

# Independent Audit Report #2

FORT STREET PUBLIC SCHOOL – SSD 10340

MARCH 2022

## 1. REVISIONS

Revision	Date	Report No.	Description	Prepared by	Approved by
1	07/03/2022	J1852220307.1	Draft to client	M. Williams	R. Johnson
2	25/03/2022	J1852220325.2	Final to client	M. Williams	R. Johnson

<b>Project Name</b>	Fort Street Public School
<b>Consent Number</b>	SSD 10340
<b>Description of Project</b>	<p>Expansion of Fort Street Public School to accommodate a total of 550 primary school students.</p> <p>The Project includes:</p> <ul style="list-style-type: none"> <li>- Site preparation works including remediation, demolition and excavation</li> <li>- Refurbishment of existing buildings</li> <li>- Construction of new buildings</li> <li>- Landscaping and</li> <li>- Other works including widening of the existing entrance road and modifications to existing pick-up and drop-off arrangements.</li> </ul>
<b>Project Address</b>	Fort Street Public School, Upper Fort Street, Millers Point Lots 106, 107 and 108 DP748340, Lots 2, 3, 4 and 9 DP732592, Lot 2 DP244444, Lot 5 DP 258013
<b>Proponent</b>	NSW Department of Education

## EXECUTIVE SUMMARY

The conditions of consent (CoC), issued for State significant development SSD 10340 (07 October 2020) require, under condition C44, independent audits of the development to be carried out. This independent audit report satisfies that requirement.

The audit has been conducted in accordance with:

- the requirements of an Independent Audit Methodology and Independent Audit report in the Independent Audit Post Approval Requirements (Department of Planning and Environment, May 2020) and
- the processes and practice procedures identified in AS/NZS ISO 19011:2019 - Guidelines for Auditing Management Systems.

The audit report documents the outcomes of the review of compliance undertaken by Aspect Environmental Pty Limited (Aspect). The audit process comprised pre-site audit documentation review, stakeholder scoping review, opening meeting, site audit, closing meeting and post-site audit documentation review and follow up.

The site inspection and interviews were conducted on 2 February 2022. Findings of the audit are presented against the required scope within the body of this report, the attached audit findings table (Appendix A) and in the photo log provided (Appendix F).

Consultation was undertaken with the Department of Planning and Environment (DPE) and City of Sydney Council (Appendix C).

It was found that the site was generally compliant and the project was being managed in accordance with the requirements of the SSD 10340 consent. In summary:

- 11 non-compliances were identified against the CoC
- 4 observations were identified in relation to the CoC
- 6 observations with the CEMP and Sub-Plans were identified and
- 1 observation was identified in relation to general environmental performance.

Environmental performance of the development was considered satisfactory with no significant discernible offsite impacts at the time of the audit and appropriate management controls implemented on site to reduce potential for environmental impacts.

This audit constitutes the second independent environmental construction audit completed for the Project.

The audit protocol and findings are summarised in Section 3 of the report and provided in detail in Appendix A.

The audit concludes that the Fort Street Public School is being constructed generally in compliance with the requirements of the SSD.



## Table of Contents

<b>EXECUTIVE SUMMARY .....</b>	<b>4</b>
<b>1. INTRODUCTION.....</b>	<b>8</b>
1.1. PROJECT BACKGROUND.....	8
1.2. PROJECT LOCATION .....	9
1.3. STATE SIGNIFICANT DEVELOPMENT .....	9
1.4. AUDIT OBJECTIVES .....	10
1.5. INDEPENDENT AUDITOR .....	10
1.6. AUDIT CRITERIA.....	10
1.7. AUDIT SCOPE .....	11
1.8. AUDIT PERIOD.....	11
<b>2. AUDIT METHODOLOGY .....</b>	<b>12</b>
2.1. SELECTION AND ENDORSEMENT OF AUDITOR .....	12
2.2. INDEPENDENT AUDIT SCOPE DEVELOPMENT .....	12
2.3. OPENING MEETING – SITE AUDIT .....	13
2.4. CLOSING MEETING – SITE AUDIT .....	13
2.5. SITE INTERVIEWS .....	13
2.6. SITE INSPECTION.....	13
2.7. EVALUATION OF COMPLIANCE .....	14
2.8. COMPLIANCE STATUS DESCRIPTORS.....	14
2.9. REVIEW AND RESPONSE TO DRAFT INDEPENDENT AUDIT REPORT .....	14
<b>3. AUDIT FINDINGS .....</b>	<b>15</b>
3.1. PROJECT BOUNDARY AND SETTING .....	15
3.2. APPROVAL AND DOCUMENT LIST .....	15
3.3. COMPLIANCE PERFORMANCE .....	16
3.4. SUMMARY OF AGENCY NOTICES, ORDERS, PENALTY NOTICES OR PROSECUTIONS.....	17
3.5. NON-COMPLIANCE, OBSERVATIONS AND ACTIONS .....	18
3.6. PROJECT RESPONSE TO INDEPENDENT AUDIT REPORT .....	33
3.7. COMPLAINTS.....	33
3.8. SITE INSPECTION.....	33
3.9. SITE INTERVIEWS .....	33
<b>4. CONCLUSION.....</b>	<b>34</b>

### **List of Appendices**

Appendix A – Audit Table  
Appendix B – Audit Team Agreement  
Appendix C – Consultation  
Appendix D – Independent Audit Declaration  
Appendix E – Technical Specialists Reports  
Appendix F – Photo Log

### **List of Figures**

Figure 1 Site location (Source: Ethos Urban, March 2020)  
Figure 2 Aerial photograph of site showing boundary of SSD 10340 (Source: Ethos Urban, March 2020)

### **List of Tables**

Table 1 Agency consultation outcomes  
Table 2 Approval and document list  
Table 3 Construction site document list  
Table 4 Summary of SSD compliance findings  
Table 5 Summary of audit non-compliances, observations, and actions

## Glossary

Audit	Systematic, independent and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which the audit criteria are fulfilled.
Audit criteria	Set of policies, procedures or requirements.
Audit evidence	Records, statements of fact or other information, which are relevant to the audit criteria and verifiable. Audit evidence may be qualitative or quantitative.
Audit findings	Results of the evaluation of the collected audit evidence against the audit criteria.
Audit conclusion	Outcome of an audit provided by the audit team after consideration of the audit objectives and all audit findings.
Audit client	Organisation or person requesting an audit.
Auditee	Organisation being audited.
Auditor	Person with competence to conduct an audit.
Audit team	One or more auditors conducting an audit, supported if needed by technical experts. One auditor of the audit team is appointed as the audit team leader. The audit team may include auditors in training.
Audit plan	Description of the activities and arrangements for an audit.
Audit scope	Extent and boundaries of an audit.
Compliant	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.
Improvement opportunity	A finding resulting from either site inspection or document review which enables the auditee to consider the adoption of an action or strategy that will enhance environmental performance against the audit criteria.
Non-Compliant	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	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.
Observation	A comment on an environmental aspect, value or management control, process or record that is not a specific requirement of the audit criteria.

## 1. INTRODUCTION

### 1.1. Project Background

Fort Street Public School (formerly Fort Street Model School) was established in 1849 at the old military hospital (now part of the National Trust Headquarters). It was one of the first public schools in Australia. In the 1850s, the school was known for setting the standard for public education in NSW.

In 1881 Fort Street Model School evolved to be Fort Street Superior Public School, which introduced secondary education for older students. In 1911, three schools were formed from Fort Street Superior Public School, being Fort Street Boys High School, Fort Street Girls High School and Fort Street Public School which all co-existed on the one campus.

In 1916, Fort Street Boys High School relocated to its present site on Parramatta Road, Petersham. In 1942, Fort Street Public School was rehoused to its present building in The Rocks/Millers Point district, which has since been heritage listed. Throughout the 1970s, Fort Street Girls High School amalgamated with the boys to become Fort Street High School. Today, the public school caters for up to 220 primary school students. School enrolments continue to grow each year due to the growing number of families living within the inner-city areas.

The following works will be undertaken:

- **Site preparation, demolition and excavation:**
  - Site remediation.
  - Demolition of the southernmost school building, the garage and storage shed west and east of the Bureau of Meteorology Building (the Met/the Met Building), and the toilet block adjoining the main school building.
  - Selective removal of various elements of the main school building, as well as minor and insignificant elements of the Met Building and the Messenger's Cottage to facilitate refurbishment and future use of these buildings.
  - Bulk excavation works to facilitate the new southern buildings and western addition to the main school building.
  - Tree removal.
  - Installation of hydraulic and electrical services.
- **Existing buildings:**
  - Retention, refurbishment and extension of the existing FSPS, including construction of a new roof and rooftop additions.
  - Retention and refurbishment of the Met Building and internal alterations and additions.
  - Retention and minor alterations and additions to the Messenger's Cottage.
- **Construction of new buildings:**
  - Construction of one new building on the western part of the site for a staff room.
  - Construction of two new, interconnected school buildings on the southern third of the site.

- Construction of a new communal hall and canteen building.
- **Landscaping:**
  - Landscaping works throughout the site, including construction of a new amphitheatre, new central plaza, and a multi-purpose forecourt.
  - Landscaping of roof gardens on top of the new southern buildings and the existing Met Building.
- **Other works:**
  - Works to the existing entrance road, including alterations to the existing Bradfield Tunnel Services Building.
  - Modifications to existing pick-up/drop-off arrangements.
  - Identification of signage zones.
  - Installation of on-site detention tanks.
  - Lot consolidation including construction of associated stormwater management works.

## 1.2. Project Location

The site is located at Upper Fort Street, Millers Point in the north of the Sydney CBD within the City of Sydney LGA (Figure 1). The site is located southwest of the southern landing of the Sydney Harbour Bridge and adjacent to the Sydney Observatory. The site is surrounded on all sides by the Cahill Expressway as it becomes the on-ramp to the Bradfield Highway. The site is connected to the surrounding areas by one road bridge and two pedestrian bridges.

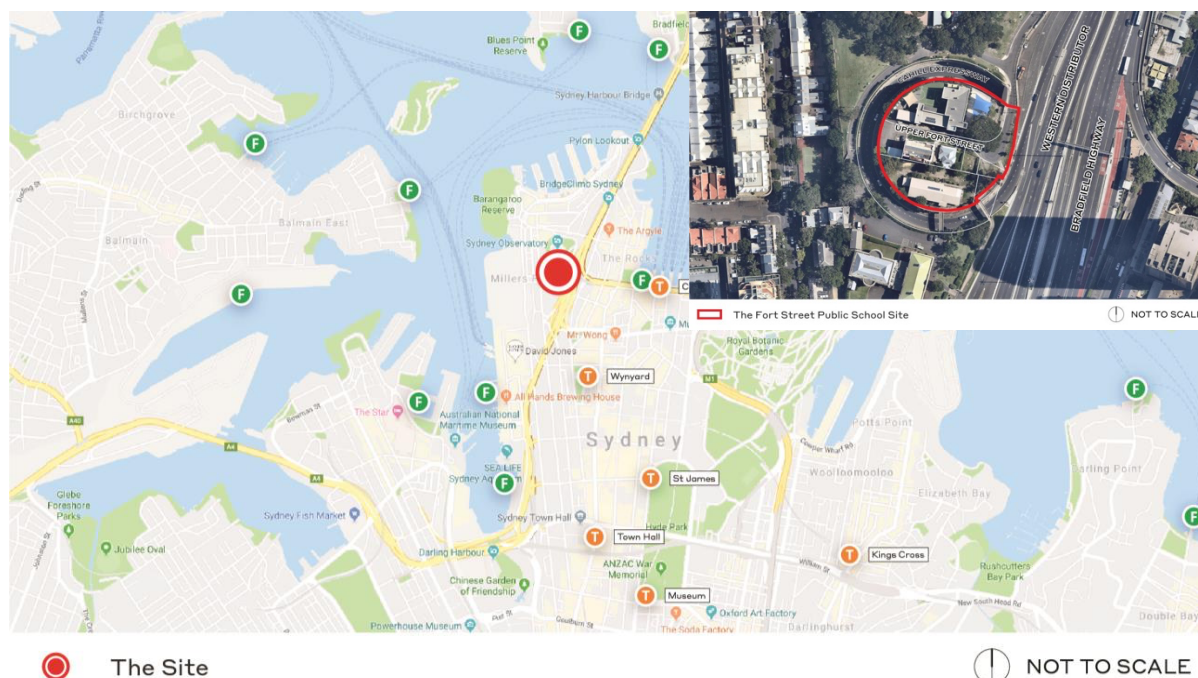


Figure 1 Site location (Source: Ethos Urban, March 2020)

## 1.3. State Significant Development

The Fort Street Public School development is a State significant development (SSD 10340) that was assessed under Part 4 of the *Environmental Planning and Assessment Act 1979*

(EP&A Act) by the NSW Department of Planning and Environment (DPE), formerly NSW Department of Planning, Industry and Environment (DPE). Conditions of Consent (CoC) were issued by the DPE on 07 October 2020.

Modification 1 SSD 10340 was approved by DPE on the 22 December 2021. The modification provides for changes to the design of buildings, including rooftop and circulation areas, landscaping and vehicular access arrangements.

The conditions of the modified SSD 10340 are structured under the following category headings:

- Part A - Administrative Conditions (A1-A35)
- Part B - Prior to Commencement of Construction (B1-B58)
- Part C - During Construction (C1-C48)
- Part D - Prior to Commencement of Operation (D1-D33) and
- Part E - Post Occupation (E1-E20).

The SSD instrument also provides definitions for key terms used within the conditions and two Appendices.

#### 1.4. Audit Objectives

The objective of this Independent Audit is to satisfy SSD 10340 CoC C44 that states:

*Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements.*

This Independent Audit was completed to fulfill the requirements of CoC C44 and to verify compliance, or otherwise of the Project against the relevant CoC and provide an objective evaluation of environmental performance of the development.

#### 1.5. Independent Auditor

In accordance with CoC C43 and Section 3.1 of IAPAR, independent auditors must be suitably qualified, experienced, independent of the Project and appointed by the Planning Secretary.

The independent audits are being conducted by Richard Johnson of Aspect of the lead auditor. Richard has tertiary qualifications in science (BSc) and law (Diploma in Law) and has 30 years of experience in environmental assessment and management. Richard completed certification for environmental auditing from Det Norske Veritas in 1997.

A statement of independence is provided in Appendix D to identify that no actual or perceived conflict exists in the performance of the independent audit.

#### 1.6. Audit Criteria

The audit criteria for this audit are identified by the CoC for SSD 10340 and by the expectations of the IAPAR.

The audit findings (Appendix A) identify the relevant criteria and the performance in terms of audit evidence collected or observed against the criteria to verify compliance during the course of conducting the audit.

### 1.7. Audit Scope

The scope of auditing requirements has been based on consideration of:

- The project SSD EIS (Ethos Urban, March 2020) and associated Response to Submission documentation.
- The compliance requirements typical of such developments, in this instance referenced to the CoC procedural and documentation requirements:
  - to support the administrative conditions (Part A)
  - prior to commencement of construction (Part B) and
  - during construction (Part C)
- The independent auditing requirements and expectations specified in the IAPAR (2020).

The audit scope consisted of:

- An assessment of compliance with CoC and other relevant approvals and licences.
- An assessment of environmental performance of the development, including:
  - an assessment of actual impacts compared to predicted impacts documented in the EIS
  - an assessment of incidents, non-compliances and complaints that have occurred on the project
  - an assessment of feedback received from the DPE, and City of Sydney Council and
  - an assessment of the performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit
- A high-level assessment of the adequacy of the Project's environmental management plans and sub-plans.
- Any other matters considered relevant e.g. as identified through consultation with relevant agencies and review of complaints registers (management plan implementation and site contamination).

### 1.8. Audit Period

This audit report presents the findings from the second independent audit for the Project covering the period from 14 September 2021 through to 13 March 2022.

## 2. AUDIT METHODOLOGY

### 2.1. Selection and Endorsement of Auditor

#### Lead Auditor: Richard Johnson

Richard holds tertiary qualifications in science (BSc) and law (Diploma in Law) and has 30 years of experience in environmental assessment and management. Richard completed certification for environmental auditing from Det Norske Veritas in 1997.

The DPE agreement to the nominated lead auditor was received on 06 April 2021 (Appendix B).

### 2.2. Independent Audit Scope Development

The DPE sets out the minimum requirements to be met when undertaking independent audits in accordance with CoC and the IAPAR. These requirements apply to all SSD where an independent audit is required by the CoC.

Requirement for further development of the scope of the audit was considered through agency consultation (DPE and City of Sydney Council) and review of complaints registers and additional licence, permit or approval requirements.

#### Consultation

Aspect consulted with City of Sydney Council and DPE Compliance to obtain their input into the scope of the Independent Audit. A summary of the feedback received is provided in Table 1. Evidence of consultation is contained in Appendix C.

Table 1 Agency consultation outcomes

Stakeholder	Comment	How Addressed
DPE Compliance	The Department requested that the auditor looks at any instances of out-of-hours works to ensure they have been approved by the Department in accordance with the relevant conditions of consent.	Addressed in Appendix A (Audit Protocol).
City of Sydney Council	City of Sydney Council confirmed there are no complaints, actions or investigations in relation to the upgrade project.	None required.

#### Review of Complaints Register

Complaints may be recorded via the project's website [schoolinfrastructure@det.nsw.edu.au](mailto:schoolinfrastructure@det.nsw.edu.au) or alternatively to the dedicated project 1300 Community Hotline number or to the Project/Site Management Team directly.

A review of documentation identified various means of registering a complaint for the development. Complaints may be recorded via the project's website [schoolinfrastructure@det.nsw.edu.au](mailto:schoolinfrastructure@det.nsw.edu.au) or alternatively to the dedicated project 1300



Community Hotline number or to Project/Site Management team directly. Each of which would be directed back to the single point source for collation and any subsequent action.

### 2.3. Opening Meeting – Site Audit

The audit commenced with an opening meeting on 02 February 2022. During the opening meeting the objectives of the audit, the scope of the audit, the resources required and methodology to be applied were discussed. Attendees at the meeting were:

- Nick Bergholcs (Construction Manager, Lendlease Building)
- Petri Mah Chut (Senior Project Engineer, Lendlease Building)
- Tara Coffey (EHS Manager NSW, Lendlease Building)
- Taylor Moroney (EHS Coordinator, Lendlease Building)
- Christine Eberl (Project Manager, Lendlease Building)
- Richard Johnson (Lead Auditor, Aspect Environmental) and
- Mathew Williams (Auditor, Aspect Environmental).

### 2.4. Closing Meeting – Site Audit

The site audit closing meeting was held on the same day. The site audit closing meeting was attended by:

- Nick Bergholcs (Construction Manager, Lendlease Building)
- Petri Mah Chut (Senior Project Engineer, Lendlease Building)
- Tara Coffey (EHS Manager NSW, Lendlease Building)
- Taylor Moroney (EHS Coordinator, Lendlease Building)
- Christine Eberl (Project Manager, Lendlease Building)
- Richard Johnson (Lead Auditor, Aspect Environmental) and
- Mathew Williams (Auditor, Aspect Environmental).

It was identified that during the post-site audit phase further review of records and documentation would be undertaken prior to the issue of the draft audit findings. This process would provide the project with the ability to provide further evidence for verification (if required/available) against the audit criteria that may not have been identified or accessible at the time of the site audit. Provision of any such evidence would enable the compliance assessment to be reviewed prior to issue of the draft audit findings, although it was identified that the review of supplementary evidence would not automatically change an audit finding.

### 2.5. Site Interviews

Site interviews with key personnel involved in Project delivery, including those with responsibility for environmental management were conducted on 2 February 2022. Interviews assisted with verifying the compliance status of the Project.

### 2.6. Site Inspection

An onsite inspection of the entire project site was carried out on 2 February 2022. The site inspection was accompanied by the site management team.

The site inspection comprised a walkover of the defined construction footprint (including external boundary where accessible) and included internal and external work environments.

## 2.7. Evaluation of Compliance

The audit findings are based on verifiable evidence either sighted, reviewed, collated or observed. The following methods were used to obtain verifiable evidence relevant to the audit scope:

- Review of project records, documentation and reports including physical and digital versions either provided directly by project representatives or available as published, publicly available information online.
- Interviews with construction project personnel.
- Correspondence with third-party stakeholders.
- Site inspection, including collection of photographic evidence.

A review of verifiable evidence was undertaken against the identified audit criteria to determine the level of compliance.

## 2.8. Compliance Status Descriptors

Compliance findings resulting from the assessment of audit evidence have been divided into three categories using the descriptors from Table 2 of the IAPAR as follows:

- **Compliant:** 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:** 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:** 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.

Observations and notes may also be made to provide context and provide opportunities for improvement.

## 2.9. Review and Response to Draft Independent Audit Report

The draft Audit Report was provided to Lendlease for review on 07 March 2022 to allow an opportunity to provide any additional information before finalising the Audit Report.

A draft report finding would generally only be revised in instances where the auditor is satisfied that the additional information or evidence provided is sufficient to determine that an error of fact or misunderstanding has taken place, and this is adequately supported by the provision of additional objective audit evidence that was not available at the time of site audit. Any additional information provided by a proponent in this regard must be noted in the report and the auditor's view in relation to it recorded.

No change to the audit report was made following Lendlease review.

### 3. AUDIT FINDINGS

This section of the audit identifies the reported audit findings based on a review of available audit evidence during the audit period, evaluated against the defined audit criteria.

#### 3.1. Project Boundary and Setting

The project boundary is identified by the boundaries of SSD 10340 as shown in Figure 2 below.

Documentation relevant to the audit scope was made available pre-site audit for information and review. Follow-up documentation was provided post-site audit to address questions or items raised at the time of the site audit, during the closing meeting or identified in the draft audit findings.



Figure 2 Aerial photograph of site showing boundary of SSD 10340 (Source: Ethos Urban, March 2020)

#### 3.2. Approval and Document List

Documents referenced as part of this audit are provided in the tables below. A list of approved and other relevant documents is provided in Table 2. Site specific registers, procedures and checklists sighted as part of this audit are provided in Table 3.

Table 2 Approval and document list

Approval Reference	Document Detail
Environmental Impact Statement	Ethos Urban, March 2020
State significant development consent instrument	SSD 10340 dated 07 October 2020
A9 Staging Report	Staging Report (Lendlease, Rev 7, September 2021).

Approval Reference	Document Detail
<b>B6 Dilapidation report</b>	Dilapidation Report (28/04/2021)
<b>B15 Demolition Control Plan</b>	Demolition Control Plan (SalCorp Civil, Rev 1.1, dated 8/06/2021).
<b>B17 The Construction Environmental Management Plan (CEMP)</b>	CEMP (Lendlease, Rev D, dated 30/04/2021)
<b>B18 The Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP)</b>	CTPMSP (ARUP, Rev A, 21/04/2021)
<b>B19 The Construction Noise and Vibration Management Sub-Plan (CNVMSP)</b>	CNVMSP (Stantec, Rev 005, 28/04/2021)
<b>B20 The Construction Waste Management Sub-Plan (CWMSP)</b>	CWMSP (Lendlease, Rev 3, dated 5/11/2020)
<b>B21 Construction Soil and Water Management Plan (CSWMP)</b>	CSWMP (JBS&G, Rev 4, dated 1 July 2021)
<b>B44 Arboricultural Development Impact Assessment Report</b>	Arboricultural Development Impact Assessment Reports (Birds Tree Consultancy, Rev F 25 January 2021).
<b>B51 Road Safety Audit</b>	Road Safety Audit dated 19/08/21 Ref: JN22008_Report01 Rev02 - Lendlease FSPS Construction
<b>C4 Site Visitors Register</b>	Completed Site Visitors Register (Pegasus) for 02/02/2022
<b>C27 Emergency Response Management</b>	Emergency Response Management Plan Rev 1.1 dated 30/06/21
<b>C38 Site Contamination</b>	Sighted Remediation Action Plan Rev 0 (JBS&G 14/010/19)
<b>C43 Independent Environmental Audit</b>	Planning Secretary approval of Independent Environmental Auditor dated 06/04/21

Table 3 Construction site document list

Document	Details and Observation
<b>Equipment Induction Records</b>	Lendlease plant and equipment certification stickers (including last service details) were observed on items of plant. See Appendix F - Photo Log.
<b>Site Induction</b>	Sighted induction presentation - Sighted FSPS Environment, Health & Safety Project Induction COVID-19 Issue 1.0, Project Name: Fort Street Public School Revision: 1.6 23/01/2022.
<b>Site Materials Tracking Register</b>	Lendlease - Waste Management Report - Upper Fort St - 1 DEC 2021 - 31 JAN 2022.
<b>Erosion and Sediment Control</b>	Sighted EHS Weekly Site Inspection #10 dated 07/07/2021 through 03/11/2021.

### 3.3. Compliance Performance

Compliance performance is assessed against the nominated audit criteria as applied to the audit scope and are included in detail in Appendix A. Findings are based on an evaluation of the documentation and field-based observations, presented in support of compliance against the audit requirements. A photo log to support the findings was compiled during the site audit and is presented in Appendix F to this report.

A summary of SSD compliance findings is presented in Table 4.

Table 4 Summary of SSD compliance findings

SSD Category	# Requirements	# Compliant	# Non-Compliant	# Not Triggered
Part A - Administrative	35	13	3	19
Part B - Prior to Commencement of Construction	58	38	5	15
Part C - During Construction	48	26	3	19
<b>Total</b>	<b>141</b>	<b>77</b>	<b>11</b>	<b>53</b>

*\*Advisory Notes (AN) have been excluded from the SSD compliance findings*

The detailed evidence and findings of the audit are provided in Appendix A.

#### 3.4. Summary of Agency Notices, Orders, Penalty Notices or Prosecutions

To the auditor's knowledge, the project was not issued with any agency notices, orders, penalty notices or prosecutions during the audit period.

### 3.5. Non-Compliance, Observations and Actions

This section presents the non-compliances and observations from the independent audit. Detailed findings against each requirement are presented in Appendix A.

Table 5 Summary of audit non-compliances, observations, and actions

Ref.	Type	Requirement and Audit Finding (in bold text)	Proposed or Completed Action	Status
<b>September 2021 Previous Audit Open Findings</b>				
<b>A24</b>	Non-compliance	<p>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.</p> <p><b>Sighted Aconnex correspondence 06/08/21 from Lendlease to Salcorp with attached transmittal of all management plans and sub plans.</b></p> <p><b>Sighted Fort Street Public School CEMP Construction Stage 1 and 2 (ref: 210430_CEMP_FSPS_Revision D) (LendLease 30/04/2021). Section 4.5 identifies:</b></p> <ul style="list-style-type: none"> <li>- To ensure that this CEMP is effectively implemented, each level of management is responsible for ensuring that all personnel reporting to them are aware of the requirements of this CEMP.</li> <li>- The Construction Manager will coordinate the environmental training.</li> <li>- All personnel (including sub-contractors) are required to attend a compulsory site induction that includes an environmental component prior to commencement on-site.</li> <li>- The EHS Coordinator (or delegate) will conduct the environmental component of the site inductions.</li> </ul>	Project to update site induction content to include the requirement for employees, contractors (and their sub-contractors) to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	<p>Closed</p> <p>Sighted FSPS Environment, Health &amp; Safety Project Induction COVID-19 Issue 1.0, Project Name: Fort Street Public School Revision: 1.6 23/01/2022. Slide 11 - workers must comply with the CoC applicable to this project.</p>



Ref.	Type	Requirement and Audit Finding (in bold text)	Proposed or Completed Action	Status
		<p>- A record of all inductions will be maintained and kept on-site.</p> <p>- Toolbox talks are used to ensure environmental awareness continues throughout construction.</p> <p>Sighted inductions No 161, 117, 127, 134 &amp; 175. No reference in the induction to the requirement to comply with the Conditions of Consent or the CEMP/ Sub Plans</p>		
B22	Non-compliance	<p>A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following:</p> <p>(a) minimise the impacts of earthworks and construction on the local and regional road network;</p> <p>(b) minimise conflicts with other road users;</p> <p>(c) minimise road traffic noise; and</p> <p>(d) ensure truck drivers use specified routes.</p> <p>Unable to identify where content of B22 a), b), c) &amp; d) are captured in the Drivers Code of Conduct - Appendix A of CTPMSP (Rev A, ARUP, 21/04/2021).</p>	Driver Code of Conduct to be updated to include the requirements of B22 a), b), c) & d) and communicated to heavy vehicle drivers.	<p>Open</p> <p>Neither the CTPMSP (Rev A, ARUP, 21/04/2021) nor the Driver Code of Conduct in Section 7.2 and Driver COR (Chain of Responsibility) in Appendix A of the CTPMSP (Rev A, ARUP, 21/04/2021) have been updated since the last independent audit (Aspect, 2021).</p>
B22	Observation	<p>A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following:</p> <p>(a) minimise the impacts of earthworks and construction on the local and regional road network;</p> <p>(b) minimise conflicts with other road users;</p> <p>(c) minimise road traffic noise; and</p> <p>(d) ensure truck drivers use specified routes.</p> <p>Sighted FSPS Environment, Health &amp; Safety Project Induction COVID-19 Issue 1.0, Project Name: Fort Street</p>	It is recommended that specific content of the B22 requirement is included in site induction for heavy vehicle drivers.	<p>Closed</p> <p>Sighted FSPS Environment, Health &amp; Safety Project Induction COVID-19 Issue 1.0, Project Name: Fort Street Public School Revision: 1.6 23/01/2022. Slide 11 - workers must comply with the CoC applicable to this project including the Driver COR Fort Street Public School.</p>

Ref.	Type	Requirement and Audit Finding (in bold text)	Proposed or Completed Action	Status
		<b>Public School Revision: 1.4 27th July 2021. Driver's code of conduct not featured in site induction.</b>		
<b>B25</b>	Observation	<p>Prior to commencement of construction, the Applicant must consult with TfNSW regarding the potential to coordinate and for TfNSW to undertake the Sydney Harbour Bridge cycleway upgrade work in conjunction with the school redevelopment work approved as part of this consent. Evidence of consultation must be provided to the Certifier. Consultation should continue as required until the Sydney Harbour Bridge cycleway upgrade is completed.</p> <p><b>Sighted correspondence from Lendlease to Certifier dated 28/04/2021 identifying consultation records to be issued to Certifier by 30/04/2021.</b></p> <p><b>No evidence provided to verify direct submission of consultation records to the Certifier as required by the Condition. However, sighted email from Certifier to Lendlease not identifying any outstanding requirements regarding Condition B25.</b></p>	Project to maintain more detailed records as evidence against condition requirements.	<p>Open</p> <p>This observation remains open as evidenced by the non-compliances identified in this audit report that directly relate to maintenance of records as evidence against condition requirements.</p>
<b>C4</b>	Observation	<p>Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:</p> <p>(a) between 7am and 6pm, Mondays to Fridays inclusive; and</p> <p>(b) between 8am and 1pm, Saturdays. No work may be carried out on Sundays or public holidays.</p> <p><b>01/09/21 - 02/09/21. Single visitor access at 0630.</b></p> <p><b>03/09/21 contractors signed in at 0630.</b></p> <p><b>04/09/21 - 06/09/21 no visitors pre 0700.</b></p>	Justification for any access to site outside of the prescribed hours in Condition C4 to be noted in the site sign in/out register.	<p>Open</p> <p>Sighted sample Pegasus sign in register for 02/02/2022. For 15 of the 26 entries, access has occurred outside of the prescribed construction hours.</p> <p>No justification for access outside of the prescribed hours</p>



Ref.	Type	Requirement and Audit Finding (in bold text)	Proposed or Completed Action	Status
		<b>16/08/21 - 18/08/21 4 entries at 0630</b> <b>11/08/21 - 12/08/21 6 entries at 0630</b>  <b>Site has been accessed outside of prescribed construction hours. No visibility of nature of works to differentiate pre-start from construction works.</b>		in CoC C4 is noted in the register under 'activity'.
<b>C21</b>	Observation	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;  <b>During site inspection Tree 18 identified for removal. Fort Street Public School ARBORICULTURAL DEVELOPMENT IMPACT ASSESSMENT REPORT (10 June 2021 Rev G) states 'Tree 18 This tree will remain viable to be retained under the proposed development'.</b>	If Tree 18 remains intended to be removed, there needs to be documentation from the Arborist confirming adjustment to the earlier recommendations.	Closed  Project identified during site inspection that arborist report has been updated.
<b>C25</b>	Observation	The Applicant must: (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site; (b) keep accurate records of the volume and type of fill to be used; and (c) make these records available to the Certifier upon request.  <b>Sighted JBS&amp;G imported materials register identifying all imported material as VENM with verification by JBS&amp;G dated 11/05/21 through to 05/08/21.</b>  <b>Incorrect date format and assent data noted on 3 separate entries on the import material register.</b>	Materials tracking register should be updated and be kept accurate and current.	Open  No imported materials register or other evidence provided to verify compliance against the condition.

Ref.	Type	Requirement and Audit Finding (in bold text)	Proposed or Completed Action	Status
AN 11	Observation	<p>The Applicant must consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction.</p> <p><b>Asbestos is not specifically referenced in the Waste Management Sub Plan and no reference is made to consultation with SafeWork NSW.</b></p> <p><b>Referenced notifications to SafeWork NSW were not included in the hazardous removals documentation.</b></p>	Records confirming consultation, issues raised and verified closeout should be retained.	<p>Open</p> <p>Waste Management Plan has not been updated to include details for asbestos waste and SafeWork NSW requirements.</p>
<b>March 2022 Audit Findings</b>				
A2	Non-compliance	<p>CoC A2 requires the development to be carried out:</p> <p>(a) in compliance with the conditions of this consent;</p> <p>(b) in accordance with all written directions of the Planning Secretary;</p> <p>(c) generally in accordance with the EIS and Response to Submissions; and</p> <p>(d) in accordance with the approved plans in the table below: *See consent for list</p> <p><b>Non-compliances have been identified in this audit, therefore compliance with A2(a) has not been achieved.</b></p>	Action and close out the identified non-compliances in this audit report.	Open
A2	Observation	<p>CoC A2 requires the development to be carried out:</p> <p>(a) in compliance with the conditions of this consent;</p> <p>(b) in accordance with all written directions of the Planning Secretary;</p> <p>(c) generally in accordance with the EIS and Response to Submissions; and</p> <p>(d) in accordance with the approved plans in the table below: *See consent for list</p>	Update environmental management plans following a review to remove obligations that are not relevant to the works.	Open

Ref.	Type	Requirement and Audit Finding (in bold text)	Proposed or Completed Action	Status
		<b>Several instances have been identified where obligations and responsibilities required under the various approved management plans have not been implemented. Individual non-compliances have not been raised against these items.</b>		
<b>A23</b>	Non-compliance	<p>Condition requires at least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website.</p> <p><b>Review of the SINSW website identified the following publication issues:</b></p> <ul style="list-style-type: none"> <li>- <b>A23 The current DPE approved Development Consent Mod 1 (dated 22/12/2021) is not available. Hyperlink is Development Consent dated 07/10/2020.</b></li> <li>- <b>A23 The current DPE notice of decision (dated 22/12/2021) is not available. Hyperlink is DPE notice of decision dated 07/10/2020.</b></li> <li>- <b>Hyperlink to CSWMSP is broken and cannot be accessed.</b></li> <li>- <b>A10 &amp; A11 Hyperlink to current DPE approved Staging Report (Rev 7, 22/09/2021) is broken.</b></li> <li>- <b>B18 The current CTPMSP (Rev A, ARUP, 21/04/2021) is not available on the website. Version on website is dated 25/03/2021.</b></li> </ul>	Confirm list of all approved documents that are required on the Project website and update website in accordance with Condition A23.	Open
<b>A30</b>	Non-compliance	Condition requires that within three months of: (a) the submission of a compliance report under condition A33;	Complete a review within 3 months of the approved modification SSD-10340-Mod-1 granted by DPE on 22 December 2021 and this Audit Report.	Open

Ref.	Type	Requirement and Audit Finding (in bold text)	Proposed or Completed Action	Status
		<p>(b) the submission of an incident report under condition A26;</p> <p>(c) the submission of an Independent Audit under condition C44 or C45;</p> <p>(d) the approval of any modification of the conditions of this consent; or</p> <p>(e) the issue of a direction of the Planning Secretary under condition A2 which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.</p> <p><b>No evidence provided to verify that a review of the Strategies, Plans and Programs required under this consent, has not been completed within 3 months of the submission of an Independent Audit under condition C44 or C45. No evidence provided to demonstrate that the Planning Secretary and the Certifier were notified in writing that a review was being carried out.</b></p>		
A31	Observation	<p>If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier.</p> <p><b>The CEMP and Sub-Plans have not been updated to reflect the current approved Staging Report (Rev 7, 22 September 2021) or the SSD-10340-Mod-1 granted by DPE on 22 December 2021. The CEMP only identifies</b></p>	Revise and update the CEMP and Sub-Plans to align to the current approved Staging Report (Rev 7, 22 September 2021) and the SSD-10340-Mod-1 granted by DPE on 22 December 2021.	Open

Ref.	Type	Requirement and Audit Finding (in bold text)	Proposed or Completed Action	Status
		<b>Stage 1 and Stage 2 whereas the current staging report identifies 10.</b>		
<b>A32</b>	Observation	<p>Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements. Under CRPAR 2020, construction compliance reports are not required. The first compliance report due is the Operation Compliance Report.</p> <p><b>The Fort Street Public School CEMP Construction Stage 1 and 2 (ref: 210430_CEMP_FSPS_Revision D) (LendLease 30/04/2021) states in Section 4.8.4 Compliance Monitoring and Reporting that "Monitoring of compliance with the planning approval, this CEMP and any other statutory requirements will be submitted to Planning Secretary in the Compliance Report."</b></p>	Update the CEMP to align to the requirements of CRPAR 2020 and remove the commitment to preparing Compliance Reports.	Open
<b>B3</b>	Non-compliance	<p>Condition requires the Planning Secretary 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.</p> <p><b>No evidence provided to verify notification to the Department at least 48 hours before the commencement of Stages 2 &amp; 3.</b></p>	Notify the Department in writing at least 48 hours before the commencement of future stages of work.	Closed
<b>B5</b>	Non-compliance	Prior to the commencement of construction (excluding earthworks and demolition), the Applicant must provide the Certifier 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	Confirm that the Certifier accepts that the External Walls and Cladding comply with the requirements of the BCA and provide this acceptance to the Planning Secretary.	Open

Ref.	Type	Requirement and Audit Finding (in bold text)	Proposed or Completed Action	Status
		<p>synthetic or aluminium composite panels, comply with the requirements of the BCA. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.</p> <p><b>No evidence was provided to verify if the Certifier accepted that the external walls and cladding comply with the BCA nor was evidence provided to verify if the Planning Secretary was provided with the documentation given to the Certifier.</b></p>		
<b>B22</b>	Non-compliance	<p>The Driver Code of Conduct must address the following:</p> <ul style="list-style-type: none"> <li>(a) minimise the impacts of earthworks and construction on the local and regional road network;</li> <li>(b) minimise conflicts with other road users;</li> <li>(c) minimise road traffic noise; and</li> <li>(d) ensure truck drivers use specified routes.</li> </ul> <p><b>Unable to identify where content of B22 a), b), c) &amp; d) are captured in the Drivers Code of Conduct - Appendix A of CTPMSP (Rev A, ARUP, 21/04/2021). The Auditor notes that this NCR was identified in the previous Independent Audit (Aspect 2021) and that in the Proponents Response to Independent Audit Findings Report dated 21/09/21, the following commitment was stated in response to the NCR "Whilst the requirements of this consent condition are addressed within the broader CTPMSP, the Driver Code of Conduct will be updated to specifically address each of the items noted in the consent conditions".</b></p> <p><b>Neither the CTPMSP (Rev A, ARUP, 21/04/2021) nor the Driver Code of Conduct in Section 7.2 and Driver COR</b></p>	<p>Driver Code of Conduct in Section 7.2 and Driver COR (Chain of Responsibility) in Appendix A of the CTPMSP (Rev A, ARUP, 21/04/2021) to be updated to include the requirements of B22 a), b), c) &amp; d).</p>	Open

Ref.	Type	Requirement and Audit Finding (in bold text)	Proposed or Completed Action	Status
		<b>(Chain of Responsibility) in Appendix A of the CTPMSP (Rev A, ARUP, 21/04/2021) have been updated since the last independent audit (Aspect, 2021).</b>		
<b>B28</b>	Non-compliance	<p>Condition requires that prior to installation of mechanical plant and equipment, the Certifier must verify that all 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 and Vibration Assessment Report, prepared by ARUP and dated 20 December 2019.</p> <p><b>Sighted “Crown Cert List of Requirements Stage 2 Remaining Works updated 28 Sept 2021” where Certifier confirms receipt of documentation.</b></p> <p><b>No evidence provided verifying certifier satisfaction that all noise mitigation measures have been incorporated into the design prior to installation of mechanical plant and equipment.</b></p>	Confirm certifier satisfaction that all noise mitigation measures have been incorporated into the design.	Open
<b>B29</b>	Non-compliance	<p>Condition requires that prior to the commencement of construction (excluding earthworks and demolition), the Applicant must provide evidence to the satisfaction of the Certifier that:</p> <p>(a) the proposed building design, including facade, complies with the recommendations of the Noise and Vibration Assessment Report, prepared by ARUP dated 20 December 2019;</p> <p>(b) windows to learning areas would be non-opening; and</p> <p>(c) the design of mechanical ventilation systems complies with the recommendations of the Air Quality Assessment prepared by Arup and dated 18 March 2020.</p>	<p>Confirm Certifier is satisfied that:</p> <p>(a) the proposed building design, including facade, complies with the recommendations of the Noise and Vibration Assessment Report, prepared by ARUP dated 20 December 2019;</p> <p>(b) windows to learning areas would be non-opening; and</p> <p>(c) the design of mechanical ventilation systems complies with the recommendations of the Air Quality Assessment prepared by Arup and dated 18 March 2020.</p>	Open

Ref.	Type	Requirement and Audit Finding (in bold text)	Proposed or Completed Action	Status
		<p>Sighted <i>"Crown Cert List of Requirements Stage 2 Remaining Works updated 28 Sept 2021"</i> where Certifier confirms receipt of documentation.</p> <p>No evidence provided verifying certifier satisfaction prior to the commencement of construction.</p>		
C4	Observation	<p>Condition requires that construction, including the delivery of materials to and from the site, may only be carried out between the following hours:</p> <p>(a) between 7am and 6pm, Mondays to Fridays inclusive; and</p> <p>(b) between 8am and 1pm, Saturdays.</p> <p>No work may be carried out on Sundays or public holidays.</p> <p><b>Site has been accessed outside of prescribed construction hours. No visibility of nature of works to differentiate pre-start from construction works. No justification for access outside of the prescribed hours in CoC C4 is noted in the register.</b></p>	<p>Sign in register includes reason for visit column. More detailed records to be maintained. Lendlease site personnel to ensure visitor records are completed correctly for evidence documentation purposes.</p> <p>The Auditor notes that this observation was also referenced in the Initial Independent Audit #1 (Aspect, September 2021) and that the in the Proponents Response to Independent Audit Findings, the action to be implemented prior to next Independent Audit (Feb 2022).</p>	Closed
C10	Non-compliance	<p>Condition requires that all construction vehicles (excluding site personnel vehicles) are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site or an approved on-street work zone before stopping.</p> <p><b>Construction vehicles were observed during site inspection 02/02/2022 parked outside of the construction site and not in a Council approved on-street work zone. See Appendix F - Photo Log.</b></p>	<p>Make all workers and visitors aware of the requirements of CoC C10 and C14.</p> <p>Consider revision of the site induction content and other training material (toolbox talks) to increase worker awareness of site access and parking requirements.</p>	Open



Ref.	Type	Requirement and Audit Finding (in bold text)	Proposed or Completed Action	Status
<b>C14</b>	Non-compliance	<p>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.</p> <p><b>Observed during site inspection on 02/02/2022 that construction personnel had parked 2 construction vehicles opposite Sydney Observatory and directly under fig tree canopy. Refer Appendix F Photo Log. One vehicle was parked displaying sign "Authorised Lendlease Workzone vehicle". The other vehicle was idling with one occupant. The second vehicle was observed 1.5 hours later departing with 4 workers.</b></p> <p><b>Public way has been obstructed by two workers vehicles.</b></p>	<p>Make all workers and visitors aware of the requirements of CoC C14 and C10.</p> <p>Consider revision of the site induction content and other training material (toolbox talks) to increase worker awareness of site access and parking requirements.</p>	Open
<b>C36</b>	Non-compliance	<p>The Applicant must ensure that the 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 is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.</p> <p><b>No evidence provided to verify the 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 was completed in accordance with the requirements of the relevant legislation, codes, standards and guidelines.</b></p>	Materials tracking register and documentation to be maintained in accordance with the Condition.	Open
<b>CEMP Section 4.4</b>	Observation	Section 4.4 of the CEMP commits to review of Appendix A - a register of all relevant environmental approvals,	Complete a review of the CEMP - Appendix A register of all relevant	Open

Ref.	Type	Requirement and Audit Finding (in bold text)	Proposed or Completed Action	Status
		<p>permits and licences prior to the commencement of construction and/or stages of construction, and at regular intervals during construction and at least annually as part of the management review.</p> <p><b>The auditor requested evidence that demonstrates implementation of the review process. No evidence was provided to verify conformance.</b></p>	environmental approvals, permits and licences.	
<b>CEMP Section 4.5</b>	Observation	<p>Section 4.5 of the CEMP requires short-term visitors to site for purposes such as deliveries to be required to undertake a visitor's induction and be accompanied by inducted personnel at all times.</p> <p><b>The Project advised that delivery drivers are not formally inducted onto site, they are however handed the driver handout when entering site.</b></p>	Review and update the CEMP Section 4.5 to reflect the induction process implemented onsite.	Open
<b>CEMP Section 4.8.3</b>	Observation	<p>Section 4.8.3 of the CEMP requires the Lendlease EHS Coordinator and Construction Manager to prepare a summary report or supply relevant documentation on environmental matters to Schools Infrastructure New South Wales on a monthly basis, with a detailed report on environmental performance prepared quarterly.</p> <p><b>Project advised that this is not required.</b></p>	Review and update the CEMP Section 4.8.3 to reflect adopted practice.	Open
<b>CEMP Section 4.8.4</b>	Observation	<p>Section 4.8.4 of the CEMP states that monitoring of compliance with the planning approval, this CEMP and any other statutory requirements will be submitted to Planning Secretary in the Compliance Report.</p> <p><b>Project advised that this is not required.</b></p>	Review and update the CEMP Section 4.8.4 to reflect adopted practice.	Open

Ref.	Type	Requirement and Audit Finding (in bold text)	Proposed or Completed Action	Status
<b>CEMP Section 10.1</b>	Observation	<p>Section 10.1 of the CEMP states the Construction Environmental Management Plan and its associated sub-plans will be reviewed as a minimum on a monthly basis as a part of the regular contractual monthly reporting process and Lendlease's ongoing EH&amp;S management plan internal reviews.</p> <p><b>Project advised that they conduct 3 monthly reviews of the environmental management plans.</b></p>	Review and update the CEMP Section 10.1 to reflect adopted practice.	Open
<b>CSWMSP Appendix A</b>	Observation	<p>Appendix A Environmental Procedures (Incident Reporting) of the CSWMSP requires: The Principal Contractor shall facilitate the completion of environmental incident forms for any environmental incident that occurs on the site. The responsible person, as nominated by the head contractor, shall review all incident forms. Parramatta City Council shall be notified of any incidents requiring emergency response within 24 hours of that incident.</p> <p>The environmental incident form is provided as <b>Form 8-1</b>.</p> <p><b>The Auditor requested a copy of any completed environmental incident forms. The incident that occurred on 16/11/21 triggered notification to Sydney Water and was classified as an environmental incident by Lendlease. A completed Form 8-1 was not able to be verified by the Auditor.</b></p>	<p>Review and update the CSWMSP Appendix A:</p> <ul style="list-style-type: none"> <li>- Reference to notification to Parramatta City Council should be replaced with City of Sydney Council.</li> <li>- Review and update the Incident Reporting Procedure to reflect adopted practice.</li> </ul>	Open
<b>General Environmental Performance</b>	Observation	<p><b>Storage of dangerous and hazardous materials: Hazardous materials storage locker was identified during site inspection 02/02/2022. Locker was not locked and not bunded, adjacent to common walkways.</b></p>	Project to review storage, handling, waste disposal requirements for any dangerous and hazardous materials stored onsite.	Open

Ref.	Type	Requirement and Audit Finding (in bold text)	Proposed or Completed Action	Status
		<p><b>Refer to Appendix F – Photo Log. No SDS were visible proximate tot the locker.</b></p> <p><b>Post site inspection review of comparable materials SDS (by UN classification) identified storage, handling, and disposal requirements not clearly evident onsite.</b></p>		

### 3.6. Project Response to Independent Audit Report

Under SSD 8778 CoC C46, the Applicant is required to prepare a response to the Final Independent Audit Report and submit its response to the Department and Certifier and to make the Independent Audit Report and the Applicant's response publicly available within 60 days of submission.

### 3.7. Complaints

The NSW Department of Education – School Infrastructure Complaint Register for the project was viewed online on the 30 January 2022. The complaint register identified a total of 4 complaints during the audit period. Complaints relates to construction vehicle parking and approved exit routes from site and Ausgrid works. For the complaint received on 24/01/2022, a non-conformance notice was issued to the relevant sub-contractor.

The Auditor noted in the last independent Audit that the use of truck routes, construction vehicle and truck parking appears to be a recurring complaint issue. Despite individual complaint closeouts, there remains an indicated systemic issue in driver performance in terms of routes, parking and idling. This systemic issue points towards the identified non-compliance and observation in respect the Drivers' Code of Conduct (refer non-compliance with CoC B22).

### 3.8. Site Inspection

A site inspection as part of the audit was undertaken on 02 February 2022. During the site inspection, observations on the project's environmental performance were made and captured by site photos (Appendix F).

Environmental performance was determined to be satisfactory, with appropriate implementation of environmental controls in accordance with developed management plans.

### 3.9. Site Interviews

Site interviews were generally structured around the prescribed SSD CoC and management plan expectations.

The site team was questioned on how the project achieves and communicates compliance requirements, responds to, and addresses particular site conditions. Follow up questions on documentation of processes and site procedures pertaining to environmental management onsite were used to assess understanding of environmental risk and performance management expectations onsite, inclusive of communications and change management.

The site interviews demonstrated that the project personnel had a good understanding of environmental risks and controls associated with the project.

## 4. CONCLUSION

This Independent Audit Report satisfies the requirements of SSD 10340 CoC C44.

The audit represents the second independent audit and has been conducted in accordance with the DPE Independent Audit Post Approval Requirements (2020) and the AS/NZS ISO 19011:2019 – Guidelines for Auditing Management Systems. The audit report documents the outcomes of the review of compliance undertaken by Aspect. The audit process comprised pre-site audit documentation review, site audit, and post-site audit documentation review and follow up.

In summary:

- 11 non-compliances were identified against the CoC
- 4 observations were identified in relation to the CoC
- 6 observations with the CEMP and Sub-Plans were identified and
- 1 observation was identified in relation to general environmental performance.

Detailed findings are included in the Audit Protocol in Appendix A.

The audit concludes that the Fort Street Public School is generally being constructed in compliance with the requirements of the SSD instrument.

## Appendix A – Audit Table

<b>Location</b>	Fort Street Public School
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Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
<b>Assessment of Environmental Performance</b>						
<b>Environmental Aspect</b>						
<b>Air</b>	Dust and other emissions are being managed on site and generally confined to site. Record of incidents/complaints.	Stockpiles on the site were observed to be damp from recent rainfall.  The main large stockpile onsite was covered with geofabric material.	Dust and air emissions are being managed satisfactorily.			
<b>Noise</b>	Work hours are within approved hours. Noise mitigation evident. Record of incidents/complaints.	Review of the online complaints register on 22 February 2022 ( <a href="https://www.schoolinfrastructure.nsw.gov.au/content/dam/infrastructure/projects/fi/fort-street-public-school/feb-2022/Fort_St_PS_Complaints_Register_-_January_2022.pdf">https://www.schoolinfrastructure.nsw.gov.au/content/dam/infrastructure/projects/fi/fort-street-public-school/feb-2022/Fort_St_PS_Complaints_Register_-_January_2022.pdf</a> ) indicated there is no record of incidents or complaints of excessive noise generating activities outside the approved work hours.	Noise is being managed satisfactorily.			
<b>Land (ErSed)</b>	Sediment and erosion controls are performing to control surface erosion and discharges from site within acceptable limits. Record of incidents/complaints.	ErSed controls were observed to be in place and effective.  There were no observed sediment discharges from site that were related to construction activities.  No complaints have been received.	Sediment and erosion controls measures for the site are satisfactory.			
<b>Land (contam)</b>	Any identified contaminant materials are effectively contained, controlled and removed from site for treatment and disposal. Record of any unexpected finds.	Section 5.2.1 of the CEMP (Rev D 30/04/21) contains the Unexpected Finds Protocol.  No unexpected contamination has been encountered onsite.	NA - no unexpected contamination.			
<b>Water</b>	Site surface water is managed to prevent scouring of banks of receiving waters. Clean water is separated from dirty water (i.e. construction works contact water). Spill Notifications. Record of incidents/complaints.	There was no evidence of scouring, or rill erosion.  No complaints to date.	Site surface water measures for the site are satisfactory.			
<b>Waste</b>	Containment and appropriate sorting of waste as appropriate. Record of incidents/complaints.	Mixed general waste skip bins observed onsite during site inspection were well maintained.	Waste management measures for the site are satisfactory.			
<b>Heritage</b>	Clear identification of heritage items and demarcation within the construction site to prevent accidental harm.	Heritage items (copper nested basin) have been removed from site.	NA.			
<b>Traffic</b>	Traffic management, access and flow is maintained. No tracking of soil/muds onto public roads. Record of incidents/complaints	Rumble grid in place and high pressure washing observed.  The tracking of soil / muds to public roads was not observed during the site audit dates.  Several community complaints noted in the project complaints register related to trucks and sub-contractors parking in residential street, not observing approved exit routes and engine idling.	Site traffic measures for the site are considered satisfactory.			
<b>Flora/Fauna</b>	Demarcation of no-go zones. Record of incidents/complaints.	Tree protection, identification and signage in place.	Flora an fauna measures for the site are satisfactory.			
<b>Conditions of Consent - 07/10/2020</b>						
<b>Part A - Administrative Conditions</b>						
	<b>Obligation to Minimise Harm to the Environment</b>					
<b>A1</b>	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.	General site environmental controls in accordance with CEMP and sub-plans are in place. No evidence of material harm on or offsite was observed during the site inspection.  Compliance demonstrated elsewhere in audit report.	The proponent has demonstrated that reasonable and feasible measures are being implemented to prevent or minimise harm to the environment.  Compliance demonstrated.			
	<b>Terms of Consent</b>					



Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
A2	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) generally in accordance with the EIS and Response to Submissions; and (d) in accordance with the approved plans in the table below.* <i>See consent for list</i>	Non-compliances have been identified in this audit, therefore compliance with A2(a) has not been achieved.	Compliance with condition has not been demonstrated.  <b>Non-compliance:</b> Non-compliances have been identified in this audit, therefore compliance with A2(a) has not been achieved.  <b>Observation:</b> Several instances have been identified where obligations and responsibilities required under the various approved management plans have not been implemented. Individual non-compliances have not been raised against these items. In the majority of instances, the resolution would be an update to the management plan following review to remove such obligations that are not relevant to the works.			
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; (b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and (c) the implementation of any actions or measures contained in any such document referred to in (a) above.	The auditor understands that no written directions have been received from the Planning Secretary to date.	Not triggered.			
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) or A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	No project changes documented triggering an accordance or consistency assessment.	Not triggered.			
<b>Limits of Consent</b>						
A5	This consent lapses five years after the date of consent unless work is physically commenced.	DPIE notified on 21/05/21 Commencement of Construction in accordance with Condition B2.	Compliance with condition has been demonstrated.			
<b>Prescribed Conditions</b>						
A6	The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.	Achievement demonstrated by findings of this audit.	Compliant.			
<b>Planning Secretary as Moderator</b>						
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.	Project noted during site interview on 02/02/2022 that no resolutions have been provided by the Planning Secretary to date.	Not triggered.			
<b>Evidence of Consultation</b>						
A8	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document for information or approval; and (b) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Consultation with identified parties for a number of individual CoCs was sighted in correspondence during the Audit. E.g.: - B18 CTPMSP evidence of consultation with TfNSW. - B21 CSWMP consultation with City of Sydney Council. - B23 Kent Street- Sydney Harbour Bridge Cycleway evidence of consultation with Council and TfNSW.	Compliance with condition has been demonstrated.			
<b>Staging</b>						

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
A9	The project may be constructed and operated in stages. Where compliance with conditions is required to be staged due to staged construction or operation, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the satisfaction of the Planning Secretary. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of construction (unless otherwise agreed to in writing by the Planning Secretary) 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). <i>Note: Works may commence upon the Planning Secretary's approval of a Staging Report and satisfaction of all relevant conditions.</i>	Sighted correspondence demonstrating receipt of lodgement of Staging Report dated 9/04/2021.  Sighted request for additional information from DPIE dated 23/04/2021. Additionally information requested by 30/04/2021.  Sighted correspondence demonstrating discussion of additional information required dated 28/04/2021.  Sighted approval of Staging Report (Rev 4, 28 April 2021) by the Planning Secretary dated 10/05/2020.  Sighted Staging Report (Rev 7, 22 September 2021). Rev 7 approved by DPIE on 14 October 2021.	Compliance with condition has been demonstrated.			
A10	Should the staging of the project (for construction or operation) change from that set out in a Staging Report approved under condition A9, a revised Staging Report must be submitted to the satisfaction of the Planning Secretary.	Sighted Staging Report (Rev 7, 22 September 2021). Rev 7 approved by DPIE on 14 October 2021.	Compliance with condition has been demonstrated.			
A11	A Staging Report prepared in accordance with condition A9 or A10, must: (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; (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); (c) specify how compliance with conditions will be achieved across and between each of the stages of the project; and (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.	Requirements of (a) is included in Section 2 Staging of Staging Report (Rev 7). (b) staging of operation is not proposed - not triggered. (c) Section 4 Condition Compliance. (d) Referenced in Section 5 Management of Cumulative Impacts.	Compliance with condition has been demonstrated.			
A12	Where a Staging Report is approved under conditions A9 or A10, the project must be staged in accordance with the latest Staging Report approved by the Planning Secretary.	Project confirmed via Aconex (Reference Number LL-RFI-000976) on 04/03/2022 that Stage 1, 2 & 3 works are underway in accordance with Staging Report (Rev 7, 22 September 2021).  Works onsite appear to align to the staging report.	Compliance with condition has been demonstrated.			
A13	Where construction or operation is being staged in accordance with a Staging Report approved under conditions A9 or A10, the terms of this consent 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 as identified in the latest Staging Report approved by the Planning Secretary.	Sighted Staging Report (Rev 7, 22 September 2021). Rev 7 approved by DPIE on 14 October 2021.	A Staging Report was prepared and submitted prior to staging. The Staging Report was approved by the Department.  Works observed on site appear to align with the staging report.			
<b>Staging, Combining and Updating Strategies, Plans, Programs or Drawings</b>						
A14	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 (including management plan, architectural or design plan) or program); (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 (including management plan, architectural or design plan) or programs that are proposed to be combined); and (c) update any strategy, plan (including management plan, architectural or design plan), or program required by this consent (to ensure the strategies, plans (including management plan, architectural or design plan), or programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).	Sighted Staging Report (Rev 7, 22 September 2021). Rev 7 approved by DPIE on 14 October 2021.	Whilst the works have been staged, the plans, strategies and programs themselves are not staged.  Not triggered.			
A15	Any strategy, plan or program prepared in accordance with condition A14, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.	As above.	As above.			
A16	If the Planning Secretary agrees, a strategy, plan (including management plan, architectural or design plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	As above.	As above.			

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A17	Updated strategies, plans (including management plan, architectural or design plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.	As above.	As above.			
	<b>Structural Adequacy</b>					
A18	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA. <i>Note: Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the development.</i>	Structural drawings have been prepared by a structural engineer and submitted to the Certifier. Sighted Group DLA CC Checklist - Stage 2 CC dated 11/11/2021 Rev C, B4 Structural Drawings has been closed (accepted) by the Certifier. See B4.	Compliance with condition has been demonstrated.			
	<b>External Walls and Cladding</b>					
A19	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Cladding is not applicable to current stages of work.	Not triggered.			
	<b>Applicability of Guidelines</b>					
A20	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.	The CEMP and sub-plans refer to the relevant guidelines and policies.	Compliance with condition has been demonstrated.			
A21	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.	The Project confirmed that there were no directions issued by Secretary.	Not triggered.			
	<b>Monitoring and Environmental Audits</b>					
A22	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.  <i>Note: For the purposes of this condition, as set out in the EP&amp;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.</i>	Procedural condition.	This audit is aligned to the requirements of Div 9.4 of Part 9 of the EP&A Act. Div 9.4 is applicable to SSD developments. This IEA and its scope is aligned to the requirements of s9.39(2); s9.39(3); s9.40; s9.41(2); s9.42(1); and s9.42(2) of the EP&A Act.			
	<b>Access to Information</b>					
A23	At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (i) the documents referred to in condition A2 of this consent; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) 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; (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; (vi) a summary of the current stage and progress of the development; (vii) contact details to enquire about the development or to make a complaint; (viii) a complaints register, updated monthly; (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; (x) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.	Reviewed applicant's website on 22/02/22 <a href="https://www.schoolinfrastructure.nsw.gov.au/projects/f/fort-street-public-school.html#category-reports">https://www.schoolinfrastructure.nsw.gov.au/projects/f/fort-street-public-school.html#category-reports</a> Documents available include: - Development Consent (A23) - Approved plans (A2) - Complaints Register - CEMP (B17) - CTPMP (B18) - CWMP (B20) - CSWMP (B21) - Community Communication Strategy (B12) - Staging Report (April 2021) (A9)  Contact details are provided for feedback and enquiries.  Complaints register (last updated 30 January 2022) is accessible for review.	Compliance has not been demonstrated.  <b>Non-compliance:</b> <b>Review of the SINSW website identified the following publication issues:</b> - A23 The current DPIE approved Development Consent Mod 1 (dated 22/12/2021) is not available. Hyperlink is Development Consent dated 07/10/2020. - A23 The current DPIE notice of decision (dated 22/12/2021) is not available. Hyperlink is DPIE notice of decision dated 07/10/2020. - Hyperlink to CSWMSP is broken and cannot be accessed. - A10 & A11 Hyperlink to current DPIE approved Staging Report (Rev 7, 22/09/2021) is broken. - B18 The current CTPMSP (Rev A, ARUP, 21/04/2021) is not available on the website. Version on website is dated 25/03/2021.			
	<b>Compliance</b>					

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
A24	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.	<p>Sighted Fort Street Public School CEMP Construction Stage 1 and 2 (ref: 210430_CEMP_FSPS_Revision D) (LendLease 30/04/2021) Section 4.5 identifies:</p> <ul style="list-style-type: none"> <li>- To ensure that this CEMP is effectively implemented, each level of management is responsible for ensuring that all personnel reporting to them are aware of the requirements of this CEMP.</li> <li>- The Construction Manager will coordinate the environmental training.</li> <li>- All personnel (including sub-contractors) are required to attend a compulsory site induction that includes an environmental component prior to commencement on-site.</li> <li>- The EHS Coordinator (or delegate) will conduct the environmental component of the site inductions.</li> <li>- A record of all inductions will be maintained and kept on-site.</li> <li>- Toolbox talks are used to ensure environmental awareness continues throughout construction.</li> </ul> <p>Sighted FSPS Environment, Health &amp; Safety Project Induction COVID-19 Issue 1.0, Project Name: Fort Street Public School Revision: 1.6 23/01/2022. Slide 11 states you must comply with the CoC applicable to this project including the Driver COR Fort Street Public School.</p>	Compliance with this condition has been demonstrated.			
<b>Incident Notification, Reporting, Response</b>						
A25	The Planning Secretary must be notified through the major projects portal 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.	No reportable incidents have been identified during the reporting period.	<p>Not triggered.</p> <p><b>Observation:</b> Incident dated 16/11/21 triggered notification to Sydney Water. A courtesy notification to the Department could have been considered. This would enable DPE to have information at hand to provide a direct response for any external parties or regulators query.</p>			
A26	Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1.	No reportable incidents have been identified during the reporting period.	Not triggered.			
<b>Non-Compliance Notification</b>						
A27	The Planning Secretary must be notified through the major projects portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the major projects portal within seven days after they identify any non-compliance.	No non-compliances have been identified during the reporting period.	Not triggered.			
A28	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.	No non-compliances have identified during the reporting period.	Not triggered.			
A29	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	For information.	Not triggered.			
<b>Revision of Strategies, Plans and Programs</b>						
A30	<p>Within three months of:</p> <ul style="list-style-type: none"> <li>(a) the submission of a compliance report under condition A33;</li> <li>(b) the submission of an incident report under condition A26;</li> <li>(c) the submission of an Independent Audit under condition C44 or C45;</li> <li>(d) the approval of any modification of the conditions of this consent; or</li> <li>(e) the issue of a direction of the Planning Secretary under condition A2 which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.</li> </ul>	<p>Previous Independent Audit (Part c) completed by Aspect Environmental in September 2021 triggering the requirement for a review of Strategies, Plans and Programs to be completed.</p> <p>Approval of SSD-10340-Mod-1 granted by DPIE on 22 December 2021. The Auditor notes that the 3 month timing requirement for a review of the Strategies, Plans and Programs has not yet expired.</p> <p>TBH completed a Draft Review (dated 31/01/22) of LLB's updated MW programme titled "FSPS - Main Works Program - Status 170122 - RevA", with a status date of 17 January 2022. No reference to a review of the Strategies, Plans and Programs required under this consent included in TBH review document.</p>	<p>Compliance has not been demonstrated.</p> <p><b>Non-compliance:</b> A review of the Strategies, Plans and Programs required under this consent, has not been completed within 3 months of the submission of an Independent Audit under condition C44 or C45.</p>			

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
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A31	<p>If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier (where previously approved by the Certifier). Where revisions are required, the revised document must be submitted to the Planning Secretary and / or Certifier for approval and / or information (where relevant) within six weeks of the review.</p> <p><i>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.</i></p>	Interview with auditees on 02/02/2022 confirmed that no strategies, plans or programs or drawings have been revised during the reporting period.	<p>Not triggered.</p> <p><b>Observation:</b> The CEMP and Sub-Plans have not been updated to reflect the current approved Staging Report (Rev 7, 22 September 2021) or the SSD-10340-Mod-1 granted by DPIE on 22 December 2021. The CEMP only identifies Stage 1 and Stage 2 whereas the current staging report identifies 10.</p>			
	<b>Compliance Reporting</b>					
A32	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements.	Project to comply with Compliance Reporting and Post Approval Requirements (CRPAR) 2020 (DPIE May 2020). Under CRPAR 2020, construction compliance reports are not required. The first compliance report due is the Operation Compliance Report.	<p>Not triggered.</p> <p><b>Observation:</b> The Fort Street Public School CEMP Construction Stage 1 and 2 (ref: 210430_CEMP_FSPS_Revision D) (LendLease 30/04/2021) states in Section 4.8.4 Compliance Monitoring and Reporting that "Monitoring of compliance with the planning approval, this CEMP and any other statutory requirements will be submitted to Planning Secretary in the Compliance Report."</p>			
A33	Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements, unless otherwise agreed by the Planning Secretary.	NA.	NA.			
A34	The Applicant must make each Compliance Report publicly available a minimum of 60 days and maximum of 90 days after submitting it to the Planning Secretary.	NA.	NA.			
A35	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements, 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.	NA.	NA.			
<b>Part B - Prior to Commencement of Construction</b>						
	<b>Rooftop Design and Equipment</b>					
B1	<p>Prior to the commencement of the relevant works the following must be prepared by a suitably qualified and experienced heritage consultant in consultation with Heritage NSW and be submitted to the Certifier:</p> <p>(a) detailed drawings and specifications for the attachment of the photovoltaic panels to the roof of the Fort Street Public School Building; and</p> <p>(b) detailed drawings, specifications, colours and materials of the lift overrun, mechanical plant enclosures and raised walkways proposed on the Meteorology Building and Buildings H and J.</p> <p>c) detailed drawings, specifications, colours and materials of the lift overrun, enclosed stair and balustrade proposed on the rooftop of Building J in accordance with the following requirements:</p> <p>i) the lowest height possible for each structure while also complying with the applicable standards and guidelines;</p> <p>ii) glazing with the highest possible transparency while also complying with the applicable standards and guidelines; and</p> <p>iii) glazing with an external reflectivity which complies with the limit set out in the Reflectivity Statement Fort Street Public School, Section 4.55(2) Modification Application (SSD-10340) prepared by Arup and dated 8 November 2021.</p>	<p>Sighted Fort Street Public School Condition of Consent - Response Rooftop Design and Equipment 17/08/21 Rev 02.</p> <p>(a) Sighted consultation record with Heritage NSW dated 31/08/2021 stating Heritage NSW does not require any further information or discussion.</p> <p>(b) Lift was moved out from the MET and repositioned within the new adjacent Building J envelop, to the immediate south via Modification. Not Triggered.</p> <p>(c) Works not yet commenced. Not Triggered.</p> <p>Sighted Group DLA CC Checklist - Stage 2 CC dated 11/11/2021 Rev C, from Certifier stating B1 requirements pushed back to later stage via updated and approved staging report.</p>	Compliance with this condition has been demonstrated.			
	<b>Notification of Commencement</b>					
B2	The Applicant must notify the Planning Secretary in writing of the dates of the intended commencement of construction and operation at least 48 hours before those dates.	<p>Sighted receipt of lodgement of notification of construction commencement to DPIE, dated 21/05/2021.</p> <p>Sighted acknowledgement of lodgement of notification of construction commencement to DPIE, dated 26/05/2021.</p> <p>Sighted letter from SINSW dated 21/05/21 to DPIE notifying commencement of construction identified as 14/06/2021.</p>	Compliance with this condition has been demonstrated.			
B3	If the construction or operation of the development is to be staged, the Planning Secretary 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.	Sighted receipt of lodgement of notification of Stage 1 construction commencement to DPIE, dated 21/05/2021. Sighted acknowledgement of lodgement of notification of Stage 1 construction commencement to DPIE, dated 26/05/2021.	<p>Compliance with this condition has not been demonstrated.</p> <p><b>Non-compliance:</b> No evidence provided to verify notification to the Department at least 48 hours before the commencement of Stages 2 &amp; 3.</p>			

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
	<b>Certified Drawings</b>					
B4	Prior to the commencement of construction (excluding earthworks and demolition), the Applicant must submit to the satisfaction of the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with this development consent.	Sighted Group DLA CC Checklist - Stage 2 CC dated 11/11/2021 Rev C, B4 Structural Drawings has been closed (accepted) by the Certifier.	Compliance has been demonstrated.			
	<b>External Walls and Cladding</b>					
B5	Prior to the commencement of construction (excluding earthworks and demolition), the Applicant must provide the Certifier 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 Certifier to the Planning Secretary within seven days after the Certifier accepts it.	<p>Sighted letter from SINSW dated 21/05/21 to DPIE notifying commencement of construction identified as 14/06/2021.</p> <p>Project advised Certifier has noted this item does not apply to this stage, to be captured in Stage 5 Crown Cert 5.</p> <p>Sighted correspondence from Certifying Authority (Group DLA) dated 11/11/2021 stating "Thermal Break Material to be detailed and Test report to AS 1530.1 to confirm non-combustible outstanding to close this condition out".</p> <p>The Auditor notes that no evidence was provided to verify if the Certifier accepted the evidence that external walls and cladding comply with the BCA nor was evidence provided to verify that the Planning Secretary was provided with the documentation given to the Certifier.</p>	<p>Compliance has not been demonstrated.</p> <p><b>Non-compliance:</b> No evidence was provided to verify if the Certifier accepted that the external walls and cladding comply with the BCA nor was evidence provided to verify if the Planning Secretary was provided with the documentation given to the Certifier.</p>			
	<b>Protection of Public Infrastructure</b>					
B6	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; (b) prepare a dilapidation report, with photographic recordings, identifying the condition of all public infrastructure in the vicinity of the site (including the footpath, nature strip, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restriction and traffic signs); (c) submit a copy of the dilapidation report, signed by the Applicant and the photographer, to the Planning Secretary, Certifier and Council.	<p>Sighted evidence of dilapidation report issue to City of Sydney Council, dated 28/04/2021.</p> <p>Sighted evidence of dilapidation report lodgement to DPIE, dated 7/06/2021.</p> <p>Sighted Aconex dated 19/04/21 to certifier from Lendlease including transmission of signed dilapidation report.</p> <p>Sighted correspondence from DPIE identifying receipt of dilapidation report and advice that Department has no further comments at this time, dated 9/06/2021.</p>	Compliance has been demonstrated.			
	<b>Pre-Construction Dilapidation Report</b>					
B7	Prior to the commencement of construction, or an alternative timing as approved by the Planning Secretary, the Applicant must submit a pre-commencement dilapidation report to Council, Heritage NSW and the Certifier. The report must provide an accurate record of the existing condition of adjoining private properties, heritage items and Council assets that are likely to be impacted by the proposed works.	<p>Sighted evidence of dilapidation report issue to City of Sydney Council, dated 28/04/2021.</p> <p>Sighted evidence of dilapidation report issue to Heritage NSW, dated 19/04/2021.</p> <p>Sighted Aconex dated 19/04/21 to certifier from Lendlease including transmission of signed dilapidation report.</p>	Compliance has been demonstrated.			
	<b>Protection of Survey Infrastructure</b>					
B8	Prior to the commencement of construction, a statement prepared by a surveyor registered under the Surveying and Spatial Information Act 2002 must be submitted to Council verifying that a survey has been carried out in accordance with the Surveyor General's Direction No. 11 – Reservation of Survey Infrastructure. Any permanent marks proposed to be or have been destroyed must be replaced, and a "Plan of Survey Information" must be lodged at the NSW Land Registry Services.	<p>Sighted a copy of correspondence submitting surveyors statement to Council on 26/05/2021.</p> <p>Surveyors statement verifies that survey was carried out in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure and a "Plan of Survey Information" has been lodged at NSW Land Registry Services.</p> <p>Sighted plan registration with NSW Land Registry Services, dated 16/06/2021.</p> <p>Sighted correspondence from City of Sydney Council affirming satisfaction with evidence provided for the purposes of B8, dated 3/06/2021.</p>	Compliance has been demonstrated.			
	<b>Preservation of Survey Marks</b>					

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
B9	At least forty-eight hours prior to the commencement of any works in the public way within 1 metre of a permanent survey mark, contact must be made with the Council's Project Manager Survey / Design Services / Senior Surveyor to arrange for the recovery of the mark. All works in Council's streets must ensure the preservation of existing permanent survey marks (a brass bolt, or a lead plug holding a brass tack, covered by a cast iron box).	Surveyors statement verifies that the preservation of survey marks within Council streets has been addressed in the lodged plan (B8 above).  Sighted correspondence from City of Sydney Council affirming satisfaction with evidence provided for the purposes of B9, dated 3/06/2021.	Compliance has been demonstrated.			
B10	Prior to the commencement of construction, a survey plan, clearly showing the location of all permanent survey marks fronting the site and within 5 metres on each side of the frontages must be submitted to Council.  <i>Note: The replacement of any permanent survey mark removed or damaged must be in accordance with the Council's Schedule of Fees and Charges (Reinstatement of Survey Box).</i>	Surveyors statement confirms that there are no permanent surveys marks (SSMs or PMs) within the construction area impacted by the development.  Sighted correspondence from City of Sydney Council affirming satisfaction with evidence provided for the purposes of B10, dated 3/06/2021.	Compliance has been demonstrated.			
	<b>Site Auditor</b>					
B11	Prior to the commencement of construction, the Applicant must engage a NSW EPA-accredited Site Auditor to provide advice throughout the duration of works to ensure that any work required in relation to soil or groundwater contamination is appropriately managed.	Sighted minor professional services agreement, engaging Senversa on 5/8/2021.	Compliance has been demonstrated.			
	<b>Community Communication Strategy</b>					
B12	No later than 48 hours before the commencement of construction, a Community Communication Strategy must be submitted to the Planning Secretary for information. 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. The Community Communication Strategy must: (a) identify people to be consulted during the design and construction phases; (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development; (c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development; (d) set out procedures and mechanisms: (i) through which the community can discuss or provide feedback to the Applicant; (ii) through which the Applicant will respond to enquiries or feedback from the community; and (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.	Sighted receipt of lodgement of Community Communication Strategy, dated 29/04/2021. a) Section 4 Stakeholders b) Sections 4, 5 & 6 c) Section 3 d) Sections 3, 4, 5 & 7  Sighted copies of Stakeholder Working Group Meeting minutes dated 13/09/21, 11/10/21, 08/11/21, 13/12/21 and 14/02/22.	Compliance has been demonstrated.			
	<b>Ecologically Sustainable Development</b>					
B13	Prior to the commencement of construction, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by either: (a) registering for a minimum 4-star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifier; or (b) seeking approval from the Planning Secretary for an alternative certification process.	Sighted DPIE acceptance of alternative ESD Certification Process, dated 25/02/2021.	Compliance has been demonstrated.			
	<b>Outdoor Lighting</b>					
B14	Prior to commencement of lighting installation, evidence must be submitted to the satisfaction of the Certifier that all outdoor lighting within the site has been designed to comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.	Sighted Electrical Services Design Certificate (Stantec, 28 September 2021).  Sighted submission of evidence to Certifier on 11 November 2021.  Sighted Group DLA CC Checklist - Stage 2 CC dated 11/11/2021 Rev C, B14 Outdoor Lighting has been closed (accepted) by the Certifier.	Compliance has been demonstrated.			
	<b>Demolition</b>					

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
B15	Prior to the commencement of demolition, 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 Certifier and Planning Secretary.	Sighted Demolition Control Plan (SalCorp Civil, Rev 1.1, dated 8/06/2021).  Sighted BCA Design Compliance Statement (Crown Certificate) for Stage 1 Demolition, (Group DLA, dated 10/06/2021).  Sighted receipt of lodgement of the following documentation to DPIE on 11/06/2021; - Demolition – Contractor Submission to the Certifier (Email dated 04.06.21) - Demolition Control Plan (SalCorp Civil, Rev 1.1, dated 8/06/2021) - Statement of Compliance with safety requirements of AS 2601-2001 - The Demolition of Structures (Standards Australia, 2001) - Engineer's Design Services Advice.	Compliance has been demonstrated.			
<b>Environmental Management Plan Requirements</b>						
B16	Management plans required under this consent must be prepared in accordance with relevant guidelines, including but not limited to the Environmental Management Plan Guideline: Guideline for Infrastructure Projects (DPIE April 2020). <i>Note:</i> - The Environmental Management Plan Guideline is available on the Planning Portal at: <a href="https://www.planningportal.nsw.gov.au/majorprojects/assessment/post-approval">https://www.planningportal.nsw.gov.au/majorprojects/assessment/post-approval</a> - The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.	Procedural note - Planning Secretary has not waived any requirements.	Not triggered.			
<b>Construction Environmental Management Plan</b>						
B17	Prior to the commencement of construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and provide a copy to the Planning Secretary for information. The CEMP must include, but not be limited to, the following: (a) Details of: (i) hours of work; (ii) 24-hour contact details of site manager; (iii) management of dust and odour to protect the amenity of the neighbourhood; (iv) stormwater control and discharge; (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site; (vi) groundwater management plan including measures to prevent groundwater contamination; (vii) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting; (viii) community consultation and complaints handling; (b) an unexpected finds protocol for contamination and associated communications procedure to ensure that potentially contaminated material is appropriately managed; (c) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; (d) 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; (e) Construction Traffic and Pedestrian Management Sub-Plan (see condition B18); (f) Construction Noise and Vibration Management Sub-Plan (see condition B19); (g) Construction Waste Management Sub-Plan (see condition B20); and (h) Construction Soil and Water Management Sub-Plan (see condition B21).	Sighted copy of submitted CEMP (Lendlease, Rev D, dated 30/04/2021).  Sighted receipt of CEMP lodgement from DPIE on 19/05/2021.  Sighted evidence of submission of CEMP Rev D to the Certifier dated 10/05/2021.	Compliance has been demonstrated.			



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B18	<p>A Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must be prepared to achieve the objective of ensuring safety and efficiency of the road network and address, but not be limited to, the following:</p> <p>(a) be prepared by a suitably qualified and experienced person(s);</p> <p>(b) be prepared in consultation with Council and the Sydney Coordination Office within TfNSW;</p> <p>(c) be submitted to the Coordinator General, Transport within TfNSW for endorsement, unless otherwise agreed to in writing by the Planning Secretary;</p> <p>(d) include details of:</p> <p>(i) crane arrangement including the location of any crane(s);</p> <p>(ii) commitment to providing the site manager's direct contact number to business adjoining or impacted by the construction work, the Transport Management Centre and the Sydney Coordination office within TfNSW to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access in real time;</p> <p>(iii) the predicted number of construction vehicle movements and detail of vehicle types, nothing that vehicle movements are to be minimised during peak periods;</p> <p>(iv) specific measures to ensure the arrival of construction vehicles to the site do not cause queuing on public roads;</p> <p>(v) a monitoring regime for maintaining the simultaneous operation of buses and construction vehicles on roads surrounding the site;</p> <p>(vi) measures to avoid construction worker vehicle movements within the Sydney Central Business District;</p> <p>(vii) cumulative construction impacts of projects including Sydney Metro City and South West with reference to the construction traffic and pedestrian management plans for developments within or around the development site to ensure that coordination of work activities is managed to minimise impacts on the surrounding road network;</p> <p>(viii) the measures that are to be implemented to ensure road safety and network</p>	<p>Sighted copy of CTPMSP (Rev A, ARUP, 21/04/2021). Relevant consultation with is contained within Appendix B of the report. Appendix C contains the CV of the reports author.</p> <p>Sighted receipt of CTPMSP lodgement from DPIE on 19/05/2021.</p> <p>Sighted correspondence from DPIE identifying no comments on the document at this time, dated 26/05/2021.</p> <p>Sighted correspondence with TfNSW identifying that the Coordinator General Transport within TfNSW position ceased to exist the year prior and that it is now Executive Director Customer Journey Planning approval that is required (12/05/2021).</p> <p>Sighted correspondence demonstrating engagement and consultation with Council and TfNSW (12/03/2021- 25/03/2021).</p> <p>Sighted email from TfNSW dated 16/04/21 stating "I appreciate you sending through this latest version, we have no changes to CTPMSP. "</p>	Compliance has been demonstrated.			
B19	<p>The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following:</p> <p>(a) be prepared by a suitably qualified and experienced noise expert;</p> <p>(b) identify the following:</p> <p>(i) noise and vibration objectives in the EPA's Interim Construction Noise Guideline (DECC, 2009);</p> <p>(ii) each work area, site compound and access route (private and public);</p> <p>(iii) specific activities that will be carried out and associated noise sources at the premises and access routes;</p> <p>(iv) high noise generating works, including location; and</p> <p>(v) potentially affected sensitive receivers;</p> <p>(c) an assessment of potential noise and vibration from the proposed construction methods (including noise from construction traffic) against the objectives identified;</p> <p>(d) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009);</p> <p>(e) where the noise and vibration objectives are predicted to be exceeded an analysis of feasible and reasonable noise and vibration mitigation measures that can be implemented to reduce construction noise and vibration impacts;</p> <p>(f) describe the measures to be implemented to manage the high noise generating works identified, in close proximity to sensitive receivers;</p> <p>(g) include strategies that have been developed with the community for managing the identified high noise generating works;</p> <p>(h) describe the community consultation undertaken to develop the strategies in condition B19(g);</p> <p>(i) include a complaints management system that would be implemented for the duration of the construction; and</p> <p>(j) include a program to monitor and report on the impacts and environmental performance</p>	<p>Sighted a copy of the CNVMMP (Stantec, Rev 005, 28/04/2021).</p> <p>Sighted receipt of CNVMSP lodgement from DPIE dated 19/05/2021.</p> <p>Sighted CV of CNVMSP author.</p> <p>Sighted Fort Street Public School (SSD 10340): Submission of Construction Noise and Vibration Management Sub Plan in accordance with Condition B19. Condition Satisfaction Table was provided for review and it details what section of the CNVMMP (Stantec, Rev 005, 28/04/2021) addresses condition item B19.</p>	Compliance has been demonstrated.			
B20	<p>The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the following:</p> <p>(a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations; and</p> <p>(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 construction.</p>	<p>Sighted a copy of the CWMSP (Lendlease, Rev 3, dated 5/11/2020).</p> <p>Sighted receipt of CWMSP lodgement from DPIE dated 19/05/2021.</p> <p>Sighted Fort Street Public School (SSD 10340): Submission of Construction Waste Management Sub Plan in accordance with Condition B20. Condition Satisfaction Table was provided for review and it details what section of the CWMSP (Lendlease, Rev 3, dated 5/11/2020) addresses condition item B20.</p>	Compliance has been demonstrated.			

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B21	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; (b) describe all erosion and sediment controls to be implemented during construction, including as a minimum, measures in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book'; (c) 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); (d) detail all off-Site flows from the Site; and (e) 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 5-year ARI.	Sighted a copy of the CSWMSP (JBS&G, Rev 4, dated 1 July 2021).  Sighted receipt of CSWMSP lodgement from DPIE dated 19/05/2021.  Sighted copies of authors' CVs.  Consultation with City of Sydney Council is contained within Appendix D of the CSWMSP.  Sighted Fort Street Public School (SSD 10340): Submission of Construction Soil and Water Management Plan in accordance with Condition B21. Condition Satisfaction Table was provided for review and it details what section of the CSWMSP (JBS&G, Rev 4, dated 1 July 2021) addresses condition item B21.	Compliance has been demonstrated.			
B22	A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following: (a) minimise the impacts of earthworks and construction on the local and regional road network; (b) minimise conflicts with other road users; (c) minimise road traffic noise; and (d) ensure truck drivers use specified routes.	Sighted Driver Code of Conduct in Section 7.2 and Driver COR (Chain of Responsibility) Appendix A of the CTPMSP (Rev A, ARUP, 21/04/2021).  Sighted FSPS Environment, Health & Safety Project Induction COVID-19 Issue 1.0, Project Name: Fort Street Public School Revision: 1.6 23/01/2022. Driver COR (Chain of Responsibility) reference on slide 10.  EHS procedure for materials handling, delivery and parking that make reference to the approved Traffic Management Plan and a 48hr advanced booking requirement.  Sighted Aconex transmission dated 06/08/21 from Lendlease to Salcorp Civil inclusive of the CTPMSP, Chain of Responsibility Management Sub Plan.	Compliance has not been demonstrated.  <b>Non-compliance:</b> Unable to identify where content of B22 a), b), c) & d) are captured in the Drivers Code of Conduct - Appendix A of CTPMSP (Rev A, ARUP, 21/04/2021). The Auditor notes that this NCR was identified in the previous Independent Audit (Aspect 2021) and that in the Proponent's Response to Independent Audit Findings Report dated 21/09/21, the following commitment was stated in response to the NCR "Whilst the requirements of this consent condition are addressed within the broader CTPMSP, the Driver Code of Conduct will be updated to specifically address each of the items noted in the consent conditions".  Neither the CTPMSP (Rev A, ARUP, 21/04/2021) nor the Driver Code of Conduct in Section 7.2 and Driver COR (Chain of Responsibility) in Appendix A of the CTPMSP (Rev A, ARUP, 21/04/2021) have been updated since the last independent audit (Aspect, 2021).			
<b>Kent Street-Sydney Harbour Bridge Cycleway</b>						
B23	Prior to the commencement of construction and site establishment works (including the establishment of temporary site offices), the Applicant must develop detailed plans for the diversion of the Kent Street-Sydney Harbour Bridge cycleway during construction in consultation with Council, Bicycle NSW and TfNSW and submit the details to the Certifier. The plans must: (a) provide evidence of consultation with Council, Bicycle NSW and TfNSW in the design of the diversion; (b) include a map which details the diverted cycle route from Kent Street to the Sydney Harbour Bridge; (c) identify sections of the diverted route which will be shared by pedestrians and/or drivers; (d) identify and detail safe-making measures along the diversion route such as street signage for wayfinding, street lighting, etc.; (e) identify and details measures to minimise conflicts between cyclists and construction vehicles associated with this development; (f) detail measures to set out procedures and mechanisms through which the community can discuss or provide feedback to the Applicant; and (g) commit to a biennial monitoring and review program in consultation with TfNSW until six months prior to the commencement of operation or until the Sydney Harbour Bridge cycleway upgrade works are complete, whichever comes first.	Sighted BCA Design Compliance Statement (Crown Certificate) for Stage 1 Demolition (Group DLA, dated 10/06/2021).  Sighted Aconex correspondence to Certifier dated 07/04/21 issuing cycleway diversion plans.  Sighted email detailing consultation with TfNSW dated 21/01/2021 through 11/02/2021.	Compliance has been demonstrated.			
B24	The diversion must be put in place prior to the commencement of construction and site establishment works (including the establishment of temporary site offices).	Cycleway diversion confirmed in place during last independent audit.	Compliance has been demonstrated.			

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B25	Prior to commencement of construction, the Applicant must consult with TfNSW regarding the potential to coordinate and for TfNSW to undertake the Sydney Harbour Bridge cycleway upgrade work in conjunction with the school redevelopment work approved as part of this consent. Evidence of consultation must be provided to the Certifier. Consultation should continue as required until the Sydney Harbour Bridge cycleway upgrade is completed.	Sighted BCA Design Compliance Statement (Crown Certificate) for Stage 1 Demolition (Group DLA, dated 10/06/2021).  Sighted email detailing consultation with TfNSW dated 21/01/2021 through 11/02/2021.  Sighted correspondence Lendlease to Certifier dated 28/04/2021 identifying consultation records to be issued to Certifier by 30/04/2021. Sighted email Certifier to Lendlease not identifying any outstanding requirements re B25.	Compliance has been demonstrated.			
<b>Construction Parking</b>						
B26	Prior to the commencement of construction, the Applicant must provide sufficient parking facilities on-site for heavy vehicles, to ensure that construction traffic associated with the development does not utilise public and residential streets or public parking facilities.	Sighted copy of CTPMSP (Rev A, ARUP, 21/04/2021). No direct reference to the requirements of B26. Section 7.2 states "Queuing or marshalling of trucks will only occur in designated and agreed locations."  Sighted FSPS Environment, Health & Safety Project Induction COVID-19 Issue 1.0, Project Name: Fort Street Public School Revision: 1.6 23/01/2022. Slide 12 states no parking on Argyle Place or Watsons Road and not to use these roads to turn around at any time.  Site inspection 02/02/22 did not note any heavy vehicles associated with the project parked in adjacent public streets.	Compliance has been demonstrated.			
B27	Prior to the commencement of construction, the Applicant must submit a Construction Worker Transportation Strategy to the Certifier. The Strategy must detail the provision of travel arrangements for construction workers in order to avoid parking in nearby public and residential streets or public parking facilities. A copy of the strategy must be provided to the Planning Secretary for information.	Sighted submission of Construction Worker Transportation Strategy to DPIE dated 19/05/2021.  Section 4.7 of the CEMP contains the Construction Worker Transportation Strategy. Sighted Aconex transmission dated 07/04/21 identifying transmission of CTPMSP to the Certifier. CEMP (Rev D) and relevant sub plans transmitted 10/05/21.	Compliance has been demonstrated.			
<b>Operational Noise – Design of Mechanical Plant and Equipment</b>						
B28	Prior to installation of mechanical plant and equipment, the Applicant must incorporate the noise mitigation recommendations in the Noise and Vibration Assessment Report, prepared by ARUP dated 20 December 2019, into the detailed design of all mechanical plant and equipment, including mechanical ventilation equipment, public address systems, bells and alarms and other audible communication devices. The Certifier must verify that all 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 and Vibration Assessment Report, prepared by ARUP and dated 20 December 2019.	Sighted Acoustics Detailed Design Report (Rev 007, Stantec, 21/01/2022).  Sighted Noise and Vibration Assessment Report (Rev B, Arup, 20/12/2019).  Sighted Noise Mitigation Design Certificate (Stantec, 26/08/2021).  Sighted Certifier Latest compliance checklist Aconex last dated 28 September 2021 from Certifier stating "Tasmin, See attached updated Crown Certificate (CC) Checklist, with notes on why certain items not satisfied etc to clarify why not ticked as completed, as well as Changes required design certs mark up to aid consultants in checking and amending."	Compliance has not been demonstrated.  <b>Non-compliance:</b> <b>No evidence provided verifying certifier satisfaction that all noise mitigation measures have been incorporated into the design prior to installation of mechanical plant and equipment.</b>			
<b>Air Quality and Noise Intrusion</b>						
B29	Prior to the commencement of construction (excluding earthworks and demolition), the Applicant must provide evidence to the satisfaction of the Certifier that: (a) the proposed building design, including facade, complies with the recommendations of the Noise and Vibration Assessment Report, prepared by ARUP dated 20 December 2019; (b) windows to learning areas would be non-opening; and (c) the design of mechanical ventilation systems complies with the recommendations of the Air Quality Assessment prepared by Arup and dated 18 March 2020.	Sighted Acoustics Detailed Design Report (Rev 007, Stantec, 21/01/2022).  Sighted Noise and Vibration Assessment Report (Rev B, Arup, 20/12/2019).  Sighted Noise Mitigation Design Certificate (Stantec, 26/08/2021).  Sighted Certifier Latest compliance checklist Aconex last dated 28 September 2021 from Certifier stating "Tasmin, See attached updated Crown Certificate (CC) Checklist, with notes on why certain items not satisfied etc to clarify why not ticked as completed, as well as Changes required design certs mark up to aid consultants in checking and amending."	Compliance has not been demonstrated.  <b>Non-compliance:</b> <b>No evidence provided verifying certifier satisfaction prior to the commencement of construction.</b>			

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	<b>Nominated Heritage Consultant</b>					
B30	Prior to the commencement of construction, a suitably qualified and experienced heritage consultant must be nominated to be engaged throughout the construction (including earthworks and demolition) of the project. The heritage consultant should provide input into the detailed design, provide heritage information to the site manager to impart on all construction workers and oversee the construction works (including earthworks and demolition) to minimise impact on items of state and local heritage on the site.	Sighted confirmation of engagement of Heritage and Archaeology Consultancy Services: - Heritage Archaeology: Curio Projects Pty Ltd dated 23/02/2021. - Heritage Architect: Purcell	Compliance has been demonstrated.			
	<b>Historical Archaeological Management</b>					
B31	Prior to any excavation works that may disturb archaeological 'relics', the Applicant must nominate a suitably qualified Excavation Director who complies with the Heritage Council of NSW's Criteria for Assessment of Excavation Directors (2019) to oversee and advise on matters associated with historic archaeology and advise the Department and Heritage NSW. The archaeologist must meet the criteria for the proposed activity and significance level. The Excavation Director must be present to oversee the excavation and advise on archaeological issues. The Excavation Director must be given the authority to advise on the duration and extent of oversight required to ensure that archaeological 'relics' are recorded to an adequate standard. Details of the Excavation Director must be provided to Heritage NSW and the Planning Secretary.	Sighted submission of Excavation Director details to DPIE dated 05/03/2021.  Sighted letter from Heritage NSW dated 28/01/2021 (Ref: DOC20/1061833) confirming acceptance of Excavation Director under B31.	Compliance has been demonstrated.			
B32	Prior to any excavation works that may disturb archaeological 'relics', the Applicant must prepare an Archaeological Research Design and Excavation Methodology in consultation with Heritage NSW to monitor and manage archaeological remains on the site. The Archaeological Research Design and Excavation Methodology must be submitted to the satisfaction of the Planning Secretary and a copy of the approved Archaeological Research Design and Excavation Methodology provided to Heritage NSW.	Sighted email from DPIE dated 12/05/2021 confirming receipt of revised Archaeology Research Design and Excavation Methodology (Condition B32). DPIE approval confirmed on 12/05/21.  Sighted letter from Heritage NSW dated 28/01/2021 (Ref: DOC20/1061833) confirming ARD, version 3 is considered satisfactory.	Compliance has been demonstrated.			
	<b>Archival Photographic Documentation</b>					
B33	Prior to the commencement of demolition works, or alternative timing as agreed to in writing by the Planning Secretary, a photographic archival record of the external and internal areas of the heritage items on site (including the Fort Street Public School Building, the Meteorology Building and the Messenger's Cottage) and all other items of heritage significance on the site identified in the Heritage Impact Statement prepared by Curio Projects Pty Ltd dated March 2020 must be prepared in accordance with the NSW Heritage Branch guidelines titled Photographic Recording of Heritage Items using Film or Digital Capture. The record must include the site's setting on Observatory Hill and views from key vantage points.	No photographic archival record of the external and internal areas of the heritage items on site (including the Fort Street Public School Building, the Meteorology Building and the Messenger's Cottage) and all other items of heritage significance on the site was provided to verify compliance.  Sighted correspondence from Lendlease to Root Partnerships 25/02/2021 with an attachment referencing Fort Street Public School-Photographic Archival Reporting by Curio Projects Pty Ltd (15/02/2021). Sighted email dated 06/05/2021 from Lendlease to Root Partnerships referencing revised archival recording by Curio Projects.  Sighted amended final report Fort Street Photo Archival Recording, Curio Projects dated 06/05/2021.  Sighted letter from DPIE to SINSW dated 11/05/2021 providing an extension of time due to health and safety restrictions on access to the MET Building until the building can be made safe.  Letter from SINSW dated 10/06/2021 to Heritage NSW (REF: DOC 21/463377). Notification of the extension approved by DPIE.  Sighted submission of Archival Recording for MET building to DPIE.  Sited Photo Archival Recording- Addendum Phase 2 (Rev 1, Curio Projects, 26 November 2021).	Compliance has been demonstrated.			
B34	The photographic archival record prepared under condition B33 must be updated (at least every 4 months from the commencement of construction, or otherwise advised in writing by the nominated heritage consultant, or alternative timing as agreed to in writing by the Planning Secretary) to record any major construction changes which have the potential to impact the site's setting on Observatory Hill and views from key vantage points.	Sighted approval of timing extension to complete Photographic Archival Recording from DPIE on 9/11/2021. Extension granted to 12 May 2022.  Sighted Photo Archival Recording- Phase 2 (Rev 2, Curio Projects, 111 October 2021).  Sighted submission Photo Archival Record for Phase 2/ MET Building to DPIE.	Compliance has been demonstrated.			
B35	Within 12 months of completing the archival recording prepared under conditions B33 and B34, a digital copy must be provided to Heritage NSW and Council.	NA timing has not lapsed.	Not triggered.			

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	<b>Biodiversity</b>					
B36	Prior to the commencement of vegetation clearing, the class and number of species credits in the table below must be retired to offset the residual biodiversity impacts of the development.	<p>Sighted biodiversity offset calculator totalling \$4,769.91 (calculated on 26/04/2021) for 2 x Magenta Lilly Pilly.</p> <p>Sighted completed application form 'Application for payment into the Biodiversity Conservation Fund for an offset obligation in NSW' submitted 26/04/2021.</p> <p>Sighted tax invoice for payment into the biodiversity conservation trust dated 14/05/2021.</p> <p>Sighted confirmation email and certificate dated 28/05/2021 from NSW Biodiversity Conservation Trust that demonstrates biodiversity credit obligation has been met.</p>	Compliance has been demonstrated.			
B37	The requirement to retire credits in condition B36 may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the Biodiversity Offsets Payment Calculator.	<p>Sighted completed application form 'Application for payment into the Biodiversity Conservation Fund for an offset obligation in NSW' submitted 26/04/2021.</p> <p>Sighted tax invoice for payment into the biodiversity conservation trust dated 14/05/2021.</p>	Compliance has been demonstrated.			
B38	Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of condition B36 must be provided to the Planning Secretary prior to carrying out development that will impact on biodiversity values.	Sighted confirmation email from DPIE dated 24/05/2021 acknowledging receipt of the Retirement of Biodiversity Offset Credits_B38 for the Fort Street Public School.	Compliance has been demonstrated.			
B39	Prior to the commencement of demolition works, microbat surveys must be undertaken by a suitably qualified person in accordance with the recommendations of Section 2.2.4 of the Biodiversity Development Assessment Report.	Sighted Microbat Survey Letter Report from Eco Logical dated 14/01/2021 (REF: 20SYD-17542).	Compliance has been demonstrated.			
B40	If the surveys undertaken under condition B39 identify the presence of microbats, species credit requirements must be calculated in accordance with the Biodiversity Assessment Method.	<p>Microbat Survey Letter Report from Eco Logical dated 14/01/2021 (REF: 20SYD-17542) concluded:</p> <ul style="list-style-type: none"> <li>- No microbats were observed during emergence surveys.</li> <li>- As a result of the targeted survey, species credits calculations or payments (as referenced in B40-43) are not required in accordance with the BAM.</li> <li>- Given that microbats were not identified as roosting within the building, the preparation of a microbat management plan is not required.</li> </ul>	Not triggered.			
B41	Prior to the commencement of demolition works, any class and number of species credits calculated in accordance B40 must be retired to offset the residual biodiversity impacts of the development.	See B40.	Not triggered.			
B42	The requirement to retire species credits in condition B41 may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the Biodiversity Offsets Payment Calculator.	See B40.	Not triggered.			
B43	Evidence of the retirement of species credits or payment to the Biodiversity Conservation Fund in satisfaction of condition B41 must be provided to the Planning Secretary prior to carrying out development that will impact on biodiversity values.	See B40.	Not triggered.			
	<b>Tree Protection</b>					
B44	<p>Prior to the commencement of any works that impact Tree No. 16 and Tree No. 20 (as identified in the Arboricultural Development Impact Assessment Report prepared by Birds Tree Consultancy dated 11 September 2020), the Applicant must:</p> <p>a) engage a Level 5 (Australian Qualification Framework) arborist to undertake an evaluation to determine the methods and measures required to retain Tree No. 16 and Tree No. 20; and</p> <p>(b) submit a report documenting the findings of the evaluation to the satisfaction of the Planning Secretary that includes methods and measures to retain the trees.</p>	<p>Sighted confirmation to DPIE dated 07/07/2021 that a review of the Arboricultural Development Impact Assessment Report, Rev F approved under Condition B44 &amp; B45 Tree Protection on 12 March 2021, has been undertaken.</p> <p>Sighted confirmation from DPIE dated 12/03/2021 that the requirements of Conditions B44 and B45 have been met.</p>	Compliance has been demonstrated.			
B45	Prior to the commencement of any works that impact Tree No. 1 (as identified in the Arboricultural Development Impact Assessment Report prepared by Birds Tree Consultancy dated 11 September 2020), the Applicant must engage a Level 5 (Australian Qualification Framework) arborist to undertake a detailed risk assessment of Tree No. 1 and recommend tree protection measures sufficient to enable the long-term health and stability of the tree. A report documenting findings and recommendations, including any design modifications required to ensure the long-term health and stability of Tree No. 1 must be submitted to the satisfaction of the Planning Secretary.	Sighted confirmation from DPIE dated 12/03/2021 that the requirements of Conditions B44 and B45 have been met.	Compliance has been demonstrated.			

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
	<b>Construction and Demolition Waste Management</b>					
B46	Prior to the commencement of the removal of any waste material from the site, the Applicant must notify the TfNSW Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the site.	Sighted email "Re: Fort Street Public School - SSD 10340 Consent Condition B46 - Notification to TfNSW Traffic Management Centre Waste Truck Routes" dated 28/04/2021.  TfNSW responded 11/05/2021 that CoC B46 had been met.	Compliance has been demonstrated.			
	<b>Operational Waste Storage and Processing</b>					
B47	Prior to the commencement of construction of waste storage and processing areas, the Applicant must obtain agreement from Council for the design of the operational waste storage area (where waste removal will be undertaken by Council). Where waste removal will be undertaken by a third party, evidence must be provided to the Certifier that the design of the operational waste storage area: (a) is constructed using solid non-combustible materials; (b) is designed to ensure the door/gate to the waste storage area is vermin proof and can be openable from both inside and outside the storage area at all times; (c) includes a hot and cold water supply with a hose through a centralised mixing valve; (d) is naturally ventilated or an air handling exhaust system must be in place; and (e) includes signage to clearly describe the types of materials that can be deposited into recycling bins and general garbage bins.	Sighted correspondence from Council identifying that Council approval of design is only required where waste removal is undertaken by Council (20/09/2021).  Sighted correspondence demonstrating Certifier satisfaction with evidence (7/12/2021).	Compliance has been demonstrated.			
	<b>Construction Access Arrangements</b>					
B48	Prior to the commencement of construction, evidence of compliance of construction access arrangements with the following requirements must be submitted to the Certifier: (a) all vehicles must enter and leave the site in a forward direction; (b) the swept path of the longest construction vehicle entering and exiting the site in association with the new work, as well as manoeuvrability through the site, is in accordance with the latest version of AS 2890.2; and (c) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, has been addressed.	Sighted Aconex transmission dated 10/05/21 transmission of CEMP (Rev D) and relevant sub plans to the Certifier. Section 3.4 address site access arrangements.  Sighted Aconex transmission dated 07/04/21 CTPMSP to the Certifier.	Compliance has been demonstrated.			
	<b>Operational Access Arrangements</b>					
B49	Prior to the commencement of construction of operational access facilities, evidence of compliance of the design of operational access arrangements with the following requirements must be submitted to the Certifier: (a) the swept path of the largest service vehicle entering and exiting the site in association with the new work, as well as manoeuvrability through the site, must be in accordance with the latest version of AS 2890.2.	Commencement of construction of operational access facilities has not occurred.	Not triggered.			
	<b>Upper Fort Street / Bradfield Tunnel Services Building Alterations</b>					
B50	Prior to the commencement of works to the Bradfield Tunnel Services Building and associated widening of Upper Fort Street proposed in the EIS and refined in the Response to Submissions, the Applicant must submit plans and technical specifications for the proposed works to the satisfaction of the relevant roads authority. Note: -Approval must be obtained for roadworks under section 138 of the Roads Act 1993. -Any proposals for alterations to the public road involving traffic and parking arrangements must be designed in accordance with RMS Technical Directives and must be referred to and agreed to by the Local Pedestrian, Cycling and Traffic Calming Committee. -All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City's 'Sydney Streets Technical Specification' including amendments and 'Sydney Streets Design Code'	Project confirmed applicable to Stage 4 works which are yet to commence.  Consultation with TfNSW is ongoing.	Not triggered.			
	<b>Road Safety Audit</b>					
B51	Within three months of the commencement of construction, a Road Safety Audit of the access arrangements for the school, including the drop-off and pick-up area, in accordance with Austroads Guide to Road Safety Part 6: Managing Road Safety Audits and Austroads Guide to Road Safety Part 6A: Implementing Road Safety Audits must be undertaken an independent TfNSW accredited road safety auditor. Based on the results of the road safety audit, the Applicant must review the school drop-off and pick-up arrangements and implement safety measures, if required, in consultation with the Sydney Coordination Office within TfNSW.	Sighted Road Safety Audit dated 19/08/21 Ref: JN22008_Report01 Rev02 - Lendlease FSPS Construction).  The Audit noted 3 audit findings in Section 9. Finding 1 requires the Project to install line marking as per the site establishment plan and as shown on the CTPMP. Finding 2 and 3 have been referred to Council to rectify.	Compliance with condition has been demonstrated.			
	<b>Alignment Levels</b>					

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
B52	Prior to the commencement of construction (excluding earthworks and demolition), alignment levels for the buildings and site frontages, as prepared by a Registered Surveyor and designed by a suitably qualified engineer, must be submitted to and approved by Council. The approved alignment levels must be incorporated into all plans relating to civil, draining and public domain works.	Project confirmed applicable to Stage 4 works which are yet to commence.  Consultation with CoS is ongoing.	Not triggered.			
B53	If the proposed detailed design of the public domain requires changes to any the approved alignment levels, then the amended alignment levels must be submitted to and approved by Council prior to the construction of any footpath or public domain works. <i>Note: The submission of alignment levels to Council must be in accordance with the City of Sydney's Public Domain Manual and accompanied with a completed Levels and Gradients Approval Application form.</i>	Project confirmed applicable to Stage 4 works which are yet to commence.  Consultation with CoS is ongoing.	Not triggered.			
	<b>Public Domain Works</b>					
B54	Prior to the commencement of construction of any footpath or public domain works, a Public Domain Works Deposit must be submitted to Council as an unconditional bank guarantee or insurance bond as per Council's Performance Bond Policy in favour of Council as security for completion of the obligations under this consent (Guarantee). The Guarantee amount will be determined by Council's Public Domain section. The Guarantee will be retained in full until all Public Domain works, including rectification of damage to the public domain, are completed to Council's standards and approval and the required certifications, warranties and works-as executed documentation are submitted and approved by Council in writing. Upon obtaining Council's approval, 90% of the security will be released and 10% will be retained for the duration of the specified Defects Liability Period.	No footpath or public domain works have commenced.  Project confirmed part of Stage 4 works which are yet to commence.	Not triggered.			
B55	Prior to the commencement of construction of works impacting the public domain, a detailed Public Domain Plan must be prepared by a suitably qualified architect, urban designer, landscape architect or engineer and must be lodged with Council's Public Domain Section and be approved by Council. The Public Domain Plan must document: (a) a set of hold points for approved public domain, civil and drainage work in accordance with the Council's Public Domain Manual and Sydney Streets Technical Specification; (b) all works required to ensure that the public domain complies with the City of Sydney's Public Domain Manual, Sydney Streets Code and Sydney Streets Technical Specification, including requirements for road pavement, footway pavement, kerb and gutter, drainage, vehicle crossovers, signage and other public domain elements; and (c) any approved or amended Alignment Levels if applicable.  <i>Note: All works to Council's public domain, including rectification of identified defects, are subject to a 6-month defects liability period from the date of final completion. The date of final completion will be nominated by Council on the Certificate of Practical Completion for public domain works.</i>	No construction works impacting the public domain have commenced.  Project confirmed part of Stage 4 works which are yet to commence.	Not triggered.			
B56	Prior to the commencement of construction works impacting the existing stone kerbs on the Upper Fort Street frontage of the site, appropriate measures are to be implemented to retain and protect the stone kerbs during excavation and construction. Stone kerbs which: (a) require cutting or temporary removal must obtain approval from Council; and (b) are damaged by the excavation and construction work, are to be replaced to match existing stones to Council's satisfaction or as otherwise advised by Council officer. <i>Note: - A temporary concrete kerb will need to be constructed to retain the Upper Fort Street footpath until the stone kerbs can be reinstalled. - The removed stone kerbs are to be reinstalled prior to the commencement of use in accordance with the Council's standard details and specifications. - All costs associated with the stone kerb shall be borne by the developer.</i>	Sighted email from City of Sydney Council dated 14/09/2021 confirming that there are no stone kerbs on the Upper Fort Street frontage.	Not triggered.			
	<b>Outdoor Lighting Strategy</b>					
B57	Prior to the installation of external lighting, an outdoor lighting strategy must be prepared for all external lighting, including the rooftop terrace. The strategy must be prepared in consultation with the Sydney Observatory and must detail the location and type of lighting proposed, along with the details of the proposed operational hours and management arrangements. The strategy must seek to minimise light spill from the site, particularly from rooftop terraces and related impacts to the Sydney Observatory and surrounding residential properties. The strategy must be submitted to the Certifier.	No external lighting works have commenced.  Consultation has occurred as evidenced by consultation records with Sydney Observatory on 22/01/2021.	Not triggered.			
	<b>Revised Landscape Plans</b>					

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				Compliant	Non-compliant	Not Triggered
B58	<p>Prior to commencement of construction, all landscape plans referenced in Condition A2 must be revised by a suitably qualified landscape architect and be submitted to the satisfaction of the Planning Secretary. The revised landscape plans must:</p> <p>(a) be consistent with the modifications to the architectural drawings approved under SSD-10340 Mod 1; and</p> <p>(b) achieve a tree canopy coverage of no less than 22% of the site (once all newly planted trees reach maturity). The 22% tree canopy coverage requirement must be achieved through amending the tree species to trees with a larger canopy and/or planting additional trees and comply with the following requirements:</p> <p>i) include trees of varying mature heights including heights of 6-8 metres, 10-15 metres and 20-30 metres</p> <p>ii) the trees are to be grown to Australian Standard 2303:2015 'Tree stock for landscape use', and</p> <p>iii) trees must be provided with adequate soil volumes to allow maturity to be achieved;</p> <p>(c) demonstrate the integration of proposed site landscaping, existing and proposed surface materials and structures on the site including furniture, paving, levels, services, drainage and watering systems;</p> <p>(d) provide details of earthworks and soil depths including finished levels and any mounding; and</p> <p>(e) provide planting details, and location, numbers, type and supply size of plant species, with reference to Australian Standards and preference for drought resistant species that contribute to habitat creation</p>	Not applicable to current works phase, forms part of Stage 5 works.	Not triggered.			
<b>Part C - During Construction</b>						
	<b>Site Notice</b>					
C1	<p>A site notice(s):</p> <p>(a) must be prominently displayed at the boundaries of the site during construction for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifier and Structural Engineer is to satisfy the following requirements;</p> <p>(b) 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;</p> <p>(c) the notice is to be durable and weatherproof and is to be displayed throughout the works period;</p> <p>(d) 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</p>	<p>Project site notice was observed at the project site boundary during the site visit on 02/02/2022 - See Appendix F Photo 1.</p> <p>The site notice identifies the content required by this condition and is in the form and position required.</p>	Compliance with condition has been demonstrated.			
	<b>Operation of Plant and Equipment</b>					
C2	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.	Lendlease plant and equipment certification stickers (including last service details) were observed on items of plant during site inspection 02/02/2022. See Appendix F Photo Log.	Compliance with condition has been demonstrated.			
	<b>Demolition</b>					
C3	Demolition work must comply with the demolition work plans required by Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001) and endorsed by a suitably qualified person as required by condition B15.	Sighted letter of compliance with AS2601: The demolition of structures issued by Salcorp Civil dated 10/06/21.	Compliance with condition has been demonstrated.			
	<b>Construction Hours</b>					
C4	<p>Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:</p> <p>(a) between 7am and 6pm, Mondays to Fridays inclusive; and</p> <p>(b) between 8am and 1pm, Saturdays.</p> <p>No work may be carried out on Sundays or public holidays.</p>	<p>Sighted sample Pegasus sign in register for 02/02/2022. For 15 of the 26 entries access has occurred outside of prescribed construction hours. The project advised on 25/02/2022 that workers are able to access the site amenities prior to 7am due to the mandatory conducting of prestarts and time for workers to mentally and physically prepare for the days works.</p> <p>Refer C16 which identifies no access outside of hours. C6 is taken to apply specifically to the performance of construction activities onsite.</p> <p>No complaints received to date.</p>	<p>Compliance with condition has been demonstrated.</p> <p><b>Observation:</b> Site has been accessed outside of prescribed construction hours. No visibility of nature of works to differentiate pre-start from construction works. No justification for access outside of the prescribed hours in CoC C4 is noted in the register.</p> <p>The Auditor notes that this observation was also referenced in the Initial Independent Audit #1 (Aspect, September 2021) and that the in the Proponents Response to Independent Audit Findings, the action to be implemented prior to next Independent Audit (Feb 2022).</p>			
C5	<p>Notwithstanding condition C4, provided noise levels do not exceed the existing background noise level plus 5dB, works may also be undertaken during the following hours:</p> <p>(a) between 6pm and 7pm, Mondays to Fridays inclusive; and</p> <p>(b) between 1pm and 4pm, Saturdays.</p>	No noise monitoring undertaken to date as no out of hours works have occurred.	Not triggered.			



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C6	Construction activities may be undertaken outside of the hours in condition C4 if required: (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or (c) where a variation is approved in advance in writing by the Planning Secretary or his nominee if appropriate justification is provided for the works.	No out of hours works have occurred.	Not triggered.			
C7	Notification of such construction activities as referenced in condition C6 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.	No out of hours works have occurred.	Not triggered.			
C8	Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours: (a) 9am to 12pm, Monday to Friday; (b) 2pm to 5pm Monday to Friday; and (c) 9am to 12pm, Saturday.	No rock breaking, rock hammering, sheet piling or pile driving has occurred on the project.  No complaints pertaining to excessive noise activities on the project to date.	Not triggered.			
	<b>Implementation of Management Plans</b>					
C9	The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans).	Inspections are carried out at regular intervals as per the CEMP.  No evidence to suggest the construction of the development is not being carried out in accordance with the CEMP and Sub-plans.	Compliance with condition has been demonstrated.			
	<b>Construction Traffic</b>					
C10	All construction vehicles (excluding site personnel vehicles) are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site or an approved on-street work zone before stopping.	Observed during site inspection on 02/02/2022 that construction personnel had parked 2 construction vehicles opposite Sydney Observatory and directly under tree canopy. Refer Appendix F Photo Log. One vehicle was parked displaying sign "Authorised Lendlease Workzone vehicle". The other vehicle was idling with one occupant. The second vehicle was observed 1.5 hours later departing with 4 workers.  Observed during site inspection on 02/02/2022 that contractor had parked vehicle on Watson Road. See Appendix F - Photo Log.  Sighted approval of on-street work zone from City of Sydney Council dated 19/08/2021. Noted that work zone is for Upper Fort Street 20m.	Compliance has not been demonstrated.  <b>Non-Compliance:</b> <b>Construction vehicles were observed during site inspection 02/02/2022 parked outside of the construction site and not in a Council approved on-street work zone. See Appendix F - Photo Log.</b>			
C11	Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building. For special operations (such as delivery of materials, hoisting of equipment, etc) permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.	No permits required to date.	Not triggered.			
C12	Special operations and the use of mobile cranes must comply with the approved hours of construction. Mobile cranes must not be delivered to the site prior to 7.30am without the prior approval of Council.	No permits required to date.	Not triggered.			
	<b>Hoarding Requirements</b>					
C13	The following hoarding requirements must be complied with: (a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; and (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.	No hoarding or graffiti issues were observed during the site audit 02/02/2022.  Sighted Hoarding Inspections dated from 05/05/21 to 17/02/22.	Compliance with condition has been demonstrated.			
	<b>No Obstruction of Public Way</b>					



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C18	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 (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).	There has been no identification of recorded incidents or complaints by local residents regarding perceived vibration impact from construction activities.	Not triggered.			
C19	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 C18.	No complaints have been identified as being received from local residents for any perceived excessive vibration generating activities from the project to date.	Not triggered.			
C20	The limits in conditions C18 and C19 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B19 of this consent.	N/A	Not triggered.			
<b>Tree Protection</b>						
C21	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; (b) all street trees immediately adjacent to the approved disturbance area must be protected at all times during construction in accordance with Council's tree protection requirements. Any street tree, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council; (c) all trees on the site that are not approved for removal, including Tree No.s 1, 16, 18, 19 and 20 must be suitably protected during construction in accordance with the recommendations of the Arboricultural Development Impact Assessment Report prepared by Birds Tree Consultancy dated 11 September 2020 and AS4970-2009 Protection of Trees on Development Sites; and (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.	Confirmed tree protection in place during site visit. Refer to Appendix F - Photo Log.  Previous Independent Audit made an observation that tree 18 was identified for removal. Fort Street Public School ARBORICULTURAL DEVELOPMENT IMPACT ASSESSMENT REPORT (10 June 2021 Rev G) states 'Tree 18 This tree will remain viable to be retained under the proposed development'.  Sighted correspondence from Arborist that Tree 18 is being retained per assessment report (10/12/2021).	Compliance with condition has been demonstrated.			
<b>Air Quality</b>						
C22	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	No visible dust emissions were noted during the site inspection 02/02/2022. The potential for dust onsite during the inspection was minimal given recent rainfall.	Compliance with condition has been demonstrated.			
C23	During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering; (b) all trucks entering or leaving the site with loads have their loads covered; (c) trucks associated with the development do not track dirt onto the public road network; (d) public roads used by these trucks are kept clean; and (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.	Observed during site inspection on 02/02/2022 that public roads were generally free from mud tracking see Appendix F Photo Log.  Stockpiles are being managed by covering with geofab.	Compliance with condition has been demonstrated.			
<b>Erosion and Sediment Control</b>						
C24	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. Erosion and sediment control techniques, as a minimum, are to be in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004) commonly referred to as the 'Blue Book'.	ErSed controls were observed to be in place and functioning as designed. Drain protection in place.  Sighted Erosion and Sediment Control Plan (Costin Roe, Issue H dated August 2020).  Sighted EHS Weekly Site Inspection #10 dated 07/07/2021 through 03/11/2021. Erosion (sed fences intact, sed ponds checked) on page 4. Work hazards notified and actioned with date to be completed by and sign off.	Compliance with condition has been demonstrated.			
<b>Imported Soil</b>						
C25	The Applicant must: (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site; (b) keep accurate records of the volume and type of fill to be used; and (c) make these records available to the Certifier upon request.	Sighted Imported Materials Register - FSPS (Rev 1) - Working Document. Identifies 23 deliveries of VENM material to site. Register also identifies volume (m3), source site and type.	Compliance with condition has been demonstrated.			

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	<b>Disposal of Seepage and Stormwater</b>					
C26	Adequate provisions must be made to collect and discharge stormwater drainage during construction to the Certifier. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.	Sighted copy of email approval from City of Sydney Council dated 29/06/21 to connect the Council's stormwater system for the purposes of dewatering the Fort Street School.  Sighted email from Council dated 05/07/21 confirming road opening permit is not required and confirmation that application fees have been paid.	Compliance with condition has been demonstrated.			
	<b>Emergency Management</b>					
C27	The Applicant must prepare and implement awareness training for employees and contractors, including locations of the assembly points and evacuation routes, for the duration of construction	Sighted Emergency Response Management Plan Rev 1.1 dated 30/06/21.  Sighted FSPS Environment, Health & Safety Project Induction COVID-19 Issue 1.0, Project Name: Fort Street Public School Revision: 1.6 23/01/2022. Slides 18 & 19 cover emergency evacuation and emergency assembly area.  Sighted Site Office Evacuation Diagram dated 24/01/2022. Required review every 6 months from issue date. See Appendix F - Photo Log.	Compliance with condition has been demonstrated.			
	<b>Stormwater Management System</b>					
C28	Within three months of the commencement of construction, the Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Council and TfNSW where required, unless otherwise agreed to by the Planning Secretary in writing. The system must: (a) be designed by a suitably qualified and experienced person(s); (b) be generally in accordance with the conceptual design in the EIS; (c) be in accordance with applicable Australian Standards and the City of Sydney's Stormwater Drainage Manual, technical specifications, standards and policies; (d) incorporate on-site detention in accordance with Sydney Water requirements; (e) incorporate appropriate water quality measures; and (f) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines.	This condition was staged. Condition to be satisfied within three months of commencement of stage 3.	Not triggered.			
	<b>Unexpected Finds Protocol- Aboriginal Heritage</b>					
C29	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 EES Group 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 EES Group to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of EES Group.	NA - no new objects discovered in the audit period.	Not triggered.			
C30	Construction works must be carried out in accordance with the recommendations of Section 6 of the Aboriginal Cultural Heritage Assessment Report (ACHAR), prepared by Curio Projects Pty Ltd and dated 15 July 2020.	Noted.	Not triggered.			
	<b>Unexpected Finds Protocol- Historic Heritage</b>					

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
C31	If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the Heritage NSW 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 the Heritage NSW.	<p>Sighted notification from Curio Projects (Heritage Consultant) to Heritage NSW of an unexpected heritage find on 24/06/21. Uncovered during site establishment east of the Messenger's Cottage. Two copper nested basins, 1.2m in diameter and set in a concrete base, were uncovered.</p> <p>Section 5.3.1 of CEMP unexpected finds states not to move item, take a photo and forward to the archaeologist and they will discuss and advise the next step which may include, but not be limited to:</p> <ul style="list-style-type: none"> <li>- A site visit by the archaeologist;</li> <li>- An instruction to move the item;</li> <li>- No further action required.</li> </ul> <p>Sighted correspondence from Curio to Lendlease confirming movement to a secure enclosed location and seek further advice and assessment of significance.</p> <p>Sighted submission to Heritage NSW dated 12/01/2022 identifying Notification for s146 Discovery of Relic Notification. No response received to date.</p> <p>Sighted notification from Project to Curio Projects dated 17/09/2021 identifying unexpected find to the sub floor of the MET Building and exclusion zone. Sighted email from Curio Projects to Project approval to remove exclusion zone and continue works.</p>	Compliance with condition has been demonstrated.			
	<b>Waste Storage and Processing</b>					
C32	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 02/02/22 confirmed waste secured and maintained within designated waste storage areas.	Waste was observed to be segregated, secured and confined to the site.			
C33	All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).	<p>Sighted Lend Lease - Waste Management Report - Upper Fort St - 1 DEC 2021 - 31 JAN 2022.</p> <p>One removal from site on 10/01/2022 (tipping receipt GTS1208956-1) destination Bingo Alexandria 11.54 tonnes.</p>	Compliance with condition has been demonstrated.			
C34	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 2/02/2022 verified concrete waste being stored in concrete washout bags ready for disposal offsite See Appendix F Photo Log.	Compliance with condition has been demonstrated.			
C35	The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.	Sighted Lend Lease - Waste Management Report - Upper Fort St - 1 DEC 2021 - 31 JAN 2022. Identifies total quantity generated, % of total and total recovered for each construction and demolition waste type.	Compliance with condition has been demonstrated.			
C36	The Applicant must ensure that the 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 is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.	<p>Sighted Lend Lease - Waste Management Report - Upper Fort St - 1 DEC 2021 - 31 JAN 2022. Hazardous materials not captured in report.</p> <p>No evidence provided to demonstrate compliance.</p>	<p>Compliance with condition has not been demonstrated.</p> <p><b>Non-compliance:</b> No evidence provided to verify the 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 was completed in accordance with the requirements of the relevant legislation, codes, standards and guidelines.</p>			
	<b>Outdoor Lighting</b>					
C37	The Applicant must ensure that all external lighting is constructed and maintained in in accordance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting.	NA	Not triggered.			
	<b>Site Contamination</b>					

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
C38	Remediation of the site must be carried out in accordance with: (a) the Remedial Action Plan prepared by JBS&G and dated 19 June 2020; and (b) any variations to the Remediation Action Plan (which must be approved by the Site Auditor) or unexpected find protocol (condition B17).	Sighted Remediation Action Plan Rev 0 (JBS&G 14/010/19). Section 5.5 Remedial Scope of Works: <i>"The proposed scope of remedial works will be limited to the management of contaminated soils via on-site in situ management of the soil by physical separation, and ongoing management. As such, only materials considered to be surplus to construction requirements will be disposed from the site"</i> .  No material identified for offsite disposal to date.	Not triggered.			
C39	If work is to be carried out / completed in stages, the Site Auditor must confirm satisfactory completion of each stage by the issuance of Interim Audit Advice(s).	NA	Not triggered.			
C40	The applicant must ensure the proposed development does not result in a change of risk in relation to any pre-existing contamination on the site that would result in significant contamination.	NA	Not triggered.			
<b>Historical Archaeological Management</b>						
C41	Archaeological excavation must be undertaken in accordance with the Archaeological Research Design and Excavation Methodology approved under condition B31 and be directed by a suitably qualified and experienced excavation director who fulfils Heritage Council of NSW's Criteria for Assessment of Excavation Directors (2019). Areas of state significant archaeology and substantially intact archaeological evidence must be appropriately managed and avoided wherever possible in the design.	Archaeological Excavation has been undertaken with excavation report is in progress.  Sighted 'Acknowledgment receipt of details of the Nominated Excavation Director – Condition B31' from DPIE dated 26/03/2021.	Compliance with condition has been demonstrated.			
C42	A final excavation report must be prepared within 12 months of the completion of the archaeological works on site. It should include details of any artefacts recovered, where they are located and details for their ongoing conservation and protection in perpetuity by the land owner. Copies must be provided to the Planning Secretary and Heritage NSW.	Archaeological Excavation has been undertaken however excavation report is in progress. Report to be submitted 12 months post excavation - not triggered.	Not triggered.			
<b>Independent Environmental Audit</b>						
C43	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the or commencement of an Independent Audit.	Sighted written approval of independent audit team by Planning Secretary - dated 06/04/21.	Compliance with condition has been demonstrated.			
C44	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements.	This audit.  Previous independent environmental audit completed by Aspect Environmental in September 2021.	This audit occurred in the time frame specified in the IAPAR.			
C45	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 week's notice to the Applicant of the date or timing upon which the audit must be commenced.	NA	Not triggered.			
C46	In accordance with the specific requirements in the Independent Audit Post Approval Requirements, the Applicant must: (a) review and respond to each Independent Audit Report prepared under condition C44 of this consent, or condition C45 where notice is given; (b) submit the response to the Planning Secretary; and (c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Planning Secretary.	Sighted publication of Proponent's response to IEA Report (21/09/2021), publicly available on the Schools Infrastructure Website.  Sighted evidence of submission of Independent Audit and Proponents Response to DPIE.  Sighted Aconex (mail number RPA-GCOR-001400) sent 06/10/2021 confirming that the Independent Environmental Report and Response Report has been submitted to the Planning Secretary.	Compliance with condition has been demonstrated.			
C47	Independent Audit Reports and the applicant/proponent's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements unless otherwise agreed by the Planning Secretary.	Independent Audit #1 (Aspect 2021) site inspection completed 11/08/2021.  Sighted evidence of submission of Independent Audit and Proponents Response to DPIE. Sighted Aconex (mail number RPA-GCOR-001400) sent 06/10/2021 confirming that the Independent Environmental Report and Response Report has been submitted to the Planning Secretary.	Compliance with condition has been demonstrated.			
C48	Notwithstanding the requirements of the Independent Audit Post Approval Requirements, the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.	No requests issued.	Not triggered.			
<b>Appendix 2: Advisory Notes</b>						
	General					

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
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.	NA	Noted.			
	<b>Long Service Levy</b>					
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.	Sighted Levy Receipt No. 487129 dated 04/06/21.	Compliant			
	<b>Legal Notices</b>					
AN3	Any advice or notice to the consent authority must be served on the Planning Secretary.	NA	Not triggered - No legal notices served.			
	<b>Access for People with Disabilities</b>					
AN4	The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the Certifier must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.	Not applicable to current works phase.	Not triggered.			
	<b>Utilities and Services</b>					
AN5	Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Sighted email dated 29/11/2021 confirming Zinfra gas disconnection and meters removed.  Sighted Completion Notice dated 14/09/2021 from Telstra confirming asset relocation completed.	Compliant			
AN6	Prior to the commencement of above ground 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.	Sighted email dated 29/11/2021 confirming Zinfra gas disconnection and meters removed.  Sighted Completion Notice dated 14/09/2021 from Telstra confirming asset relocation completed.  Sighted email dated 12/05/2021 Offer Acceptance - Ausgrid Project AN-20490 MILLERS POINT - UPPER FORT STREET, MILLERS POINT.	Compliant			
	<b>Road Design and Traffic Facilities</b>					
AN7	All roads and traffic facilities must be designed to meet the requirements of Council or TfNSW (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.	NA	Not triggered.			
	<b>Road Occupancy Licence</b>					
AN8	A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.	No road occupancy licence required.	Not triggered.			
	<b>SafeWork Requirements</b>					
AN9	To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.	The site was observed to be well secured during the site inspection 02/02/2022.  Access to the site can only be gained by approved construction and delivery personnel with a sign-in process in place to record entry and exit from site.	General compliance with this condition has been demonstrated.			
	<b>Hoarding Requirements</b>					
AN10	The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.	NA	Not triggered.			
	<b>Handling of Asbestos</b>					
AN11	The Applicant must 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.	Asbestos is not specifically referenced in the Waste Management Sub Plan and no reference is made to consultation with SafeWork NSW.  Sighted Hazardous Materials removal methodology Salcorp Civil dated 23/06/2021. Document references SafeWork NSW notifications: Demo - 941R-00313345-01 Friable Asbestos - 943R-00313346-01 Non friable Asbestos - 940R-00313358-01	General compliance with this condition has been demonstrated.			
	<b>Speed Limit Authorisation</b>					

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
AN12	At least eight weeks prior to the commencement of operation, the Applicant must submit the following details to TfNSW and obtain authorisation to install School Zone signs and associated pavement markings, and / or removal / relocation of any existing Speed Limit signs: (a) a copy of the conditions of consent; (b) the proposed school commencement/opening date; (c) two sets of detailed design plans showing the following: (i) accurate Site boundaries; (ii) details of all road reserves, adjacent to the Site boundaries; (iii) all proposed access points from the Site to the public road network and any additional conditions imposed/proposed on their use; (iv) all existing and proposed pedestrian crossing facilities on the adjacent road network; (v) all existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings); and (vi) all existing and proposed street furniture and street trees.	NA	Not triggered.			
	<b>Fire Safety Certificate</b>					
AN13	The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.	NA	Not triggered.			
<b>Appendix 1: Written Incident Notification and Reporting Requirements</b>						
Appendix 1 (1)	A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary through the major projects portal 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 A25 or, having given such notification, subsequently forms the view that an incident has not occurred.	NA	Not triggered - None to date.			
Appendix 1 (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.	NA	Not triggered - None to date.			
Appendix 1 (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.	NA	Not triggered - None to date.			
Appendix 1 (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.	NA	Not triggered - None to date.			
<b>Part D-Prior to Commencement of Operation Conditions</b>						
	<b>Notification of Occupation</b>					
D1	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 in writing. 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.					
	<b>External Walls and Cladding</b>					
D2	Prior to commencement of operation, the Applicant must provide the Certifier 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.					
D3	The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.					
	<b>Works as Executed Plans</b>					
D4	Prior to the commencement of operation, 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 Certifier.					



Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
	<b>Works as Executed Plans- Public Domain</b>					
D5	Prior to the commencement of operation, works-as-executed drawings in accordance with the City of Sydney's Public Domain Manual and Sydney Streets Technical Specification, including requirements for as-built documentation, certification, warranties and the defects liability period, signed by a registered surveyor must be submitted to and accepted by Council for all public domain works.					
	<b>Warm Water Systems and Cooling Systems</b>					
D6	The installation 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 1 (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.					
	<b>Outdoor Lighting</b>					
D7	Prior to the commencement of operation, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and: (a) complies with the Outdoor Lighting Strategy prepared in accordance with condition B57 and the latest version of AS 4282-2019 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and (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.					
	<b>Mechanical Ventilation</b>					
D8	Prior to commencement of operation, the Applicant must provide evidence to the satisfaction of the Certifier that the installation and performance of the mechanical ventilation systems complies with: (a) AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings and other relevant codes; and (b) any dispensation granted by Fire and Rescue NSW.					
	<b>Operational Noise – Design of Mechanical Plant and Equipment</b>					
D9	Prior to the commencement of operation, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the Noise and Vibration Impact Assessment prepared by ARUP and dated 20 December 2019 have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Environmental Noise Assessment.					
	<b>Fire Safety Certification</b>					
D10	Prior to commencement of occupation, 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.					
	<b>Structural Inspection Certificate</b>					
D11	Prior to the commencement of occupation of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the Certifier. 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: (a) the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and (b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.					
	<b>Compliance with Food Code</b>					
D12	Prior to the commencement of operation, 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 Certifier.					
	<b>Post- Construction Dilapidation Report</b>					

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
D13	Prior to commencement of operation, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is: (a) to ascertain whether the construction created any structural damage to adjoining buildings or infrastructure; (b) to be submitted to the Certifier. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifier must: (i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and (ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads. (c) to be forwarded to Council.					
	<b>Protection of Public Infrastructure</b>					
D14	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development. <i>Note: This condition does not apply to any damage to roads caused as a result of general road usage.</i>					
	<b>Road Damage</b>					
D15	Prior to the commencement of operation, 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 must be met in full by the Applicant.					
	<b>Protection of Property</b>					
D16	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.					
	<b>Roadworks and Parking Restrictions</b>					
D17	Prior to the commencement of operation, the proposed works to the Bradfield Tunnel Services Building and widening of Upper Fort Street must be completed in accordance with the details approved under condition B50.					
D18	Prior to the commencement of operation, the proposed changes to parking restrictions on Upper Fort Street and Watson Road proposed in the EIS and refined in the Response to Submissions must be completed in accordance with the approval of Council. <i>Note:</i> - Any changes to kerb side parking arrangements requires a separate submission to be made to the Local Pedestrian, Cycling and Traffic Calming Committee via the City Infrastructure and Traffic Operations Unit. There is no guarantee kerb side parking will be changed or that any change will remain in place for the duration of the use. - The submission must include two plans. One showing the existing kerb side parking restriction signs and stems, the second showing the proposed kerb side parking restriction signs and stems. Both plans must include changes to all signs and stems from the kerb line of the nearest intersection. - All costs associated with the parking proposal will be borne by the Applicant. - Please contact the City's Traffic Engineer to discuss the proposal before making a submission.					
	<b>Kent Street- Sydney Harbour Bridge Cycleway</b>					
D19	Prior to the commencement of operation, the diversion of the Kent Street-Sydney Harbour Bridge cycleway must be discontinued and access along Upper Fort Street reinstated.					
	<b>Bicycle Parking and End-of-Trip Facilities</b>					

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
D20	Prior to occupation, compliance with the following requirements for secure bicycle and scooter parking and end-of-trip facilities must be submitted to the Certifier: (a) the provision of a minimum 5 staff and 30 student bicycle parking spaces; (b) the provision of a minimum 30 student scooter parking spaces; (c) the layout, design and security of bicycle facilities must comply with the minimum requirements of the latest version of AS 2890.3:2015 Parking facilities - Bicycle parking (with the exception of providing bicycle lockers), and be located in easy to access, well-lit areas that incorporate passive surveillance; (d) the provision of end-of-trip facilities for staff; (e) appropriate pedestrian and cyclist advisory signs are to be provided; and (f) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.					
	<b>School Zones</b>					
D21	Prior to the commencement of operation, all required School Zone signage, speed management signage and associated pavement markings along Upper Fort Street must be installed, inspected by TfNSW and handed over to TfNSW. <i>Note: Any required approvals for altering public road speed limits, design and signage are required to be obtained from the relevant consent authority.</i>					
D22	The Applicant must maintain records of all dates in relation to installing, altering and removing traffic control devices related to speed.					
	<b>School Transport Plans</b>					
D23	Prior to the commencement of operation, a School Transport Plan (STP), must be submitted to the satisfaction of the Planning Secretary. The plan must: (a) be prepared by a suitably qualified consultant in consultation with Council and TfNSW; (b) include arrangements to promote the use of active and sustainable transport modes, including: (i) objectives and modes share targets (i.e. site and land use specific, measurable and achievable and timeframes for implementation); (ii) specific tools and actions to help achieve the objectives and mode share targets; (iii) details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development; (c) include operational transport access management arrangements, including: (i) 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; (ii) the location of all bicycle and scooter parking spaces on the site; (iii) location and operational management procedures of the marshalling of students to prepare for drop-off and pick-up, including measures to physically separate the drop-off and pick-up zone from play areas, such as bollards and/or retractable barrier fencing; (iv) the location and operational management procedures of the drop-off and pick-up parking, including staff management/traffic controller arrangements; (v) location and operation management procedures of accessible drop-off and pick-up parking, including staff management/traffic controller arrangements, during and outside of drop-off and pick-up times;					
	<b>Conservation Management Plan</b>					
D24	Prior to the commencement of operation, the Applicant must revise the Conservation Management Plan prepared by Curio Projects Pty Ltd and dated March 2020. The Plan must: (a) be finalised by a suitably qualified and experienced heritage consultant in consultation with Heritage NSW; (b) be submitted to the Certifier; and (c) be submitted to the Planning Secretary and Heritage NSW for information.					
	<b>Heritage Interpretation Plan</b>					
D25	Prior to the commencement of operation, the Applicant must submit a Heritage Interpretation Plan to acknowledge the heritage of the site to the Certifier. The plan must: (a) be prepared by a suitably qualified and experienced expert in consultation with the Heritage NSW and Council; (b) include provision for naming elements within the development that acknowledges the site's heritage; and (c) incorporates interpretive information on the site.					

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
	<b>Utilities and Services</b>					
D26	Prior to commencement of operation, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the <i>Sydney Water Act 1994</i> .					
	<b>Stormwater Quality Management Plan</b>					
D27	Prior to the commencement of operation, a Stormwater Operation and Maintenance Plan (SOMP) is to be submitted to the satisfaction of the Certifier along with evidence of compliance with the SOMP. The SOMP must ensure the proposed stormwater quality measures remain effective and contain the following: (a) maintenance schedule of all stormwater quality treatment devices; (b) record and reporting details; (c) relevant contact information; and (d) Work Health and Safety requirements.					
	<b>Signage</b>					
D28	Prior to the commencement of operation, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.					
	<b>Operational Waste Management Plan</b>					
D29	Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development in consultation with Council and TfNSW and submit it to the Certifier. The Waste Management Plan must: (a) include a collection vehicle path analysis; (b) detail the waste collection service times outside of school hours, including before and after care services; (c) detail measures to mitigate conflicts between pedestrian, cyclists and drivers during waste collection activities; (d) detail the type and quantity of waste to be generated during operation of the development; (e) 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); (f) detail the materials to be reused or recycled, either on or off site; and (g) include the Management and Mitigation Measures included in Operational Waste Management Plan, dated 10 January 2020.					
	<b>Site Audit Statement</b>					
D30	Prior to the commencement of operation, the Applicant must submit a Section A1 Site Audit Statement or a Section A2 Site Audit Statement accompanied by an Environmental Management Plan prepared by a NSW EPA accredited Site Auditor. The Section A1 or A2 Site Audit Statement must verify the relevant part of the site is suitable for the intended land use. A copy of the Site Audit Statement and any Environmental Management Plan must be provided to the Certifier, Planning Secretary and Council for information.					
	<b>Landscaping</b>					
D31	Prior to the commencement of operation, landscaping and fencing of the site must be completed in accordance with the: (a) Phase 1 landscape plan(s) listed in condition A2(d) if the Kent Street-Sydney Harbour Bridge Cycleway upgrade has not been completed; or (b) Phase 2 landscape(s) plan listed in condition A2(d) if the Kent Street-Sydney Harbour Bridge Cycleway upgrade has been completed, or alternative access to a cycleway (as provided by TfNSW) is available, such that the cycleway/walkway has been permanently diverted around the boundaries of the site.					
D32	Prior to the commencement of operation, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping on-site, to the Certifier. The plan must: (a) describe the ongoing monitoring and maintenance measures to manage revegetation and landscaping; and (b) be consistent with the Applicant's Management and Mitigation Measures at Section 7 of the EIS.					
	<b>Consolidation of Lots</b>					
D33	Prior to the commencement of operation, Lots 106, 107 and 108 in DP 748340, Lots 2,3,4 and 9 in DP 73259 and Lot 2 in DP 244444 must be consolidated into one lot on title in accordance with the Plan of Lot Consolidation, prepared by RPS Aust. East Pty Ltd, and the plan lodged with the NSW Land Registry Services.					
<b>PART E - Post Occupation Conditions</b>						
	<b>Out of Hours Event Management Plan</b>					

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
E1	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: (a) the number of attendees, time and duration; (b) arrival and departure times and modes of transport; (c) where relevant, a schedule of all annual events; (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); (e) details of the use of the school hall, where applicable, restricting use before 8am and after 10pm; (f) details of the use of the rooftop terrace, where applicable, restricting use before 8am and after 8pm; (g) measures to minimise localised traffic and parking impacts; and (h) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.					
E2	The Out of Hours Event Management Plan (School Use) must be implemented by the Applicant for the duration of the identified events or use.					
E3	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: (a) the number of attendees, time and duration; (b) arrival and departure times and modes of transport; (c) where relevant, a schedule of all annual events; (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); (e) details of the use of the school hall, where applicable, restricting use before 8am and after 10pm; (f) details of the use of the rooftop terrace, where applicable, restricting use before 8am and after 8pm; (g) measures to minimise localised traffic and parking impacts; and (h) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.					
E4	The Out of Hours Event Management Plan (Community Use) must be implemented by the Applicant for the duration of the identified community event or use.					
	<b>Operation of Plant and Equipment</b>					
E5	All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner.					
	<b>Warm Water Systems and Cooling Systems</b>					
E6	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.					
	<b>Community Communication Strategy</b>					
E7	The Community Communication Strategy, as submitted to the Certifier, must be implemented for a minimum of 12 months following the completion of construction.					
	<b>Heritage Interpretation Plan</b>					
E8	The Applicant must implement the most recent version of the Heritage Interpretation Plan approved under condition D25.					
	<b>Conservation Management Plan</b>					
E9	The Applicant must implement the most recent version of the Conservation Management Plan approved under condition D24.					
	<b>Environmental Management Plan</b>					
E10	Upon completion of remediation works, the Applicant must manage the site in accordance with the Environmental Management Plan approved by the Site Auditor (if any) under condition D30 and any on-going maintenance of remediation notice issued by EPA under the <i>Contaminated Land Management Act 1997</i> .					
	<b>Operational Noise Limits</b>					

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status		
				Compliant	Non-compliant	Not Triggered
E11	The Applicant must ensure that noise generated by operation of the development, including noise from use of rooftop areas, all mechanical plant and equipment, public address systems, bells and alarms and other audible communication devices does not exceed the noise limits set out in Noise and Vibration Assessment Report, prepared by ARUP dated 20 December 2019 and S4.55 Modification Acoustic Cover Statement, prepared by Stantec and dated 9 February 2021.					
E12	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 or other timeframe approved by the Planning Secretary to verify that operational noise levels do not exceed the noise limits set out in Noise and Vibration Assessment Report, prepared by ARUP dated 20 December 2019. 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.					
	<b>School Transport Plan</b>					
E13	The School Transport Plan required by condition D23 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.					
	<b>Ecologically Sustainable Development</b>					
E14	Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 4 star Green Star Design & As Built rating. If required to be obtained, evidence of the certification must be provided to the Certifier and the Planning Secretary. If an alternative certification process has been agreed to by the Planning Secretary under condition B13, evidence of compliance of implementation must be provided to the Planning Secretary and Certifier.					
	<b>Outdoor Lighting</b>					
E15	Notwithstanding condition D7, 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.					
	<b>Landscaping</b>					
E16	Unless already completed in accordance with condition D31(b), within three months of the completion of the Kent Street-Sydney Harbour Bridge Cycleway upgrade (by TfNSW), such that the cycleway/walkway has been permanently diverted around the boundaries of the site, landscaping and fencing must be altered to comply with the Phase 2 landscape plan(s) listed in condition A2(d), unless otherwise agreed to by the Planning Secretary in writing.					
E17	The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition D31 for the duration of occupation of the development.					
	<b>Operational Waste Management Plan</b>					
E18	The Operational Waste Management Plan required by condition D23 must be implemented unless otherwise agreed by the Planning Secretary.					
	<b>Trafficable Rooftops</b>					
E19	Use of the trafficable rooftops must be limited as follows: a) the rooftop of the Meteorology Building must not be used for student outdoor play but can be used for student outdoor learning; b) the Level 2 rooftop, shared between Building J and Building H, can be used for student outdoor play and learning; c) the Level 3 rooftop of Building J must not be used for student outdoor play but can be used for student outdoor learning; and d) the rooftop of the Meteorology Building can be used for community use subject to the relevant requirements of Conditions E1, E2, E3 and E11.					
E20	Prior to the installation of any safety protection structures required on the trafficable rooftops, the design of the structures must be prepared in consultation with a suitably qualified and experienced heritage consultant and Heritage NSW and be submitted to the Planning Secretary for approval.					

## Appendix B – Audit Team Agreement

Ms Karissa Kendall  
Level 8, 259 George Street  
SYDNEY NSW 2000

06/04/2021

Dear Ms Karissa Kendall

**Fort Street Public School (SSD-10340) - Request for agreement for auditors**

I refer to the submission SSD-10340-PA-6 seeking the agreement of the Secretary of the Department of Planning, Industry & Environment (the Department) of a suitability qualified, experienced and independent audit team to undertake independent audits of the Fort Street Public School Redevelopment SSD-10340 (the 'Consent').

In accordance with Condition C43 of the Consent and the Independent Audit Post Approval Requirements, the Secretary has agreed to the following audit team:

- Mr Richard Johnson;
- Mr Mathew Williams; and
- Ms Caitlin Johnson.

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

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

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

Notwithstanding the agreement for the above listed audit team for this Project, each respective project approval or consent requires a request for the agreement to the auditor or audit team be submitted to the Department, for consideration of the Secretary. Each request is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor or audit team will be considered.

If you wish to discuss the matter further, please contact Emmanuel Smith-Aspros on 02 8275 1232.

Yours sincerely




Rob Sherry  
Team Leader Compliance - Government Projects  
Compliance



As nominee of the Planning Secretary

## Appendix C – Consultation

**From:** Kurtis Boys kboys@cityofsydney.nsw.gov.au   
**Subject:** RE: SSD 10340 Independent Audit #2 - Fort Street Public School  
**Date:** 20 January 2022 at 17:47  
**To:** Mathew Williams mat@aspectenvironmental.com.au

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Hi Mathew,

Thanks for your email.

I have reviewed the property files and can confirm there are no complaints, actions or investigations in relation to the upgrade project. Our construction regulation unit have been working with them and issuing permits when required for works outside of the property including night works of which no complaints or issues have been noted.

It is worth noting that the City of Sydney would not be the regulatory authority for this type of infrastructure development and NSW EPA would regulate any environmental compliance matters for the site.

If you need anything further please do not hesitate to contact me.

Kurtis Boys  
Area Manager- North  
Health & Building



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Telephone: +612 9265 9944  
[cityofsydney.nsw.gov.au](http://cityofsydney.nsw.gov.au)



The City of Sydney acknowledges  
the Gadigal of the Eora Nation as the  
Traditional Custodians of our local area.

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**From:** Mathew Williams <mat@aspectenvironmental.com.au>  
**Sent:** Wednesday, 19 January 2022 3:49 PM  
**To:** City of Sydney <council@cityofsydney.nsw.gov.au>  
**Subject:** SSD 10340 Independent Audit #2 - Fort Street Public School

To Whom It Concerns,

I am contacting you in respect of the Fort Street Public School upgrade project.  
<https://www.schoolinfrastructure.nsw.gov.au/projects/f/fort-street-public-school.html>

We are undertaking a construction Independent Audit for SSD 10340. The site audit component will be conducted on 02/02/2022.

The Independent Audit will be undertaken in accordance with Conditions of Consent C44-C47. In accordance with the Conditions of Consent and the DPIE's

Independent Audit Post Approval Requirements (IAPAR), I am seeking response and feedback in terms of:

- Any directions issued to SINSW or their contractor in respect of Site environmental performance or compliance issues
- Any perceived issues with respect to environmental performance of the Site
- Any complaints received in respect of the Site activity
- Any subsequent adjustment to the scope of the forthcoming audit beyond that identified within Section 3.3 of the IAPAR

If you could review the above and provide written confirmation of any required scope adjustment, or absence thereof, it would be much appreciated.

Regards

Mathew Williams  
Associate Director

0409 729 607  
[mat@aspectenvironmental.com.au](mailto:mat@aspectenvironmental.com.au)



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This email and any files transmitted with it are intended solely for the use of the addressee(s) and may contain information that is confidential or subject to legal privilege. If you receive this email and you are not the addressee (or responsible for delivery of the email to the addressee), please note that any copying, distribution or use of this email is prohibited and as such, please disregard the contents of the email, delete the email and notify the sender immediately.

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**From:** Emmanuel Smith-Aspros Emmanuel.Smith-Aspros@planning.nsw.gov.au  
**Subject:** RE: SSD 10340 Independent Audit #2 - Fort Street Public School  
**Date:** 21 January 2022 at 09:27  
**To:** Mathew Williams mat@aspectenvironmental.com.au  
**Cc:** Richard Johnson richard@aspectenvironmental.com.au

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Hi Matthew, happy 2022!

Thank you for getting in touch regarding the forthcoming independent audit for Fort Street Public School (SSD 10340). Please refer below for the Department's response:

- *Any directions issued to SINSW or their contractor in respect of Site environmental performance or compliance issues*  
**The Department has not issued any directions in relation to the site.**
- *Any perceived issues with respect to environmental performance of the Site*  
**The Department has not identified any perceived issues with respect to environmental performance of the site. However, the Department does request that the auditor looks at any instances of out-of-hours works to ensure they have been approved by the Department in accordance with the relevant conditions of consent.**
- *Any complaints received in respect of the Site activity*  
**The Department has not received any complaints in respect of the Site activity.**
- *Any subsequent adjustment to the scope of the forthcoming audit beyond that identified within Section 3.3 of the IAPAR*  
**No further adjustment to the scope of the forthcoming audit is required.**

Let me know if you have any questions.

Regards

Emmanuel Smith-Aspros  
Senior Compliance Officer (Social Infrastructure)

Planning & Assessments | Department of Planning and Environment  
T 02 8275 1232 | M 0499 399 756 | E emmanuel.smith-aspros@planning.nsw.gov.au  
Locked Bag 5022 | PARRAMATTA NSW 2124  
www.dpie.nsw.gov.au

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**From:** Mathew Williams <mat@aspectenvironmental.com.au>  
**Sent:** Wednesday, 19 January 2022 3:44 PM  
**To:** Emmanuel Smith-Aspros <Emmanuel.Smith-Aspros@planning.nsw.gov.au>  
**Cc:** Richard Johnson <richard@aspectenvironmental.com.au>; DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>  
**Subject:** SSD 10340 Independent Audit #2 - Fort Street Public School

To Emmanuel,

I am contacting you in respect of the Fort Street Public School upgrade project.  
<https://www.schoolinfrastructure.nsw.gov.au/projects/f/fort-street-public-school.html>

We are undertaking a construction Independent Audit for SSD 10340. The site audit component will be conducted on 02/02/2022.

The Independent Audit will be undertaken in accordance with Conditions of Consent C44-C47. In accordance with the Conditions of Consent and the DPIE's Independent Audit Post Approval Requirements (IAPAR), I am seeking response and feedback in terms of:

- Any directions issued to SINSW or their contractor in respect of Site

environmental performance or compliance issues

- Any perceived issues with respect to environmental performance of the Site
- Any complaints received in respect of the Site activity
- Any subsequent adjustment to the scope of the forthcoming audit beyond that identified within Section 3.3 of the IAPAR

If you could review the above and provide written confirmation of any required scope adjustment, or absence thereof, it would be much appreciated.

Regards

Mathew Williams  
Associate Director

0409 729 607

[mat@aspectenvironmental.com.au](mailto:mat@aspectenvironmental.com.au)



## Appendix D – Independent Audit Declaration

### AUDIT DECLARATION

I declare that the information provided in, and in connection with, this report is a true and correct representation of the site status as observed during the site audit on 2 February 2022. Additional information requested during the site audit was provided post-audit where available.

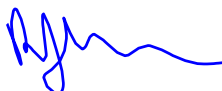
I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- the audit has been undertaken in accordance with relevant condition(s) of consent, the Independent Audit Post Approval Requirements (IAPAR, DP&E 2018), and AS/NZS ISO 19011.2014 – Guidelines for Auditing Management Systems
- 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 prior to the audit
- 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.

**Lead Auditor:** Richard Johnson

**Title:** Director, Aspect Environmental Pty Limited

**Signature:**



**Date:** 07/03/22

**Limitation:** This document has been prepared by Aspect Environmental Pty Limited for Lendlease Pty Ltd (acting on behalf of Department of Education NSW). The document and contents are subject to, and issued in accordance with, the provisions of the contract between Aspect Environmental Pty Limited and Lendlease Pty Ltd. Aspect Environmental Pty Limited accepts no liability or responsibility whatsoever for, or in respect of, any use of, or reliance upon, this document by any third party.

## **Appendix E – Technical Specialists Reports**

No technical specialist reports were required for this Independent Audit.



## Appendix F – Photo Log

## FORT STREET PUBLIC SCHOOL SSD 10340 THIRD PARTY AUDIT

### #2 PHOTO LOG

- Figure 1 Entry to construction site and Project information
- Figure 2 Site notice board including emergency evacuation and Policies
- Figure 3 Weekly hazards notice board used for toolbox talks
- Figure 4 Displayed Environment Health and Safety Policy
- Figure 5 Approach to site from Upper Fort Street
- Figure 6 Spill kit in place
- Figure 7 Example mobile equipment tag
- Figure 8 Cycleway looking South
- Figure 9 Plant induction sticker
- Figure 10 Looking north along Upper Fort Street
- Figure 11 Rumble grid in place looking north
- Figure 12 Temporary stormwater installation to control runoff
- Figure 13 Storage of equipment under drip line of tree
- Figure 14 Construction vehicle parked under tree adjacent to Sydney Observatory
- Figure 15 Construction vehicle parked under tree adjacent to Sydney Observatory
- Figure 16 Maintenance tag on fire extinguisher
- Figure 17 Concrete washout bags ready for disposal
- Figure 18 Skip bin
- Figure 19 Skip bin with cover ready for pickup and disposal offsite
- Figure 20 Generators
- Figure 21 Storage cabinet for fuels, oils, chemicals
- Figure 22 Wheel wash station adjacent to rumble grid
- Figure 23 Tree protection signage in place
- Figure 24 Excavation zone, safety fence and warning signage
- Figure 25 Tree Protection zone and signage



Figure 1 Entry to construction site and Project information



Figure 2 Site notice board including emergency evacuation and Policies



Figure 3 Weekly hazards notice board used for toolbox talks

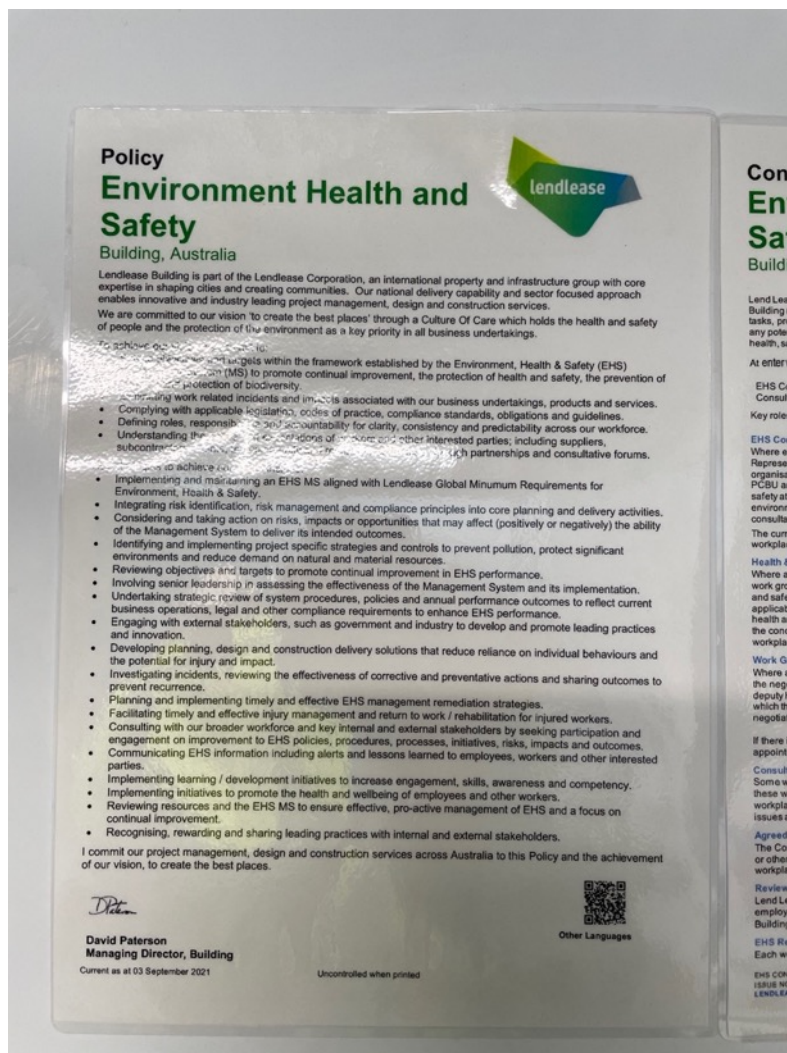


Figure 4 Displayed Environment Health and Safety Policy





Figure 5 Approach to site from Upper Fort Street



Figure 6 Spill kit in place

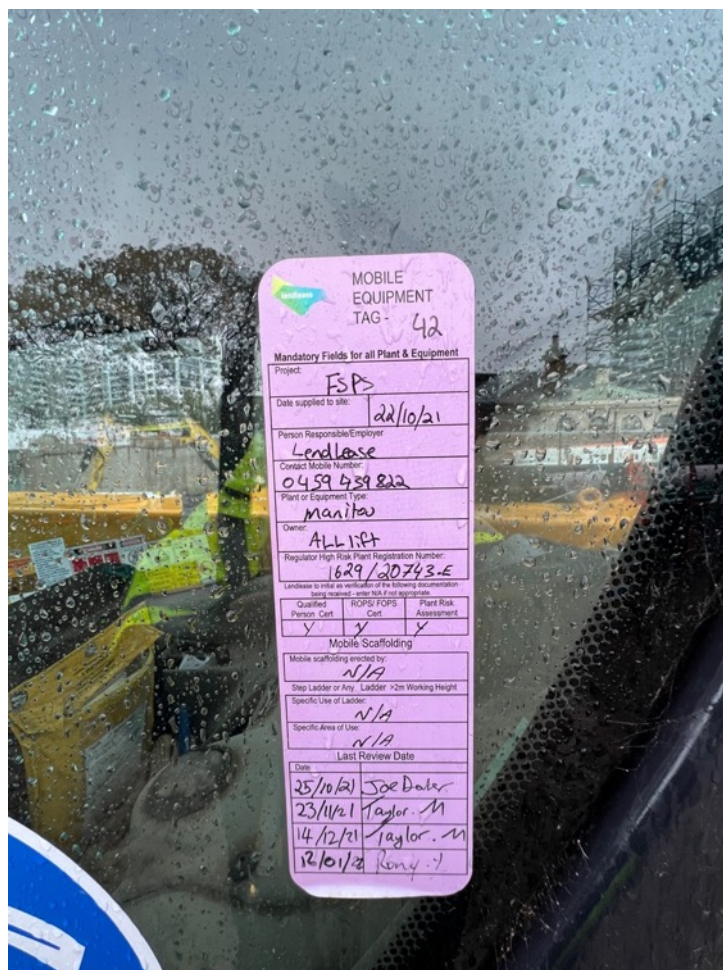


Figure 7 Example mobile equipment tag

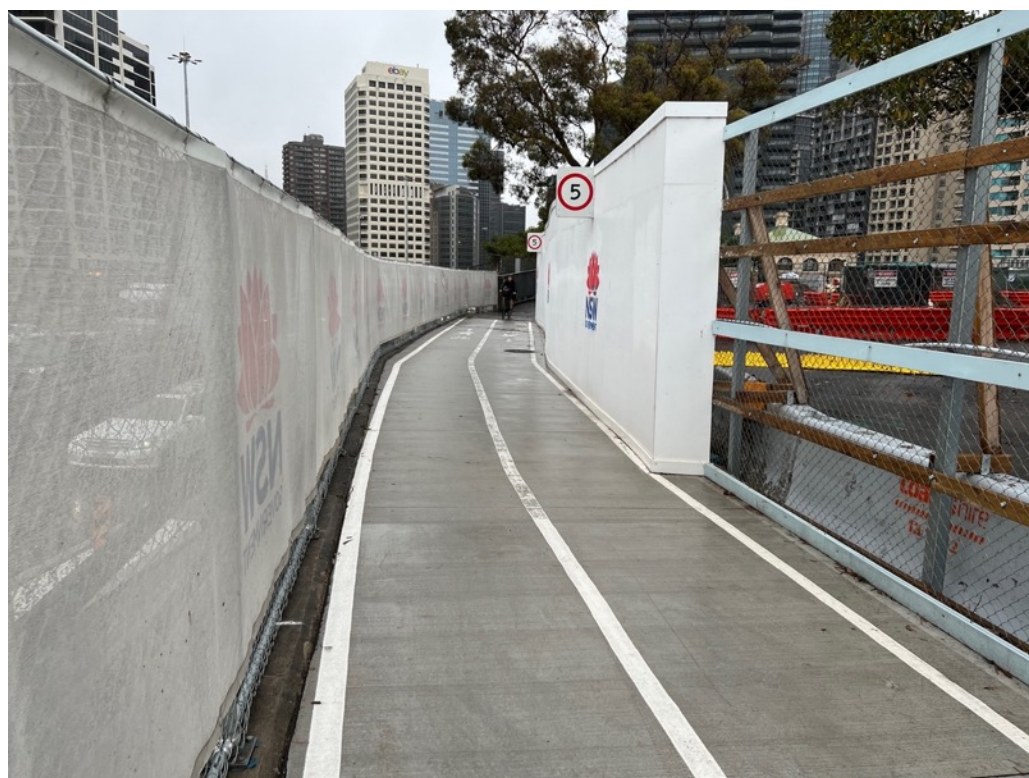


Figure 8 Cycleway looking South





Figure 9 Plant induction sticker



Figure 10 Looking north along Upper Fort Street





Figure 11      *Rumble grid in place looking north*



Figure 12      *Temporary stormwater installation to control runoff*





Figure 13      *Storage of equipment under drip line of tree*



Figure 14      *Construction vehicle parked under tree adjacent to Sydney Observatory*



Figure 15 Construction vehicle parked under tree adjacent to Sydney Observatory



Figure 16 Maintenance tag on fire extinguisher





Figure 17 Concrete washout bags ready for disposal



Figure 18 Skip bin





Figure 19 Skip bin with cover ready for pickup and disposal offsite



Figure 20 Generators





Figure 21 Storage cabinet for fuels, oils, chemicals



Figure 22 Wheel wash station adjacent to rumble grid





Figure 23 *Tree protection signage in place*



Figure 24 *Excavation zone, safety fence and warning signage*



Figure 25      *Tree Protection zone and signage*