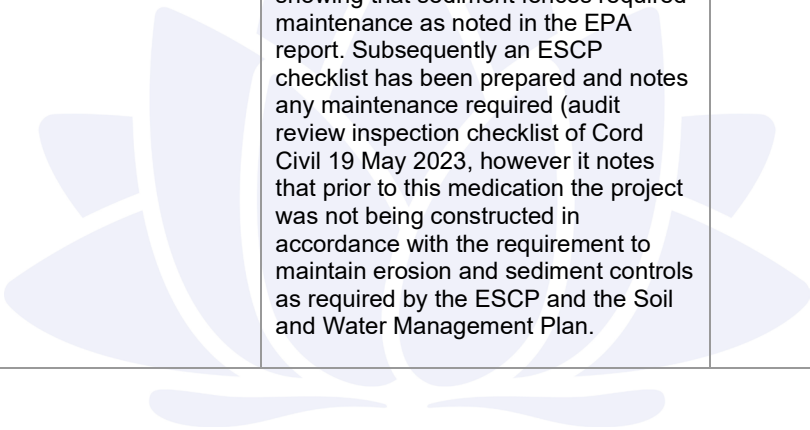


Item	Condition No.	Condition Requirement	Audit finding	Proponent's Proposed Action/Action Taken/Response	Status
1	A1	The development may only be carried out: a) in compliance with the conditions of this consent	This second audit found project was non-compliant with the following: <ul style="list-style-type: none"> - A25 (Audit response report was not publicly available) - A27 Incident notification delay for EPA site visit and issues - A29 – non conformance raised in audit 1 were not made in the 7 day period. - A32 the Planning Secretary and the Certifier were not notified of a review of plans and strategies within 3 months of the first audit. - C36 – The audit response report was not made publicly available in the 60 day time period 	DoE response to non-compliant items is provided below.	Closed Out
2	A25	At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must (a) make the following information and documents (as they are obtained or approved) publicly available on its website:	The response document outlining the proponent's actions to address the first audit was not available on the project website as required by a) ix) within the required timeframe.	The response letter was uploaded on the website on 01/06/23 and is provided in the Attachment C. DoE submitted a non-compliance on 6 June 2023 (SSD-24461956-PA-12)	Closed out

Item	Condition No.	Condition Requirement	Audit finding	Proponent's Proposed Action/Action Taken/Response	Status
		(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;			
3	A27	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.	There has been one incident in this second audit period. An EPA site visit occurred on the 16/3/23. Further information from the EPA was provided on the 19.3.2023. The NSW SI provided details of the incident to the DPE in a letter dated 4 April 2023. Noting that further information would be provided within 30 days as required by A28 below and Appendix 2 of this approval. The full report was provided to DPE on the 4/5/2023. SI noted in DOC23/599722 that they did not provide notification immediately as required by this condition.	The incident notification was reported to DPE and it is confirmed via SSD-24461956-PA-9 on 05 April 2023.	Closed out
4	A29	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.	Non compliances raised in the first audit were submitted to the DPE but not within the 7 day period. Independent Audit report #1 finalised 21 December 2022 and notification was on the 16 January 2023.	This Non-compliance was reported to DPE and it is confirmed via SSD-24461956-PA-10 on 05 April 2023 and SSD-24461956-PA-12 on 06 June 2023 (within 7 days of becoming aware of the Non Compliance's raised in Audit #2)	Closed out
5	A32	Within three months of: (a) the submission of an incident report under condition A28; (b) the submission of an Independent Audit under condition C34 or C35; (c) the approval of any modification of the conditions of this consent; or	b) Audit 1 occurred in December 2022, therefore a revision of plans was due in March 2023. While monthly reviews have occurred, there was no written notification to the Planning Secretary or the Certifier, therefore this is raised as	Following the EPA site inspection, the contractor (Hindmarsh) updated the Construction Environmental Management Plan (CEMP). However, the contractor failed to notify DoE therefore, DoE did not notify the updated CEMP to DPE within three months. and A non-compliance was submitted to DPE on 06 June 2023 (SSD-24461956-PA-12) and within 7 days of	Closed out

Item	Condition No.	Condition Requirement	Audit finding	Proponent's Proposed Action/Action Taken/Response	Status
		(d) 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	a non-compliance with this part of the condition.	<p>becoming aware of the Non Compliance's raised in Audit #2.</p> <p>The updated CEMP was provided to DPE for review and approval via SSD-24461956-PA-13 on 27 June 2023.</p>	
	C8	The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans).	<p>An EPA inspection on 16 March 2023 and subsequent notification to the DPE (11/4/23) noted that the erosion and Sediment controls were not maintained in accordance with the requirements of the ESCP.</p> <p>This audit noted that weekly and monthly inspections are occurring. Interviews with staff and a review of the inspection records noted that prior to the EPA visit, there were no notes showing that sediment fences required maintenance as noted in the EPA report. Subsequently an ESCP checklist has been prepared and notes any maintenance required (audit review inspection checklist of Cord Civil 19 May 2023, however it notes that prior to this medication the project was not being constructed in accordance with the requirement to maintain erosion and sediment controls as required by the ESCP and the Soil and Water Management Plan.</p>	<p>The incident notification was reported to DPE on 05 April 2023 and confirmed via SSD-24461956-PA-9 and a follow up detailed report was sent to DPE on 04 May 2023 and confirmed via SSD-24461956-PA-11.</p> <p>In accordance with consent condition A31, A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.</p>	Closed out



Item	Condition No.	Condition Requirement	Audit finding	Proponent's Proposed Action/Action Taken/Response	Status
6	C36	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Applicant must: (a) review and respond to each Independent Audit Report prepared under condition C34 of this consent, or condition C35 where notice is given by the Planning Secretary; (b) submit the response to the Planning Secretary; and (c) make each Independent Audit Report, and response to it, publicly available within 60 days of submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary	<p>All documentation for the first audit was provided to the department on the 16 January 2023 and the DPE responded on the 20 January 2023.</p> <p>However, there was no evidence that the response document was made publicly available in the 60-day period.</p>	The response letter was uploaded on the website on 01/06/23 and is provided in the Attachment C. DoE submitted a non-compliance on 6 June 2023 (SSD-24461956-PA-12)	Closed out

