, 2 Kingfisher Close and 507 Medowie Road, Medowie. deWitt Consulting (14/6/18).
 - Response to Submissions, Proposed Catholic College, 2 Kingfisher Close and 507 Medowie Road, Medowie. deWitt Consulting (19/11/18).
 - Development Consent, SSD 8989 (26/7/19)
 - Approved Plans, SSD 8989 (26/7/19)
- Staging Report, Rev F, October 2019
- **Staging Report Rev G, April 2020**
- Demolition Works Plan Rev 1, North (19/9/19)
- Site Layout Plan (undated)
- Roads Act Approval for Traffic Control 138-2019-22-1, 3/10/19
- Hunter Water Works Deed 2017-899/7 (1/10/19)
- **Hunter Water Section 50 Approval Certificate (11/5/2020)**
- RMS WAD 19.0000303559.1430 (Signed 10/12/19)
- Site Specific Induction Rev 2
- Pre-construction Compliance Report (PCCR) (GHD) (19/12/19)
- **Construction Compliance Report (CCR) (GHD) (21/5/20)**
- QS report Early Works Budget Estimate (Muller Partnership) (11/3/18)
- Interim Salvage Excavation Report, Draft Rev 01, Biosis (29/1/20)
- Independent Audit Program (IAP) (16/8/19)
- **Vegetation Monitoring Report 1: Establishment (Biosis, 2/5/2020)**
- Construction and Environment Management Plan and the following associated subplans:
 - CEMP Rev 2 (24/10/19)
 - CEMP Appendices for:
 - Noise and Vibration
 - Soil and Water
 - SIMP (Site Integrated Management Plan, Rev 2 (19/9/19)
 - Remedial Action Plan Rev 1, RCA Australia (11/10/18)
 - Remediation Action Plan Rev 2, RCA Australia (1/5/20)
 - Aboriginal Cultural Heritage Management Plan, Biosis (25/10/19)
 - Acid Sulfate Soils Management Plan Rev 0, RCA Australia (21/11/18)
 - Koala Management Plan Draft Rev 01, Biosis (6/8/19)
 - Stormwater Management Plan, MPC Consulting Engineers (October 2019)
 - Waste Management Plan Rev 1, Barker Ryan Stewart (16/4/19)
 - Construction Traffic Management Plan Early Works Ver 02, SECA Solutions (27/8/19)
 - Bushfire Evacuation Plan, NSW RFS (1/7/19)
 - Biodiversity Management Sub Plan Draft Rev 01, Biosis (6/8/2019)
 - Vegetation Management Sub Plan Draft Rev 01, Biosis (31/7/19)
 - Fauna Management Plan Draft Rev 01, Biosis (5/8/19)
 - Community Consultation Strategy (September 2019)
- Drawings and Plans:
 - Proposed Signalised Intersection Design Rev 9 (GE-R01)

- Proposed Signalised Intersection Design Rev 9, Linemarking and Signposting (RF-R31)
- McCallum PECA Rainwater Harvest Drawing H-05
- Webber Rainwater Harvest Drawing 2544/01_0103/I
- MPC Parking Drawing C104.1 Rev 3 and C104.2 Rev 3
- Dilapidation Reports including:
 - Medowie Substation Dilapidation Report (14/8/19)
 - Dilapidation Report for buildings, public assets and Council infrastructure (undated, photos July and August 2019)
- Correspondence including:
 - DPIE Approval of Staging Report Rev F (15/10/19)
 - **DPIE Approval of Staging Report Rev G (22/6/20)**
 - DPIE Approval of Stormwater management system (15/11/19)
 - DPIE Approval of the CEMP (15/11/19)
 - DPIE Approval of Biodiversity Offset Credits (15/10/19)
 - DPIE Approval of Auditor (28/8/19)
 - DPIE Approval of PCCR (3/2/20)
 - **DPIE Approval of CCR (26/5/20)**
 - DPIE Letter allowing the Archaeological salvage to occur during construction (24/9/19)
 - Letter from DPIE allowing salvage works to occur concurrent with construction (24/9/19)
 - Email to DPIE regarding external wall cladding (20/1/20)
 - Email to DPIE submitting the CEMP for the purposes of demolition work (27/9/19)
 - Email to DPIE submitting Demolition Work Plan and Compliance Statement (25/9/19)
 - Email to DPIE notifying commencement of Site Works stage (18/12/19)
 - Email to DPIE notifying commencement of Stage 1a and 1b works (7/1/20)
 - Email to DPIE submitting the IAP (9/10/19)
 - Email to PCA submitting the IAP (9/10/19)
 - **Email to PCA notifying them of the PCCR being publicly available (22/5/20)**
 - **Major Projects Portal Receipt notifying DPIE of the PCCR being publicly available (22/5/20)**
 - Council letter approving stormwater management system (11/11/19)
 - RMS Design Review (Rev 2)
 - Council email confirming receipt of the development contribution for Stage 1 (4/10/19)
 - Email to Council submitting the dilapidation reports (9/10/19)
 - Email to PCA submitting the Demolition Works Plan and Compliance Statement (25/9/19)
 - Letter from WSP confirming the project is on track to achieve 4 star green star rating (8/10/19)
 - Email to RMS TMC notifying the proposed truck routes (24/9/19)
 - Email from PCA approving the bike storage facilities for Stage 1 (23/8/19)
 - Email from North to PCA indicating only 50 of the 200 bike spaces would be constructed in stage 1 (23/8/19)
 - Email from ADW Johnson to RMS submitting the road design drawings (1/10/19)
 - Email from Department of Defence advising of crane requirements (20/8/19)
 - Email from Biosis submitting the Interim Salvage Report (29/1/20)
 - Letter from RCA documenting results of water sampling and analysis (13/12/19)
 - Email to PCA submitting the stormwater management documents under B3 and B4 (11/12/19)
 - Letter from WSP regarding Green Star (8/10/19)
 - Email from PCA 30/1/20 stating he received the Compliance Monitoring and Reporting Program on 14/10/19
 - Email from Biosis notifying completion of salvage work (5/12/19)
 - Email from North to PCA regarding floor heights and AEP 21/10/19

- Email from Ray Bowen (applicant) to Karen Harrigan (DPIE) (8/7/2020)
 - Site Auditor endorsement of the RAP Rev 2 (9/5/20)
 - Letter from DPIE confirming receipt of the Interim Salvage Excavation Report (11/2/20)
 - Email from BCD confirming receipt of the Interim Salvage Excavation Report (13/2/20)
 - Email from Biosis confirming approval pathway for unexpected find (20/7/2020)
 - Email from BCD confirming unexpected find can be salvaged under the SSD (23/6/2020)
 - Automated response from DPIE acknowledging receipt of the first IEA Report 10/2/2020
- <https://www.mn.catholic.edu.au/schools/region-map/north/catherine-mcauley-catholic-college/>
- Compliance and Design Statements:
 - Statement of Design Requirements, MPC (27/9/19)
 - Statement of Design Requirements – Structural and Civil, MPC (11/10/19)
 - WDG Design Compliance Certificate for Hunter Water (1/10/19)
 - Demolition Works Plan Compliance Statement, North (23/9/19)
 - Section J Energy Efficiency Verification (WSP, 7/4/2020)
 - Fire Engineering Report (YGA Consulting, June 2020)
- Other Records:
 - Long Service Levy Receipt prepared by Long Service Corporation (24/9/19)
 - Flammability Test Report for shade sails AWTA Product Testing (7/4/10)
 - Application for Hydraulic design assessment to Hunter Water 2017-899 (21/10/19)
 - Telstra Relocation Agreement (21/8/19)
 - Ausgrid certification of electrical substation design and install (15/2/19)
 - Statement of Confirmation of Biodiversity Offset, BCT (9/9/19)
 - Site Safety Walk records (8/1, 24/1)
 - Architectural Certification for CC, Webber (10/10/19)
 - Letterbox Drop (30/9/19)
 - Green Star Target Matrix (16/9/19)
 - Asbestos Clearance Certificate (17/12/19)
 - SEPP 55 Notification (11/12/19)
 - Pre-clearance and Clearance inspection report, Biosis (20/12/19)
 - Weed Photo Reference sheet
 - Non-conformance Register
 - Weekly Safety Walk form
 - Street Sweeper docket (27/2/20, 31/3/20, 29/5/20)

3.2. COMPLIANCE PERFORMANCE

A total of 104 Conditions of Approval were found to be relevant to the current stage of construction. The project was found to be non-compliant with 9 of these (Table 3-1). Of these:

- 3 are new non-compliances
- 1 (A12) is an ongoing non-compliance
- 5 are non-compliance from a previous audit which can not be closed out as it relates to timing

For the purposes of Table 3-1, if a Condition contained a part which is relevant, the whole Condition is counted as being relevant. Similarly, where a non-compliance was found with part of a Condition, the entire condition is considered non-compliant.

Condition C32(b), which requires this audit to be conducted in accordance with the Independent Audit Post Approval Requirements could not be audited. It is not appropriate for an auditor to audit their own work.

Table 3-1 Summary of Compliance

	Part A	Part B	Part C	Part D	Part E	Part F
Number of Conditions of Approval	36	9	50	35	57	19
Number of Relevant Conditions	24	8	45	27	0	0
Number of Non-compliances	3 (2 new, 1 ongoing)	1 (old)	2 (old)	3 (1 new, 2 old)	0	0

3.3. NOTICES, ORDERS OR PROSECUTIONS

No formal notices, orders, infringement notices or prosecutions had been issued during the audit period.

3.4. NEW NON-COMPLIANCES

Table 3-2 New Non-compliances identified during the current audit are detailed below.

Condition of Approval	Requirement	Details of Non-compliance	Recommended Action
A22	<p>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:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <p>(v) 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;</p> <p>(ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;</p>	<p>Vegetation monitoring summary has not been uploaded onto the website.</p> <p>The first Independent Audit Report was available on the website. The Applicant's responses were not available at the time of the audit.</p>	<p>Upload the Vegetation Monitoring Summary and the Applicant's Responses to the Initial Independent Environmental Audit to the project website</p>
D33	<p>In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:</p> <p>(c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Department and notify the Department and the Principal Certifying Authority in writing at least seven days before this is done.</p>		
A34	<p>Within three months of:</p> <p>(a) the submission of a compliance report under condition C40;</p>	<p>PCCR was submitted on 13/1/20. No review has been carried out.</p>	<p>A review of the management plans should be carried out in accordance with condition A34 and A35.</p>

Condition of Approval	Requirement	Details of Non-compliance	Recommended Action
	<p>(b) the submission of an incident report under condition A29 the submission of an Independent Audit under condition D32;</p> <p>the strategies, plans and programs required under this consent must be reviewed, and the Department and the Principal Certifying Authority must be notified in writing that a review is being carried out.</p>	<p>The Independent Audit Report was completed on 10/2/2020. No review has been carried out.</p> <p>Notification to DPIE and the PCA has not occurred</p>	<p>DPIE and the PCA should be notified prior to the review being conducted.</p>

3.5. PREVIOUS AUDITS

The status of previous audit findings is detailed below.

Condition of Approval	Details of Non-compliance	Recommended Action	Status
A12	Whilst the project is generally complying with the Conditions relevant to the current stages of work, non-compliances have been recorded.	Notify DPIE of the non-compliance in accordance with Condition A30. See non-compliances below.	OPEN New non-compliances were found during the current audit
B2	The information supplied with the CC was given to the Planning Secretary outside the required 7 days.	Notify DPIE of the non-compliance in accordance with Condition A30. No further action required	CLOSED DPIE notification OPEN Non-compliance with timing
C1	Notification of the commencement of the Site Works stage occurred later than the period required by this Condition.	No further action required	OPEN Non-compliance with timing
C41	PCCR was completed on 19/12/19 and lodged on 13/1/19 which is after construction commenced.	No further action required	OPEN Non-compliance with timing
D32	This initial independent audit was conducted outside the Audit Program timeframe. The project sought an extension of time from DPIE however no response was received from DPIE.	Seek confirmation from DPIE regarding the delay in completing this audit	OPEN Non-compliance with timing
D35	Interim report has been prepared 30/1/19 (more than 1 month after salvage was completed on 9/12/19). It has not yet been submitted to DPIE. It is noted a 4 week extension of time was requested however	Seek confirmation from DPIE regarding the delay in completing the salvage report. Submit the Interim Report as soon as possible.	OPEN Non-compliance with timing

Condition of Approval	Details of Non-compliance	Recommended Action	Status
	no response was received from DPIE.		

The audit also raised a number of opportunities for improvement. The status of these are shown below.

Opportunity for Improvement	Status
Include a date on the Complaints Register so it can be readily determined that it is the most recent monthly update.	The complaints register is now dated. CLOSED
Develop and implement a street sweeping procedure.	Street sweeping is in place. CLOSED
The final versions of the various ecological management plans need to be compiled and uploaded to the website.	Final versions were compiled and uploaded. CLOSED
The CEMP includes environmental management measures which are also addressed by specialist subplans (eg 2.9 Aboriginal Heritage, 2.11 Contamination). A possible improvement, to avoid contradictory information, is to refer all specialist environmental management measures to the sub plans and remove them from the CEMP.	No review has been carried out. See Condition A34.
The CEMP and Incident Procedure does not include measures to notify DPIE of any incident in accordance with Condition A28 and Appendix 1 of the Approval.	
No construction noise verification has occurred to date, and the CNVMSP does not contain any procedures to verify compliance with the ICNG and Approval in relation to noise. It is suggested verification be conducted during a particularly high noise-generating construction activity (possible at R2 when works occur in that area) to demonstrate compliance.	
The ecological mitigation measures are spread over 4 subplans. A possible improvement could be to consolidate the management measures into a single table, for ease-of-reference.	

3.6. ENVIRONMENTAL MANAGEMENT PLANS

The project operates under a Construction Environmental Management Plan and a range of subplans and specialist management plans required by the Conditions of Approval. All plans are being managed by North Constructions. Only the Acid Sulphate Soils Management Plan has been updated since the commencement of work. The updates were minor and administrative in nature. An Addendum Remedial Action Plan was prepared following site investigations.

The CEMP applies to the Site Works and Stage 1a/1b works only. The following plans were in use at the time of the audit:

- CEMP Rev 2 (14/10/19) prepared by North Constructions
- Construction Traffic and Pedestrian Management Sub-Plan Ver02 (27/8/19), prepared by SECA Solutions
- Construction Noise and Vibration Management Sub-Plan, CEMP Chapter 30, accompanied by the Noise Assessment prepared by Spectrum Acoustics (March 2018)
- Construction Waste Management Sub-Plan Rev 1 (16/4/19), prepared by Barker Ryan Stewart
- Construction Soil and Water Management Sub-Plan, CEMP Chapter 31 accompanied by the Stormwater Management Plan prepared by MPC Consulting Engineers (October 2019)
- Aboriginal Cultural Heritage Management Sub-Plan Final Version 01, prepared by Biosis (September 2019)
- Biodiversity Management Sub-Plan, currently still Draft V01, prepared by Biosis
- Bush Fire and Flood Emergency Response Sub-Plan, CEMP Appendix 8 prepared by Phillip Couch - Graduate Diploma for Design for Bushfire prone areas & FPAA BDAP - Level 3 accredited. The Flood Management Plan is CEMP Appendix 8a, prepared by North Constructions Safety Manager
- Koala Management Sub-Plan, currently still Draft V01, prepared by Biosis
- Vegetation Management Sub-Plan, currently still Draft V01, prepared by Biosis
- Fauna Management Sub-Plan, currently still Draft V01, prepared by Biosis
- Remedial Action Plan, Rev 1 (11/10/18) prepared by RCA Australia
- Community Communications Strategy (September 2019), prepared by the Catholic Schools Office, Diocese of Maitland-Newcastle

A detailed review of each of the above plans was conducted to determine both compliance and identify any opportunities for improvement. This review included a desktop assessment confirmed by the site inspection.

CEMP

The CEMP contains the following general information:

- Training – Training is focused on induction-level and toolbox-talk information sessions and on-the-job training to subconsultants and workers. Given the nature of the project which has limited civil work, this is considered adequate.
- Corrective action procedures. A review of Corrective Actions identified several of an environmental nature. The actions reviewed were all closed out.
- Construction-related community and external engagement. It is noted in the CEMP that the diocese will conduct community liaison work. North Constructions are responsible for notifying community of disruptions and receiving complaints.
- Environmental incident management. No incidents have occurred to date. The procedure contained in the CEMP (and PRO022 Incident Reporting procedure) includes category classifications (Cat 5 to Cat 1), with differing response requirements for differing severities of incidents and reporting and notification procedures. The CEMP and Incident Procedure does not include measures to notify DPIE of any incident in accordance with Condition A28 and Appendix 1 of the Approval.

- Roles and responsibilities. The CEMP clearly identifies the responsibilities of both on and off site staff
- Subcontractors. The CEMP includes a list of likely subcontractors and measures to monitor their performance.
- Environmental management measures not subject to sub-plans include:
 - Air quality. The main air quality control measures include construction method selection, wheel shakers, water carts and selection of plant and equipment with low emissions. Given the limited earthworks associated with the project and the distance to the nearest receptors, the measures contained in the CEMP are considered adequate.
 - Plant and equipment operation and maintenance. The measures outlined in the CEMP relevant to the current work were noted as being implemented on site, including the concrete washout bay and refuelling procedures.
 - Site compound and working areas. The main site compound was observed to comply with the CEMP.
 - Fuel and chemicals. Refuelling is conducted in-situ by a mobile tanker.

CTPMSP

The CTPMSP forms Appendix 2 of the CEMP. It contains the following:

- A schedule of works. The schedule was found to broadly reflect the works program to date.
- ROL requirements
- Existing traffic data including pedestrian and cycle facilities
- An assessment of impacts
- A traffic movement plan. The Plan as contained in the CTPMSP was being implemented fully. It was also included in the site induction.
- Traffic Control Plan procedures. Several TCPs had been prepared to date.
- Driver's Code of Conduct

Compliance with the CTPMSP was found during the audit.

NVMSP

The CNVMSP is contained in Section 30 and Appendix 3 of the CEMP. The Plan includes a range of measures to implement, however the project is not considered to be located within a sensitive noise environment. To date no noise complaints have been received.

No construction noise verification has occurred to date, and the CNVMSP does not contain any procedures to verify compliance with the ICNG and Approval in relation to noise. It is suggested some verification be conducted during a particularly high noise-generating construction activity to demonstrate compliance.

WMSP

The WMSP was prepared by a specialist and is contained in Appendix 4 of the CEMP. The plan includes consideration of demolition and construction waste, including several tables estimating the quantity of waste being generated, whether it will be reused, recycled or disposed of, and a comment regarding the management of waste streams. Waste bins were observed across the site. Steel and concrete waste are being separated at source, with the general skip bins being separated at the disposal centre by Bingo Recycling.

CSWMSP

Soil and water management measures are contained in Section 31 of the CEMP and Appendix 5. It is supplemented by the Stormwater Management Plan prepared by MPC which includes only limited construction-related soil and water measures. The Plan includes the following:

- Measures to minimise soil disturbance including retention of vegetation, physical delineation of work areas, limiting trench openings and progressive rehabilitation.
- Measures to minimise soil erosion including batter slopes, use of strip turf, windrows and water carts
- Preparation of ESCPs. The ESCP viewed on site was being implemented. There had been no change to the ESCP since the last audit.
- Clearing and mulching procedures. No additional vegetation clearing has occurred since the last audit.
- Sediment controls including basins and diversion drains. These were noted to be in place and operational at the time of the site inspection.
- Revegetation and rehabilitation measures. None had yet commenced, although they are due to commence soon.

ACHMSP

The ACHMSP contains details on the nature of the Aboriginal cultural heritage at the project site, and past activities in relation to community engagement and consultation. It further contains details of the salvage work required of Medowie PAD 01. It also contains recommendations to fence two sites in the southeast corner of the property. No work is currently occurring there and boundary fencing currently excludes these sites.

Unexpected finds protocols are contained in the Plan. The salvage methodology for Pad 01 is included.

The EIS identified one site of potential Aboriginal cultural heritage which was to be salvaged (Medowie PAD 01). Subsequent investigations for the signalised intersection ACHA identified a further area of potential Aboriginal cultural heritage (extension of Medowie PAD 01). This was considered an 'unexpected find' and, following consultation with Heritage NSW, a recommendation was made to carry out salvage works. This was being undertaken at the time of the audit, and completed shortly after the site work.

Biodiversity Plans (BMP, KMP, VMP, FMP)

Biodiversity management measures are contained in four separate plans. Key management measures from these plans include:

- Exclusion fencing around the perimeter of the subject site. This fencing was observed to be in place and consisted mostly of koala-proof fencing. Standard fencing was in place along the road boundary.
- Exclusion fencing around retained trees on site. All trees being retained were observed to have fencing around them, include around the TPZ (at least 2m).
- Silt fencing around the perimeter fencing. This was observed to be in place.
- Access into and out of the site is via the existing road
- Hygiene measures are in place (wheel washing) for plant entering the site for the first time, or exiting the site.

The mitigation measures are spread over 4 subplans. A possible improvement could be to consolidate the management measures into a single table, for ease-of-reference.

6-monthly vegetation monitoring was recently conducted by Biosis, in accordance with the Vegetation Management Plan. Results are pending.

A photo reference sheet of weeds has been prepared. Several weeds of national significance were identified on the site

BF&FERSP

A bushfire evacuation plan was prepared for the project. No bushfire emergencies have occurred at the site to date.

Flood emergency response measures are contained in chapter 37 of the CEMP. No flood emergencies have occurred to date.

Remedial Action Plan

Works required by the RAP, has been completed. An Addendum RAP was prepared following site testing. As noted in the report, the asbestos from the Block A location has been managed under the supervision of a licensed asbestos assessor and placed in the containment cell in accordance with the RAP. There were some other minor fragments of suspected ACM found on the northern berm which were taken to a licensed testing facility and disposed of after analysis. As per the updated RAP, RCA advised that the mound was not classified as ACM due to the outcome of the lab results in relation to the berm quantity. Sieving of the berm during the relocation of soil to the containment cell was conducted and no further ACM was found. The containment cell has been capped with clay. The Verification Report is currently being completed, and is yet to be signed off by the EPA Site Auditor.

Community Communications Strategy

Following community engagement activities in late 2019, expressions of interest were sought from community members to establish a community forum. No EOI's have been received to date. No further engagement with the community has occurred since the commencement of construction.

Given the substantial time that has passed since the pre-construction community update, and that works are progressing towards operation at the end of the year, it is suggested that a construction update be prepared and disseminated to the community.

3.7. ENVIRONMENTAL MANAGEMENT SYSTEM

North Constructions and Building Pty Ltd are ISO14001 certified. The current certificate is valid to 10/5/2021.

The CEMP is part of a broader Site Implementation Plan. The SIMP contains the major elements of the corporate EMS including:

- An Environmental Policy
- Project objectives and targets including lead and lag indicators
- Project environmental hazards and risks
- A range of procedures and work instructions, broken into Elements
- Integrated continual improvement mechanisms and feedback processes

The project EMS includes integration and references with other project plans.

No deficiencies were noted in the project's EMS.

3.8. OTHER MATTERS

It is noted that DPIE compliance officers attended the site unannounced in June 2020. The tracking of mud on Medowie Road was raised. The project provided a response to DPIE via email on 5th June 2020, with a return email from DPIE indicating they were satisfied with the project's response.

3.9. FEEDBACK FROM CONSULTATION

In their feedback, DPIE noted they had no specific areas of focus for the audit.

3.10. COMPLAINTS

Four complaints have been received to date, all in February 2020:

- 2 related to speed limit controls on Medowie Road
- 1 related to mud tracking on Medowie Road
- 1 related to a cracked windscreen

The speed-limit related complaints were addressed by permanently reducing the speed limit to 60km/h during the construction period. Previously, it had been 60km/h during the day and 80km/h at night. These complaints were closed out.

The mud tracking complaint was addressed through more regular and frequent street sweeping. This complaint was closed out.

Following further enquiries, the cracked windscreen complainant did not pursue the issue further. As a result, this complaint was closed out without further action.

3.11. INCIDENTS

No environmental incidents have occurred to date.

3.12. ACTUAL VS PREDICTED IMPACTS

A review of relevant impact assessment sections of the EIS was undertaken to ascertain the expected impacts during the current stage of the project. Additionally, a review of the relevant management plans was undertaken to compare the predicted impacts against the actual impacts.

Generally, the actual impacts were consistent with the predicted impacts. The project footprint is consistent with the EIS and the methods of construction were generally consistent with the methods described for this stage of works in the EIS.

The EIS identified one site of potential Aboriginal cultural heritage which was to be salvaged (Medowie PAD 01). Subsequent investigations for the signalised intersection ACHA identified a further area of potential Aboriginal cultural heritage (extension of Medowie PAD 01). This was considered an 'unexpected find' and, following consultation with Heritage NSW, a recommendation was made to carry out salvage works. This was being undertaken at the time of the audit, and completed shortly after the site work.

The EIS did not estimate construction traffic volumes, other than to say there would be an increase during construction. However, the nominated locations for access are being utilised and measures are in place to prevent unsafe turning on Medowie Road. The predicted need for a new signalised intersection is being progressed through design currently. Due to delays in receiving TfNSW approval, an interim intersection solution is currently being proposed to allow commencement of operation of the project in 2021. This is the subject of a Modification currently being assessed by DPIE.

The EIS identified contaminated land which has now been buried on site. The EIS did identify any asbestos on site, however asbestos was found. Some ACM has been removed from site and some has been buried in the containment cell (see Section 3, Remediation Action Plan).

The EIS predicted that construction noise exceedances during construction would likely occur at R2 when works are occurring closest to that receiver. No highly noise affected exceedances were predicted to occur. To date, no noise monitoring has occurred during construction to verify these predictions.

The EIS identified a range of clearing amounts for different types of vegetation types and habitats. Most of the site remains currently undisturbed, with clearing limited to that required for buildings A, B and Q, access, laydown areas and the site compound. The Approval does not require verification of clearing amounts, and none have been conducted, therefore it is difficult to determine whether these thresholds have been exceeded or not. Given that large parts of the site remain undisturbed, it is anticipated that the current levels of clearing are below the quantities estimated in the EIS.

No impact to non-Aboriginal heritage was predicted to occur. No unexpected finds have yet been made.

3.13. SITE INSPECTIONS

A detailed site inspection was undertaken on 15th July 2020 at 8.30am. The inspection was conducted with the site manager, senior project engineer, the building cadet and the Principal's Representative. The inspection covered the whole site including the site entrance, Block A, B and Q, the laydown areas, sediment basins, earth berms and stockpile sites. There was evidence of recent (<24 hours) significant rainfall on site.

Work at the time of the inspection included detailed fitout of block Q, landscaping at block Q, vegetation management, and continued construction of block A. Aboriginal artefact salvage work was being conducted at the sliproad intersection with Medowie Road. Site stormwater was in place, although not all areas were yet connected to the stormwater system.

There is one site entrance/exit as noted in the approved CEMP. A rumble grid was present and wheel washing facilities were in use at the time of the audit. A single access road into the site is present. Car parking (light vehicles) is separated from heavy vehicle parking areas. The site compound is similarly physically separated from the access road. Several laydown areas were observed, one at each work front. Car parking, laydown areas and truck parking were generally in accordance with the CEMP and no environmental issues were identified at any of these sites.

Site stormwater controls were observed. Some stormwater is connected to the permanent stormwater system which flows into an onsite detention tank before discharge into the adjacent wetland. The remaining stormwater continues to be diverted through a number of shallow diversion drains into the main detention basin. This basin has permanent stormwater controls in place, effectively draining into the adjacent wetland in accordance with the stormwater management plan. Sediment controls are in place along the flow paths. No evidence of any exceedance of the capacity of any basins was observed. Spill kits were present on site.

A number of patches of retained trees occur on site. All patches were fenced with flagging tape which was observed to be securely fixed and in good condition. No evidence of access inside the exclusion zones was observed. Koala-proof boundary fencing was observed along the eastern and southern boundaries.

A small concrete washout bay was observed. Evidence of recent use could be seen.

3.14. RESULTS OF INTERVIEWS

The results of interviews are detailed in the Audit Table, evidence column.

3.15. ACTIONS FROM PREVIOUS ANNUAL REVIEW AND COMPLIANCE REPORTS

There have been no annual reviews conducted to date.

The Construction Compliance Report was reviewed. The Report did not identify any new non-compliances.

3.16. CONTINUAL IMPROVEMENT OPPORTUNITIES

No continual improvement opportunities were identified during the current audit.

3.17. KEY STRENGTHS

The auditor notes the following key strengths of the environmental performance as observed during the audit:

1. The environmental controls on site, particularly soil and water management and flora and fauna protection measures, are in good condition and well maintained.
2. Compliance with the vegetation and Aboriginal cultural heritage requirements is excellent.
3. The project team has strong focus on compliance and is well resourced.
4. The site management team appear experienced and competent in the delivery of environmental management.
5. Housekeeping and site cleanliness was excellent.
6. The project's EMS and CEMP are clear and direct.

4. RECOMMENDATIONS

4.1. RECOMMENDED ACTIONS

Recommended actions for each non-compliance identified during this audit are documented in Table 4-1.

Table 4-1 Recommended Actions

Condition of Approval	Recommended Action
A22	Upload the Vegetation Monitoring Summary and the Applicant's Responses to the Initial Independent Environmental Audit to the project website
D33	
A34	A review of the management plans should be carried out in accordance with condition A34 and A35. DPIE and the PCA should be notified prior to the review being conducted.

4.2. OPPORTUNITIES FOR IMPROVEMENT

It is noted there have been no community updates on the website since the pre-construction notification. It is suggested that an update of the progress of construction be provided on the website.

The copy of the Complaints Register available on the website is from March 2020. It is suggested a more recent version should be made available.

APPENDIX A AUDIT TABLE

The compliance status for each requirement or commitment has been assessed in accordance with the criteria in Table 2 (DPE 2018).

Table A-1 - Compliance status descriptors

Status	Description
Compliant (C)	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-compliant (NC)	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not triggered (NT)	A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
	Application No. SSD 8989 • Applicant: Dioceses of Maitland-Newcastle • Consent Authority: Minister for Planning and Public Spaces			
	Lot 412 and 413 in DP 1063902, 507 Medowie Road and 2 Kingfisher Close, Medowie			
ADMINISTRATIVE CONDITIONS				
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and, if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction and operation of the development.	Incident Register Complaints Register Site inspection	The project is being constructed in accordance with the approved Management Plans. Mitigation measures are being implemented to manage risk of harm to the environment.	Compliant
A2	The development may only be carried out:			
	(a) in compliance with the conditions of this consent;	Conditions of Consent Site Inspection	The development was being carried out generally in accordance with the Consent. A modification (Rev F1, April 2020) has been lodged to allow an interim access intersection be constructed and an extension of the fire trail. This Modification is currently with DPIE awaiting approval. If approved, Stage 1 will no longer include the full intersection upgrade, which will be deferred to a later stage.	Compliant
	(b) in accordance with all written directions of the Planning Secretary;		There have been no written directives from the Planning Secretary.	Compliant
	(c) generally in accordance with the EIS and Response to Submissions;	Site inspection CEMP EIS / RTS	The project is being carried out in accordance with the EIS and RtS. A modification is currently being assessed for interim intersection arrangements.	Compliant
	(d) in accordance with the approved plans in the table below:			

Reference	Required Audit Action, and Terms of Approval				Evidence	Comments	Finding
	Architectural Plans prepared by Webber Architects				Block Q - all plans 2544/03_0201/1 - Block B 2544/03_0102/1 - Block A	Relevant plans include: Site Staging Plan Floor Plan - Block A - Ground Floor Plan - Block B - Ground Block Q - All A review of the construction drawings found them to be in compliance with the relevant architectural plans. During detailed design, minor changes have been made. None of these affect the site layout, facades or general architectural design. Block Q is being constructed in accordance with the Elevations Plan.	Compliant
	Dwg No.	Rev	Name of Plan	Date			
	2544_DA_01_0004_P	P	Site Analysis Plan	19.12.2018			
	2544_DA_01_0005_K	K	Site Staging Plan	10.07.2019			
	2544_DA_02_0002_KK	KK	Site Plan – Overall	07.03.2019			
	2544_DA_02_0005_AA	AA	Site Plan – South	07.03.2019			
	2544_DA_02_0003_X	X	Site Plan – North	19.12.2018			
	2544_DA_02_0004_X	X	Site Plan – Central	19.12.2018			
	2544_TD_02_0035_B	B	Site Fire Trial Staging	19.12.2018			
	2544_TD_02_0038_C	C	Site Staging & Construction Access	10.07.2019			
	2544_02_0401_E	E	Site Elevations - 01	15.05.2018			
	2544_02_0402_E	E	Site Elevations - 02	15.05.2018			
	2544_02_0403_D	D	Site Elevations - 03	15.05.2018			
	2544_02_0501_L	L	Site Sections - 01	15.05.2018			
	2544_02_0502_K	K	Site Sections – 02	15.05.2018			
	2544_02_1901_E	E	Site Plan	17.10.2018			
	2544_03_0001_V	V	Site Floor Plan – Ground - 01	15.05.2018			
	2544_DA_03_0002_T	T	Site Floor Plan – Ground - 02	19.12.2018			
	2544-03_0003_R	R	Site Floor Plan – Level - 01	15.05.2018			
	2544_DA_03_0004_T	T	Site Floor Plan – Level 1 - 02	19.12.2018			
	2544_DA_03_0005_T	T	Site Floor Plan – Level 1 - 03	19.12.2018			

Reference	Required Audit Action, and Terms of Approval				Evidence	Comments	Finding
	2544_03_0101_J	J	Floor Plan – Block A – Ground – 01 High School	15.05.2018			
	2544_03_0102_E	E	Floor Plan – Block A – Ground – 02 High School	15.05.2018			
	2544_03_0103_E	E	Floor Plan – Block A – Ground – 03 High School	15.05.2018			
	2544_03_0104_I	I	Floor Plan – Block A – Level 1 – 01 High School	15.05.2018			
	2544_03_0105_E	E	Floor Plan – Block A – Level 1 – 02 High School	15.05.2018			
	2544_03_0106_E	E	Floor Plan – Block A – Level 1 – 03 High School	15.05.2018			
	2544_03_0111_E	E	Roof Plan – Block A – 01 High School	15.05.2018			
	2544_03_0112_E	E	Roof Plan – Block A – 02 High School	15.05.2018			
	2544_03_0114_E	E	Roof Plan – Block A - 01 - Interim	28.09.2018			
	2544_03_0201_T	T	Floor Plan – Block B – Ground Chapel	24.09.2018			
	2544_03_0202_J	J	Floor Plan – Block B – Level 1 Chapel	15.05.2018			
	2544_03_0205_H	H	Roof Plan – Block B Chapel	24.09.2018			
	2544_03_0301_H	H	Floor Plan – Block C – Ground High School – Science	15.05.2018			
	2544_03_0303_F	F	Roof Plan – Block C High School - Science	28.09.2018			
	2544_03_0401_H	H	Floor Plan – Block D – Ground High School	15.05.2018			
	2544_03_0403_F	F	Roof Plan – Block D – Tas High School	15.05.2018			
	2544_03_0501_I	I	Floor Plan – Block E – Ground High School TAS & Design	15.05.2018			
	2544_03_0503_H	H	Roof Plan – Block E High School TAS & Design	28.09.2018			
	2544_03_0601_H	H	Floor Plan – Block F – Ground High School	15.05.2018			
	2544_03_0603_I	I	Roof Plan – Block F High School	28.09.2018			
	2544_03_0701_H	H	Floor Plan – Block G – Ground High School	15.05.2018			

Reference	Required Audit Action, and Terms of Approval				Evidence	Comments	Finding
	2544_03_0702_H	H	Floor Plan – Block G – Level 1 High School	15.05.2018			
	2544_03_0705_E	E	Roof Plan – Block G High School	15.05.2018			
	2544_03_0801_I	I	Floor Plan – Block H – Ground High School	15.05.2018			
	2544_03_0802_I	I	Floor Plan – Block H – Level 1 High School	15.05.2018			
	2544_03_0805_E	E	Roof Plan – Block H High School	15.05.2018			
	2544_03_0901_I	I	Floor Plan – Block I – Ground HS GPLA	15.05.2018			
	2544_03_0902_I	I	Floor Plan – Block I – Level 1 HS GPLA	15.05.2018			
	2544_03_0905_E	E	Roof Plan – Block I HS GPLA	28.09.2018			
	2544_03_1001_I	I	Floor Plan – Block J – Ground High School	15.05.2018			
	2544_03_1002_I	I	Floor Plan – Block J – Level 1 High School	15.05.2018			
	2544_03_1005_E	E	Roof Plan – Block J High School	29.03.2018			
	2544_03_1201_D	D	Floor Plan – Block L – Ground Primary School	15.05.2018			
	2544_03_1203_D	D	Roof Plan – Block L Primary School	15.05.2018			
	2544_CD_03_1301_D	D	Floor Plan – Block M – Ground Primary School	15.05.2018			
	2544_03_1305_E	E	Roof Plan – Block M Primary School	29.09.2018			
	2544_CD_03_1401_E	E	Floor Plan – Block N – Ground Primary School GPLA	15.05.2018			
	2544_CD_03_1405_E	E	Roof Plan – Block N Primary School GPLA	15.05.2018			

Reference	Required Audit Action, and Terms of Approval				Evidence	Comments	Finding
	2544_AR_DA_A_03_1501_E	E	Floor Plan – Block O – Ground Primary School	15.05.2018			
	2544_DA_03_1504_D	D	Roof Plan – Block O Primary School	15.05.2018			
	2544_03_1601_D	D	Floor Plan – Block P – Ground Primary School	15.05.2018			
	2544_03_1605_D	D	Roof Plan – Block P Primary School	15.05.2018			
	2544_03_1701_I	I	Floor Plan – Block Q – Ground Early Learning Centre	15.05.2018			
	2544_03_1705_M	M	Roof Plan – Block Q Early Learning Centre	28.09.2018			
	2544_03_1901_D	D	Floor Plan – Ground – Block FLV	08.08.2018			
	2544_04_0101_H	H	Elevations – Block A – 01 High School	15.05.2018			
	2544_04_0102_H	H	Elevations – Block A – 02 High School	15.05.2018			
	2544_04_0201_N	N	Elevation – Block B – 01 Chapel	24.09.2018			
	2544_04_0202_N	N	Elevation – Block B – 02 Chapel	24.09.2018			
	2544_04_0301_H	H	Elevations – Block C – 01 High School – Science	28.09.2018			
	2544_04_0302_H	H	Elevations – Block C – 02 High School - Science	28.09.2018			
	2544_04_0401_G	G	Elevations – Block D – 01 High School	15.05.2018			

Reference	Required Audit Action, and Terms of Approval				Evidence	Comments	Finding
	2544_04_0402_G	G	Elevations – Block D – 02 High School	15.05.2018			
	2544_04_0501_I	I	Elevations – Block E – 01 High School Tas & Design	28.09.2018			
	2544_04_0502_I	I	Elevations – Block E – 02 High School TAS & Design	28.09.2018			
	2544_04_0601_I	I	Elevations – Block F – 01 High School	28.09.2018			
	2544_04_0602_I	I	Elevations – Block F – 02 High School	28.09.2018			
	2544_04_0701_G	G	Elevations – Block G – 01 High School	15.05.2018			
	2544_04_0702_G	G	Elevations – Block G – 02 High School	15.05.2018			
	2544_04_0801_G	G	Elevations – Block H – 01 High School	15.05.2018			
	2544_04_0802_G	G	Elevations – Block H – 02 High School	15.05.2018			
	2544_04_0901_H	H	Elevations – Block I – 01 HS GPLA	28.09.2018			
	2544_04_0902_H	H	Elevations – Block I – 02 HS GPLA	28.09.2018			
	2544_04_1001_G	G	Elevations – Block J – 01 High School	15.05.2018			
	2544_04_1002_G	G	Elevations – Block J – 02 High School	15.05.2018			
	2544_04_1201_D	D	Elevations – Block L – 01 Primary School	15.05.2018			
	2544_04_1202_D	D	Elevations – Block L – 02 Primary School	15.05.2018			
	2544_04_1301_E	E	Elevations – Block M – 01 Primary School	29.09.2018			
	2544_04_1302_E	E	Elevations – Block M – 02 Primary School	29.09.2018			
	2544_CD_04_1401_E	E	Elevations – Block N – 01 Primary School GPLA	15.05.2018			
	2544_DA_04_1501_E	E	Elevations – Block O – 01 Primary School	15.05.2018			
	2544_DA_04_1502_D	D	Elevations – Block O – 02 Primary School	15.05.2018			
	2544_04_1601_D	D	Elevations – Block P – 01 Primary School	15.05.2018			
	2544_04_1602_D	D	Elevations – Block P – 02 Primary School	15.05.2018			
	2544_04_1701_M	M	Elevations – Block Q – 01 Early Learning Centre	28.09.2018			

Reference	Required Audit Action, and Terms of Approval				Evidence	Comments	Finding
	2544_04_1702_M	M	Elevations – Block Q – 02 Early Learning Centre	28.09.2018			
	2544_04_1901_D	D	Elevations – Block FLV	08.08.2018			
	2544_05_0101_E	E	Sections – Block A – 01 High School	15.05.2018			
	2544_05_0102_D	D	Sections – Block A – 02 High School	15.05.2018			
	2544_05_0201_L	L	Section – Block B – 01 Chapel	24.09.2018			
	2544_05_0301_F	F	Sections – Block C – 01 High School - Science	15.05.2018			
	2544_05_0401_G	G	Sections – Block D – 01 High School	15.05.2018			
	2544_05_0501_H	H	Sections – Block E – 01 High School TAS & Design	15.05.2018			
	2544_05_0601_H	H	Sections – Block F – 01 High School	15.05.2018			
	2544_05_0602_D	D	Sections – Block F – 02 High School	15.05.2018			
	2544_05_0701_D	D	Sections – Block G – 01 High School	15.05.2018			
	2544_05_0702_D	D	Sections – Block G – 02 High School	15.05.2018			
	2544_05_0801_E	E	Sections – Block H – 01 High School	15.05.2018			
	2544_05_0802_D	D	Sections – Block H – 02 High School	15.05.2018			
	2544_05_0901_D	D	Sections – Block I – 01 HS GPLA	15.05.2018			
	2544_05_0902_D	D	Sections – Block I – 02 HS GPLA	15.05.2018			
	2544_05_1001_F	F	Sections – Block J – 01 High School	15.05.2018			
	2544_05_1002_D	D	Sections – Block J – 02 High School	15.05.2018			
	2544_05_1201_D	D	Sections – Block L – 01 Primary School	15.05.2018			
	2544_05_1202_D	D	Sections – Block L – 02 Primary School	15.05.2018			
	2544_CD_05_1301_D	D	Sections – Block M – 01 Primary School	15.05.2018			
	2544_CD_05_1401_E	E	Sections – Block N – 01 Primary School GPLA	15.05.2018			
	2544_DA_05_1501_E	E	Sections – Block O – 01 Primary School	15.05.2018			
	2544_05_1601_D	D	Sections – Block P – 01 Primary School	15.05.2018			
	2544_05_1701_G	G	Sections – Block Q – 01 Early Learning Centre	15.05.2018			
	2544_05_1901_C	C	Sections – Block FLV	28.06.2018			

Reference	Required Audit Action, and Terms of Approval				Evidence	Comments	Finding
	Landscape Plans prepared by Moir Landscape Architecture					Some stone wall landscaping works have commenced.	Compliant
	Dwg No.	Rev	Name of Plan	Date			
	4		Carpark Entry Plan	9.04.2019			
	5		Entry Signage 1	9.04.2019			
	6		Entry Signage 2	9.04.2019			
	1		Landscape Master Plan	26.04.2019			
	3		Landscape Planting Plan	26.04.2019			
	2		Tree Canopy Strategy	26.04.2019			
	4		Tree Removed Plan	26.04.2019			
	Stormwater and Civil Plans prepared by mpc						
Dwg No.	Rev	Name of Plan	Date				
DA00.00	0	Overall Site Plan	13.12.2018				
DA01.00	0	Sedimentation and Erosion Control Plan Sheet 1	13.12.2018				
DA01.01	0	Sedimentation and Erosion Control Plan Sheet 2	13.12.2018				
DA01.02	0	Sedimentation and Erosion Control Plan Sheet 3	13.12.2018				
DA01.03	0	Sedimentation and Erosion Control Plan Sheet 4	13.12.2018				
DA01.04	0	Sedimentation and Erosion Control Plan Sheet 5	13.12.2018				
DA01.05	0	Sedimentation and Erosion Control Plan Sheet 6	13.12.2018				
DA01.06	0	Sedimentation and Erosion Control Plan Sheet 7	13.12.2018				
DA01.07	0	Sedimentation and Erosion Control Plan Sheet 8	13.12.2018				
DA01.08	0	Sedimentation and Erosion Control Plan Sheet 9	13.12.2018				
DA01.50	0	Sedimentation and Erosion Control Details	13.12.2018				

Reference	Required Audit Action, and Terms of Approval				Evidence	Comments	Finding
	DA02.00	0	Stormwater Plan Sheet 1	13.12.2018			
	DA02.01	0	Stormwater Plan Sheet 2	13.12.2018			
	DA02.02	0	Stormwater Plan Sheet 3	13.12.2018			
	DA02.03	0	Stormwater Plan Sheet 4	13.12.2018			
	DA02.04	0	Stormwater Plan Sheet 5	13.12.2018			
	DA02.05	0	Stormwater Plan Sheet 6	13.12.2018			
	DA02.06	0	Stormwater Plan Sheet 7	13.12.2018			
	DA02.07	0	Stormwater Plan Sheet 8	13.12.2018			
	DA02.08	0	Stormwater Plan Sheet 9	13.12.2018			
	DA02.50	0	Stormwater Details	13.12.2018			
	R02	4	General Arrangement Plan	01.11.2018			
	R04	4	Roadworks & Drainage Plan Sheet 1 of 4	01.11.2018			
	R05	4	Roadworks & Drainage Plan Sheet 2 of 4	01.11.2018			
	R06	4	Roadworks & Drainage Plan Sheet 3 of 4	01.11.2018			
	R07	4	Roadworks & Drainage Plan Sheet 4 of 4	01.11.2018			
A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:						
	(a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary;				DPIE letter of Approval of CEMP 15/11/19 DPIE Letter of Approval of PCCR 3/2/2020	A written directive was provided as part of the CEMP approval to finalise outstanding consultation with TfNSW and PSC. This was in relation to the intersection design (TfNSW) and stormwater discharge easement (PSC). Both issues are still under consultation. A written directive was provided as part of the approval of the PCCR to place the PCCR on the project website no later than 18/2/2020. This has yet to occur.	Compliant
	(b) any reports, reviews or audits commissioned by the Department regarding compliance with this approval; and						
	(c) the implementation of any actions or measures contained in any such document referred to in (a) above.						
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.				DPIE letter 15/11/19	DPIE have extended the compliance required for B3 (i) to pre-occupation	Not triggered

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
A5	This consent lapses five years after the date of consent unless the works associated with the development have physically commenced.	Site inspection	Works have commenced within the 5 year period	Compliant
A6	The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.	See Clauses A17 and B2 Construction Certificate Section J Energy Efficiency Verification (WSP, 7/4/2020) Fire Engineering Report (YGA Consulting, June 2020)	See BCA clauses for relevant compliance The energy efficiency verification model predicted compliance with Section J of the National Construction Code. The design of load-bearing steel columns were found not to satisfy the BCA. A Performance Solution was developed by YGL Consulting and assessed against the relevant Performance Requirements of the BCA 2019. A fire safety strategy was proposed by YGL. This is currently being sent to the Certifier. Site notice in place at site entrance in compliance with EP&A Reg	Compliant
A7	In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.	Email from Ray Bowen to Karen Harrigan (8/7/2020)	The applicant has raised the dispute with RMS in relation to the intersection design with DPIE. At the time of the audit there has been no resolution.	Compliant
A8	Where conditions of this consent require consultation with an identified party, the Applicant must:	Correspondences with Council, TfNSW, RFS, Department of Defence, DPIE	This audit has found that consultation has generally been in writing and details of the consultation has generally been documented in relevant reports.	Compliant
	(a) consult with the relevant party prior to submitting the subject document for information or approval; and			Compliant
	(b) provide details of the consultation undertaken including:			Compliant
	(i) the outcome of that consultation, matters resolved and unresolved; and			Compliant
	(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.			Compliant
A9	The project may be constructed and operated in stages. Where staged construction or operation is proposed, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted for the approval of the Planning Secretary. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of construction (excluding demolition works) of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).	Staging Report (Rev F, October 2019 and Rev G, April 2020) DPIE Approval of Staging Report Rev F(15/10/19) and Rev G (22/06/20)	The project is being staged. A staging report was prepared and approved by DPIE. Changes to the Staging Report to address Stage 2 of the project were also approved by DPIE. The original staging report was submitted to DPIE more than one month prior to construction commencing. No work relating to Stage 2 has yet commenced	Compliant
A10	A Staging Report prepared in accordance with condition A9 must:	Staging Report (Rev F, October 2019) Staging Report (Rev G, April 2020)	The Staging Report meets the requirements of this condition	Compliant
	(a) if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;	Staging Report (Rev F, October 2019) Staging Report (Rev G, April 2020)	The Staging Report meets the requirements of this condition	Compliant
	(b) if staged operation is proposed, set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);	Staging Report (Rev F, October 2019) Staging Report (Rev G, April 2020)	The Staging Report meets the requirements of this condition	Compliant
	(c) specify how compliance with conditions will be achieved across and between each of the stages of the project; and	Staging Report (Rev F, October 2019) Staging Report (Rev G, April 2020)	The Staging Report meets the requirements of this condition	Compliant
	(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.	Staging Report (Rev F, October 2019) Staging Report (Rev G, April 2020)	The Staging Report meets the requirements of this condition	Compliant

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
A11	Where staging is proposed, the project must be staged in accordance with the Staging Report, as approved to the Planning Secretary.	Site inspection Interview C Denny Interview H Crosley	Current works are consistent with the Site Work, Stage 1a and Stage 1b. The roadworks stage has yet to commence. Aboriginal salvage work is occurring within the roadwork stage footprint. Stage 2 works have not yet commenced.	Compliant
A12	Where staging is proposed, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.	This audit	Whilst the project is generally complying with the Conditions relevant to the current stages of work, non-compliances have been recorded.	Non-compliant
A13	With the approval of the Planning Secretary, the Applicant may:			
	a) prepare and submit any strategy, plan (including management plan, architectural or design plan) or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan (including management plan, architectural or design plan) or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);		Management plans, strategies and programs that have been submitted to DPIE relate to Stage 1 work only	Compliant
	(b) combine any strategy, plan (including management plan, architectural or design plan) or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and		None have been combined	Not triggered
	(c) update any strategy, plan (including management plan, architectural or design plan) or program required by this consent (to ensure the strategies, plans, programs and drawings required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).		The Acid Sulphate Soil Management Plan was updated in February 2020 for construction purposes to reflect additional water validation work done during bulk earthworks. No changes to the management of acid sulphate soils was required. The changes did not affect the management of ASS (which were not encountered).	Not Triggered
A14	If the Planning Secretary agrees, a strategy, plan, program or drawing may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.			Not Triggered
A15	If approved by the Planning Secretary, updated strategies, plans, programs or drawings supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.		No changes have yet been made to the Approved strategies, plans, programs or drawings	Not Triggered
A16	If approved by the Planning Secretary, updated strategies, plans, programs or drawings supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.		No changes have yet been made to the Approved strategies, plans, programs or drawings	Not Triggered
	Notes: • Part 8 of the EP&A Regulation sets out the requirements for the certification of the development. • Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of Subsidence Advisory NSW's approval before carrying out certain development in a Mine Subsidence District.			Not Triggered
A17	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Construction Certificate	The CC includes the design of external walls	Compliant
A18	Shade sail materials must be non-combustible or have a Flammability Index of no greater than 5 when tested in accordance with Australian Standard AS1530.2-1993 Methods for Fire Tests on Building Materials, Components and Structures – Test for Flammability of Materials.	Test Report AWTA Product Testing (7/4/10)	The tested product (knitted shade cloth) has a Flammability Index of 1	Compliant
A19	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	Construction Certificate	Current versions of relevant guidelines were noted as being referenced by the CA	Compliant
A20	Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.			Not Triggered

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
A21	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, noncompliance notification, Site audit report and independent auditing.	Vegetation Monitoring Report 1: Establishment (Biosis, 2/5/2020)	Vegetation monitoring has been completed in accordance with the Vegetation Management SubPlan. Site monitoring of the effectiveness of environmental controls is conducted in accordance with the CEMP (weekly inspection, quarterly audit)	Compliant
	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.			
A22	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:			Compliant
	(a) make the following information and documents (as they are obtained or approved) publicly available on its website:		https://www.mn.catholic.edu.au/schools/region-map/north/catherine-mcauley-catholic-college/	Compliant
	(i) the documents referred to in condition A2 of this consent;	Website	The documents are available on the website.	Compliant
	(ii) all current statutory approvals for the development;	Website		Compliant
	(iii) all approved strategies, plans and programs required under the conditions of this consent;	Website	Staging Report (Rev F), CMRP, CEMP is available on the website	Compliant
	(iv) 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;	Website	The PCCR was available on the website. The CCR was available on the website.	Compliant
	(v) 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;	Interview C Denny	Vegetation monitoring summary has not been uploaded onto the website.	Non-compliant
	(vi) a summary of the current stage and progress of the development;	Website	The most recent update is the pre-construction notification of the commencement of work	Compliant
	(vii) contact details to enquire about the development or to make a complaint;	Website		Compliant
	(viii) a complaints register, updated monthly;	Website	Complaints register is available on the website. It is dated March 2020	Compliant
	(ix) audit reports prepared as part of any independent audit of the development and the Applicant’s response to the recommendations in any audit report;	Website	The first Independent Audit Report was available on the website. The Applicant's responses were not available at the time of the audit.	Non-compliant
	(x) any other matter required by the Planning Secretary; and			Not Triggered
	(b) keep such information up to date, to the satisfaction of the Planning Secretary.	Website	The most recent version of documents was found to be present on the website. However, several documents were not available including the Applicant's Response to the IER and the Vegetation Monitoring Report/Summary.	Compliant
A23	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.	Site Specific Induction Rev 2	The Induction covers heritage, biodiversity, koala, noise, general environmental rules and incident management.	Compliant
A24	The General Arrangement Plan (issue 4) prepared by mpc dated 01.11.2018 must be amended in accordance with the TfNSW(RMS) design review request dated 27.02.19 (Annexure B) and in consultation with TfNSW(RMS) and Council.	Proposed Signalised Intersection Design Rev 9 (GE-R01) RMS Design Review (Rev 2)	The plans were amended in consultation with RMS and Council. They have been completed and are awaiting RMS approval.	Compliant
A25	To safely manage the operation of the proposed access, the bus entry pavement must be treated with “Bus Lane” pavement treatments in accordance with RMS Delineation Section 9 – Messages on Pavements (example provided in section 9.3.3.1c of this document).	Proposed Signalised Intersection Design Rev 9, Linemarking and Signposting (RF-R31)	The CC (Rev 9) version of the plans show Bus Lane markings	Compliant

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
A26	Remediation approved as part of this development consent must be carried out in accordance with the Remedial Action Plan dated 11 October 2018 and prepared by RCA Australia.	Remediation Action Plan (Rev 2, 1/5/20) Site Auditor endorsement (9/5/20)	Remediation of fill berms was completed in early July 2020. The RAP was updated following bulk earthworks to reflect changes in the methodology and to include more detail on the contaminated materials being remediated. The Site Auditor reviewed, provided comments, and was issued the updated RAP Rev 2.	Compliant
A27	Upon completion of remedial works, the Applicant must submit a Site Audit Report and Site Audit Statement for the relevant part of the site prepared by an EPA accredited Site Auditor. The Site Audit Report and Site Audit Statement must verify the relevant part of the site is suitable for the early learning centre and schools land use and be provided to the satisfaction of the Principal Certifying Authority.		The Validation Report is still in preparation. A Site Audit Report and Site Audit Statement has not yet been issued.	Not triggered
A28	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.	Incident Register	6 minor incidents have occurred since construction commenced. 5 were minor safety incidents and 1 related to theft. None were considered reportable by the Applicant.	Not triggered
A29	Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix 1.			Not triggered
A30	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. The Principal Certifying Authority must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.	Construction Compliance Report 1	All non-compliances identified by the project during the audit period were reported in the CCR	Compliant
A31	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.	Construction Compliance Report 1		Compliant
A32	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.			Not triggered
A33	Any removal of groundwater from the site must comply with the requirements of the Protection of the Environment Operations Act 1997 and appropriate water access licence must be obtained.			Not triggered
A34	Within three months of:			
	(a) the submission of a compliance report under condition C40;		PCCR was submitted on 13/1/20. No review has been carried out.	Non-compliant
	(b) the submission of an incident report under condition A29 the submission of an Independent Audit under condition D32;	Automated response from DPIE 10/2/2020	The Independent Audit Report was completed on 10/2/2020. No review has been carried out.	Non-compliant
	(c) the approval of any modification of the conditions of this consent; or			Not triggered
	(d) the issue of a direction of the Planning Secretary under condition A3 which requires a review,			Not triggered
	the strategies, plans and programs required under this consent must be reviewed, and the Department and the Principal Certifying Authority must be notified in writing that a review is being carried out.		Notification to DPIE and the PCA has not occurred	Non-compliant
A35	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, to the satisfaction of the Planning Secretary and Principal Certifying Authority. Where revisions are required, the revised document must be submitted to the Planning Secretary and Principal Certifying Authority for approval within six weeks of the review.		No changes to any Approved plans, strategies or programs have yet occurred	Not triggered
	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.			
A36	The proposed footpaths must be designed and constructed by the Applicant in accordance with Council's specifications and with consultation with Council. All footpaths must be completed by the Applicant at their cost unless an alternative agreement is agreed by Council.	Interview C Denny	Consultation with Council is complete and has been incorporated into the latest intersection design.	Not triggered
ADVISORY NOTES				

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
AN1	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.		Permits and approvals were in place at the time of the audit	Compliant
AN2	For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.	Levy Receipt 398032	Levy has been paid	Compliant
AN3	Any advice or notice to the consent authority must be served on the Planning Secretary.			Not triggered
AN4	New construction must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959- 2009 Construction of buildings in bushfire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and section A3.7 Addendum Appendix 3 of Planning for Bush Fire Protection 2006.	Architectural Certification 10/10/19	Architectural certification provided by Webber notes BAL 12.5 compliance.	Compliant
AN5	Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of Planning for Bush Fire Protection 2006.			Not triggered
PART B PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE				
B1	Prior to the issue of a construction certificate, the Applicant must submit to the satisfaction of the Principal Certifying Authority structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with this development consent.	Construction Certificate	Information was supplied with the CC	Compliant
B2	Prior to the issue of a construction certificate, the Applicant must provide the Principal Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the requirements of the BCA. The Applicant must provide a copy of the documentation given to the Principal Certifying Authority to the Planning Secretary within seven days after the Principal Certifying Authority accepts it.	Construction Certificate Email to DPIE 20/1/2020	Information was supplied with the CC Sent to DPIE on 20/1/2020, which is outside the 7 days.	Non-compliant
B3	Prior to the issue of a construction certificate, the Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Planning Secretary:	DPIE letter 15/11/19	DPIE approved the stormwater management system.	Compliant
	(a) be designed by a suitably qualified and experienced person(s);	DPIE letter 15/11/19	Engineering certificate provided for the system	Compliant
	(b) be generally in accordance with the conceptual design in the EIS;	DPIE letter 15/11/19	DPIE considers the stormwater management system meets the requirements of this clause	Compliant
	(c) be designed in accordance with Port Stephens DCP 2014, Infrastructure Specification and the current Australian Rainfall and Runoff guidelines using the Hydrologic Soil Mapping data for Port Stephens (available from Council);	Council letter 11/11/19	Council engineering department endorsed the system	Compliant
	(d) A Geotechnical Engineer must determine the steady state infiltration rate at each proposed infiltration device location, using the Double Ring Infiltrometer test method (ASTM D3385-18), if current Hydrological Soil Mapping data is not adopted;	DPIE letter 15/11/19	DPIE considers the stormwater management system meets the requirements of this clause	compliant
	(e) On-Site Stormwater Detention/Infiltration with supporting calculations for a system capable of catering for a range of rainfall scenarios up to and including the 1% AEP Rainfall Event;	DPIE letter 15/11/19	DPIE considers the stormwater management system meets the requirements of this clause	compliant
	(f) An emergency overland flow path for major storm events, catering for a range of rainfall scenarios up to and including the 1% AEP Rainfall Event, that is directed to the public drainage system;	DPIE letter 15/11/19	DPIE considers the stormwater management system meets the requirements of this clause	compliant
	(g) Water quality control devices that comply with the requirements of the applicable Port Stephens DCP 2014;	Council letter 11/11/19	council confirmed compliance with the DCP	compliant
	(h) Evidence that the water quality control devices comply with Council's water quality targets, Music Modelling and Music Link Certificate;	Council letter 11/11/19	Council confirmed compliance with water targets, music modelling and music link certificate	compliant
	(i) Evidence of Council (or relevant authority) approval for stormwater connection to the public system, with the above supporting details endorsed, under Section 68 of the Local Government Act 1993 or Section 138 of the Roads Act 1993; and	DPIE letter 15/11/19	DPIE considers the stormwater management system meets the requirements of this clause	compliant
	(j) be in accordance with applicable Australian Standards.	DPIE letter 15/11/19	DPIE considers the stormwater management system meets the requirements of this clause	compliant
	(k) Stormwater Management Plans with details of drainage infrastructure including the following:	DPIE letter 15/11/19	DPIE considers the stormwater management system meets the requirements of this clause	compliant

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
	(i) detailed flow regime analysis that demonstrates that the development would not impact significantly on the quantity of surface and groundwater flows to and from the adjacent coastal wetland;	DPIE letter 15/11/19	DPIE have approved submission of this information prior to occupation certificate.	<i>Not triggered</i>
	(ii) assessment of the localised impact of the stormwater discharges to the coastal wetlands including proposed mitigation measures to prevent scouring, sedimentation and other physical impacts at the stormwater drainage system outlets into the coastal wetlands on the northern boundary of the Site;	DPIE letter 15/11/19	DPIE considers the stormwater management system meets the requirements of this clause	compliant
	(iii) details of measures to manage increased stormwater volumes from the development surfaces (e.g. stormwater harvesting, distributed infiltration, increased surface area to enhance evapotranspiration and infiltration and diversion of stormwater (where feasible);	DPIE letter 15/11/19	DPIE considers the stormwater management system meets the requirements of this clause	compliant
	(iv) consistency of the sizes, volumes and number of on-site detention basins and the headwalls with the existing sediment basins and headwalls on the Site;	DPIE letter 15/11/19	DPIE considers the stormwater management system meets the requirements of this clause	compliant
	(v) demonstrate that gross pollutant, total suspended solid, phosphorus and nitrogen loads discharged from the development into the coastal wetland after stormwater treatment comply with Council's load-based water quality targets;	DPIE letter 15/11/19	DPIE considers the stormwater management system meets the requirements of this clause	compliant
	(vi) demonstrate that the proposed development would not significantly impact on the quality of surface and groundwater flows to and from the adjacent coastal wetland; and	DPIE letter 15/11/19	DPIE considers the stormwater management system meets the requirements of this clause	compliant
	(vii) demonstrate how Water Sensitive Urban Design (WSUD) design principles have been considered across the development to mitigate potential impacts on the mapped coastal wetlands.	DPIE letter 15/11/19	DPIE considers the stormwater management system meets the requirements of this clause	compliant
	(l) a report prepared by a suitably qualified ecologist assessing the impacts of any changes to hydrology (flow regimes) and stormwater runoff quality associated with the development on the EECs, TECs, threatened species located within the coastal wetlands to the south of the site and on the overall biophysical, hydrological and ecological integrity of the mapped wetlands within the site and the adjoining lands; and	Biosis letter 30/8/19 RCA Letter 13/12/19	Biosis advise that significant impact not likely. However the recommend water quality monitoring be conducted. RCA conducted surface water quality sampling and analysis upstream of the discharge points.	compliant
	(m) evidence of consultation with Council to determine the location of the stormwater assets and in the preparation of the stormwater plans and flood reports, plans for relocating Council assets (if any), proposed connections and the protection of relevant assets.	DPIE letter 15/11/19	DPIE considers the stormwater management system meets the requirements of this clause	compliant
B4	Prior to the issue of a construction certificate, the Applicant must demonstrate to the satisfaction of the Principal Certifying Authority compliance with Port Stephens Council's water quality provisions in DCP 2014 and with NorBE.	Council letter 11/11/19 Email to PCA 11/12/19 Construction Certificate Statement of Design Requirements, MPC 27/9/19	Council endorsed the stormwater system as being compliant with the DCP 2014.	Compliant
B5	Prior to the issue of a construction certificate, an application for a hydraulic design assessment of internal water and sewerage services for this development, including rainwater tanks and any alternative water supply system must be submitted to Hunter Water. Contact Hunter Water's Technical Services Team on (02) 4979 9712 or via email plumbing@hunterwater.com.au to confirm the specific requirements.	Application 2017-899 21/10/19	Application was made to Hunter Water. Drawings have been approved.	compliant
B6	The development must demonstrate that the proposal is consistent with the endorsed Biodiversity Development Assessment Report (BDAR) prepared by Biosis dated 20 April 2018 and all recommendations to mitigate the direct, indirect and prescribed impacts in the BDAR.	Biosis letter 25/9/19 Vegetation Monitoring Report 1: Establishment (Biosis, 2/5/20)	Biosis have confirmed that the development is consistent with the BDAR. Confirmation related to the biodiversity management plans, which were found to comply with the BDAR. Vegetation Monitoring has confirmed compliance with the BDAR. Full compliance with this condition can not be assessed until the current stage of the development has been completed.	<i>Not triggered</i>
B7	Prior to the issue of a construction certificate, a monetary contribution is to be paid to Council, pursuant to section 7.12 of the Environmental Planning and Assessment Act 1979 and the Port Stephens Council Fixed Development Contributions Plan, related to the Capital Investment Value (CIV) of the development as determined in accordance with clause 25j of the Environmental Planning and Assessment Regulation 2000 and outlined in the table below:	Council email 4/10/19	Council confirmed receipt of contributions for the current stage of the development, noting that future payments will be required prior to the release of CC's for subsequent stages.	compliant

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding								
	<table><tr><th>Capital Investment Value</th><th>Levy Rate (% of CIV)</th></tr><tr><td>Up to and including \$100,000</td><td>Nil</td></tr><tr><td>More than \$100,000 and up to and including \$200,000</td><td>0.5%</td></tr><tr><td>More than \$200,000</td><td>1%</td></tr></table>	Capital Investment Value	Levy Rate (% of CIV)	Up to and including \$100,000	Nil	More than \$100,000 and up to and including \$200,000	0.5%	More than \$200,000	1%			
	Capital Investment Value	Levy Rate (% of CIV)										
	Up to and including \$100,000	Nil										
	More than \$100,000 and up to and including \$200,000	0.5%										
More than \$200,000	1%											
B8	The payment of the fixed development consent levy is to be accompanied by a Cost Summary Report Form setting out an estimate of the CIV in accordance with Schedule 1 of the Port Stephens Council Fixed Development Contributions Plan. Where the estimated cost of carrying out the whole of the development is more than \$1,000,000, the Cost Summary Report Form must be completed by a Quantity Surveyor who is a registered Associate member or above, of the Australian Institute of Quantity Surveyors.	QS report Early Works Budget Estimate (Muller Partnership) 11/3/18	Muller Partnership prepared a QS report which included the cost summary report form. This accompanied the application to Council.	compliant								
B9	The Applicant must provide evidence to the satisfaction of the Principal Certifying Authority of compliance with Development contributions. Conditions B7 and B8 cannot be taken to be satisfied until:	Construction Certificate	The CC application included this evidence	compliant								
	(a) A payment has been made in accordance with the CIV stated on a cost summary report submitted to Council in accordance with this condition; or	Construction Certificate	The CC application included this evidence	compliant								
	(b) The development has entered into an agreement for works of material public benefit with Council.			Not triggered								
	A Material Public Benefit Agreement can be entered into with Council for the construction of footpaths in accordance with conditions of this consent. An offset will be provided against the total Section 7.12 contribution up to the cost of the value of works of material public benefit. The developer will need to pay the difference between the value of works and the total monetary contributions.			Not triggered								
PART C PRIOR TO THE COMMENCEMENT OF CONSTRUCTION												
C1	The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.	Email to DPIE 18/12/19 Email to DPIE 7/1/2020	The Site Works stage commenced on 28/11/19. DPIE notification of this occurred on 18/12/19. This is later than the 48 hours required by this Condition. Stage 1a and 1b commenced on 13/1/2020. DPIE notification for this occurred on 7/1/2020. This is compliant with this Condition.	Non-compliant								
C2	If the construction or operation of the development is to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Email to DPIE 10/1/19	Stage 1a/b commenced on 13/1/20.	Compliant								
C3	Prior to the commencement of construction, the Applicant must submit a pre-commencement dilapidation report to Council, and the Principal Certifying Authority. The report must provide an accurate record of the existing condition of adjoining private properties, and Council assets that are likely to be impacted by the proposed works.	Dilapidation Report (North) Construction Certificate Email to Council 9/10/19	CC included submission of dilapidation reports to PCA Dilap reports were issued to Council	compliant								
C4	Prior to the commencement of construction, the Applicant must:											
	(a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;	Telstra Relocation Agreement (21/8/19)	Only one service (Telstra) has been relocated. Telstra undertook this work under a work contact with the applicant	compliant								
	(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths);	Dilapidation Report (North) Medowie Substation Dilapidation Report 14/8/19		Compliant								
	(c) prepare a dilapidation report identifying the condition of all adjoining and nearby premises including No. 527 and 529 Medowie Road;	Dilapidation Report (North) Medowie Substation Dilapidation Report 14/8/19		Compliant								

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
	(d) prepare a report by a professional engineer detailing the proposed methods of excavation, shoring or pile construction, including details of potential vibration emissions, and demonstrating the suitability of the proposed methods of construction to overcome any potential damage to nearby premises.	Statement of Design Requirements – Structural and Civil, MPC 11/10/19	MPC consulting engineers noted, in their Statement of Design Requirements, that they had reviewed the extent of excavation and piling works for the project and confirm that due to the proximity of the neighbouring premises it is unlikely that these works will impact the neighbouring premises. Given this, no further modelling or reporting was considered necessary.	compliant
	(e) submit a copy of the dilapidation report and engineers report to the Principal Certifying Authority and Council.	Email to Council 9/10/19 Construction Certificate		compliant
C5	Prior to the commencement of construction, demolition work plans required by AS 2601-2001 The demolition of structures (Standards Australia, 2001) must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Principal Certifying Authority and Planning Secretary.	Demolition Work Plan Rev 1 19/9/19 Demolition Compliance Statement, North 23/9/19 Email to PCA 25/9/19 Email to DPIE 25/9/19		Compliant
C6	Prior to the commencement of the construction (excluding demolition works) of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Telstra Relocation Agreement (21/8/19)	Telstra relocated a line prior to works commencing. No work on any other utility has yet commenced.	compliant
C7	Prior to the commencement of construction (excluding demolition works) written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.	Ausgrid email 15/2/19 Telstra Relocation Agreement	Ausgrid certified the electrical design for the substation An agreement has been signed with Telstra for relocation work No gas connection to the mains is proposed.	compliant
C8	No later than two weeks before the commencement of construction, a Community Communication Strategy must be submitted to the Planning Secretary for approval (and approved by the Planning Secretary) prior to the commencement of construction or within another timeframe agreed with the Planning Secretary. The Community Communication Strategy must provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction.	Letter from DPIE 10/10/19	DPIE approved the CCS Rev 1 on 10/10/19	compliant
	The Community Communication Strategy must:			compliant
	(a) identify people to be consulted during the design and construction phases;	Letter from DPIE 10/10/19	DPIE approved the CCS Rev 1 on 10/10/19	compliant
	(b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;	Letter from DPIE 10/10/19 Interview C Denny Complaints Register	DPIE approved the CCS Rev 1 on 10/10/19 To date, North conducted a letter box drop on 30/9/19 to near neighbours providing them with information about the project including project contact details.	compliant
	(c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;	Letter from DPIE 10/10/19	DPIE approved the CCS Rev 1 on 10/10/19 CSO invited the community (via letterbox drop 30/9/19) to register interest for a community forum. No interest has been received to date and no forums have been held.	compliant
	(d) set out procedures and mechanisms:	Letter from DPIE 10/10/19	DPIE approved the CCS Rev 1 on 10/10/19	compliant
	(i) through which the community can discuss or provide feedback to the Applicant;	Letter from DPIE 10/10/19 Interview H Crosley	DPIE approved the CCS Rev 1 on 10/10/19 One neighbour queried work near their boundary. This is the only engagement from the community to date.	compliant

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
	(ii) through which the Applicant will respond to enquiries or feedback from the community; and	Letter from DPIE 10/10/19	DPIE approved the CCS Rev 1 on 10/10/19 There have been no communications from the community during the audit period, except for several complaints. All complaints have been resolved or closed.	compliant
	(iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation.	Letter from DPIE 10/10/19	DPIE approved the CCS Rev 1 on 10/10/19 No mediation of disputes has been required to date.	compliant
C9	Prior to the commencement of construction (excluding demolition works):			
	(a) the Applicant must appoint a suitably qualified Green Star Accredited Professional to monitor the detailed design of the proposed works to ensure that all ESD measures set out in Appendix 39 Ecologically Sustainable Design (ESD) Measures (Rev B) prepared by webber architects dated 13 June 2018 within the EIS are incorporated.	Letter WSP 8/10/19 Green Star Target Matrix 15/7/20	WSP has been engaged. Currently, the project is on track to deliver the target score of 44.3. It is currently slightly below.	Compliant
	(b) evidence must be submitted to the satisfaction of the Principal Certifying Authority from a suitably qualified Green Star Accredited Professional that the ESD measures set out in Appendix 39 of the EIS have been incorporated into the design of the works proposed.	Letter from WSP 8/10/19 Construction Certificate	WSP provided a letter of compliance. This was issued with the CC application	compliant
	(c) details of the proposed ESD measures to be implemented are to be submitted to the satisfaction of the Principal Certifying Authority.	Letter from WSP 8/10/19 Green Star Target Matrix 15/7/20 Construction Certificate	WSP provided a letter of compliance. This was issued with the CC application	compliant
C10	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:			
	(a) detailed baseline data;	CEMP, CTMP, CNVMP, CWMP, CSWMP, ACHMP, BMP, BF&BT ER, KMP	All MP's include baseline data	Compliant
	(b) details of:			
	(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);	CEMP, CTMP, CNVMP, CWMP, CSWMP, ACHMP, BMP, BF&BT ER, KMP	All MP's include details of statutory requirements	Compliant
	(ii) any relevant limits or performance measures and criteria; and	CEMP, CTMP, CNVMP, CWMP, CSWMP, ACHMP, BMP, BF&BT ER, KMP	All MP's include relevant limits and criteria	Compliant
	(iii) 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;	CEMP, CTMP, CNVMP, CWMP, CSWMP, ACHMP, BMP, BF&BT ER, KMP	All MP's include relevant limits and criteria	Compliant
	(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;	CEMP, CTMP, CNVMP, CWMP, CSWMP, ACHMP, BMP, BF&BT ER, KMP	All MP's include measures to be implemented to comply with statutory requirements	Compliant
	(d) a program to monitor and report on the:			
	(i) impacts and environmental performance of the development;	Non-conformance Register Weekly Safety Walk form Vegetation Monitoring Report 1: Establishment (Biosis 2/5/20)	Weekly safety walks are conducted. The walks include environmental questions. Examples of issues raised (eg tree protection) were noted. Biosis conduct 6-monthly vegetation monitoring.	Compliant
	(ii) effectiveness of the management measures set out pursuant to paragraph c) above;	Non-conformance Register Quarterly Internal Audit Quarterly Management Review	Quarterly systems audit done every quarter by the management team. Quarterly management review.	Compliant
	(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;	CEMP, CTMP, CNVMP, CWMP, CSWMP, ACHMP, BMP, BF&BT ER, KMP	All relevant MP's include contingency measures	Compliant
	(f) a program to investigate and implement ways to improve the environmental performance of the development over time;	CEMP, CTMP, CNVMP, CWMP, CSWMP, ACHMP, BMP, BF&BT ER, KMP	The overarching program is contained in the CEMP. It applies to all management plans	Compliant
	(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);	CEMP, CTMP, CNVMP, CWMP, CSWMP, ACHMP, BMP, BF&BT ER, KMP Incident Register	Incident and non-compliance procedures are contained in all management plans No incidents have occurred to date.	Compliant
	(ii) complaint;	CEMP, CTMP, CNVMP, CWMP, CSWMP, ACHMP, BMP, BF&BT ER, KMP Complaints register	Complaint procedures are contained in all management plans 4 complaints have been received to date. All have been resolved/closed	Compliant

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
	(iii) failure to comply with statutory requirements; and	CEMP, CTMP, CNVMP, CWMP, CSWMP, ACHMP, BMP, BF&BT ER, KMP	Measures to report compliance failures are contained in all management plans	Compliant
	(h) a protocol for periodic review/update of the plan and as updates in response to incidents or matters of non-compliance.	CEMP, CTMP, CNVMP, CWMP, CSWMP, ACHMP, BMP, BF&BT ER, KMP Quarterly management review	Quarterly management reviews are conducted.	Compliant
	Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans			
C11	Prior to the commencement of demolition, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the satisfaction of Principal Certifying Authority and a copy to the Planning Secretary. The CEMP must include, but not be limited to, the following:	Email to PCA 30/8/19 Email to DPIE 27/9/19	The CEMP was issued to PCA on 30/8/19. The PCA considered it satisfactory. DPIE were issued a copy on 27/9/19. Demolition started on 3/10/19	compliant
	(a) Details of:	Section 2.1 of CEMP		Compliant
	(i) hours of work;	Section 2.1.3 of CEMP		Compliant
	(ii) 24-hour contact details of site manager;	Section 2.1.6 of CEMP		Compliant
	(iii) management of dust and odour to protect the amenity of the neighbourhood;	Section 2.7 of CEMP		Compliant
	(iv) stormwater control and discharge;	Appendix 5 of CEMP		Compliant
	(v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;	Appendix 5 of CEMP Site inspection	Wheel shaker grid and wheel washing is in place on site	Compliant
	(vi) groundwater management plan including measures to prevent groundwater contamination;	CEMP Section 2.14 and Appendix 5a	Section 2.14 of CEMP for groundwater contamination, and Appendix 5a for stormwater, sediment and erosion control, acid sulphate management plan	Compliant
	(vii) external lighting in compliance with CASA Manual of Standards (MOS-139) Aerodromes with the objectives of minimising light spill;	Section 2.20 of CEMP Site inspection	No external lighting is in place except standard security lighting at the compound.	Compliant
	(viii) community consultation and complaints handling;	Appendix 14 of CEMP Complaints Register	4 complaints have been received to date. No further community consultation has been conducted since commencement of work.	Compliant
	(ix) pedestrian traffic management;	Appendix 2 of CEMP Site inspection	The site does not interact with pedestrian facilities	Compliant
	(x) noise and vibration management;	Appendix 3 of CEMP Complaints Register	No noise complaints have been received	Compliant
	(xi) waste management;	Appendix 4 of CEMP		Compliant
	(xii) soil and water management;	Appendix 5 of CEMP		Compliant
	(xiii) asbestos management;	CEMP	2 unexpected asbestos finds have occurred	Compliant
	(xiv) an unexpected finds protocol for contamination and associated communication procedure; and	Section 2.11 of CEMP	No unexpected contamination finds have occurred.	Compliant
	(xv) waste classification (for materials to be removed) and validation (for materials to remain).	Appendix 13 of CEMP Site inspection	Waste is being separated and recycled where possible.	Compliant
C12	Prior to the commencement of construction (excluding demolition), the Applicant must submit a CEMP to the satisfaction of Planning Secretary. The CEMP must include, but not be limited to, the following:	DPIE letter 15/11/19	DPIE approved the CEMP	Compliant
	(a) Details of:	Section 2.1 of CEMP		Compliant
	(i) hours of work;	Section 2.1.3 of CEMP		Compliant
	(ii) 24-hour contact details of site manager;	Section 2.1.6 of CEMP		Compliant
	(iii) management of dust and odour to protect the amenity of the neighbourhood;	Section 2.7 of CEMP and Appendix 5 Site inspection	No dust complaints have been received	Compliant
	(iv) stormwater control and discharge;	Appendix 5 - Stormwater, Sediment and Erosion Control section 31.4, and control plans	Erosion and sediment controls remain largely the same since the previous audit.	Compliant
	(v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;	Section 2.20 of CEMP	Increased street sweeping has been implemented following complaints about debris on Medowie Road.	Compliant

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
	(vi) groundwater management plan including measures to prevent groundwater contamination;	Section 2.14 of CEMP for groundwater contamination, and Appendix 5a for stormwater, sediment and erosion control, acid sulphate management plan	Groundwater interception is occurring in the southern part of the site, where a basin interacts with groundwater. No groundwater discharge occurs from the basin.	Compliant
	(vii) external lighting in compliance with CASA Manual of Standards (MOS-139) Aerodromes with the objectives of minimising light spill;	Section 2.20 of CEMP	No external lighting is in place except standard security lighting at the compound.	Compliant
	(viii) community consultation and complaints handling;	Appendix 14 - Community Consultation		Compliant
	(b) Construction Traffic and Pedestrian Management Sub-Plan (see condition C13);	Appendix 2 of CEMP - Construction Traffic and Pedestrian Management Sub Plan		Compliant
	(c) Construction Noise and Vibration Management Sub-Plan (see condition C14);	Appendix 3 of CEMP - Noise and Vibration Management		Compliant
	(d) Construction Waste Management Sub-Plan (see condition C15);	Appendix 4 of CEMP - Waste Management Plan		Compliant
	(e) Construction Soil and Water Management Sub-Plan (see condition C16);	Appendix 5 of CEMP - Construction Soil and Water Management		Compliant
	(f) Aboriginal Cultural Heritage Management Sub-Plan (see condition C17);	Appendix 6 of CEMP - Aboriginal Cultural Heritage Management		Compliant
	(g) Biodiversity Management Sub-Plan (see condition C18);	Appendix 7 of CEMP - Biodiversity Management Sub Plan		Compliant
	(h) Bush Fire and Flood Emergency Response Sub-Plan (see condition C19);	Appendix 8 of CEMP - Bush Fire Emergency Response Sub Plan Appendix 8a of CEMP - Flood Management and Response		Compliant
	(i) Koala Management Sub-Plan (see condition C20);	Appendix 9 of CEMP - Koala Management Sub Plan		Compliant
	(j) Findings of the Arboricultural impact assessment report;	Appendix 15 of CEMP - Findings from Aboriginal Cultural Heritage Impact Assessment		Compliant
	(k) Asbestos Management Plan;	Interview H Crosley Appendix 14 for Contamination Assessment and Section 2.11 of CEMP for procedures should asbestos be encountered.	The CEMP did not identify any asbestos on site. Unexpected asbestos was uncovered during construction at Block Q. Further asbestos was found in the northern Berm during sieving. This was addressed in the RAP.	Compliant
	(l) an unexpected finds protocol for contamination and associated communications procedure;	Section 2.11 of CEMP		Compliant
	(m) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; and	Section 2.9 of CEMP		Compliant
	(n) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site.	Appendix 13 of CEMP		Compliant
C13	The Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must address, but not be limited to, the following:			
	(a) be prepared by a suitably qualified and experienced person(s);	SECA Traffic Solutions prepared the TPMSP Appendix 2 of CEMP - Construction Traffic and Pedestrian Management Sub Plan		Compliant
	(b) be prepared in consultation with Council and TfNSW (RMS);	Appendix 2 of CEMP, section 2.6		Compliant
	(c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services;	Appendix 2 of CEMP, section 2.6	No change to the construction traffic arrangements have occurred during the audit period.	Compliant
	(d) detail heavy vehicle routes, access and parking arrangements;	Appendix 2 of CEMP, section 2.6	No change to the construction traffic arrangements have occurred during the audit period.	Compliant

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
	(e) include a Driver Code of Conduct to:	Complaints register Incident register	No complaints or incidents have been recorded relating to driver behaviour	Compliant
	(i) minimise the impacts of earthworks and construction on the local and regional road network;	Appendix 2 of CEMP, section 10		Compliant
	(ii) minimise conflicts with other road users;	Appendix 2 of CEMP, section 10		Compliant
	(iii) minimise road traffic noise; and	Appendix 2 of CEMP, section 10		Compliant
	(iv) ensure truck drivers use specified routes;	Appendix 2 of CEMP, section 10		Compliant
	(f) include a program to monitor the effectiveness of these measures; and	Appendix 2 of CEMP, section 10	Increased street sweeping has been implemented following complaints about debris on Medowie Road.	Compliant
	(g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.	Appendix 2 of CEMP, section 2.8 and 3.7	No notifications have been issued during the audit period.	Compliant
C14	The Construction Noise and Vibration Management Sub-Plan (CNVMSP) must address, but not be limited to, the following:			
	(a) be prepared by a suitably qualified and experienced noise expert;	Spectrum Acoustics prepared the CNVMSP Appendix 3 of CEMP - Construction Noise and Vibration Management Sub Plan		Compliant
	(b) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009);	Appendix 3 of CEMP, section 30.1 and 30.2, section 4.7 of Spectrum Acoustics Report Complaints register	No complaints have been received relating to noise.	Compliant
	(c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;	Appendix 3 of CEMP, section 30.1 and 30.2, section 4.7 of Spectrum Acoustics Report Interview H Crosley	No high-impact works have occurred during the audit period.	Compliant
	(d) include strategies that have been developed with the community for managing high noise generating works;	Appendix 3 of CEMP, section 30.1 and 30.2, section 4.7 of Spectrum Acoustics Report	No high-impact works have occurred during the audit period.	Compliant
	(e) describe the community consultation undertaken to develop the strategies in condition C8; and	Appendix 14 of CEMP - Communication and Consultation Management		Compliant
	(f) include a complaints management system that would be implemented for the duration of the construction.	Appendix 14 of CEMP, page 11, Communication and Consultation Management	No complaints have been received relating to noise.	Compliant
C15	The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the following:			
	(a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations;	Appendix 4 of CEMP - Waste Management Plan	Waste is being recorded	Compliant
	(b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.	Appendix 13 and 13a of CEMP for hazardous materials Appendix 3a of CEMP for details of the RAP Section 2.11 of the CEMP for asbestos and dust management Appendix 4 of CEMP for waste management plan	Hazardous materials associated with the contaminated berm have been dealt with through the RAP. An unexpected asbestos find has been dealt with through the unexpected finds protocol. No other hazardous waste has been generated.	Compliant
C16	The Applicant must prepare a Construction Soil and Water Management Plan (CSWMSP) and the plan must address, but not be limited to the following:			
	(a) be prepared by a suitably qualified expert, in consultation with Council;	MPC Civil Engineers prepared the CSWMSP Full report in consultation with council, including NoRBE etc.	The ESCP developed for the site remains unchanged. Some minor additional controls have been installed to accommodate site specific works.	Compliant

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
	(b) describe all erosion and sediment controls to be implemented during construction;	Appendix 5 of CEMP - Sediment and Erosion Control Plans		Compliant
	(c) include an Acid Sulphate Soils Management Plan, if required, including measures for the management, handling, treatment and disposal of acid sulphate soils, including monitoring of water quality at acid sulphate soils treatment areas.	Appendix 5a - Acid Sulphate Management Plan	No acid sulphate soils have been encountered	Compliant
	(d) provide a plan of how all construction works will be managed in a wet-weather events (i.e. storage of equipment, stabilisation of the Site);	Appendix 5 of CEMP - Sediment and Erosion Control Plans, as well as MPC Stormwater plan in this appendix	An all-weather access road is in place.	Compliant
	(e) detail all off-Site flows from the Site; and	Appendix 5 of CEMP - Sediment and Erosion Control Plans, as well as MPC Stormwater plan in this appendix		Compliant
	(f) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI).	Appendix 5 of CEMP - Sediment and Erosion Control Plans, as well as MPC Stormwater plan in this appendix	Controls are described for all events up to 1:100 year. The large basin in the western part of the site is sized to accommodate this event.	Compliant
C17	The Aboriginal Cultural Heritage Management Sub-Plan (ACHMSP) must address, but not be limited to, the following:			
	(a) be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties.	Biosis prepared the ACHMSP (September 2019) Appendix 6 of CEMP - Aboriginal Cultural Heritage Management Email from Biosis (20/7/20)	Salvage works have been completed for both Medowie PAD 01 and the unexpected find 'extension of Medowie PAD 01)	Compliant
C18	The Biodiversity Management Sub-Plan (BMSP) must address, but not be limited to the following:			Compliant
	(a) the BMSP must be prepared by a suitably qualified person and submitted to the Planning Secretary for approval prior to the commencement of construction works on site.	Prepared by Biosis Environmental Consultants Appendix 7 of CEMP - Biodiversity Management Sub Plan		Compliant
	(b) include all recommendations to mitigate the direct, indirect and prescribed impacts for works contained in the endorsed BDAR and the management and mitigation measures in EIS and Response to Submissions;	Appendix 7 of CEMP, section 4 text and table 5-7	Tree protection measures are in place at the site. Site boundary fencing is in place.	Compliant
	(c) include details of measures to protect the vegetation on the south western part of the Site, specifically the coastal wetlands mapped under the Coastal management.	Appendix 7 of CEMP	Tree protection measures are in place at the site. Site boundary fencing is in place.	Compliant
	(d) Include a Vegetation Management Sub-Plan (VMP) for the Site during the construction works;	Appendix 7 of CEMP	Monitoring has been conducted in accordance with the VMSP.	Compliant
	(e) include measures to communicate to the construction workforce the biodiversity values that are to be retained and protected.	Appendix 7 of CEMP, section S3.2, Biodiversity Management Sub Plan Appendix 11 , Vegetation Management Sub Plan, section 6.1.1 Appendix 12, Fauna Management Sub Plan, section 5 Appendix 9, Koala Management Sub Plan, section 5	Inductions are being conducted.	Compliant
	(f) any hollows removed be salvaged and replaced into trees within the vegetated areas to be retained or they be replaced with nest boxes in consultation with Council suitable to native fauna likely to use the site;	Appendix 11 of CEMP, section 6.1.5	2 large hollow stags have been stockpiled for future placement in areas of habitat.	Compliant
	(g) include a Fauna Management Plan for the site including details of impacts and proposed mitigation measures due to impact on movement, construction traffic, proposed construction hours, details of any fencing, restricting developments in identified areas, light spill, construction noise and on-site crane movements; and	Appendix 12 of CEMP	Fauna protection measures are in place across the site.	Compliant
	(h) include details to install and maintain exclusion fencing along the riparian corridor and around any native vegetation not being removed as part of this development.	Appendix 7 of CEMP, section 3.3	Tree protection measures are in place at the site. Site boundary fencing is in place.	Compliant
C19	The Bush Fire and Flood Emergency Response Sub-Plan (BFFERSP) must address, but not be limited to, the following:			

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
	(a) be prepared by a suitably qualified and experienced person(s);	Appendix 8 - Bush Fire Emergency Responses Sub Plan, Phillip Couch - Graduate Diploma for Design for Bushfire prone areas & FPAA BDAP - Level 3 accredited. Appendix 8a, Flood Management and Response, NCB Safety Manager.		Compliant
	(b) address the Planning for Bushfire Protection 2006;	Appendix 8 of CEMP		Compliant
	(c) address the provisions of the Floodplain Risk Management Guideline (OEHL, 2007)	Appendix 8a of CEMP		Compliant
	(d) include details of:			Compliant
	(i) the bush fire and flood emergency responses for both construction and operation phases of the development;	Appendix 8 of CEMP, page 2 Appendix 8a, section 37.2	To date, no bushfire or flood emergencies have occurred on site.	Compliant
	(ii) predicted flood levels;	Appendix 8a of CEMP, page 5		Compliant
	(iii) flood warning time and flood notification;	Appendix 8a of CEMP, section 37.1		Compliant
	(iv) assembly points and evacuation routes;	Appendix 8a of CEMP, section 37.5		Compliant
	(v) evacuation and refuge protocols; and	Appendix 8a of CEMP, section 37.2		Compliant
	(vi) awareness training for employees and contractors, and students.	Site Induction Register (up to 8/7/20)	Inductions are being conducted.	Compliant
C20	The Koala Management Sub-Plan (KMSP) must address, but not be limited to, the following:			
	(a) the KMSP must be prepared by a suitably qualified person and submitted to the Planning Secretary for approval prior to the commencement of construction works on site;	Prepared by Biosis Environmental Consultants		Compliant
	(b) Identify habitat corridors, of adequate dimensions to provide an adequate Koala habitat corridor supported by a Koala specialist;	Appendix 9 of CEMP, section 3.3		Compliant
	(c) include details of structures to eliminate barriers to movement (presented by fences, roads, drainage culverts or pits and the like) for koalas and other native fauna likely to use the site or habitat corridor;	Appendix 9 of CEMP, section 4.1		Compliant
	(d) include details of Koala feed tree offsets in accordance with the Port Stephens Tree Technical Specification 2014.	Appendix 9 of CEMP, section 6		Compliant
	(e) include all recommendations to mitigate impacts for works contained in the EIS and the endorsed BDAR and the management and mitigation measures in EIS and Response to Submissions;	Appendix 9 of CEMP, section 5	Koala-proof site boundary fencing is being used during construction.	Compliant
	(f) include details monitoring, management and maintenance procedures for Koala habitat corridors;	Appendix 9 of CEMP, section 7	No Koalas have been encountered to date.	Compliant
	(g) include measures to communicate to the construction workforce the presence of Koala habitat and that are to be retained and protected; and	Appendix 9 of CEMP, section 5		Compliant
	(h) include other measures to minimise the risk of harm to koalas.	Appendix 9 of CEMP, section 8 and 8	Koala-proof fencing is in place around the western boundary of the work.	Compliant
C21	Prior to the commencement of construction (excluding demolition works), the Principal Certifying Authority must be satisfied that all floor levels must be no lower than the 1% Annual Exceedance Probability flood plus 500mm of freeboard.	Email from North to PCA 21/10/19 Construction Certificate	All floor heights are designed at a minimum 9.3m AHD. The 1% AED plus 500mm is 8.6m AHD The PCA was issued this information on 21/10/19 and subsequently issued the CC	Compliant
C22	Prior to the commencement of construction (excluding demolition works), the Principal Certifying Authority must be satisfied that any structures below the 1% Annual Exceedance Probability plus 500mm of freeboard must be constructed from flood compatible building components.	Email from North to PCA 21/10/19 Construction Certificate	The only part of the site below 8.6m AHD contains footpaths and car parking.	Compliant
C23	Prior to the commencement of construction of all stages, the Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that construction traffic associated with the development does not utilise public and residential streets or public parking facilities.	Site Layout Plan (no Rev or date) Site inspection	The Site Layout Plan shows the location of site personnel parking (near the compound) and lay down areas. Site is laid out in accordance with the plan	Compliant
C24	Prior to the commencement of the removal of any waste material from the site, the Applicant must notify the TfNSW (RMS) Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the site.	Email to TMC 24/9/19	TMC were notified of the proposed routes. No feedback was received from TMC	Compliant

Reference	Required Audit Action, and Terms of Approval				Evidence	Comments	Finding
C25	Prior to the commencement of any footpath or public domain works, the Applicant must consult with Council and demonstrate to the Principal Certifying Authority that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management. The Applicant must submit documentation of approval for each stage from Council to the Principal Certifying Authority.					No work on footpaths or public domain have occurred yet	Not triggered
C26	Prior to the commencement of construction (excluding demolition works), the Applicant must ensure that a rainwater reuse/harvesting system is developed for the site. A rainwater re-use plan must be prepared and certified by an experienced hydraulic engineer.				McCallum PECA Drawing H-05 Webber Drawing 2544/01_0103/I	A rainwater harvest and reuse system has been designed for the site. McCallum PECA is a hydraulic engineering firm	Compliant
C27	Prior to commencement of construction (excluding demolition), the following credits must be retired to offset the residual biodiversity impacts of the development:				Statement of Confirmation, BCT (9/9/19)		Compliant
	(a) Ecosystem credits as specified in Table 1:				Statement of Confirmation, BCT (9/9/19)		Compliant
	Table 1 Ecosystem credits required to be retired – like for like						
	Impacted plant community type	Number of ecosystem credits	IBRA sub-regions from which the credit can be sourced	Plant community type(s) that can be used to offset the impacts from development			
	PCT 1564 – Blackbutt – Rough – barked Apple – Turpentine – ferny tall open forest of the Central Coast Hunter Lowland Redgum Forest in the Sydney Basin and New South Wales North Coast Bioregions	9	Karuah Manning, Hunter, Macleay Hastings, Mummel Escarpment and Upper Hunter or any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.	Hunter Lowland Redgum Forest in the Sydney Basin and New South Wales North Coast Bioregions (including PCT's 690, 697, 698, 755, 1092, 1262, 1267, 1268, 1281, 1385, 1548, 1549, 1550, 1556, 1557, 1558, 1564, 1565, 1580, 1582, 1584, 1585, 1845, 1846, 1847, 1914)			
	PCT 1598 – Forest Red Gum grassy open forest on floodplains of the lower Hunter Hunter Lowland Redgum Forest in the Sydney Basin and New South Wales North Coast Bioregions	5	Karuah Manning, Hunter, Macleay Hastings, Mummel Escarpment and Upper Hunter or any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.	Hunter Lowland Redgum Forest in the Sydney Basin and New South Wales North Coast Bioregions (including PCT's 42, 1591, 1598, 1603, 1605, 1691, 1692, 1749)			

Reference	Required Audit Action, and Terms of Approval				Evidence	Comments	Finding
	PCT 1619 – Smoot – barked Apple – Red Bloodwood – Brown Stringybark – Hairpin Banksia health open forest of coastal lowlands Hunter Lowland Redgum Forest in the Sydney Basin and New South Wales North Coast Bioregions	5	Karuah Manning, Hunter, Macleay Hastings, Mummel Escarpment and Upper Hunter or any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.	Hunter Lowland Redgum Forest in the Sydney Basin and New South Wales North Coast Bioregions (including PTC's 1083, 1138, 1156, 1181,1183, 1250, 1253, 1619, 1620, 1621, 1623,1624, 1625, 1627, 1632, 1636, 1638, 1642,1643, 1681, 1776, 1777, 1778, 1780, 1782,1783, 1785, 1786, 1787)			
	PCT 1718 – Swamp Mahogany – Flax leaved	4	Karuah Manning, Hunter, Macleay Hastings, Mummel	Swamp Sclerophyll Forest on Costal Floodplains of the New South Wales			
	Paperbark swamp forest on coastal lowlands of the Central Coast Swamp Sclerophyll Forest on Costal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions		Escarpment and Upper Hunter or any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.	North Coast, Sydney Basin and South East Corner Bioregions (including PTC's 837, 839, 971, 1064, 1092, 1227, 1230, 1231, 1232, 1235, 1649, 1715, 1716, 1717, 1718, 1719, 1721, 1722, 1723, 1724, 1725, 1730, 1795, 1798)			
	(b) Species credits as specified in Table 2:				Statement of Confirmation, BCT (9/9/19)		Compliant
	Table 2 Species credits required to be retired – like for like						
	Impacted species credit species		Number of species credits	IBRA sub-regions from which the credit can be sourced			
	Koala <i>Phascolarctos cinereus</i>		6	Anywhere			
C28	The requirement to retire like – for – like ecosystem credits and like – for – like species credits in condition C27 may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of ecosystem credits / species credits, as calculated by the Biodiversity Offsets Payment Calculator.						Not Triggered

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
C29	Evidence of retirement of credits in condition C27 or payments to the Biodiversity Conservation Fund in satisfaction of condition C28 must be provided to the Planning Secretary for approval prior to the commencement of the works that would impact on the biodiversity values.	Letter from DPIE 15/10/19		Compliant
C30	Prior to the commencement of construction (excluding demolition works), evidence demonstrating that the operational car parking and service vehicle layout design complies with the following requirements must be submitted to the satisfaction of the Principal Certifying Authority:	Construction Certificate Email from PCA 23/8/19		Compliant
	(a) all vehicles must enter and leave the Site in a forward direction;	MPC Drawing C104.1 Rev 3 and C104.2 Rev 3	Drawings show front-in front-out	Compliant
	(b) a minimum of 302 on-site car parking spaces for use during operation of the development and designed in accordance with the latest version of AS2890.1;	MPC Drawing C104.1 Rev 3 and C104.2 Rev 3	Stage 1 Car Parking for 122 cars only	Compliant
	(c) the swept path of the longest vehicle entering and exiting the Site in association with the new work, as well as manoeuvrability through the Site, must be in accordance with AUSTROADS; and	Statement of Design Requirements, MPC, 27/9/19	MPC certified that the swept paths are in accordance with AUSTROADS	Compliant
	(d) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, is to be addressed.	Statement of Design Requirements, MPC, 27/9/19	MPC certified that the pedestrian safety has been addressed	Compliant
C31	Prior to the commencement of construction (excluding demolition works), compliance with the following requirements for secure bicycle parking and end-of-trip facilities for use during operation must be submitted to the satisfaction of the Principal Certifying Authority:	Email from PCA 23/8/19	PCA satisfied that condition has been met	Compliant
	a) the provision of a minimum 200 bicycle parking spaces;	Email from North to PCA 23/8/19	50 spaces being provided for Stage 1	Compliant
	b) the layout, design and security of bicycle facilities must comply with the minimum requirements of AS 2890.3:2015 Parking facilities - Bicycle parking, and be located in easy to access, well-lit areas that incorporate passive surveillance;	Email from PCA 23/8/19	PCA satisfied that condition has been met	Compliant
	c) the provision of end-of-trip facilities for staff in accordance with the ESD Design & As Built rating tool; and	Email from PCA 23/8/19	PCA satisfied that condition has been met	Compliant
	d) appropriate pedestrian and cyclist advisory signs are to be provided.	Email from PCA 23/8/19	PCA satisfied that condition has been met	Compliant
C32	Prior to the commencement of construction (excluding demolition works), the Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that the proposed accesses to the development are designed to accommodate the turning path of a heavy rigid vehicles (up to 12.5 metres).	Email from ADW Johnson to RMS 1/10/19	Design drawings were submitted to RMS on 1/10/19 for their design review. RMS have not provided any comment yet are approved the design drawings to allow the issuing of a s138 Permit. Not, the road works stage has not yet commenced however the Staging Report identifies this condition to be relevant to all current stages. It is noted a Modification has been lodged to construct interim intersection arrangements whilst awaiting approval from RMS for the final intersection design.	Compliant
C33	Prior to the commencement of construction (excluding demolition works), the Applicant must submit design plans to the satisfaction of the Principal Certifying Authority which demonstrates that the proposed internal roads comply with section 4.2.7 of Planning for Bush Fire Protection 2006.	MPC Design Statement 11/10/19 Compliance Certificate		Compliant
C34	Prior to the commencement of construction (excluding demolition works), the Applicant must obtain approval for the road works under section 138 of the Roads Act 1993.	Roads Act Approval 138-2019-22-1, 3/10/19	s138 has been lodged for the interim intersection. Note, the Staging Report requires this to be satisfied prior to the commencement of the road work stage. Also see AN1	Not Triggered
C35	Prior to the commencement of construction (excluding demolition works), 'Keep Clear' pavement markings (in accordance with the RMS Delineation Guide, Section 9.3.2) be included in the submission of roadworks and access design plans and must be to the satisfaction of Council / TfNSW (RMS). The pavement markings could be provided at the right turn entrance to the school to ensure that the northbound queue from the signals does not restrict movement into the school.		Design drawings were submitted to RMS on 1/10/19 for their design review. Council have provided comment which has been addressed. RMS have yet to approve the design drawings and issue a s138 Permit. Note, the Staging Report requires this to be satisfied prior to the commencement of the road work stage	Not Triggered

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
C36	Prior to the commencement of construction (excluding demolition works), the fire trail must be designed to comply with the diagram titled 'Site Fire Trail Staging' prepared by Webber Architects (Ref: 2544_TD_02_0035_B) dated 19 December 2018 and section 4.1.3 (3) of Planning for Bush Fire Protection 2009 and must include a reversing bay/turning area at intervals of not greater than 200 metres. Evidence must be submitted to the satisfaction of the Principal Certifying Authority.	Statement of Design Requirements, MPC, 27/9/19 Construction Certificate	MPC issued certification of compliance. PCA issued CC.	Compliant
C37	Within three months of commencement of construction (excluding demolition works), the Applicant must enter into a Works Authorisation Deed (WAD) with TfNSW (RMS) for Traffic Control Signals (TCS) and associated intersection upgrade works on the Medowie Road and South Street intersection. The WAD must include the submission of design plans and obtaining relevant approvals.	WAD 19.0000303559.1430 (Signed 10/12/19)	A WAD has been entered into with RMS	Compliant
	Note 1: Please note that that the Conditions of Consent do not guarantee TfNSW (RMS)'s final consent to the specific road work, traffic control facilities and other structures or works, for which it is responsible, on the road network. TfNSW (RMS) must provide a final consent for each specific change to the classified (State) road network prior to the commencement of any work. Note 2: The WAD process, including acceptance of design documentation and construction can take time. The Applicant should be aware and allow sufficient lead time within the project development program to accommodate this process.			
C38	The Applicant must notify the TfNSW (RMS) Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.	Email to TMC 24/9/19	TMC were notified of the proposed routes	Compliant
C39	Prior to the rigging of cranes (if cranes are to be used in the construction), the Department of Defence must be consulted to ensure the operation of the crane does not interfere with the aircraft operations at RAAF Base Williamtown.	Email from DD 20/8/19	Consultation with DoD was conducted	Compliant
C40	No later than two weeks before the date notified for the commencement of construction (excluding demolition works), a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Principal Certifying Authority.	Email to DPIE Submission of CMRP 9/10/19 Email from PCA 30/1/20 stating he received it on 14/10/19	The CMRP was issued to DPIE and PCA more than 2 weeks prior to construction commencing	Compliant
C41	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	PCCR 19/12/19 DPIE Approval Letter 3/2/20 CCR 22/5/20 DPIE Approval Letter 26/5/20	PCCR was completed on 19/12/19 and lodged on 13/1/19 which is after construction commenced. It was approved 3/2/20 The CCR was completed on 22/5/20 and approved by DPIE on 26/5/20	Non-compliant
C42	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Principal Certifying Authority in writing at least seven days before this is done.	Project website DPIE Major Projects Portal Receipt (22/5/20) Email to PCA (22/5/20)	The PCCR is available on the website DPIE and PCA were notified.	Compliant
C43	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.			Not triggered
C44	In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by Heritage Division and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and Heritage Division to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of Heritage Division.	Email from Biosis 20/7/2020 Email from BCD 23/6/2020	investigations for the signalised intersection ACHA identified a further area of potential Aboriginal cultural heritage (extension of Medowie PAD 01). This was considered an 'unexpected find' and, following consultation with Heritage NSW, a recommendation was made to carry out salvage works. This was being undertaken at the time of the audit, and completed shortly after the site work.	Compliant

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
C45	If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the Heritage Division contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of Heritage Division.	Email from Biosis 20/7/2020 Email from BCD 23/6/2020	investigations for the signalled intersection ACHA identified a further area of potential Aboriginal cultural heritage (extension of Medowie PAD 01). This was considered an 'unexpected find' and, following consultation with Heritage NSW, a recommendation was made to carry out salvage works. This was being undertaken at the time of the audit, and completed shortly after the site work.	Compliant
C46	Prior to the commencement of earthworks or demolition (whichever occurs first), the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition C15 and where any material identified as contaminated is to be disposed off-site, the disposal location and results of testing submitted to the Planning Secretary prior to its removal from the site.	CEMP	Unexpected contamination find protocol included in CEMP Asbestos has been found on site.	Compliant
C47	Prior to the commencement of construction (excluding demolition works), the Applicant must design works under a Routine Major Works Deed with Hunter Water to connect the development to the existing water and sewer system(s).	Routine Works Deed 2017-899/7 (1/10/19)	Signed works deed in place	Compliant
	(a) The works must be designed and certified by an Accredited Design Consultant and constructed by a Hunter Water Corporation Accredited Construction Contractor; and	Routine Works Deed 2017-899/7 (1/10/19)	Signed works deed in place	Compliant
	(b) The works design must be compliant with Hunter Water's Deed, Technical Specifications and Standard Drawings.	Routine Works Deed 2017-899/7 (1/10/19)	Signed works deed in place	Compliant
C48	Prior to the commencement of construction (excluding demolition works), the Applicant must design network infrastructure under a Complex Works Deed with Hunter Water in accordance with the approved wastewater servicing strategy.	Major Works Deed 2017-899 (31/10/19) Hunter Water Section 50 Approval Certificate (11/5/2020)	Signed works deed in place. It is noted that the upgrading of the WWPS has been deferred to later stage	Compliant
C49	The works must be designed and certified by a Hunter Water Corporation Accredited Design Consultant.	WDG Design Compliance Certificate 1/10/19	Design was completed by WDG. Design Compliance Certificate was issued.	Compliant
C50	Prior to the commencement of construction (excluding demolition works), the location of AHIMS 38-4-1970 in the Medowie PAD 01 in Aboriginal Cultural Heritage Assessment Report prepared by Biosis dated 23 August 2018, historical archaeological salvage excavation must be undertaken by a suitably qualified and experienced professional. The salvage excavation is to be undertaken in accordance with the requirements of the Heritage Division.	DPIE letter 24/9/19 Email from Biosis 5/12/19	DPIE approved salvage works to occur concurrent with construction. Salvage works were completed 9/12/19. Note, the whole of the AHIMS site was subjected to salvage works.	Compliant
AN1	All roads and traffic facilities must be designed to meet the requirements of Council or TfNSW (RMS) (whichever is applicable). The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works.		No road work has yet commenced	Not Triggered
PART D DURING CONSTRUCTION				
D1	A site notice(s) must be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Principal Certifying Authority and Structural Engineer and is to satisfy all but not be limited to, the following requirements:	Site notice board	The site notice is prominent at the site entrance. The details of the Principal Contractor, the PCA and structural engineer are available, including site contact details.	Compliant
	(a) minimum dimensions of the notice must measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size;	Site notice board	The main site notice board meets these requirements	Compliant
	(b) the notice is to be durable and weatherproof and is to be displayed throughout the works period;	Site notice board	All notice boards are weatherproof and durable	Compliant
	(c) the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice; and	Site notice board	Approved hours of work are included on a notice board	Compliant
	(d) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry	Site notice board	Notice boards are at eye level	Compliant
D2	All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.	Site inspection	All plant and equipment appears to be in good working order	Compliant
D3	Demolition work must comply with Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001).	Demolition Works Plan Compliance Statement, North Constructions 23/9/19	The demolition plan was prepared in compliance with this standard.	Compliant

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
D4	Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:			
	(a) between 7am and 6pm, Mondays to Fridays inclusive; and	Interview H Crosley Complaints Register	All work to date has been completed within the approved hours. The gates are closed outside these hours preventing access. No evidence of out of hours works was found during the audit (eg complaints)	Compliant
	(b) between 8am and 1pm, Saturdays.	Interview H Crosley Complaints Register	All work to date has been completed within the approved hours. The gates are closed outside these hours preventing access. No evidence of out of hours works was found during the audit (eg complaints)	Compliant
	No work may be carried out on Sundays or public holidays.	Interview H Crosley Complaints Register	All work to date has been completed within the approved hours. The gates are closed outside these hours preventing access. No evidence of out of hours works was found during the audit (eg complaints)	Compliant
D5	Activities may be undertaken outside of the hours in condition D4 if required:	Interview H Crosley	No out of hours works have occurred	Not Triggered
	(a) by the Police or a public authority for the delivery of vehicles, plant or materials; or			Not Triggered
	(b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or			Not Triggered
	(c) where the works are inaudible at the nearest sensitive receivers; or			Not Triggered
	(d) where a variation is approved in advance in writing by the Planning Secretary or his nominee if appropriate justification is provided for the works.			Not Triggered
D6	Notification of such construction activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.			Not Triggered
D7	Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:	Interview H Crosley	Only one instance of such activities (rock breaking) has occurred. This was done within the required hours. It is noted the Induction specifically mentions this condition.	Compliant
	(a) 9am to 12pm, Monday to Friday;			Compliant
	(b) 2pm to 5pm Monday to Friday; and			Compliant
	(c) 9am to 12pm, Saturday.			Compliant
D8	The Applicant must carry out the construction of the development in accordance with the most recent version of the approved relevant CEMP (including Sub-Plans).		No changes have been made to the Approved CEMP. Therefore all works are occurring in accordance with the most current version of the CEMP	Compliant
D9	All construction vehicles not parked on site must be located in an approved on-street work zone, and vehicles must enter the site before stopping.	Site inspection	No on street work zones in place. All vehicles were observed to be parked on site	Compliant
D10	All construction vehicles must enter and exit the site via Medowie Road only, unless otherwise agreed by Council.	Site inspection	There is only one access to the site, which is from Medowie Road	Compliant
D11	The following hoarding requirements must be complied with:	Site inspection	There is no hoarding in place	Not Triggered
	(a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing;			Not Triggered
	(b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application; and			Not Triggered
D12	The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.	Site inspection	No public ways were observed to be obstructed	Compliant
D13	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved CNVMSP.	Site inspection Complaints Register	The CNVMSP contains noise management levels and targets for the development. It predicts that noise management levels may be exceed at least 1 receiver during construction. The noisiest work has been largely completed for now, with no complaint received. No monitoring is being conducted to verify noise.	Compliant
D14	The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition D4.	Site inspection Interview H Crosley	The site has a gate which is locked outside working hours	Compliant

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
D15	The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, use quackers (audible movement alarms) to minimise noise impacts on surrounding noise sensitive receivers.	Interview H Crosley	Beepers and quackers are being used on site	Compliant
D16	Vibration caused by construction at any residence or structure outside the site must be limited to:			
	(a) for structural damage, the latest version of DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures (German Institute for Standardisation, 1999); and	Interview H Crosley	The site is 75m from the nearest sensitive receiver. Vibration is not considered to be an issue	Compliant
	(b) for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: a technical guideline (DEC, 2006) (as may be updated or replaced from time to time).	Interview H Crosley	The site is 75m from the nearest sensitive receiver. Vibration is not considered to be an issue	Compliant
D17	Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition D16.		No residential buildings are within 30m of the work	Not triggered
D18	The limits in conditions D16 and D17 apply unless otherwise outlined in the CNVMSP, approved as part of the CEMP required by condition C14 of this consent.		The CNVMSP does not alter the limits	Not triggered
D19	For the duration of the construction works:			
	(a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;	Interview H Crosley	No work on any street tree has occurred to date	Not triggered
	(b) all street trees must be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council;	Interview H Crosley	Street trees are protected by the project's boundary fencing	Compliant
	(c) all trees on the site that are not approved for removal must be suitably protected during construction as per recommendations of the Arboricultural Impact Assessment prepared by Joseph Pidutti Consulting Arborist dated 5 December 2017; and	Site inspection	Trees are protected with flagging tape	Compliant
	(d) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater.			Not Triggered
D20	Trees on Council's nature strip require Council's written consent prior to the removal. Evidence of any consent is to be submitted to the Principal Certifying Authority.	Interview H Crosley	No work on any street tree has occurred to date	Not Triggered
D21	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	Site inspection Complaints Register	No dust was observed during the site inspection, although there has been recent rain. The site has reported generally low dust conditions, and no dust complaints have been received	Compliant
D22	During construction, the Applicant must ensure that:			
	(a) exposed surfaces and stockpiles are suppressed by regular watering;	Site inspection	A water cart was observed to be on site	Compliant
	(b) all trucks entering or leaving the site with loads have their loads covered;	Interview H Crosley	All trucks are covered	Compliant
	(c) trucks associated with the development do not track dirt onto the public road network;	Site inspection	A shaker grid is in place at the site entrance. . Wheel washing is being conducted prior to vehicles leaving site. A separate wheel washing station with a shaker grid is located on site.	Compliant
	(d) public roads used by these trucks are kept clean; and	Site inspection Street Sweeper docket (27/2/20, 31/3/20, 29/5/20)	A shaker grid is in place at the site entrance. A street sweeper has been engaged following a complaint	Compliant
	(e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.		No land stabilisation has occurred to date	Not Triggered
D23	All erosion and sediment control measures must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment.	Site inspection	ERSED controls were observed to be in place including sediment fencing, diversion drains and basins.	Compliant

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
D24	The Applicant must:			
	(a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;		No such material has yet been imported	Not triggered
	(b) keep accurate records of the volume and type of fill to be used; and			Not triggered
	(c) make these records available to the Principal Certifying Authority upon request.			Not triggered
D25	Adequate provisions must be made to collect and discharge stormwater drainage during construction to the satisfaction of the Principal Certifying Authority. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.	Site inspection Interview H Crosley	All stormwater is currently contained on site through two sediment dams and a stormwater tank. No controlled discharges have been required to date. Stormwater flows through the sediment basin/stormwater tank and into the wetland, through sediment controls.	Not triggered
D26	All waste generated during construction must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.	Site inspection	Waste bins are located on site. Steel and concrete are being stored separately. General waste is collected by a contractor who further sorts the waste.	Compliant
D27	All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).	Waste Management Plan		Compliant
D28	The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse.	Site inspection	A concrete washout is in place.	Compliant
D29	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.	DPIE letter 28/8/19	DPIE approved the auditor on 28/8/19	Compliant
D30	No later than four weeks before the date notified for the commencement of construction (excluding demolition works), an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Principal Certifying Authority.	Email to DPIE and PCA 9/10/19	IAP was submitted to DPIE and PCA	Compliant
D31	Table 1 of the Independent Audit Post Approval Requirements (Department 2018) is amended so that the frequency of audits required in the construction phase is:	IAP (16/8/19)	IAP audit program reflects this requirement	Compliant
	(a) An initial construction Independent Audit must be undertaken within eight weeks of the notified commencement date of construction; and	IAP (16/8/19)	IAP audit program reflects this requirement	Compliant
	(b) A subsequent Independent Audit of construction must be undertaken no later than six months from the date of the initial construction Independent Audit.	IAP (16/8/19)	IAP audit program reflects this requirement	Compliant
	In all other respects Table 1 remains the same. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least 4 weeks notice to the applicant of the date upon which the audit must be commenced.	IAP (16/8/19)	IAP audit program reflects this requirement	Compliant
D32	Independent Audits of the development must be carried out in accordance with:			
	(a) the Independent Audit Program submitted to the Department and the Principal Certifying Authority under condition D30 of this consent; and	IAP (16/8/19)	This is the initial independent audit. It has been conducted outside the Audit Program timeframe. The project sought an extension of time from DPIE however no response was received from DPIE. The current audit has been conducted inside the required timeframe.	Non-compliant
	(b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).		Auditor unable to audit own work	Not Triggered
D33	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:			Not Triggered
	(a) review and respond to each Independent Audit Report prepared under condition D31 of this consent;		The Applicant provided a response to the initial independent audit to DPIE.	Compliant
	(b) submit the response to the Department and the Principal Certifying Authority; and		The Applicant provided a response to the initial independent audit to DPIE.	Compliant
	(c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Department and notify the Department and the Principal Certifying Authority in writing at least seven days before this is done.		The initial Independent Audit Report is available on the website. The Response was not available on the website. See Condition A22	Non-compliant

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
D34	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.			Not Triggered
D35	The Applicant must prepare an archaeological report of the salvage excavation undertaken in accordance with condition C50. An interim report of the salvage excavation must be provided to the Planning Secretary for information within one month of completion of the salvage work and a final report provided within 12 months of completion of the salvage work or within another timeframe agreed with the Planning Secretary. Copies of the report must also be provided to the Heritage Division and Council.	Interim Salvage Report Email from Biosis (29/1/19) Letter from DPIE (11/2/20) Email from BCD (13/2/20)	Interim report has been prepared 30/1/19 (more than 1 month after salvage was completed on 9/12/19). It was submitted to DPIE and BCD on 11/2/2020.	Non-compliant
AN1	The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.	Site inspection	No hoarding is in place	Not triggered
AN2	The Applicant is to consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.	Notification Form (11/12/19) Asbestos Clearance Certificate (17/12/19) SEPP 55 Notification (11/12/19)	Asbestos was uncovered on site. Notification to Safework occurred. An Asbestos Clearance Certificate was completed in accordance with SafeWork NSW requirements (17/12/19). The asbestos has been buried in the contamination cell on site. Asbestos was also uncovered during the sieving of the northern berm in accordance with the RAP. RCA undertook further investigations and concluded the material could also be buried in the contamination cell on the site.	Compliant
PART E PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE				
E1	At least one month before commencement of operation, the date of commencement of the operation of the development must be notified to the Planning Secretary. If the operation of the development is to be staged, the Planning Secretary must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.			Not triggered
E2	Prior to the issue of an occupation certificate, the Applicant must provide the Principal Certifying Authority with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.			Not triggered
E3	The Applicant must provide a copy of the documentation given to the Principal Certifying Authority to the Planning Secretary within seven days after the Principal Certifying Authority accepts it.			Not triggered
E4	Prior to the issue of an occupation certificate, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is:			Not triggered
	a) to ascertain whether the construction created any structural damage to adjoining buildings or infrastructure including those referenced in condition C3.			Not triggered
	b) to be submitted to the Principal Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Principal Certifying Authority must:			Not triggered
	i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and			Not triggered
	ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.			Not triggered
	c) to be forwarded to Council.			Not triggered
E5	Unless the Applicant and the applicable authority agree otherwise, the Applicant must:			Not triggered
	(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and			Not triggered
	(b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.			Not triggered

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
E6	Unless the Applicant and the applicable owner agree otherwise, the Applicant must repair, or pay the full costs associated with repairing any property that is damaged by carrying out the development.			Not triggered
E7	Prior to the issue of an occupation certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifying Authority.			Not triggered
E8	Prior to the issue of an occupation certificate, all collected stormwater including overflows from any rainwater tanks must be dispersed at ground level, so as not to be concentrated or create nuisance flows onto any buildings, or neighbouring properties. The discharge location must be at least 3m down slope of the building and 6m minimum clearance from receiving down slope property boundaries.			Not triggered
E9	Prior to the issue of an occupation certificate, a Green Travel Plan (GTP), must be prepared and be submitted to the Secretary to promote the use of active and sustainable transport modes. The plan must:			Not triggered
	(a) be prepared by a suitably qualified traffic consultant in consultation with Council and Transport for NSW;			Not triggered
	(b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;			Not triggered
	(c) include specific tools and actions to help achieve the objectives and mode share targets;			Not triggered
	(d) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and			Not triggered
	(e) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users.			Not triggered
E10	Prior to the issue of an occupation certificate, an OTAMP is to be prepared by a suitably qualified person, in consultation with Council, Transport for NSW and TfNSW (RMS), and submitted to the satisfaction of the Planning Secretary. The OTAMP must address the following:			Not triggered
	(a) detailed pedestrian analysis including the identification of safe route options – to identify the need for management measures such as staggered school start and finish times to ensure students and staff are able to access and leave the Site in a safe and efficient manner during school start and finish;			Not triggered
	(b) the location of all car parking spaces on the school campuses and their allocation (i.e. staff, visitor, accessible, emergency, etc.);			Not triggered
	(c) the location and operational management procedures of the pick-up and drop-off parking, including staff management/traffic controller arrangements;			Not triggered
	(d) the location and operational management procedures for the pick-up and drop-off of students by buses and coaches for excursions and sporting activities during the hours of bus lane operations, including staff management/traffic controller arrangements;			Not triggered
	(e) delivery and services vehicle and bus access and management arrangements;			Not triggered
	(f) management of approved access arrangements;			Not triggered
	(g) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts, including measures to mitigate queuing impacts associated with vehicles accessing pick-up and drop-off parking;			Not triggered
	(h) car parking arrangements and management associated with the proposed use of school facilities by community members; and			Not triggered
	(i) a monitoring and review program.			Not triggered
E11	Prior to the issue of an occupation certificate, the Applicant must provide evidence to the satisfaction of the Principal Certifying Authority that the installation and performance of the mechanical systems complies with:			Not triggered

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
	(a) AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings and other relevant codes; and			Not triggered
	(b) any dispensation granted by Fire and Rescue NSW.			Not triggered
E12	Prior to the commencement of operation, the Applicant must submit evidence to the Principal Certifying Authority that the noise mitigation recommendations in the Noise Impact Assessment dated March 2018 and prepared by Spectrum Acoustics have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Environmental Noise Assessment.			Not triggered
E13	Prior to the issue of an occupation certificate, the cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development is to be met in full by the Applicant.			Not triggered
E14	Prior to the issue of an occupation certificate, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.			Not triggered
E15	Prior to the issue of an occupation certificate for the relevant parts of any new buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Principal Certifying Authority. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after:			Not triggered
	(a) the site has been periodically inspected and the Principal Certifying Authority is satisfied that the structural works is deemed to comply with the final design drawings; and			Not triggered
	(b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.			Not triggered
E16	Prior to the issue of an occupation certificate, the Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the AS 4674 Design, construction and fit-out of food premises and provide evidence of receipt of the certificate to the satisfaction of the Principal Certifying Authority.			Not triggered
E17	Prior to the issue of an occupation certificate, an Operation and Maintenance Plan (OMP) is to be submitted to the satisfaction of the Principal Certifying Authority along with evidence of compliance with the OMP. The OMP must ensure proposed stormwater quality measures remain effective and contain the following:			Not triggered
	(a) maintenance schedule of all stormwater quality treatment devices;			Not triggered
	(b) record and reporting details;			Not triggered
	(c) relevant contact information; and			Not triggered
	(d) Work Health and Safety requirements.			Not triggered
E18	An Operation and Maintenance Plan for the stormwater system must be prepared by a qualified engineer, detailing a regular maintenance programme for pollution control devices, covering inspection, cleaning and waste disposal. Details demonstrating compliance must be provided to the Certifying Authority.			Not triggered
E19	Prior to the issue of an occupation certificate, written evidence is to be provided that the registered owner/owners corporation has entered into a minimum five (5) year signed and endorsed maintenance contract with a reputable and experienced cleaning contractor for the rainwater tanks, infiltration tank, basement holding tank and other key stormwater components detailed in the approved operation and maintenance plan. A copy of the signed and endorsed contract(s) for maintenance and the contractor(s)' details must be submitted to Council's Development Engineering department at development.engineering@portstephens.nsw.gov.au ;			Not triggered
	Note: The maintenance contract cannot be cancelled, but can be replaced with an alternative contract of the same standard, or with a differing entity (e.g. owner's corporation).			Not triggered
E20	Prior to the issue of an Occupation Certificate, a signed works-as-executed Rainwater Re-use Plan for the development must be provided to the Principal Certifying Authority and the Planning Secretary.			Not triggered

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
E21	Prior to the issue of an Occupation Certificate, evidence from a suitably qualified person must be submitted to the Principal Certifying Authority that demonstrates that the installation of warm water systems and water cooling systems (as defined under the Public Health Act 2010) has been undertaken in accordance with the Public Health Act 2010, Public Health Regulation 2012 and Part 1 of AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires' Disease.			Not triggered
E22	Prior to the issue of an Occupation Certificate, the Applicant must submit evidence from a suitably qualified practitioner to the satisfaction of the Principal Certifying Authority that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and			Not triggered
	(a) complies with the latest version of AS 4282-2019 Control of the obtrusive effects of outdoor lighting (Standards Australia, 2019) and CASA Manual of Standards (MOS-139) Aerodromes; and			Not triggered
	(b) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.			Not triggered
E23	Prior to the issue of an Occupation Certificate, the Applicant must prepare a Waste Management Plan for the development and submit it to the Principal Certifying Authority. The Waste Management Plan must:			Not triggered
	(a) detail the type and quantity of waste to be generated during operation of the development;			Not triggered
	(b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (Department of Environment, Climate Change and Water, 2009);			Not triggered
	(c) detail the materials to be reused or recycled, either on or off site; and			Not triggered
	(d) include the Management and Mitigation Measures included in Part 10.13 of the EIS and as modified in the Response to Submissions.			Not triggered
E24	Prior to the issue of an Occupation Certificate, the Applicant must obtain agreement from Council for the design of the operational waste storage area where waste removal is undertaken by Council.			Not triggered
E25	Within one month of the completion of remediation works and prior to the issue of an occupation certificate, the Applicant must submit a Validation Report for the development to the EPA, the Planning Secretary and the Principal Certifying Authority for information. The Validation Report must:		Remediation has been completed. The Validation Report is currently in preparation.	Not triggered
	(a) be prepared by an appropriately qualified environmental consultant and reviewed by an EPA accredited Site Auditor;			Not triggered
	(b) be prepared in accordance with the RAP and the Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (OEH, 2011);			Not triggered
	(c) include, but not be limited to:			Not triggered
	(i) comment on the extent and nature of the remediation undertaken;			Not triggered
	(ii) describe the location, nature and extent of any remaining contamination on site;			Not triggered
	(iii) sampling and analysis plan and sampling methodology;			Not triggered
	(iv) results of sampling of treated material, compared with the treatment criteria;			Not triggered
	(v) results of any validation sampling, compared to relevant guidelines/criteria;			Not triggered
	(vi) discussion of the suitability the remediated areas for the intended land use; and			Not triggered
	(vii) any other requirement relevant to the project.			Not triggered
E26	Prior to the issue of an Occupation Certificate, the Applicant must obtain from an EPA accredited Site Auditor, a Site Audit Statement and a Site Audit Report which demonstrates that the site is suitable for its intended use(s).			Not triggered

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
E27	Within three months of submission of the Validation Report required by condition E25 the Applicant must demonstrate to the satisfaction of the Principal Certifying Authority that the Site Auditor has submitted a Site Audit Report and Site Audit Statement to EPA in accordance with the requirements of EPA's Guidelines for the NSW Site Auditor Scheme (3rd Edition) 2017.		The validation report is current in preparation	Not triggered
E28	Prior to the issue of an Occupation Certificate, the Applicant must submit a Landscape Management Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Principal Certifying Authority. The plan must:			Not triggered
	(a) describe the monitoring and maintenance measures to manage revegetation and landscaping works;			Not triggered
	(b) include specific measures to ensure the long-term success and survivability of the planting; and			Not triggered
	(c) be consistent with the Applicant's Management and Mitigation Measures at Part 10.7 of the EIS and as modified in the Response to Submissions.			Not triggered
E29	Prior to the issue of an Occupation Certificate, the landscaping to the site must comply with the principles of Appendix 5 of Planning for Bush Fire Protection 2006.			Not triggered
E30	The Medowie Road frontage must include street tree planting in consultation with Council and to Council's specification and evidence provided to the Principal Certifying Authority.			Not triggered
E31	Prior to the issue of an Occupation Certificate, Koala feed tree offsets must be provided in accordance with the Port Stephens Tree Technical Specification 2014.			Not triggered
E32	Prior to issue of an Occupation Certificate, a final Vegetation Management Plan must be prepared for the 10 metre buffer along the waterway traversing the southern section of the site. The Vegetation Management Plan must be consistent with the Controlled activities on waterfront land – guidelines for riparian corridors on waterfront land prepared by the NSW Office of Water and be submitted to the Principal Certifying Authority.			Not triggered
E33	The Vegetation Management Plan must be developed to guide the management of retained native vegetation and adjoining Asset Protection Zones.			Not triggered
E34	Prior to issue of an Occupation Certificate, a guardrail must be installed adjacent to the high hazard floodway that prevents school children from entering flood waters.			Not triggered
E35	Prior to the issue of an Occupation Certificate, a compliance certificate under the section 307 of the Water Management Act 2000 must be obtained from Hunter Water and submitted to the Principal Certifying Authority.			Not triggered
E36	Prior to the issue of Occupation Certificate for Stage 2 (as described in EIS and Site Staging plan), an updated traffic impact statement is required to be provided and reviewed by TfNSW (RMS) and Council, and to be updated and reviewed prior to Occupation Certificate for each subsequent development stage. If alterations are required to the intersection to improve safety or efficiency, then these must be undertaken as part of the current stage.			Not triggered
E37	Prior to the issue of Occupation Certificate, 'Keep Clear' pavement markings must be constructed as required by condition C35 and be provided to the satisfaction of TfNSW (RMS) / Council.			Not triggered
E38	Prior to the issue of Occupation Certificate, the Applicant must complete the construction of Medowie Road and South Street to the satisfaction of TfNSW (RMS) and Council.			Not triggered
E39	All roadworks and access must be completed by the Applicant at their cost.			Not triggered
E40	Prior to the issue of Occupation Certificate for Stage 1, a bus management plan is to be prepared in consultation with TfNSW (RMS) and Council and be submitted to the Planning Secretary for information. The bus management plan must be updated and reviewed for each subsequent stage.			Not triggered
E41	Prior to the issue of Occupation Certificate, all required School Zone signage, speed management signage and associated pavement markings along Medowie Road and South Road must be installed, inspected by TfNSW (RMS) and handed over to TfNSW (RMS).			Not triggered
	Note: Any required approvals for altering public road speed limits, design and signage are required to be obtained from the relevant consent authority.			Not triggered

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
E42	The Applicant must maintain records of all dates in relation to installing, altering and removing traffic control devices related to speed.			Not triggered
E43	Prior to the issue of Occupation Certificate or other timeframe agreed in writing by the Planning Secretary, evidence must be submitted to the Planning Secretary for information that demonstrates that construction works associated with the proposed carpark, have been completed and that the car parking facility is operational.			Not triggered
E44	Prior to the issue of Occupation Certificate, way-finding signage and signage identifying the location of staff car parking must be installed.			Not triggered
E45	Prior to the issue of Occupation Certificate, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.			Not triggered
E46	Prior to the issue of Occupation Certificate, 'Do not drink' signage on non-potable water used for toilet flushing and to new hose taps and irrigation systems for landscaped areas must be installed within the site.			Not triggered
E47	Prior to the issue of Occupation Certificate, the approved LED signs must be installed with a timed intensity and illumination adjuster.			Not triggered
E48	Prior to the issue of occupation certificate and in perpetuity, the property around the buildings must be managed for the following distances as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones':			Not triggered
	(a) North - for 50 metres as an inner protection area and 10 metres as an outer protection area;			Not triggered
	(b) East - for 40 metres as an inner protection area and 10 metres as an outer protection area, or to the property boundary (whichever is less);			Not triggered
	(c) South - to the property boundary as an inner protection area (excluding the riparian corridor); and			Not triggered
	(d) West - for a distance of 40 metres as an inner protection area, 10 metres as an outer protection area and a further 10 metres with the understorey and ground cover managed as an outer protection area.			Not triggered
E49	A bush fire management plan is to be prepared that addresses the following requirements:			Not triggered
	(a) Contact person/department and details; and			Not triggered
	(b) Schedule and description of works for the construction of asset protection zones and their continued maintenance.			Not triggered
E50	No later than six weeks prior to the commencement of operation, an Operational Flood Evacuation and emergency Management Plan (OFEMP) must be prepared by a suitability qualified person in consultation with the NSW SES and Council and in accordance with Floodplain Risk Management Guideline (OEH, 2007). The plan should detail specific flood emergency measures required to be incorporated into the detailed design to mitigate impacts of a range of flood events up to and including PMF and include measures to manage flood impacts outside the site to ensure accessibility is maintained. The plan must include details of			Not triggered
	(a) predicated flood levels;			Not triggered
	(b) flood warning time and flood notification;			Not triggered
	(c) assembly points and evacuation routes;			Not triggered
	(d) evacuation and refuge protocols; and			Not triggered
	(e) awareness training for employees and contractors.			Not triggered
	A copy of the Plan must be submitted to the NSW SES, Council and the Planning Secretary for information.			Not triggered

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
E51	No later than six weeks prior to the commencement of operation, the Operational Bush Fire Evacuation and Emergency Management and Evacuation Plan must be prepared in consultation with RFS and in accordance with section 4.2.7 of Planning for Bush Fire Protection 2006, including the preparation of an emergency/evacuation plan consistent with the NSW RFS document titled A guide to developing a bush fire emergency management and evacuation plan. The plan must be updated on an annual basis following an audit of bush fire protection measures, including maintenance of APZs, water supplies and access roads on and off site. A copy of the Plan must be provided to the RFS, the local Bush Fire Management Committee and Planning Secretary prior to occupation of the development.			Not triggered
E52	Prior to the commencement of operation, all road works under the WAD must be completed for the development. All the associated road works must be undertaken at full cost to the Applicant and at no cost to TfNSW (RMS) or Council, and to Council's requirement.			Not triggered
E53	Prior to the issue of an occupation certificate, the Applicant must provide evidence to the satisfaction of the Principal Certifying Authority that it has incorporated the noise mitigation recommendations in the Noise Assessment dated March 2018 and prepared by Spectrum Acoustic, into the detailed design drawings. The Principal Certifying Authority must verify that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Noise Impact Assessment.			Not triggered
E54	Prior to the issue of Occupation Certificate, the Applicant must construct network infrastructure under a Complex Works Deed with Hunter Water in accordance with the approved wastewater servicing strategy.			Not triggered
E55	The works must be constructed and certified by a Hunter Water Corporation Accredited construction contractor.			Not triggered
E56	Prior to the issue of Occupation Certificate, a water and sewer Compliance Certificate issued under Section 50 of the Hunter Water Act 1991 must be submitted to the accredited certifier.			Not triggered
E57	Within one month of the completion of remediation works or other timeframe agreed by the Planning Secretary, the Applicant must submit a Long-Term Environmental Management Plan (LTEMP) to the Planning Secretary for information. The plan must:			Not triggered
	(a) be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Planning Secretary in consultation with EPA;			Not triggered
	(b) be submitted to EPA for review prior to submission to the Planning Secretary; and			Not triggered
	(c) include, but not be limited to:			Not triggered
	(i) a description of the nature and location of any contamination remaining on site;			Not triggered
	(ii) provisions to manage and monitor any remaining contamination, including details of any restrictions placed on the land to prevent development over the containment cell;			Not triggered
	(iii) a description of the procedures for managing any leachate generated from the containment cell, including any requirements for testing, pumping, treatment and/or disposal;			Not triggered
	(iv) a description of the procedures for monitoring the integrity of the containment cell;			Not triggered
	(v) a surface and groundwater monitoring program;			Not triggered
	(vi) mechanisms to report results to relevant agencies;			Not triggered
	(vii) triggers that would indicate if further remediation is required; and			Not triggered
	(viii) details of any contingency measures that the Applicant is to carry out to address any ongoing contamination.			Not triggered
AN1	At least eight weeks prior to the commencement of operation, the Applicant must submit the following details to Transport for NSW (RMS) and obtain authorisation to install School Zone signs and associated pavement markings, and / or removal / relocation of any existing Speed Limit signs:			Not triggered
	(d) a copy of the Conditions of Consent;			Not triggered
	(e) the proposed school commencement/opening date;			Not triggered

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
	(f) two sets of detailed design plans showing the following:			<i>Not triggered</i>
	(i) accurate Site boundaries;			<i>Not triggered</i>
	(ii) details of all road reserves, adjacent to the Site boundaries			<i>Not triggered</i>
	(iii) all proposed access points from the Site to the public road network and any additional conditions imposed/proposed on their use;			<i>Not triggered</i>
	(iv) all existing and proposed pedestrian crossing facilities on the adjacent road network;			<i>Not triggered</i>
	(v) all existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings); and			<i>Not triggered</i>
	(vi) all existing and proposed street furniture and street trees.			<i>Not triggered</i>
PART F POST OCCUPATION				
F1	Prior to the commencement of the first out of hours events (school use) run by the school that involve 100 or more people, the Applicant is to prepare an Out of Hours Event Management Plan (School Use) and submit it to the Council and Planning Secretary in consultation with Council. The plan must include the following:			<i>Not triggered</i>
	(a) the number of attendees, time and duration;			<i>Not triggered</i>
	(b) arrival and departure times and modes of transport;			<i>Not triggered</i>
	(c) where relevant, a schedule of all annual events;			<i>Not triggered</i>
	(d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);			<i>Not triggered</i>
	(e) details of the use of the school halls, school ovals, hardstand courts and canteen, where applicable, restricting use before 8am and after 10pm;			<i>Not triggered</i>
	(f) measures to minimise localised traffic and parking impacts; and			<i>Not triggered</i>
	(g) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.			<i>Not triggered</i>
F2	The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified events or use.			<i>Not triggered</i>
F3	Prior to the commencement of out of hours events (community use) run by the external parties that involve 100 or more people, the Applicant is to prepare an Out of Hours Event Management Plan (Community Use) in consultation with Council and submit it to the Council and Planning Secretary. The plan must include the following:			<i>Not triggered</i>
	(a) the number of attendees, time and duration;			<i>Not triggered</i>
	(b) arrival and departure times and modes of transport;			<i>Not triggered</i>
	(c) where relevant, a schedule of all annual events;			<i>Not triggered</i>
	(d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);			<i>Not triggered</i>
	(e) details of the use of the chapel, where applicable, restricting use before 8am and after 10pm (except for midnight mass);			<i>Not triggered</i>
	(f) measures to minimise localised traffic and parking impacts; and			<i>Not triggered</i>
	(g) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.			<i>Not triggered</i>
F4	The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified community event or use.			<i>Not triggered</i>
F5	All plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.			<i>Not triggered</i>

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
F6	The operation and maintenance of warm water systems and water cooling systems (as defined under the Public Health Act 2010) must comply with the Public Health Act 2010, Public Health Regulation 2012 and Part 2 (or Part 3 if a Performance-based water cooling system) of AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires’ Disease.			Not triggered
F7	The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.			Not triggered
F8	The OTAMP(s) approved under condition E10 as revised from time to time) must be implemented by the Applicant for the life of the development.			Not triggered
F9	Upon completion of remediation works, the Applicant must manage the site in accordance with the LTEMP approved under condition E57 and any on-going maintenance of remediation notice issued by EPA under the Contaminated Land Management Act 1997.			Not triggered
F10	The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Noise Assessment.			Not triggered
F11	The Applicant must undertake short term noise monitoring in accordance with the Noise Policy for Industry where valid data is collected following the commencement of use of each stage of the development. The monitoring program must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within two months of commencement use of each stage of the development to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in Noise Assessment dated March 2018 and prepared by Spectrum Acoustic. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the Applicant is required to implement appropriate noise attenuation measures so that operational noise levels do not exceed the recommended noise levels or provide attenuation measures at the affected noise sensitive receivers.			Not triggered
F12	All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.			Not triggered
F13	The Green Travel Plan required by condition E9 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.			Not triggered
F14	Within six months of commencement of operation, an evidence must be obtained by the suitably qualified Green Star Accredited Professional demonstrating the development achieves all ESD measures set out in Appendix 39 Ecologically Sustainable Design (ESD) measures prepared by webber architects dated 13 June 2018 (Rev B) within the EIS. Evidence must be submitted to the satisfaction of the Certifying Authority and provided to the Planning Secretary.			Not triggered
F15	Notwithstanding Condition E22, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.			Not triggered
F16	The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition E28 for the duration of occupation of the development.			Not triggered
F17	The asset protection zones required by condition E48 must be maintained for the duration of occupation of the development.			Not triggered
F18	All organic waste on site must be stored and managed in a fully enclosed bin at all times. No access should be available to vermin and birds.			Not triggered
F19	Signage approved for illumination under this consent must not be illuminated between the hours of 10:00pm and 7:00am seven days per week.			Not triggered
APPENDIX 1 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS				

Reference	Required Audit Action, and Terms of Approval	Evidence	Comments	Finding
1	A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition A28 or, having given such notification, subsequently forms the view that an incident has not occurred.			
2	Written notification of an incident must:			
	a. identify the development and application number;			
	b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);			
	c. identify how the incident was detected;			
	d. identify when the applicant became aware of the incident;			
	e. identify any actual or potential non-compliance with conditions of consent;			
	f. describe what immediate steps were taken in relation to the incident;			
	g. identify further action(s) that will be taken in relation to the incident; and			
	h. identify a project contact for further communication regarding the incident.			
3	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.			
4	The Incident Report must include:			
	a. a summary of the incident;			
	b. outcomes of an incident investigation, including identification of the cause of the incident;			
	c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and			
	d. details of any communication with other stakeholders regarding the incident.			

APPENDIX B DPE AUDITOR AGREEMENT LETTER



Mr Matthew de Witt
Senior Town Planner / Director
De Witt Consulting
PO Box 850
CHARLESTOWN NSW 2290

Contact: Heidi Watters
Phone: 02 6575 3401
Email: compliance@planning.nsw.gov.au
Our Ref: SSD 8989

Email: Matthew.d@dewittconsulting.com.au

Dear Mr de Witt

**Catherine McAuley Catholic College (SSD 8989)
Agreement of Independent Auditor**

Reference is made to a submission dated 26 August 2019 seeking the agreement of the Secretary of the Department of Planning, Industry and Environment (the Department) of a suitability of qualified, experienced and independent audit team to undertake independent audits for the Catherine McAuley Catholic College project, as required by Schedule 2, Part D, condition D29 of SSD 8989 (the consent).

In accordance with the consent and the Department's *Independent Audit Post Approvals Requirements* dated June 2018 (IA PAR), I agree to the following independent auditor:

- Erwin Budde – Lead Environmental Auditor (NGH Environmental)

The Department reserves the right to request an alternate auditor for future audits.

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken and finalised in accordance with the IA PAR. Failure to meet these requirements will require revision and resubmission.

Finally, please ensure all independent audit documents are submitted to compliance@planning.nsw.gov.au by the required dates.

If you wish to discuss this further, please contact Heidi Watters, Senior Compliance Officer on the details above.

Yours sincerely

Leah Cook

**Team Leader Compliance
Planning & Assessment
As nominee of the Secretary**

APPENDIX C CONSULTATION WITH AGENCIES

Erwin Budde

From: Ann Hagerthy <Ann.Hagerthy@planning.nsw.gov.au>
Sent: Friday, 10 July 2020 1:51 PM
To: Erwin Budde
Cc: James Epstein; Heidi Watters
Subject: RE: SSD 8989 IEA

Hi Erwin,

The Department has no specific concerns or requests to address for the audit at this time, beyond the requirements of the consent.

Regards,

Ann Hagerthy
Senior Compliance Officer

Planning & Assessment - Compliance | Department of Planning, Industry and Environment
T 02 6575 3407 | **M** 0428 976 540 | **E** ann.hagerthy@planning.nsw.gov.au
PO Box 3145 | Singleton NSW 2330

Please direct all email correspondence to compliance@planning.nsw.gov.au

www.dpie.nsw.gov.au



The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: Erwin Budde <erwin.b@nghconsulting.com.au>
Sent: Friday, 10 July 2020 11:02 AM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Subject: SSD 8989 IEA

Hello Compliance team,

I am commencing the second IA for Catherine McAuley Catholic College shortly. Could you please advise me if you have any specific areas of interest/concern.

Cheers,

Erwin

ERWIN BUDDE
DIRECTOR
MEIANZ, CEnvP


M. 0414 713 242
D1. 02 6923 1504 D2. 07 3129 7604
E. erwin.b@nghconsulting.com.au

NSW · ACT · QLD · VIC
WWW.NGHCONSULTING.COM.AU



APPENDIX D DECLARATION

Project Name	Catherine McAuley Catholic College
Consent No.	SSD 8989
Description of Project	Development of a new primary school, high school, early learning centre and chapel
Project Address	Lot 412 and Lot 413 in DP 1063902 507 Medowie Road and 2 Kingfisher Close, Medowie
Proponent	Catholic Diocese of Maitland-Newcastle
Construction contractor	North Construction and Building Pty Ltd
Title of Audit	Independent Audit
Date	22 nd July 2020
<p>I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:</p> <ul style="list-style-type: none"> the audit has been undertaken in accordance with relevant condition(s) of consent and the <i>Independent Audit Post Approval Requirements (Department 2018)</i>; the findings of the audit are reported truthfully, accurately and completely; I have exercised due diligence and professional judgement in conducting the audit; I have acted professionally, objectively and in an unbiased manner; I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child; I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child; neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so. <p>Notes:</p> <p>a) Under section 10.6 of the <i>Environmental Planning and Assessment Act 1979</i> a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and</p> <p>b) The <i>Crimes Act 1900</i> contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)</p>	

Name of Auditor	Erwin Budde
Signature	 28/07/2020
Qualification	B. Sc (Hons), Masters of Environmental Engineering Management, Certified Exemplar Global Principal Environmental Auditor.
Email Address	Erwin.b@nghconsulting.com.au
Company	NGH Pty Ltd
Company Address	Unit 2, 54 Hudson Street Hamilton NSW 2301

APPENDIX E SITE INSPECTION PHOTOS



Q-Block, with landscaping commencing.



Q-Block



A-Block



B-Block



Site noticeboards at entry



Shaker grid and wheel washing bay



Vegetation and fauna management measures



Sediment basins and stormwater controls



Clay capping over remediation cell



Topsoil stockpile



Waste management