

# INDEPENDENT AUDIT NO. 1 – AUDIT REPORT

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TAFE IATC – SSD 8571481

MARCH 2022

## Authorisation

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**Prepared for:**

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## EXECUTIVE SUMMARY

The Technical and Further Education Commission School (TAFE NSW) is responsible for the delivery of the NSW Institute of Applied Technology for Construction (IATC / the Project), funded by the NSW Government. The IATC will be located at the existing TAFE NSW Nepean – Kingswood campus. The IATC will be an educational centre specifically designed to provide training, in simulated workplace environments, to trades workers.

Consent for the Project, State Significant Development (SSD) 8571481, was granted by the Minister for Planning and Public Spaces on 21 September 2021. The SSD 8571481 consent includes:

- earthworks and tree removal
- construction of three-storey building comprising 7,836 sqm gross floor area for tertiary education use including internal and external learning spaces, an auditorium, a café kiosk, collaboration / breakout spaces, practical workshop areas, end-of-trip facilities and external terraces
- construction of an at-grade carpark providing for 16 car parking spaces, 26 bicycle parking spaces, loading dock and waste collection area
- landscaping works including hard and soft landscaping
- associated internal access road works and creation of a cycle path connecting to the Great Western Highway shared path; and
- business identification and wayfinding signage.

TAFE NSW have appointed Cadence Australia (Cadence) as the Project Managers on the Project. Australian Building Construction Company (ADCO) has been appointed as the Principal Construction Contractor.

Conditions of Consent (CoCs) C34 – C39 of Schedule 2 of SSD 8571481 set out the requirements for undertaking Independent Audits. The CoCs give effect to the Department of Planning and Environment (the Department) 2018 document entitled *Independent Audit Guideline Post Approval Requirements* (IAPAR). In particular, CoC C35, states:

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

This Audit Report presents the findings from the first Independent Audit for the construction period, covering the period from the granting of consent on 21 September 2021 through to the end of March 2022 inclusive (the audit period).

Construction works commenced on 7 December 2021. Works undertaken have included site establishment activities such as fencing, establishment of construction worker site facilities, tree protection and installation of ERSED controls. Site clearing works have been completed and excavation and structural piling works are continuing.

The overall outcome of the Independent Audit was positive. Compliance records were organised and available at the time of the site inspection and interviews with Project personnel. Relevant environmental and compliance monitoring records were being collected and reported as required

to provide verification of compliance to statutory requirements and the broader Project environmental requirements.

In summary:

- There were 134 CoCs assessed.
- Two issues gave rise to three (3) non-compliances against the CoCs. These relate to consultation with Registered Aboriginal Parties and the CEMP.
- Two issues gave rise to eight (8) observations against the CoCs. These relate to the Staging Report, monitoring, content on the website and the content of management plans.

As noted in Section 3.2, there are several deficiencies with the CEMP and Sub-plans. The Auditor notes that the CEMP has not been localised for the Project in any meaningful way. Further, the Sub-plans and the CEMP do not effectively talk to one another, nor do they meet the requirements of the CoCs in some circumstances. It is recommended that the CEMP and Sub-plans undergo a full and coordinated review to ensure they address the conditions and are consistent. The *Environmental Management Plan Guideline: Guideline for Infrastructure Projects* (DPIE April 2020) provides a useful tool to assist and should be utilised further to assist in making the CEMP and Sub-plans adequate.

Detailed findings are presented in Section 3, along with actions taken by the Project team to address the findings.

The Auditor would like to thank the auditees from TAFE NSW, Cadence and ADCO for their high level of organisation, cooperation and assistance during the Independent Audit.

# 1. INTRODUCTION

## 1.1 Project Overview

TAFE NSW is responsible for the delivery of NSW Institute of Applied Technology for Construction (IATC / the Project), funded by the NSW Government. The new IATC Facility will be located on the grounds at TAFE NSW Nepean – Kingswood Campus.

Consent for the Project, State Significant Development (SSD) 8571481, was granted by the Minister for Planning and Public Spaces on 21 September 2021. The SSD 8571481 consent includes:

- earthworks and tree removal
- construction of three-storey building comprising 7,836sqm gross floor area for tertiary education use including internal and external learning spaces, an auditorium, a café kiosk, collaboration / breakout spaces, practical workshop areas, end-of-trip facilities and external terraces
- construction of an at-grade carpark providing for 16 car parking spaces, 26 bicycle parking spaces, loading dock and waste collection area
- landscaping works including hard and soft landscaping
- associated internal access road works and creation of a cycle path connecting to the Great Western Highway shared path; and
- business identification and wayfinding signage.

The site location and Project layout are presented in Figures 1 and 2.

TAFE NSW have appointed Cadence Australia (Cadence) as the Project Managers on the Project. Australian Building Construction Company (ADCO) has been appointed as the Principal Construction Contractor.

Construction works commenced on 7 December 2021. Works undertaken have included site establishment activities such as fencing, establishment of construction worker site facilities, tree protection and installation of ERSed controls. Site clearing works have been completed and excavation and structural piling works are continuing.



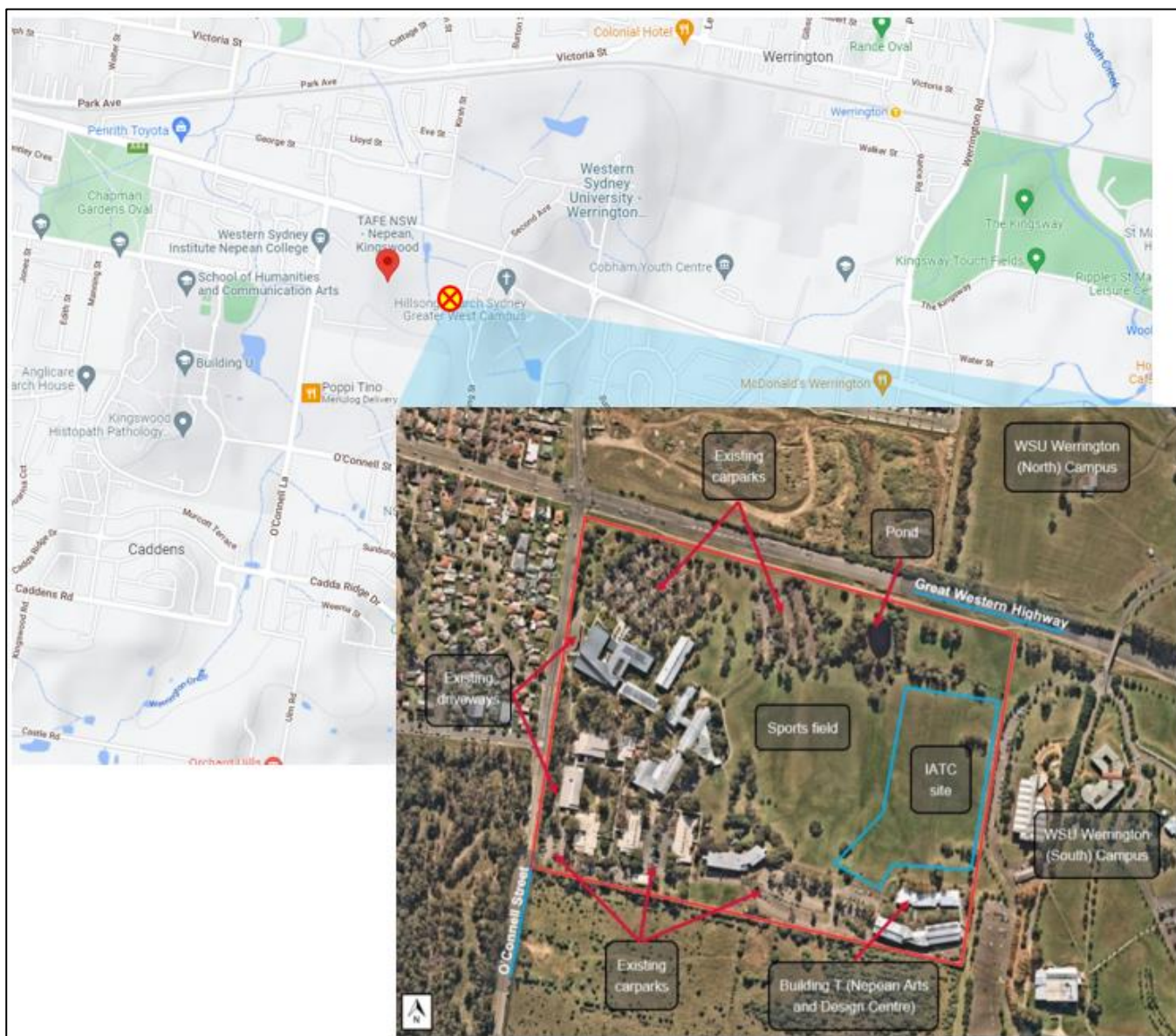


Figure 1: Site location (TAFE NSW Institute of Applied Technology for Construction Assessment Report, DPIE, September 2021)



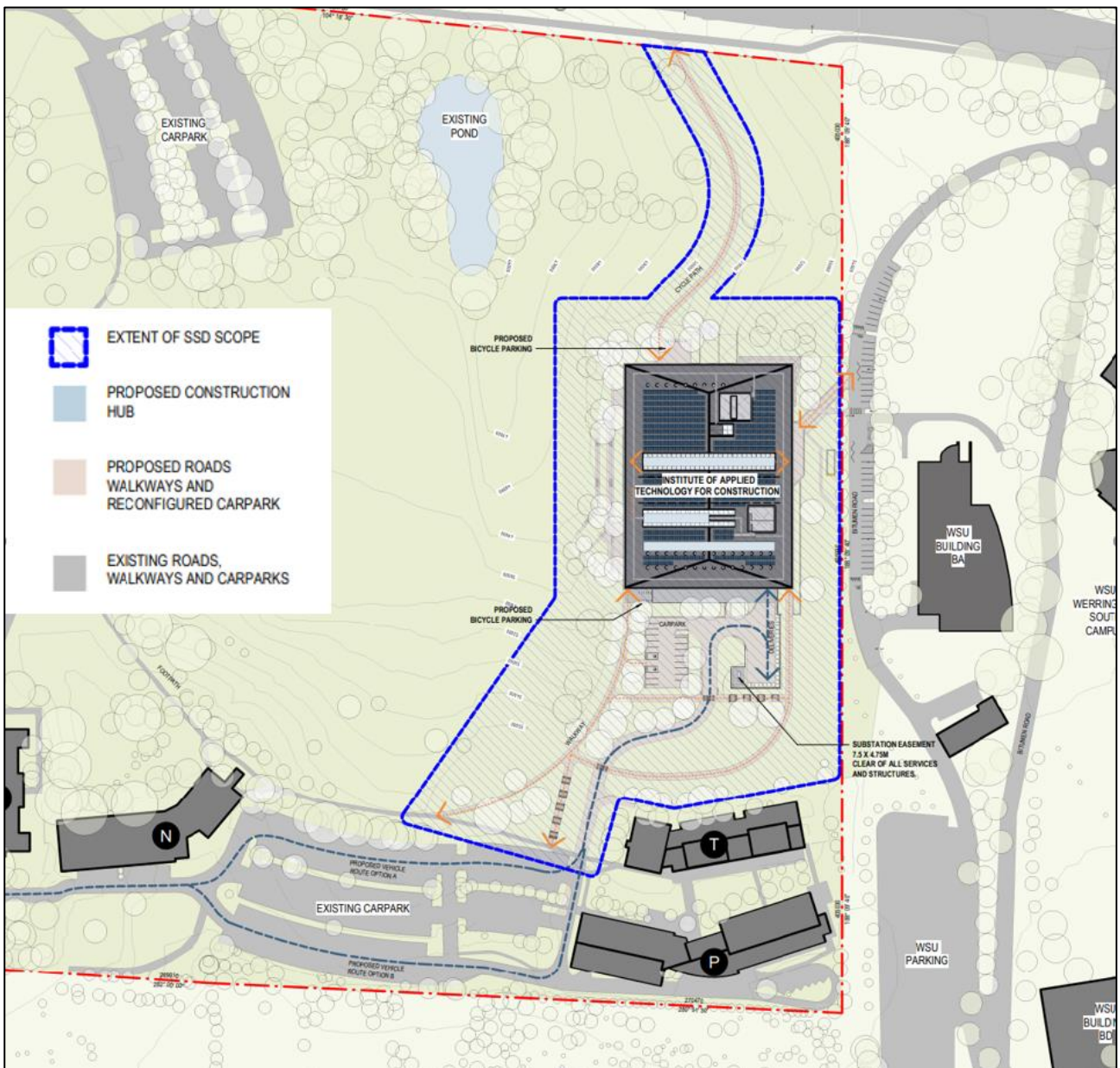


Figure 2: Proposed site layout (Submissions Report – Appendix C Amended Architectural Plans Urbis, June 2021)

## 1.2 Approval Requirements

Conditions of Consent (CoCs) C32 – C39 of Schedule 2 of SSD 9671 set out the requirements for undertaking Independent Audits. The CoCs give effect to the (now) Department of Planning and Environment (the Department) 2018 document entitled *Independent Audit Guideline Post Approval Requirements* (IAPAR).

No submissions have been made to extend or otherwise change the Independent Audit due dates.

### 1.3 The audit team

In accordance with Schedule 2, CoC C32 and Section 3.1 of the IAPAR, Independent Auditors must be suitably qualified, experienced and independent of the Project, and appointed by the Planning Secretary:

The Audit Team comprises:

- Derek Low (Auditor Lead): Master of Environmental Engineering Management, Exemplar Global Certified Principal Environmental Auditor (Certificate No 114283).

Approval of the Audit Team was provided by the Department on 14 December 2021. The Approval is presented in Appendix B.

### 1.4 The audit objectives

The objective of this Independent Audit is to satisfy SSD 8571481 Schedule 2, CoC C35, which states:

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

The scope, methodology and reporting requirements for are outlined in IAPAR.

This Independent Audit seeks to fulfill the requirements of CoC C35, verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project using the scope, methodology and reporting requirements from the IAPAR.

### 1.5 Audit scope

This Independent Audit related to the Project works from the granting of the consent on 21 September 2021 through to the end of March 2022 inclusive (the audit period). The scope of the Independent Audit comprises:

- An assessment of compliance with
  - all conditions of consent applicable to the phase of the development that is being audited
  - all post approval and compliance documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans; and
  - all environmental licences and approvals applicable to the development excluding environment protection licenses issued under the Protection of the Environment Operations Act 1997.
- A review of the environmental performance of the development, including but not necessarily limited to, an assessment of:
  - actual impacts compared to predicted impacts documented in the environmental impact assessment

- the physical extent of the development in comparison with the approved boundary
  - incidents, non-compliances and complaints that occurred or were made during the audit period
  - the performance of the development having regard to agency policy and any particularly environmental issues, identified through consultation carried out when developing the scope of the audit; and
  - feedback received from the Department, and other agencies and stakeholders, including the community or Community Consultative Committee (if there is one for the Project), on the environmental performance of the project during the audit period.
- a high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and
  - any other matters considered relevant by the auditor or the Department, taking into account relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices.

## 2. AUDIT METHODOLOGY

### 2.1 Audit process

The Independent Audit was conducted in a manner consistent with AS/NZS ISO 19011.2019 – *Guidelines for Auditing Management Systems* and the methodology set out in the Department's IAPAR (2020). An overview of the audit activities, as specified in AS/NZS ISO 19011, is presented in Figure 3.

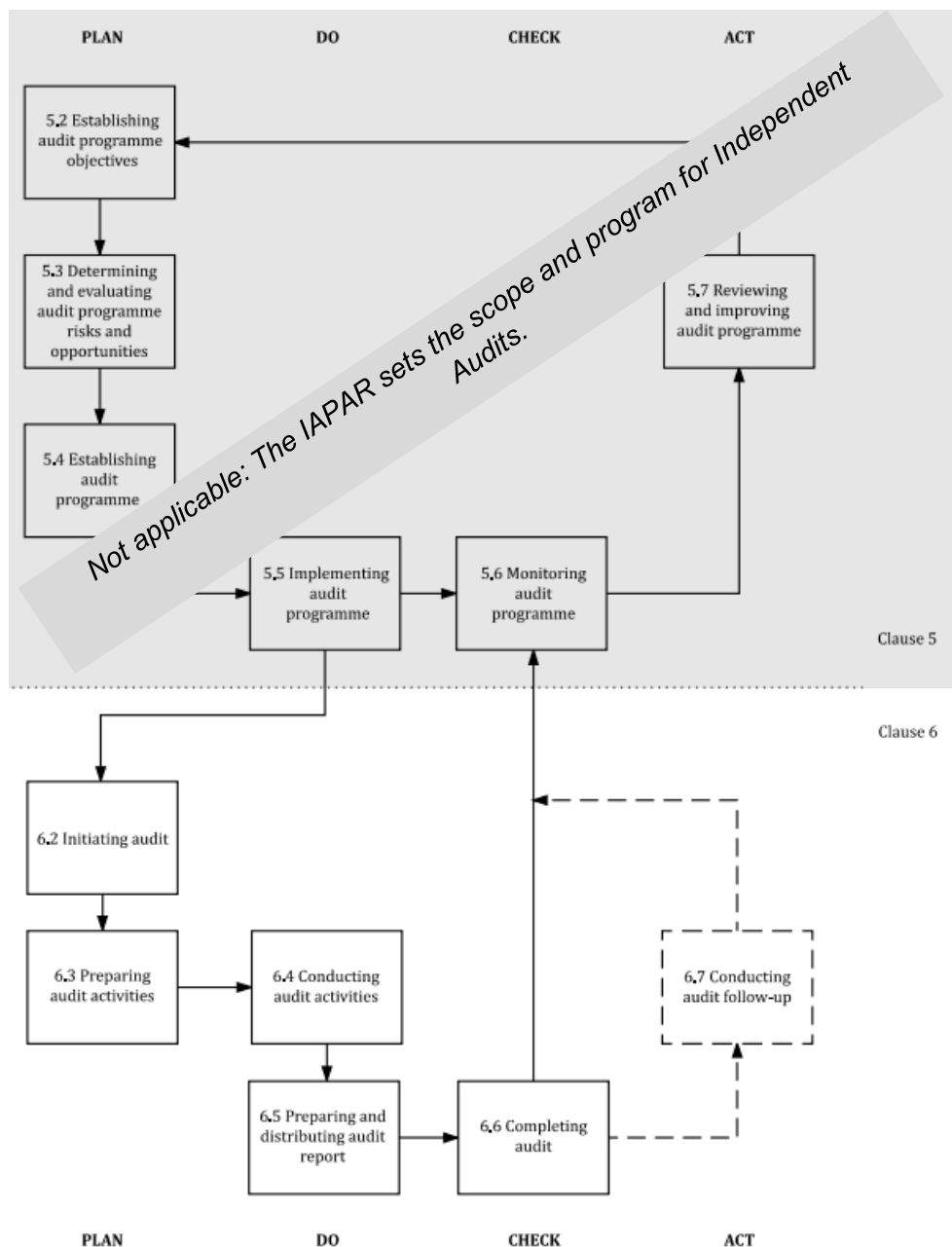


Figure 3: Audit activities overview (modified from AS/NZS ISO 19011). Subclause numbering refers to the relevant subclauses in the Standard.

## 2.2 Audit process detail

### 2.2.1 Audit initiation and scope development

Prior to the commencement of the audit the following tasks were completed:

- Establish initial contact with the auditee
- Confirm the audit team
- Confirm the audit purpose, scope and criteria.

On 24 January 2022 WolfPeak consulted with the Department to obtain their input into the scope of the Independent Audit, in accordance with Section 3.2 of the IAPAR. The Department responded on 8 February 2022. The consultation record is presented in Appendix C. A summary of the key issues and areas of focus raised by the stakeholders is presented in Table 1.

*Table 1 Key issues and areas of focus raised during consultation*

Stakeholder	Issue and Focus	How Addressed
Department of Planning and Environment	The Department stated that it <i>'does not require any additional issues for including within the scope of the Audit that are not already captured by the Consent, including Condition C35 and the Department's Independent Audit Post Approval Requirements (May 2020).'</i>	Addressed. Refer sections 1.5, 3 and Appendix A.

### 2.2.2 Preparing audit activities

The Auditor performed a document review, prepared an audit plan, and prepared work documents (audit checklists) and distributed to the Project team in preparation for the Independent Audit.

The primary documents reviewed prior to and after the site visit are as follows:

- *Environmental Impact Statement, TAFE NSW Construction Centre of Excellence , Urbis, March 2021 (the EIS)*
- *Submissions Report, SSD-8571481 Institute of Applied Technology for Construction Urbis, 11 June 2021, (the RtS).*
- Development Consent SSD 8571481, 28 September 2021 (the Consent).
- *Construction Environmental Management Plan (CEMP), TAFE NSW institute of Applied Technology for Construction, ADCO, December 2021 (CEMP).*
- *Construction Traffic Management Plan, PTC, 19 November 2021 (CTPMSP).*
- *Construction Noise and Vibration Management Sub-Plan, E-Lab Consulting, 14 December 2021 and 14 February 2022 (CNVMSP).*
- *Waste Management Sub-Plan, ADCO, December 2021 (CWMSMP).*
- *Soil and Water Management Plan, Northrop, 19 December 2021 (CSWMP).*



### 2.2.3 Site personnel involvement

Due to caution with COVID, the Independent Audit was conducted over two sessions (both on site and online) between 24 and 25 February 2022. The following personnel took part in the audit:

- Cameron Lang – Investor Project Director – TAFE NSW
- Mitch Alexander – Project Manager – Cadence Australia
- Dion Richards – Project Manager – Cadence Australia
- Pierce Brennan – Construction Senior Project Manager – ADCO
- Russell Eccles – Health, Safety and Environment Manager – ADCO
- Kieran Hill – Project Engineer – ADCO.

### 2.2.4 Meetings

Opening and closing meetings were held with the Auditor and Project personnel.

During the opening meeting, held at the start of the 24 February 2022 audit session, the objectives and scope of the Independent Audit, the resources required and methodology to be applied were discussed.

At the closing meeting, held on site on 25 February 2022, the preliminary audit findings were presented, additional information required was outlined, preliminary recommendations (as appropriate) were made, and post-audit actions were confirmed.

### 2.2.5 Interviews

The Auditor conducted interviews during both sessions with key personnel involved in Project delivery, including those with responsibility for environmental management, to assist with verifying the compliance status of the development. All other communication was conducted remotely, which included detailed request for information and auditee responses to the request.

### 2.2.6 Site inspection

The on-site audit activities took place on 25 February 2022. The on-site audit activities included an inspection of the site and work activities. The nearest Bureau of Meteorology weather station (Richmond RAAF [station 067105]) recorded 41.2 mm in the five days up to the site inspection. The inclement weather conditions meant that large parts of the site were inaccessible during the inspection. Aerial CCTV images provided by ADCO were used to supplement the inspection. To note, no works were occurring on the day of the inspection.

Photos are presented in Appendix D.

## 2.2.7 Document review

The Independent Audit included investigation and review of Project files, records and documentation that acts as evidence of compliance (or otherwise) with a compliance requirement. The documents sighted are included within Appendix A.

## 2.2.8 Compliance evaluation

The Auditor determined the compliance status of each compliance requirement using the descriptors from Table 2 of the IAPAR. These are replicated in Table 2 below.

Table 2: Compliance status descriptors

Status	Description
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, identify opportunities for improvement or highlight positive initiatives.

## 2.2.9 Evaluation of post approval documentation

The Auditor assessed whether post approval documents:

- have been developed in accordance with the CoCs and all other environmental licenses and approvals applicable to the Project (if any) and their content is adequate.
- have been implemented in accordance with the CoCs and all other environmental licenses and approvals applicable to the Project (if any).

The adequacy of post approval documents was determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the document; or
- whether there are any opportunities for improvement.

## 2.2.10 Completing the audit

The Independent Audit Report was distributed to the Proponent to check factual matters and for input into actions in response to findings (where relevant). The Auditor retained the right to make findings or recommendations based on the facts presented.

## 2.2.11 Generating audit findings

Independent Audit findings were based on verifiable evidence. The evidence included:

- relevant records, documents and reports



- interviews of relevant site personnel
- photographs
- figures and plans; and
- site inspections of relevant locations, activities and processes (including those supplemented by ADCO's aerial CCTV images).

### 3. AUDIT FINDINGS

#### 3.1 Approvals and documents audited and evidence sighted

The documents audited comprised all the conditions from Schedule 2 of SSD 8571481 applicable to the works being undertaken, and selected mitigation measures and commitments from the following plans:

- CEMP
- CTPMSP
- CNVMSP
- CWMSP
- CSWMSP.

The evidence sighted against each requirement is detailed within Appendix A.

#### 3.2 Non-compliances, Observations and Actions

This section, including Table 5, presents the non-compliances and observations from the Independent Audit, along with the recommended actions in response to each of the findings. The status of open actions from the first Independent Audit are also presented. Detailed findings against each requirement are presented in Appendix A.

- There were 134 CoCs assessed.
- Two issues gave rise to three (3) non-compliances against the CoCs. These relate to consultation with Registered Aboriginal Parties and the CEMP.
- Two issues gave rise to eight (8) observations against the CoCs. These relate to the Staging Report, monitoring, content on the website and the content of management plans.

Table 5: Audit findings and actions

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
<b>Findings from Independent Audit No. 1</b>						
IA1_1	A8	Non-compliance	<p>A8 requires that ‘Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <ul style="list-style-type: none"> <li>a) consult with the relevant party prior to submitting the subject document for information or approval; and</li> <li>b) provide details of the consultation undertaken including: <ul style="list-style-type: none"> <li>i. the outcome of that consultation, matters resolved and unresolved; and</li> <li>ii. details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.’</li> </ul> </li> </ul> <p><b>Non-compliance: Whilst general consultation with Registered Aboriginal Parties (RAPs) has occurred, no primary evidence was available to confirm that the induction material and unexpected finds protocol were prepared in consultation with the RAPs as is required by B10.</b></p>	Whilst the risk of encountering aboriginal heritage items is low (refer to the Aboriginal Cultural Heritage Assessment, Urbis, 02/06/21 and the lack of unexpected finds to date) it is recommended that the auditees consult with the Registered Aboriginal Parties (RAPs) on the content of the induction and the unexpected finds protocol.	TAFE 30/05/22	OPEN
IA1_2	A10	Observation	<p>A10 states that ‘A Staging Report prepared in accordance with condition A9 must:</p> <ul style="list-style-type: none"> <li>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;</li> <li>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);</li> <li>c) specify how compliance with conditions will be achieved across and between each of the stages of the project; and</li> <li>d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.’</li> </ul> <p><b>Observation: The Auditor observes that the initial Staging Plan slides and DA Consent Matrix and Staging (presented on the TAFE IATC website) do not address the requirements of a Staging Report, as described in A10. The Auditor also observes that the DA Consent Matrix does not provide sufficient detail on how / when each condition would be complied with through commentary on whether something applies to prior to commencement of a certain stage, during a certain stage, or whether an initial submission will cover subsequent stages. The Staging Report was subsequently revised on 15/03/22 and resubmitted on 16/03/22. The Department approved the updated Staging Report on 31/03/22.</b></p>	The Staging Report was subsequently revised on 15/03/22 and resubmitted on 16/03/22. The Department approved the updated Staging Report on 31/03/22.	TAFE / ADCO	CLOSED
IA1_3	A21	Observation	<p>A21 states ‘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&amp;A Act. This includes conditions in respect of incident notification, reporting and response, noncompliance notification, Site audit report and independent auditing.</p> <p><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></p>	Review current monitoring obligations within the CEMP and CNVMSP and update monitoring on site to satisfy those obligations or to reflect the actual risk on site.	ADCO Within 3 months of submission of this Audit Report.	OPEN

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			<p>For reference, the relevant section of the EP&amp;A Act relates to (among other things) the need to be accurate, true (not misleading), properly conducted (approved methodology, calibrated etc) and with records retained.</p> <p><b>Observation: Continuous noise and dust monitoring is being undertaken on site and at adjacent receivers. There is no evidence available to demonstrate that this is being conducted in accordance with a recognized standard or methodology.</b></p> <p>The Project team / auditees stated that the monitoring was voluntary and for information only. The Auditor observes that no complaints have been recorded to date, however:</p> <ul style="list-style-type: none"> <li>With respect to noise and vibration monitoring: The Auditor refers to Section 11.3.4 and 14.2.2 of the CEMP, and Section 6.3 of the CNVMSP (including Table 13). The Auditor is of the view that the monitoring does fully align the CEMP / CNVMSP requirements.</li> <li>With respect to dust monitoring: The Auditor refers to Section 14.2.2 of the CEMP. The Auditor is of the view that the monitoring does fully align the CEMP requirements.</li> </ul>			
IA1_4	A22	Observation	<p>A22 states that (among other things) <i>'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:</i></p> <p><i>a) make the following information and documents (as they are obtained or approved) publicly available on its website:</i></p> <p><i>iii. all approved strategies, plans and programs required under the conditions of this consent.....'</i></p> <p><b>Observation: Whilst not requiring Department or Certifier approval, the CEMP and each of the Sub-plans are presented on the website with the exception of the CNVMSP and CSWMSP.</b></p>	Upload the CNVMSP and CSWMSP to the Project website.	TAFE / Cadence 30/04/22	OPEN
IA1_5	B9	Observation	<p>B9 states that <i>'Management plans required under this consent must be prepared having regard to the relevant guidelines, including but not limited to the Environmental Management Plan Guideline: Guideline for Infrastructure Projects (DPIE April 2020).'</i></p> <p><b>Observation: The CEMP was reviewed by the Auditor against the DPIE Environmental Management Plan Guideline and it appears the Guideline has been considered but, in some cases, not necessarily followed. For example:</b></p> <ul style="list-style-type: none"> <li>The CEMP does not include the conditions of consent or identify how the conditions have been addressed. (A development consent compliance matrix should be included).</li> <li>The CEMP does not include a site location plan with appropriate project details.</li> </ul> <p>The Auditor observes that the Project team / auditee stated that a check was done against the checklist in the Guideline. However the auditee has used Table 6-1, rather than Appendix A. EMP preparation checklist.</p>	Given the identified deficiencies with the CEMP and Sub-plans (refer B10 – B14 below), it is recommended that the CEMP and Sub-plans undergo a full and coordinated review to ensure they address the conditions and are consistent. The Auditor notes that the DPIE Guideline provides a useful tool to assist and could be utilised further.	ADCO Within 3 months of submission of this Audit Report.	OPEN
IA1_6	B10	Non-compliance	<p>B10 states that <i>'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:</i></p> <p><i>a) Details of:</i></p> <p><i>i. hours of work;</i></p> <p><i>ii. 24-hour contact details of site manager;</i></p>	It is recommended that the CEMP and Sub-plans undergo a full and coordinated review to ensure they address the conditions and are consistent. The Auditor notes that the DPIE Guideline provides a useful tool to assist and could be utilised further.	ADCO Within 3 months of submission of this Audit Report.	OPEN

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			<p>iii. management of dust and odour to protect the amenity of the neighbourhood;</p> <p>iv. external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;</p> <p>v. community consultation and complaints handling;</p> <p>b) an unexpected finds protocol for contamination and associated communications procedure to ensure that potentially contaminated material is appropriately managed;</p> <p>c) an unexpected finds protocol for non-Aboriginal heritage and associated communications procedure;</p> <p>d) an unexpected finds protocol for Aboriginal heritage and associated communications procedure, including details of Aboriginal Cultural Heritage induction materials, which must:</p> <p>i. be prepared in consultation with the Registered Aboriginal Parties; and</p> <p>ii. incorporate an overview of the types of Aboriginal sites and Aboriginal objects to be aware of during construction (i.e. stone tools, concentrations of shells that could be middens and rock engravings and grinding grooves).</p> <p>e) Construction Traffic and Pedestrian Management Sub-Plan (see condition B11);</p> <p>f) Construction Noise and Vibration Management Sub-Plan (see condition B12);</p> <p>g) Construction Waste Management Sub-Plan (see condition B12(d));</p> <p>h) Construction Soil and Water Management Sub-Plan (see condition B14);</p> <p><b>Non-compliance: The CEMP was not submitted to the Planning Secretary until 23/02/22, well after the commencement of construction. The CSWMSP (dated 09/12/21) was not prepared prior to construction (07/12/21). There are also several deficiencies in the CEMPs content:</b></p> <ul style="list-style-type: none"> <li><b>B10a):</b> Standard work hours are noted in Section 7 of the CEMP as per B10a)i). However other conditions relating to hours of work have not been included (e.g. Condition C7).</li> <li><b>B10b):</b> An Unexpected and Heritage Finds Protocol (the Protocol) is contained in Appendix B of the CEMP. Reference to the Protocol is not contained in the main body of the CEMP. Condition B7 is mistakenly referenced in the Protocol. The Protocol generally addresses the requirements for managing unexpected contamination however the recommended actions are unclear due to its attempt to address both contamination and heritage finds.</li> <li><b>B10c):</b> The Unexpected and Heritage Finds Protocol (the Protocol) in the CEMP does not address the requirements relating to non-Aboriginal heritage in C27. The protocol has been updated to capture the relevant requirements; however it still is not clear (in part due to it being combined with unexpected find protocols for contamination). For example the protocol includes instruction to not dispose of material off site until the information has been submitted to the Planning Secretary. This is in conflict with and C27c).</li> <li><b>B10d):</b> The Unexpected and Heritage Finds Protocol (the Protocol) in the CEMP does not address the requirements relating to Aboriginal heritage in C25 and C26, nor has it been prepared in consultation with the RAPs as per B10d). The Protocol has been updated to capture the relevant requirements; however it still is not clear (in part due to it being combined with unexpected find protocols for contamination). For example the Protocol includes instruction to not dispose of material off site until the information has been submitted to the Planning Secretary. This is in conflict with C25e). Further, the Protocol does not appear to have factored in the content from the</li> </ul>			

Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			<b>ACHAR as per C26. Notwithstanding the above the ACHAR found that ‘Due to the low potential for Aboriginal archaeological resources to occur and therefore the low potential of direct or indirect harm, no management or mitigation measures are deemed necessary’.</b>			
IA1_7	B12	Observation	<p>B12 states that ‘The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>a) be prepared by a suitably qualified and experienced noise expert;</li> <li>b) describe procedures for achieving the noise management levels in EPA’s Interim Construction Noise Guideline (DECC, 2009);</li> <li>c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;</li> <li>d) include a complaints management system that would be implemented for the duration of the construction; and</li> <li>e) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the implemented management measures in accordance with the requirements of condition B13.’</li> </ul> <p><b>Observation: There are two minor deficiencies in the content of the CNVMSP:</b></p> <ul style="list-style-type: none"> <li>• <b>B12d): Section 6.2.3 of the CNVMSP outlines the complaints management procedure. This is not consistent with the complaints management section of the CEMP.</b></li> <li>• <b>B12e): Section 6.3 of the CNVMSP outlines the monitoring program. The monitoring program is not consistent with the CEMP. It is also noted that the monitoring program in Section 6.3.4 does not specify the monitoring type or triggers for additional noise or vibration monitoring if required. The monitoring program does not reflect the guidance of the Interim Construction Noise Guidelines. Refer also to A21 and C8 with respect to implementation of the monitoring program.</b></li> </ul>	It is recommended that the CEMP and Sub-plans undergo a full and coordinated review to ensure they address the conditions and are consistent.	ADCO  Within 3 months of submission of this Audit Report.	OPEN
IA1_8	B13	Observation	<p>B13 states ‘The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the procedures for the management of waste including the following:</p> <ul style="list-style-type: none"> <li>a) the recording of quantities, classification (for materials to be removed) and validation (for materials to remain) of each type of waste generated during construction and proposed use;</li> <li>b) information regarding the recycling and disposal locations; and</li> <li>c) confirmation of the contamination status of the development areas of the site based on the validation results.’</li> </ul> <p><b>Observation: There were two minor deficiencies identified in the content of the CWMSP:</b></p> <ul style="list-style-type: none"> <li>• <b>B13a): There is no procedure for the validation of materials to be retained on site and the Project will be reusing site won material.</b></li> <li>• <b>B13b): Whilst records of disposal are being recorded (refer C29 and C31), the CWMSP did not specify the waste disposal locations. An update to the CWMSP after the preparation of the draft Audit Report identifies the disposal facility for general construction waste (EPL 12700).</b></li> </ul>	<p>An update to the CWMSP after the preparation of the draft Audit Report identifies the disposal facility for general construction waste (EPL 12700), however there is still no detail on the quantities and validation of materials to be retained on site and the Project will be reusing site won material.</p> <p>It is recommended that the CEMP and Sub-plans undergo a full and coordinated review to ensure they address the conditions and are consistent.</p>	ADCO  Within 3 months of submission of this Audit Report.	OPEN
IA1_9	B14	Observation	<p>B14 states ‘The Construction Soil and Water Management Sub-Plan (CSWMSP) must address, but not be limited to the following:</p> <ul style="list-style-type: none"> <li>a) be prepared by a suitably qualified expert, in consultation with Council;</li> </ul>	It is recommended that the CEMP and Sub-plans undergo a full and coordinated review to ensure they address the conditions and are consistent.	ADCO	OPEN



Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
			<p>b) incorporate the management and mitigation measures contained within the 'Salinity Assessment and Management Plan (Rev A)' prepared by JBS&amp;G Australia and dated 5 February 2021.</p> <p>c) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;</p> <p>d) 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 &amp; Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book';</p> <p>e) 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);</p> <p>f) detail all off-site flows from the site; and</p> <p>g) 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.'</p> <p><b>Observation: There are several minor deficiencies in the content of the CSWMSP:</b></p> <ul style="list-style-type: none"> <li><b>B14b):</b> The reference to the JBS&amp;G Australia (2021) report in Section 3b of the CSWMSP is insufficient. Specific requirements are to be outlined in the CSWMSP.</li> <li><b>B14e):</b> Wet weather management outlined in Section 2.3 of the CSWMSP provides inspection requirements for a rainfall event. Inspections do not constitute a plan for managing the site prior to a wet weather event.</li> <li><b>B14f):</b> The location for off-site flows from the sediment basin should be nominated in the CSWMSP. It is noted that Drawing C0-02-13 Specification Notes provides basin management steps. This detail should be incorporated into the main CSWMSP and confirmed during consultation with Penrith City Council.</li> </ul>		Within 3 months of submission of this Audit Report.	
IA1_10	C8	Observation	<p>C8 requires that 'the Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans).'</p> <p><b>Note this finding relates to the same issue as noted in A21.</b></p> <p><b>Observation: Continuous noise and dust monitoring is being undertaken on site and at adjacent receivers. There is no evidence available to demonstrate that this is being conducted in accordance with a recognized standard or methodology.</b></p> <p><b>The Project team / auditees stated that the monitoring was voluntary and for information only. The Auditor observes that no complaints have been recorded to date, however:</b></p> <ul style="list-style-type: none"> <li><b>With respect to noise and vibration monitoring:</b> The Auditor refers to Section 11.3.4 and 14.2.2 of the CEMP, and Section 6.3 of the CNVMSP (including Table 13). The Auditor is of the view that the monitoring does fully align the CEMP / CNVMSP requirements.</li> <li><b>With respect to dust monitoring:</b> The Auditor refers to Section 14.2.2 of the CEMP. The Auditor is of the view that the monitoring does fully align the CEMP requirements.</li> </ul>	Review current monitoring obligations within the CEMP and CNVMSP and update monitoring on site to satisfy those obligations or to reflect the actual risk on site.	ADCO Within 3 months of submission of this Audit Report.	OPEN



Item	Ref.	Type	Details of item	Proposed or completed action	By whom and by when	Status
IA1_11	C25	Non-compliance	<p>C25 states '<i>Construction works must be carried out in accordance with the recommendations of the document titled 'Aboriginal Cultural Heritage Assessment (Revision F01)' prepared by Urbis and dated 2 June 2021</i>'</p> <p><b>This non-compliance relates to largely the same issue as that identified in B10.</b></p> <p><b>Non-compliance:</b> The Aboriginal Cultural Heritage Assessment Report (ACHAR) includes instructions on consultation in the development of the induction, unexpected find protocols (consistent with C25 and C27) and ongoing consultation. The induction material and unexpected finds protocol were not prepared in consultation with the RAPs per se (as required by the ACHAR). Instead TAFE incorporated information consistent with the TAFE NSW reconciliation Action Plan. Refer to the finding against A8 with respect to this matter. Refer also to the non-compliance under B10 with regards to the content of the unexpected finds protocol.</p>	It is recommended that the CEMP and Sub-plans undergo a full and coordinated review to ensure they address the conditions and are consistent.	ADCO  Within 3 months of submission of this Audit Report.	OPEN

### 3.3 Adequacy of Environmental Management Plans, sub-plans and post approval documents

The adequacy of post approval documents must be determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the document.
- whether there are any opportunities for improvement

A review was conducted of the:

- CEMP
- CTPMSP
- CNVMSP
- CWMSPP
- CSWMSP.

As noted in Section 3.2, there are several deficiencies with the CEMP and Sub-plans. The Auditor notes that the CEMP has not been localised for the Project in any meaningful way. Further, the Sub-plans and the CEMP do not effectively talk to one another, nor do they meet the requirements of the CoCs in some circumstances. It is also noted that the monitoring being undertaken does not fully align with the monitoring set out in the CEMP and CNVMSP. It is recommended that the CEMP and Sub-plans undergo a full and coordinated review to ensure they address the conditions and are consistent. The *Environmental Management Plan Guideline: Guideline for Infrastructure Projects* (DPIE April 2020) provides a useful tool to assist and should be utilised further to assist in making the CEMP and Sub-plans adequate.

### 3.4 Summary of notices from agencies

To the Auditor's knowledge no formal notices were issued by the Department during the audit period.

### 3.5 Other matters considered relevant by the Auditor or DPIE

Other than the matters raised in Section 3, the Auditor has no additional matters considered relevant to raise. The issues raised by the Department during consultation on the Independent Audit were captured within the scope of the Independent Audit (refer Section 1.5, 3.2 and Appendix A).

### 3.6 Complaints

At the time of writing, zero complaints had been received relating to the Project. The complaints register is available on the Project website.

[https://www.tafensw.edu.au/documents/60140/1074072883/A22\\_IATC\\_Complaints-Register-Nov--Dec-2021.pdf](https://www.tafensw.edu.au/documents/60140/1074072883/A22_IATC_Complaints-Register-Nov--Dec-2021.pdf)

### 3.7 Incidents

The Project incident register was sighted during the Independent Audit. No incidents as defined by the consent have occurred during the audit period.

### 3.8 Actual versus predicted impacts

The audit considered the actual impacts arising from the carrying out of the Project (current works being site establishment, demolition and minor earth works) and whether they are consistent with the relevant impacts predicted in the EIS. A summary of the assessment is presented in Table 3.

*Table 3 Summary of predicted versus actual impacts*

Aspect	Summary of predicted impacts from EIS	Summary of actual impacts observed during audit period	Consistent (Y/N)
Heritage and Archaeology	<p>Non-Aboriginal: The proposed works are located on a site which is not a listed heritage item and is not located in a conservation area. While the site has an interface with heritage items, no heritage items are located in such proximity that would have a critical visual or physical interface with the subject site. The assessment concludes that there is generally low potential for archaeological resources to occur across the site, and specifically within the area proposed for impacts.</p> <p>Aboriginal: There are no known Aboriginal archaeological sites across the subject area, and the potential for sites to occur is determined to be low on the basis of the results of the test excavation.</p>	<p>No unexpected finds have occurred to date. The design is being verified by the Certifier against the approved plans.</p> <p>The Auditor notes that non-compliances with A8, B10 and C25 with regards to consultation and content of Project documents.</p>	Y
Traffic and transport	The movement of trucks during the site establishment and construction stages are considered minor with negligible impact on the surrounding intersections. A swept path analysis has been undertaken to demonstrate that satisfactory vehicle movements through key intersections within the Western Sydney University (WSU) internal road network can be undertaken.	The Auditor is not aware of any issues on the surrounding road network. Access was observed to be adequate. Traffic internal to the WSU is managed through an access deed.	Y
Stormwater, drainage and flooding.	The EIS, RtS and supporting information made predictions about operational stormwater, drainage and flooding rather than any specifics around construction.	The Project is in construction and, therefore, comparison with operational predictions is not possible.	-
Soil and groundwater contamination	The risks posed by the potential for the contaminants of concern were predicted as being low due to the low permeability of silty clay fill profile, the site's historical agricultural use and a review of site history. In regard to potential	There have been no unexpected contamination finds on site. Material appears to be suitable for reuse.	Y

Aspect	Summary of predicted impacts from EIS	Summary of actual impacts observed during audit period	Consistent (Y/N)
	<p>for contaminant migration, this risk is again considered low due to the site's existing sealed pavements, vegetation, and absence of liquid contaminant sources on the site. Concentrations of potential for the contaminants of concern were not identified at levels posing an unacceptable risk to human/ecological receptors relating to the proposed development of the site.</p> <p>Soils are not considered saline or PASS/ASS.</p>		
Waste	<p>The Construction and Operational Management Plan estimates that demolition and construction of the proposed development will generate the following volumes of waste:</p> <ul style="list-style-type: none"> <li>• Demolition waste volumes (tree removal, soil and rock excavation): 11,900 m<sup>3</sup></li> <li>• Construction waste volumes (material excess and general waste): 231.4 m<sup>3</sup></li> </ul>	<p>Waste is being tracked with volumes currently well below that predicted (given the early stage of construction). The Auditor notes the deficiencies in the CWMSP against B13.</p>	Y
Biodiversity	<p>The proposed development is not likely to have any significant impact on biodiversity values.</p>	<p>The site clearing was as per approved plans. Trees were protected during the inspection.</p>	Y

## 4. CONCLUSIONS

This Audit Report presents the findings from the first Independent Audit for the construction period, covering the period from the granting of consent on 21 September 2021 through to the end of March 2022 inclusive (the audit period).

The overall outcome of the Independent Audit was positive. Compliance records were organised and available at the time of the site inspection and interviews with Project personnel. Relevant environmental and compliance monitoring records were being collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements.

In summary:

- There were 134 CoCs assessed.
- Two issues gave rise to three (3) non-compliances against the CoCs. These relate to consultation with Registered Aboriginal Parties and the CEMP.
- Two issues gave rise to eight (8) observations against the CoCs. These relate to the Staging Report, monitoring, content on the website and the content of management plans.

As noted in Section 3.2, there are several deficiencies with the CEMP and Sub-plans. The Auditor notes that the CEMP has not been localised for the Project in any meaningful way. Further, the Sub-plans and the CEMP do not effectively talk to one another, nor do they meet the requirements of the CoCs in some circumstances. It is recommended that the CEMP and Sub-plans undergo a full and coordinated review to ensure they address the conditions and are consistent. The *Environmental Management Plan Guideline: Guideline for Infrastructure Projects* (DPIE April 2020) provides a useful tool to assist and should be utilised further to assist in making the CEMP and Sub-plans adequate.

Detailed findings are presented in Section 3, along with actions taken by the Project team to address the findings.

The Auditor would like to thank the auditees from TAFE NSW, Cadence and ADCO for their high level of organisation, cooperation and assistance during the Independent Audit.

## 5. LIMITATIONS

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## **APPENDIX A – SSD 8571481 CONDITIONS OF CONSENT**



Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status																																																																																																				
SCHEDULE 2																																																																																																								
PART A: ADMINISTRATIVE CONDITIONS																																																																																																								
Obligation to Minimise Harm to the Environment																																																																																																								
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and, if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction and operation of the development.	Evidence referred to elsewhere in this audit table	Feasible and reasonable measures were observed to be implemented for the construction at the time of the audit, noting however the non-compliances and observations referred to in this audit table.	C																																																																																																				
Terms of Consent																																																																																																								
A2	<div>The development may only be carried out:<div><div>a) in compliance with the conditions of this consent;</div><div>b) in accordance with all written directions of the Planning Secretary;</div><div>c) generally in accordance with the EIS, Response to Submissions and additional information provided in support of the application during the assessment period; and</div><div>d) in accordance with the approved plans in the table below:</div></div><table><tr><th colspan="4">Architectural drawings prepared by Gray Puksand</th></tr><tr><th>Dwg No.</th><th>Rev</th><th>Name of Plan</th><th>Date</th></tr><tr><td>DA0101</td><td>E</td><td>SITE PLAN – DEMOLITION</td><td>05-08-21</td></tr><tr><td>DA0103</td><td>E</td><td>SITE PLAN – PROPOSED</td><td>05-08-21</td></tr><tr><td>DA0110</td><td>D</td><td>PROPOSED ENTRY</td><td>23-07-21</td></tr><tr><td>DA1300</td><td>F</td><td>LOWER GROUND – GA FLOOR PLAN</td><td>23-07-21</td></tr><tr><td>DA1310</td><td>E</td><td>UPPER GROUND – GA FLOOR PLAN</td><td>02-06-2021</td></tr><tr><td>DA1320</td><td>D</td><td>LEVEL 1 – GA FLOOR PLAN</td><td>02-06-2021</td></tr><tr><td>DA1500</td><td>E</td><td>ROOF PLAN</td><td>02-06-2021</td></tr><tr><td>DA2000</td><td>E</td><td>EXTERNAL ELEVATIONS</td><td>02-06-2021</td></tr><tr><td>DA2005</td><td>E</td><td>EXTERNAL ELEVATIONS</td><td>02-06-2021</td></tr><tr><td>DA2500</td><td>E</td><td>BUILDING SECTIONS</td><td>02-06-2021</td></tr><tr><td>DA2505</td><td>E</td><td>BUILDING SECTIONS</td><td>02-06-2021</td></tr><tr><td>DA5000</td><td>E</td><td>SITE PLAN – SIGNAGE LOCATION</td><td>23-07-21</td></tr><tr><td>DA5010</td><td>D</td><td>SIGNAGE ELEVATIONS</td><td>02-06-2021</td></tr><tr><th colspan="4">Landscaping drawings prepared by Gray Puksand</th></tr><tr><th>Dwg No.</th><th>Rev</th><th>Name of Plan</th><th>Date</th></tr><tr><td>L-DA-02</td><td>F</td><td>Landscape Schedules</td><td>09/06/21</td></tr><tr><td>L-DA-05</td><td>G</td><td>Landscape Plan 1 – Lower Ground</td><td>10/06/21</td></tr><tr><td>L-DA-06</td><td>G</td><td>Landscape Plan 2 – Upper Ground</td><td>09/06/21</td></tr><tr><td>L-DA-07</td><td>C</td><td>Landscape Plans 3 – O’Connell Entry</td><td>09/06/21</td></tr><tr><td>L-0004</td><td>B</td><td>Site Plan</td><td>9/8/21</td></tr><tr><td>L-0005</td><td>B</td><td>Site Plan – IATC</td><td>9/8/21</td></tr><tr><td>L-0007</td><td>B</td><td>Tree Protection &amp; Removal Plan</td><td>9/8/21</td></tr><tr><td>L-1008</td><td>B</td><td>Materials &amp; Finishes Plan 8 - IATC</td><td>9/8/21</td></tr></table></div>	Architectural drawings prepared by Gray Puksand				Dwg No.	Rev	Name of Plan	Date	DA0101	E	SITE PLAN – DEMOLITION	05-08-21	DA0103	E	SITE PLAN – PROPOSED	05-08-21	DA0110	D	PROPOSED ENTRY	23-07-21	DA1300	F	LOWER GROUND – GA FLOOR PLAN	23-07-21	DA1310	E	UPPER GROUND – GA FLOOR PLAN	02-06-2021	DA1320	D	LEVEL 1 – GA FLOOR PLAN	02-06-2021	DA1500	E	ROOF PLAN	02-06-2021	DA2000	E	EXTERNAL ELEVATIONS	02-06-2021	DA2005	E	EXTERNAL ELEVATIONS	02-06-2021	DA2500	E	BUILDING SECTIONS	02-06-2021	DA2505	E	BUILDING SECTIONS	02-06-2021	DA5000	E	SITE PLAN – SIGNAGE LOCATION	23-07-21	DA5010	D	SIGNAGE ELEVATIONS	02-06-2021	Landscaping drawings prepared by Gray Puksand				Dwg No.	Rev	Name of Plan	Date	L-DA-02	F	Landscape Schedules	09/06/21	L-DA-05	G	Landscape Plan 1 – Lower Ground	10/06/21	L-DA-06	G	Landscape Plan 2 – Upper Ground	09/06/21	L-DA-07	C	Landscape Plans 3 – O’Connell Entry	09/06/21	L-0004	B	Site Plan	9/8/21	L-0005	B	Site Plan – IATC	9/8/21	L-0007	B	Tree Protection & Removal Plan	9/8/21	L-1008	B	Materials & Finishes Plan 8 - IATC	9/8/21	Evidence referred to elsewhere in this audit table  Interview with auditees 24/02/22  Environmental Impact Statement TAFE NSW Construction Centre of Excellence, Urbis, 10/03/21 (the EIS)  Submissions Report SSD-8571481 - Institute of Applied Technology for Construction, Urbis, 11/06/21 (the RtS)  Response To Request for Information - SSD-8571481, Urbis, 13/08/21.  Crown Certificate 1 (021-217335) substructure and in ground services, Philip Chun, 12/12/21  Crown Certificate 2.1 (021-217335) structure below upper ground floor, including foundations, slab on ground showing, walls, concrete columns, block walls, lift pits, cores and stairs, Philip Chun, 08/02/22	Whilst some non-compliances were identified, these were not substantial in nature and were not significant in number. Other than these few events, compliance is being achieved in all other respects and, on this basis, the Auditor does not consider it appropriate to assign a non-compliance with this condition.  There have been no written directions from the Planning Secretary.  Development was observed to be carried out generally in accordance with the EIS, RtS and additional information provided in support of the application.  The Certifier has verified that the works to date are consistent with the approved design.	C
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DA2500	E	BUILDING SECTIONS	02-06-2021																																																																																																					
DA2505	E	BUILDING SECTIONS	02-06-2021																																																																																																					
DA5000	E	SITE PLAN – SIGNAGE LOCATION	23-07-21																																																																																																					
DA5010	D	SIGNAGE ELEVATIONS	02-06-2021																																																																																																					
Landscaping drawings prepared by Gray Puksand																																																																																																								
Dwg No.	Rev	Name of Plan	Date																																																																																																					
L-DA-02	F	Landscape Schedules	09/06/21																																																																																																					
L-DA-05	G	Landscape Plan 1 – Lower Ground	10/06/21																																																																																																					
L-DA-06	G	Landscape Plan 2 – Upper Ground	09/06/21																																																																																																					
L-DA-07	C	Landscape Plans 3 – O’Connell Entry	09/06/21																																																																																																					
L-0004	B	Site Plan	9/8/21																																																																																																					
L-0005	B	Site Plan – IATC	9/8/21																																																																																																					
L-0007	B	Tree Protection & Removal Plan	9/8/21																																																																																																					
L-1008	B	Materials & Finishes Plan 8 - IATC	9/8/21																																																																																																					
A3	<div>Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:<div><div>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;</div><div>b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and</div><div>c) the implementation of any actions or measures contained in any such document referred to in (a) above.</div></div></div>	Interview with auditees 24/2/22	The auditees are not aware of any direction from the Planning Secretary in relation to the matters identified in this condition.	NT																																																																																																				
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. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	-	This audit assess compliance with these conditions as issued.	NT																																																																																																				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
<b>Limits of Consent</b>				
A5	This consent lapses five years after the date of consent unless work is physically commenced.	Development Consent SSD-8571481 - TAFE NSW Institute of Applied Technology for Construction. Issued 28 September 2021 (Post Approval Portal)  Letter TAFE to DPE 01/12/21 (notification of commencement of Stage 1)	Notification of commencement of Stage 1 was provided on 01/12/21  Actual date of commencement of Stage 1 construction was on 07/12/2.	C
<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.	Part 6, Division 8A of the EPAA Interview with auditees 24/2/22 Site inspection 25/02/22 Email Certifier to TAFE, 13/12/21 (issue of Crown Certificate 1).  Crown Certificate 1 (021-217335) substructure and in ground services, Philip Chun, 12/12/21  Crown Certificate 2.1 (021-217335) structure below upper ground floor, including foundations, slab on ground showing, walls, concrete columns, block walls, lift pits, cores and stairs, Philip Chun, 08/02/22	Part 6, Division 8A of the EPAA relates to prescribed conditions for: <ul style="list-style-type: none"><li>• compliance with the BCA (Crown Certificates received)</li><li>• erection of signs (site notices sighted)</li><li>• residential building work (not relevant)</li><li>• entertainment venues (not relevant)</li><li>• signage for max number of persons in venues (not relevant)</li><li>• shoring and adjoining properties (no properties are adjoining to the Project).</li></ul>	C
<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.	Interview with auditees 24/02/22	None identified by the Project team / auditee	NT
<b>Evidence of Consultation</b>				
A8	Where conditions of this consent require consultation with an identified party, the Applicant must: <ul style="list-style-type: none"><li>a) consult with the relevant party prior to submitting the subject document for information or approval; and</li><li>b) provide details of the consultation undertaken including:<ul style="list-style-type: none"><li>I. the outcome of that consultation, matters resolved and unresolved; and</li><li>II. details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.</li></ul></li></ul>	Evidence sighted in relation to CoC B10, B11, B14 and C26.	<b>Non-compliance: Whilst general consultation with Registered Aboriginal Parties (RAPs) has occurred, no primary evidence was available to confirm that the induction material and unexpected finds protocol were prepared in consultation with the RAPs as is required by B10.</b>	NC

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
<b>Staging</b>				
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 of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).	Staging Report slides, ADCO, 27/10/21 TAFE IATC- DA Consent Matrix and Staging, no date).  DPE post approval portal lodgement record 11/11/21  Email chain TAFE and DPE, 30/11/21  Letter DPE to TAFE, 10/12/21  Interview with auditees, 24/02/22	The Staging Report was submitted 1 month prior to the commencement of construction (via email on 05/11/21 and then to the portal on 11/11/21).  The Department responded that the review time is 56 days (not one month as described in the condition). TAFE advise that they lost access to the DPE post approval portal and the Department issued a Request for Information (RFI) to an incorrect email.  TAFE received feedback from the Department and the Staging Report was subsequently revised on 15/03/22 and resubmitted on 16/03/22. The Department approved the updated Staging Report on 31/03/22.	C
A10	A Staging Report prepared in accordance with condition A9 must: <ul style="list-style-type: none"> <li>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;</li> <li>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);</li> <li>c) specify how compliance with conditions will be achieved across and between each of the stages of the project; and</li> <li>d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.</li> </ul>	Staging Report slides, ADCO, 27/10/21 TAFE IATC- DA Consent Matrix and Staging, no date).  DPE post approval portal lodgement record 11/11/21  Email chain TAFE and DPE, 30/11/21  Letter DPE to TAFE, 10/12/21  Interview with auditees, 24/02/22	<b>Observation: The Auditor observes that original the Staging Plan slides and DA Consent Matrix and Staging (presented on the TAFE IATC website) do not address the requirements of a Staging Report, as described in A10. The Auditor also observes that the DA Consent Matrix does not provide sufficient detail on how / when each condition would be complied with through commentary on whether something applies to prior to commencement of a certain stage, during a certain stage, or whether an initial submission will cover subsequent stages. The Staging Report was subsequently revised on 15/03/22 and resubmitted on 16/03/22. The Department approved the updated Staging Report on 31/03/22.</b>	C
A11	Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.	Evidence referred to elsewhere in this Audit Table	Evidence shows that compliance is generally being achieved to date, despite the deficiencies in the Staging Report.	C
A12	Where construction or operation is being staged in accordance with a Staging Report, 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 Staging Report.	Evidence referred to elsewhere in this Audit Table	Evidence shows that compliance is generally being achieved to date, despite the deficiencies in the Staging Report.	C
<b>Staging, Combining and Updating Strategies, Plans or Programs</b>				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A13	<p>The Applicant may:</p> <ul style="list-style-type: none"> <li>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);</li> <li>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</li> <li>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).</li> </ul>	<p>Staging Report slides, ADCO, 27/10/21</p> <p>TAFE IATC- DA Consent Matrix and Staging, no date).</p> <p>Interview with auditees 24/02/22</p>	<p>Whilst the works and the conditions are proposed to be staged (and yet to be approved) (including the timing of delivery of some strategies, plans and programs), the plans, strategies and programs themselves are not staged.</p>	NT
A14	Any strategy, plan or program prepared in accordance with condition A13, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary	<p>Staging Report slides, ADCO, 27/10/21</p> <p>TAFE IATC- DA Consent Matrix and Staging, no date).</p> <p>Interview with auditees 24/02/22</p>	<p>Whilst the works and the conditions are proposed to be staged (and yet to be approved) (including the timing of delivery of some strategies, plans and programs), the plans, strategies and programs themselves are not staged.</p>	NT
A15	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.	<p>Staging Report slides, ADCO, 27/10/21</p> <p>TAFE IATC- DA Consent Matrix and Staging, no date).</p> <p>Interview with auditees 24/02/22</p>	<p>Whilst the works and the conditions are proposed to be staged (and yet to be approved) (including the timing of delivery of some strategies, plans and programs), the plans, strategies and programs themselves are not staged.</p>	NT
A16	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.	<p>Staging Report slides, ADCO, 27/10/21</p> <p>TAFE IATC- DA Consent Matrix and Staging, no date).</p> <p>Interview with auditees 24/02/22</p>	<p>Whilst the works and the conditions are proposed to be staged (and yet to be approved) (including the timing of delivery of some strategies, plans and programs), the plans, strategies and programs themselves are not staged.</p>	NT
<b>Structural Adequacy</b>				
A17	<p>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.</p> <p><i>Notes: Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the development.</i></p>	<p>Email Certifier to TAFE, 13/12/21 (issue of Crown Certificate 1).</p> <p>Crown Certificate 1 (021-217335) substructure and in ground services, Philip Chun, 12/12/21</p> <p>Crown Certificate 2.1 (021-217335) structure below upper ground floor, including foundations, slab on ground showing, walls, concrete columns, block walls, lift pits, cores and stairs, Philip Chun, 08/02/22</p>	<p>The Certifier has verified compliance with the BCA through issue of CC1 and CC2.1.</p>	C
<b>External Walls and Cladding</b>				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A18	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Interview with auditees 24/02/22	The design of external walls and cladding is pending. It is currently marked for Stage 4 (subject to approval of Staging Report).	NT
<b>Applicability of Guidelines</b>				
A19	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	The CEMP and sub-plans referred to elsewhere in this Audit Table	The CEMP and sub-plans refer to the relevant guidelines and policies.	C
A20	Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	Interview with auditees 24/02/22	There was an RFI issued by the Department on the draft Staging Report. A response was provided on 16/03/22. Other than this the Project team / auditee is not aware of any directions from the Planning Secretary.	NT
<b>Monitoring and Environmental Audits</b>				
A21	<p>Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&amp;A Act. This includes conditions in respect of incident notification, reporting and response, noncompliance notification, Site audit report and independent auditing.</p> <p><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></p>	<p>Interview with auditees 24/02/22</p> <p>Noise, vibration and dust monitoring logging system, current to 24/02/22</p>	<p>The relevant section of the EPAA relates to (among other things) the need to be accurate, true (not misleading), properly conducted (approved methodology, calibrated etc) and with records retained.</p> <p>This Independent Audit has been conducted in accordance with the Department’s IAPAR and ISO 9001.</p> <p><b>Observation: Continuous noise and dust monitoring is being undertaken on site and at adjacent receivers. There is no evidence available to demonstrate that this is being conducted in accordance with a recognized standard or methodology.</b></p> <p><b>The Project team / auditees stated that the monitoring was voluntary and for information only. The Auditor observes that no complaints have been recorded to date, however:</b></p> <ul style="list-style-type: none"> <li>• <b>With respect to noise and vibration monitoring: The Auditor refers to Section 11.3.4 and 14.2.2 of the CEMP, and Section 6.3 of the CNVMSP (including Table 13). The Auditor is of the view that the monitoring does fully align the CEMP / CNVMSP requirements.</b></li> <li>• <b>With respect to dust monitoring: The Auditor refers to Section 14.2.2 of the CEMP. The Auditor is of the view that the monitoring does fully align the CEMP requirements.</b></li> </ul>	C



Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
<b>Access to Information</b>				
A22	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:</p> <p>a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ol style="list-style-type: none"> <li>the documents referred to in condition A2 of this consent;</li> <li>all current statutory approvals for the development;</li> <li>all approved strategies, plans and programs required under the conditions of this consent;</li> <li>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;</li> <li>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;</li> <li>a summary of the current stage and progress of the development;</li> <li>contact details to enquire about the development or to make a complaint;</li> <li>a complaints register, updated monthly;</li> <li>audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;</li> <li>any other matter required by the Planning Secretary; and</li> </ol> <p>b) keep such information up to date, to the satisfaction of the Planning Secretary</p>	<p><a href="https://www.tafensw.edu.au/instituteofappliedtechnology">https://www.tafensw.edu.au/instituteofappliedtechnology</a></p> <p>Complaints register current to 31/01/22</p>	<p>The project website is active and contains the items listed in a(i) (ii) (iii) (vi) and (iv).</p> <p>There are no public reporting arrangements within the consent of the CEMP and sub-plans, therefore items (iv) and (v) are not applicable.</p> <p>This is the first audit therefore a(ix) is yet to be presented.</p> <p>The auditees advise that there have been no directions from the Secretary.</p> <p><b>Observation: The CEMP and each sub-plan is presented on the website with the exception of the CNVMSP and CSWMSP.</b></p>	C
<b>Compliance</b>				
A23	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development	<p>Project scope of works, Design and Construct – Formwork, ADCO, Rev A</p> <p>Subcontractor drop box (issue of SSD to subcontractors), no date</p> <p>Tender contract document A6.1, A6.2, A6.3, A6.4, Concrete Supply and Place Annexure I of Subcontract, ADCO, 11/10/21</p> <p>HSE Project specific induction, ADCO, Version 4</p> <p>Hammertech Toolbox Talk register, current to 16/02/22</p>	<p>The consent and associated approved plans are issued to subcontractors through the tender and engagement process as well as through their agreed scope of works.</p> <p>The induction includes information on scope of works, hours of work, access (gates and roads), emergency management, soil and water controls, unexpected finds protocol.</p> <p>Toolbox talks are conducted on a weekly basis. The toolbox talks address current works, risks and controls (not necessarily confined to compliance).</p>	C
<b>Incident Notification, Reporting and Response</b>				
A24	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.	Hammertech incident register current 23/02/22	No incidents are identified in the Project incident register.	NT
A25	Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 2.	Hammertech incident register current 23/02/22	No incidents are identified in the Project incident register.	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
<b>Non-Compliance Notification</b>				
A26	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.	Interview with auditees 23/02/22	The Project team / auditee has not identified non-compliances.	NT
A27	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.	Interview with auditees 23/02/22	The Project team / auditee has not identified non-compliances.	NT
A28	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Interview with auditees 23/02/22 Hammertech incident register current 23/02/22	The Project team / auditee has not identified non-compliances or incidents.	NT
<b>Revision of Strategies, Plans and Programs</b>				
A29	Within three months of: a) the submission of a compliance report under condition A32; b) the submission of an incident report under condition A25; c) the submission of an Independent Audit under condition C37 or C38; d) the approval of any modification of the conditions of this consent; or  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.	Interview with auditees 23/02/22 Site inspection 24/02/22	There have been no triggering events for a 3 month review.	NT
A30	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. 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.	Construction Environmental Management Plan (CEMP), TAFE NSW institute of Applied Technology for Construction, ADCO, December 2021 (CEMP) Construction Traffic Management Plan, PTC, 19/11/21 (CTPMSP) Construction Noise and Vibration Management Sub-Plan, E-Lab Consulting, 14 December 2021 (CNVMSP) Waste Management Sub-Plan, ADCO, December 2021 (CWMSPP) Soil and Water Management Plan, Northrop, 19 December 2021 (CSWMP)	The plans are unchanged.	NT
<b>Compliance Reporting</b>				
A31	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements.	Compliance Reporting Post Approval Requirements	Compliance Reporting is triggered once a Project commences operation. The Project is in construction.	NT
A32	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.	Compliance Reporting Post Approval Requirements	Compliance Reporting is triggered once a Project commences operation. The Project is in construction.	NT



Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
A33	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.	Compliance Reporting Post Approval Requirements	Compliance Reporting is triggered once a Project commences operation. The Project is in construction.	NT
A34	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.	Compliance Reporting Post Approval Requirements	Compliance Reporting is triggered once a Project commences operation. The Project is in construction.	NT
<b>PART B: PRIOR TO COMMENCEMENT OF CONSTRUCTION</b>				
<b>Notification of Commencement</b>				
B1	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.	Letter TAFE to DPE 01/12/21 (notification of commencement of Stage 1)	Notification of commencement of Stage 1 was provided on 01/12/21;  Actual date of commencement of Stage 1 construction was on 07/12/21;	C
B2	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.	Letter TAFE to DPE 01/12/21 (notification of commencement of Stage 1)	Notification of commencement of Stage 1 was provided on 01/12/21.  Actual date of commencement of Stage 1 construction was on 07/12/21.	C
<b>Certified Drawings</b>				
B3	Prior to the commencement of construction, 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.	Letter Northrop to TAFE 19/01/22 (structural engineer certification of drawing set).  Email Certifier to TAFE, 13/12/21 (issue of Crown Certificate 1).  Crown Certificate 1 (021-217335) substructure and in ground services, Philip Chun, 12/12/21  Crown Certificate 2.1 (021-217335) structure below upper ground floor, including foundations, slab on ground showing, walls, concrete columns, block walls, lift pits, cores and stairs, Philip Chun, 08/02/22	The structural engineer certified the drawing set and the Certifier provided acceptance through issue of CC1 and CC2.1.	C
<b>External Walls and Cladding</b>				
B4	Prior to the commencement of construction of external walls and cladding, 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.	Site inspection 25/02/22	Construction of external walls has yet to commence.	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
<b>Protection of Public Infrastructure</b>				
B5	<p>Prior to the commencement of construction, the Applicant must:</p> <ul style="list-style-type: none"> <li>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;</li> <li>b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and</li> <li>c) submit a copy of the dilapidation report to the Planning Secretary, Certifier and Council.</li> </ul>	<p>Pre-construction Survey, AusDilaps, 02/11/21 (covers IATC Kingswood Campus, WSU and Great Western Highway)</p> <p>Email ADCO to Council, 07/12/21</p> <p>Email ADCO to Certifier, 22/11/21</p> <p>DPE post approval portal lodgement 23/02/22</p> <p>Interview with auditees 24/02/22</p>	<p>WSU owns the road network and TAFE will use their roads for access. There are no services within the Project footprint that have been affected.</p> <p>The report was provided to the Certifier, Council and Planning Secretary.</p>	C
<b>Pre-Construction Dilapidation Report</b>				
B6	<p>Prior to the commencement of construction, the Applicant must submit a pre-commencement dilapidation report to Council, and the Certifier. The report must provide an accurate record of the existing condition of adjoining private properties, and Council assets that are likely to be impacted by the proposed works.</p>	<p>Pre-construction Survey, AusDilaps, 02/11/21 (covers IATC Kingswood Campus, WSU and Great Western Highway)</p> <p>Email ADCO to Council, 07/12/21</p> <p>Email ADCO to Certifier, 22/11/21</p>	<p>A dilapidation report was prepared and it provides a record of the existing condition of adjoining private properties, and Council assets. The report was provided to the Certifier and Council.</p>	C
<b>Ecologically Sustainable Development</b>				
B7	<p>Prior to the commencement of construction, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by either:</p> <ul style="list-style-type: none"> <li>a) registering for a minimum 5 star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifier; or</li> <li>b) seeking approval from the Planning Secretary for an alternative certification process.</li> </ul>	<p>Green Star Registration, 28/06/21</p> <p>ESD SSDA Design Report, Northrop, Rev 2, 04/03/21</p> <p>Green Star – Design and As Built Scorecard, Round 1, Northrop</p> <p>Email Cadence to Certifier, 05/12/21</p> <p>Crown Certificate 1 (021-217335) substructure and in ground services, Philip Chun, 12/12/21</p> <p>Crown Certificate 2.1 (021-217335) structure below upper ground floor, including foundations, slab on ground showing, walls, concrete columns, block walls, lift pits, cores and stairs, Philip Chun, 08/02/22</p>	<p>The ESD Design report sets out how 5-star Green Star rating would be achieved. The Score Card identifies that 5-star would be achieved. Registration was completed in June 2021. 5-star Green Star rating was registered and submitted to the Certifier.</p>	C
<b>Outdoor Lighting</b>				
B8	<p>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.</p>	<p>Site inspection 25/02/22</p>	<p>Lighting installation has yet to commence.</p>	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
<b>Environmental Management Plan Requirements</b>				
B9	<p>Management plans required under this consent must be prepared having regard to the relevant guidelines, including but not limited to the Environmental Management Plan Guideline: Guideline for Infrastructure Projects (DPIE April 2020).</p> <p><i>Note: The Environmental Management Plan Guideline is available on the Planning Portal at: <a href="https://www.planningportal.nsw.gov.au/major-projects/assessment/post-approval">https://www.planningportal.nsw.gov.au/major-projects/assessment/post-approval</a> • The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>	<p>Construction Environmental Management Plan (CEMP), TAFE NSW institute of Applied Technology for Construction, ADCO, December 2021 (CEMP)</p> <p>Construction Traffic Management Plan, PTC, 19/11/21 (CTPMSP)</p> <p>Construction Noise and Vibration Sub-Plan, E-Lab Consulting, 14/12/21 and 21/02/22 (CNVMSP)</p> <p>Waste Management Sub-Plan, ADCO, December 2021 (CWMSPP)</p> <p>Civil Engineering Report, Soil and Water Management Plan, Northrop, 09/12/21 (the CSWMSP)</p>	<p>The Construction Environmental Management Plan and Management Sub-Plans documents do not address all the requirements of the condition.</p> <p><b>Observation: The CEMP was reviewed against the DPIE (April 2020) Environmental Management Plan Guideline and it appears the Guideline has been considered but, in some cases, not necessarily followed. For example:</b></p> <ul style="list-style-type: none"> <li>The CEMP does not include the conditions of consent or identify how the conditions have been addressed. (A development consent compliance matrix should be included).</li> <li>The CEMP does not include a site location plan with appropriate project details.</li> </ul> <p>The Auditor observes that the Project team / auditee stated that a check was done against the checklist in the Environmental Management Plan Guideline: Guideline for Infrastructure Projects. However the auditee has used Table 6-1, rather than <b>Appendix A. EMP preparation checklist</b>.</p> <p>Sub-plan comments are provided below against Condition B11-B14.</p>	<b>C</b>
<b>Construction Environmental Management Plan</b>				
B10	<p>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:</p> <p>a) Details of: I hours of work;</p> <p>II 24-hour contact details of site manager;</p> <p>III management of dust and odour to protect the amenity of the neighbourhood;</p>	<p>Construction Environmental Management Plan (CEMP), TAFE NSW institute of Applied Technology for Construction, ADCO, December 2021 (CEMP)</p> <p>Construction Traffic Management Plan, PTC, 19/11/21 (CTPMSP)</p> <p>Construction Noise and Vibration Sub-Plan, E-Lab Consulting, 14/12/21 and 21/02/22 (CNVMSP)</p> <p>Waste Management Sub-Plan, ADCO, December 2021 (CWMSPP)</p> <p>Civil Engineering Report, Soil and Water Management Plan, Northrop, 09/12/21 (the CSWMSP)</p> <p>Crown Certificate 1 (021-217335) substructure and in ground services, Philip Chun, 12/12/21</p> <p>Email ADCO to Certifier 23/02/22 (submission of updated CEMP)</p> <p>DPE post approval portal 23/02/22</p>	<p>The CEMP and Sub-plans were prepared and submitted to the Certifier. The Certifier accepted the documents through the issue of CC1.</p> <p>The latest version of the CEMP and Sub-plans are issued to the Project team / auditee via Aconex.</p> <p><b>Non-compliance: The CEMP was not submitted to the Planning Secretary until 23/02/22, well after the commencement of construction. The CSWMSP (dated 09/12/21) was not prepared prior to construction (07/12/21).</b></p> <p><b>Observation: Standard work hours are noted in Section 7 of the CEMP. Other conditions in the CoC relating to restriction on hours of work have not been included (e.g. Condition C7)</b></p> <p>24hr contact details provided in Section 5 of the CEMP</p> <p>Dust management and monitoring are detailed in Section 11.3.3 &amp; 14.2.2 of the CEMP respectively.</p> <p>Odour measures are discussed in Appendix A Risk Register.</p>	<b>NC</b>

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	III external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;	Connecting with Country Meeting Minutes No. 5, 22/10/21	Lighting is discussed in Section 11.3.12.	
	IV community consultation and complaints handling;	Smoking Ceremony Photos, 0190, 0194, 0201, 0216, 22/10/21	Community consultation and complaints handling is detailed in Section 12.1 and Appendix E of the CEMP.	
	b) an unexpected finds protocol for contamination and associated communications procedure to ensure that potentially contaminated material is appropriately managed;		<b>Observation: An Unexpected and Heritage Finds Protocol (the Protocol) is contained in Appendix B of the CEMP. Reference to the Protocol is not contained in the main body of the CEMP. Condition B7 is mistakenly referenced in the Protocol. The Protocol generally addresses the requirements for managing unexpected contamination however the recommended actions are unclear due to its attempt to address both contamination and heritage finds.</b>	
	c) an unexpected finds protocol for non-Aboriginal heritage and associated communications procedure;		<b>Non-compliance: The Unexpected and Heritage Finds Protocol (the Protocol) in the CEMP does not address the requirements relating to non-Aboriginal heritage in C27. The protocol has been updated to capture the relevant requirements; however it still is not clear (in part due to it being combined with unexpected find protocols for contamination). For example the protocol includes instruction to not dispose of material off site until the information has been submitted to the Planning Secretary. This is in conflict with and C27c).</b>	
	d) an unexpected finds protocol for Aboriginal heritage and associated communications procedure, including details of Aboriginal Cultural Heritage induction materials, which must:  I be prepared in consultation with the Registered Aboriginal Parties; and  II incorporate an overview of the types of Aboriginal sites and Aboriginal objects to be aware of during construction (i.e. stone tools, concentrations of shells that could be middens and rock engravings and grinding grooves).		<b>Non-compliance: The Unexpected and Heritage Finds Protocol (the Protocol) in the CEMP does not address the requirements relating to Aboriginal heritage in C25 and C26, nor has it been prepared in consultation with the RAPs as per B10d). The Protocol has been updated to capture the relevant requirements; however it still is not clear (in part due to it being combined with unexpected find protocols for contamination). For example the Protocol includes instruction to not dispose of material off site until the information has been submitted to the Planning Secretary. This is in conflict with C25e). Further, the Protocol does not appear to have factored in the content from the ACHAR as per C26. Notwithstanding the above the ACHAR found that 'Due to the low potential for Aboriginal archaeological resources to occur and therefore the low potential of direct or indirect harm, no management or mitigation measures are deemed necessary'.</b>	

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	e) Construction Traffic and Pedestrian Management Sub-Plan (see condition B11); f) Construction Noise and Vibration Management Sub-Plan (see condition B12); g) Construction Waste Management Sub-Plan (see condition B12(d)); h) Construction Soil and Water Management Sub-Plan (see condition B14);		Sub-plan comments are provided below against Condition B11-B14.	
B11	The 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:	Construction Traffic Management Plan, PTC, 19/11/21 (CTPMSP)	The CTPMSP has been prepared to address safety and efficiency of the road network.	C
	a) be prepared by a suitably qualified and experienced person(s);		Section 6.21 of the CTPMSP provides evidence of suitable experience and qualifications of the author/s.	
	b) be prepared in consultation with Council and TfNSW;	Email chain ADCO and Penrith City Council, to 23/11/21 Email thread, ADCO and TfNSW to 21/12/21 and 25/01/22	Council provided one comment which requested clarification on TfNSW's requirements. ADCO responded by advising that it will incorporate TfNSW comments in to the document. On 25/01/22 TfNSW endorsed the CTPMSP.	
	c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services; and .		The general measures to be implemented to address road safety and network efficiency are outlined in Section 6 of the CTPMSP in consideration of traffic, cyclists and pedestrians and bus services	
	d) detail heavy vehicle routes, access and parking arrangements		Sections 6.2 of the CTPMSP details consideration of heavy vehicle routes, access and parking arrangements. <b>Observation – Gate 2 has been named twice</b>	
B12	The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following:	Construction Noise and Vibration Sub-Plan, E-Lab Consulting, 14/12/21 and 21/02/22 (CNVMSP)	Table 1 Section 1 of the CNVMSP provides evidence of suitable experience and qualifications of the author/s	C
	a) be prepared by a suitably qualified and experienced noise expert;			
	b) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009);		Section 6 of the CNVMSP outlines procedures for achieving the noise management levels in EPA's Guideline (DECC, 2009).	
	c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;		Section 6.1.1, 6.2.1 and 6.3 of the CNVMSP outlines measures for managing high noise generating works.	
	d) include a complaints management system that would be implemented for the duration of the construction; and		<b>Observation: Section 6.2.3 of the CNVMSP outlines the complaints management procedure. This is not consistent with the complaints management section of the CEMP.</b>	



Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	e) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the implemented management measures in accordance with the requirements of condition B13.		<b>Observation: Section 6.3 of the CNVMSP outlines the monitoring program. The monitoring program is not consistent with the CEMP. The monitoring program in Section 6.3.4 does not specify the monitoring type or triggers for additional noise or vibration monitoring if required.</b>	
B13	The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the procedures for the management of waste including the following: a) the recording of quantities, classification (for materials to be removed) and validation (for materials to remain) of each type of waste generated during construction and proposed use;	Waste Management Sub Plan, ADCO, December 2021 (CWMSP)	<b>Observation: There is no detail on procedure for the validation of materials to be retained on site and the Project will be reusing site won material.</b>	C
	b) information regarding the recycling and disposal locations; and		The Reuse, Recycling, and Disposal sections of the CWMSP outline waste disposal processes. <b>Observation: Whilst records of disposal are being recorded (refer C29 and C31), the CWMSP did not specify the waste disposal locations. An update to the CWMSP after the preparation of the draft Audit Report identifies the disposal facility for general construction waste (EPL 12700).</b>	
	c) confirmation of the contamination status of the development areas of the site based on the validation results.		The Planning and Site Establishment section of the CWMSP discusses the contamination status of the site.	
B14	The Construction Soil and Water Management Sub-Plan (CSWMSP) must address, but not be limited to the following: a) be prepared by a suitably qualified expert, in consultation with Council;	Civil Engineering Report, Soil and Water Management Plan, Northrop, 09/12/21 (the CSWMSP) Email Council to ADCO, 03/02/22	Appendix B of the CSWMSP contains the CV of suitably qualified and experienced expert. Council raised no objections noting that standard requirements are to be implemented.	C
	b) incorporate the management and mitigation measures contained within the 'Salinity Assessment and Management Plan (Rev A)' prepared by JBS&G Australia and dated 5 February 2021.		<b>Observation: The reference to the JBS&amp;G Australia (2021) report in Section 3b of the CSWMSP is insufficient. Specific requirements are to be outlined in the CSWMSP.</b>	
	c) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;		A stabilised site access has been noted for the O'Connell Street Gate 2 in Section 3c of the CSWMSP.	
	d) 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';		Section 2 of the CSWMSP does not provide a commitment to minimum measures to be implemented.	

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	e) 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);		<b>Observation: Wet weather management outlined in Section 2.3 of the CSWMSP provides inspection requirements for a rainfall event. Inspections do not constitute a plan for managing the site prior to a wet weather event.</b>	
	f) detail all off-site flows from the site; and		<b>Observation: The location for off-site flows from the sediment basin should be nominated in the CSWMSP. It is noted that Drawing C0-02-13 Specification Notes provides basin management steps. This detail should be incorporated into the main CSWMSP and confirmed during consultation with Penrith City Council.</b>	
	g) 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.		Management of flood flows is generally described in Section 2.1, 3.1 and the attached drawings of the CSWMSP.	
B15	A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following: <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>	Driver Code of Conduct, ADCO (no unique id or date). Signed scope of Works, Concrete Supply, 07/02/22 (contract includes routes)	The Driver Code of Conduct includes requirements that would (if implemented) achieve the requirements of this condition.	C
<b>Construction Parking</b>				
B16	Prior to the commencement of construction, the Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that construction traffic associated with the development does not utilise public and residential streets or public parking facilities.	Site inspection 25/02/22 Aerial photo, ADCO, 18/02/22	The site has adequate parking arrangements on site. The use of public streets is not required.	C
<b>Soil and Water</b>				
B17	Prior to the commencement of construction, the Applicant must: <ul style="list-style-type: none"> <li>a) install erosion and sediment controls on the site to manage wet weather events; and</li> <li>b) divert existing clean surface water around operational areas of the site</li> </ul>	Site inspection 25/02/22 Photo series, ADCO, 18/02/22 ADCO Monthly Report, December 2021 Erosion and Sediment Control Plan, Northrop, Rev B Email, Northrop to ADCO, 21/02/22	Soil and water controls were installed prior to commencement of construction and are consistent with the erosion and sediment control plan for the Project, which was prepared in accordance with the Blue Book.	C
B18	Prior to the commencement of construction, erosion and sediment controls must be installed and maintained, as a minimum, in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book'.	Site inspection 25/02/22 Photo series, ADCO, 18/02/22 ADCO Monthly Report, December 2021 Erosion and Sediment Control Plan, Northrop, Rev B Email, Northrop to ADCO, 21/02/22	Soil and water controls were installed prior to commencement of construction and are consistent with the erosion and sediment control plan for the Project, which was prepared in accordance with the Blue Book.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
<b>Flood Management</b>				
B19	Prior to the commencement of construction, the Applicant must submit evidence to the Certifier demonstrating that the design of the development has incorporated the management and mitigation measures contained within the 'Floodplain Management Report for 2-44 O'Connell Street, Kingswood NSW 2747 (Revision B)' prepared by Northrop and dated 11 February 2021.	Floodplain Management Report for 2-44 O'Connell Street, Kingswood NSW 2747 (Revision B)' prepared by Northrop and dated 11 February 2021  Memo Northrop to ADCO, 04/02/22 (verification of flood modelling under C24c))	Northrop have provided a verification memo stating that the flood behaviour is generally consistent with the Floodplain Management Report with no material change to downstream flows.	C
<b>Operational Noise – Design of Mechanical Plant and Equipment</b>				
B20	Prior to installation of mechanical plant and equipment:  a) a detailed assessment of mechanical plant and equipment with compliance with the relevant project noise trigger levels as recommended in 'Acoustic Services – Noise and Vibration Impact Assessment for TAFE NSW Construction Centre of Excellence (Revision 4.0)' prepared by Norman, Disney & Young and dated 10 March 2021 must be undertaken by a suitably qualified person; and  b) evidence must be submitted to the Certifier that any noise mitigation recommendations identified in the assessment carried out under (a) have been incorporated into the design to ensure the development will not exceed the project noise trigger levels identified in 'Acoustic Services – Noise and Vibration Impact Assessment for TAFE NSW Construction Centre of Excellence (Revision 4.0)' prepared by Norman, Disney & Young and dated 10 March 2021.	Site inspection 25/02/22	Mechanical plant has yet to be installed.	NT
<b>Operational Waste Storage and Processing</b>				
B21	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.	Site inspection 25/02/22	Operational waste storage and processing area has yet to be constructed.	NT
<b>Construction Access Arrangements</b>				
B22	Prior to the commencement of construction, evidence of compliance of construction parking and 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.	Construction Traffic Management Plan, PTC, 19/11/21 (CTPMSP)  Crown Certificate 1 (021-217335) substructure and in ground services, Philip Chun, 12/12/21  Email ADCO to Certifier 23/02/22 (submission of updated CEMP)	This information is captured graphically in the CTPMSP. The Certifier verified acceptance through issue of the CC1.	C



Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
<b>Operational Access, Car Parking and Service Vehicle Arrangements</b>				
B23	<p>Prior to the commencement of construction of operational parking and access facilities, evidence of compliance of the design of operational parking and access arrangements with the following requirements must be submitted to the Certifier:</p> <ul style="list-style-type: none"> <li>a) all vehicles must enter and leave the site in a forward direction;</li> <li>b) a minimum of 16 on-site car parking spaces for use during operation of the development and designed in accordance with the latest versions of AS 2890.1 and AS 2890.6; and</li> <li>c) 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.</li> </ul>	Site inspection 25/02/22	Operational parking and access facilities have yet to be constructed.	NT
<b>Public Domain Works</b>				
B24	Prior to the commencement of any footpath or public domain works, the Applicant must consult with Council and demonstrate to the Certifier that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management. The Applicant must submit documentation of approval for each stage from Council to the Certifier.	Site inspection 25/02/22	Footpath or public domain works have yet to be constructed.	NT
<b>PART C: DURING CONSTRUCTION</b>				
<b>Site Notice</b>				
C1	<p>A site notice(s) must be prominently displayed at the boundaries of the site during construction for the purpose of informing the public of project details and must satisfy the following requirements:</p> <ul style="list-style-type: none"> <li>a) minimum dimensions of the site notice(s) must measure 841 mm x 594 mm (A1) with any text on the site notice(s) to be a minimum of 30-point type size;</li> <li>b) the site notice(s) must be durable and weatherproof and must be displayed throughout the works period;</li> <li>c) the approved hours of work, the name of the builder, Certifier, structural engineer, 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(s); and</li> <li>d) the site notice(s) must be mounted at eye level on the perimeter hoardings/fencing and must state that unauthorised entry to the site is not permitted.</li> </ul>	<p>Site photo ADCO, 21/02/22</p> <p>Site inspection 25/02/22</p>	The site signage has been erected and complies with this requirement C1(a) – (d).	C
<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.	<p>Hammertech plant maintenance register, current to 23/02/22</p> <p>Equipment induction, Concrete Boom Pump, XN28EJ</p>	The Hammertech plant register includes detail on how each plant is onboarded including risk assessment, service history check, permit, SWMS, plant operator induction and verification of competency. The plant is stickered with a time / date stamp for reference on relevant service history.	C
<b>Construction Hours</b>				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C3	Construction, including the delivery of materials to and from the site, may only be carried out between the following hours: a) between 7am and 6pm, Mondays to Fridays inclusive; and b) between 8am and 1pm, Saturdays. No work may be carried out on Sundays or public holidays.	Construction Environmental Management Plan (CEMP), TAFE NSW institute of Applied Technology for Construction, ADCO, December 2021 (CEMP) HSE Project specific induction, ADCO, Version 4 Hammertech Toolbox Talk register, current to 16/02/22 Subcontractor meeting 08/02/22 Signed scope of Works, Concrete Supply, 07/02/22 (contract includes hours)	Hours have been incorporated into the CEMP, induction, project signage and subcontractor meeting minutes, all of which are communicated to site teams.  The Project team / auditee has not yet identified any OOHW under C4 or C5.	C
C4	Notwithstanding condition C3, provided noise levels do not exceed the existing background noise level plus 5dB, works may also be undertaken during the following hours: a) between 6pm and 7pm, Mondays to Fridays inclusive; and b) between 1pm and 4pm, Saturdays.	Interview with auditees 24/02/22	The Project team / auditee is not aware of any OOHW to date.	NT
C5	Construction activities may be undertaken outside of the hours in condition C3 and 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 the works are inaudible at the nearest sensitive receivers; or d) for the delivery, set-up and removal of construction cranes, where notice of the crane related works is provided to the Planning Secretary and affected residents at least seven days prior to the works; or e) where a variation is approved in advance in writing by the Planning Secretary or his nominee if appropriate justification is provided for the works.	Interview with auditees 24/02/22	The Project team / auditee is not aware of any OOHW to date.	NT
C6	Notification of such construction activities as referenced in condition C5 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.	Interview with auditees 24/02/22	The Project team / auditee is not aware of any OOHW to date.	NT
C7	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.	Interview with auditees 24/02/22 Site inspection 25/02/22	There have been no high noise activities undertaken to date.	NT
<b>Implementation of Management Plans</b>				
C8	The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans).	Evidence referred to elsewhere in this Audit Table. including: Site inspection 25/02/22 Hammertech weekly inspection register (online, sighted 25/02/22) Hammertech site diary register (online, sighted 25/02/22)	The inspection register demonstrates that the inspections, including those relating to CEMP and Management Plan compliance (including environmental risks and controls (noise, soils, waters, tree protection, SWMS, traffic) are being completed on at least a weekly basis and are retained. Deficiencies are identified, assigned and action. If an action is not completed by the due date these are escalated through the management team.	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		<p>Hammertech induction register (online, sighted 25/02/22)</p> <p>Aerial photo series (online)</p> <p>TAFE NSW and WSU Access Deed Agreement, 29/11/21</p> <p>Hammertech incident register current 23/02/22</p>	<p>Training is being delivered in line with the CEMP.</p> <p>No issues recorded or noted by Project team / auditees.</p> <p><b>Observation: Continuous noise and dust monitoring is being undertaken on site and at adjacent receivers. There is no evidence available to demonstrate that this is being conducted in accordance with a recognized standard or methodology.</b></p> <p><b>The Project team / auditees stated that the monitoring was voluntary and for information only. The Auditor observes that no complaints have been recorded to date, however:</b></p> <ul style="list-style-type: none"> <li><b>With respect to noise and vibration monitoring: The Auditor refers to Section 11.3.4 and 14.2.2 of the CEMP, and Section 6.3 of the CNVMSP (including Table 13). The Auditor is of the view that the monitoring does fully align the CEMP / CNVMSP requirements.</b></li> <li><b>With respect to dust monitoring: The Auditor refers to Section 14.2.2 of the CEMP. The Auditor is of the view that the monitoring does fully align the CEMP requirements.</b></li> </ul>	
<b>Construction Traffic</b>				
C9	All construction 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>Construction Traffic Management Plan, PTC, 19/11/21 (CTPMSP)</p> <p>Site inspection 25/02/22</p>	The site has adequate space for all construction vehicles. The use of public streets is not required.	C
<b>Hoarding Requirements</b>				
C10	<p>The following hoarding requirements must be complied with:</p> <p>a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; and</p> <p>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.</p>	<p>Hammertech weekly inspection register (online, sighted 25/02/22)</p> <p>Site inspection 25/02/22</p>	<p>The inspection register demonstrates that the inspections (including those relating to site fencing compliance) are being completed on at least a weekly basis and are retained. Deficiencies are identified, assigned and action. If an action is not completed by the due date these are escalated through the management team.</p> <p>Site fencing does not currently include hoarding installation</p> <p>No issues observed.</p>	C
<b>No Obstruction of Public Way</b>				
C11	The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.	Site inspection 25/02/22	No obstructions were observed to any public way	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
<b>Construction Noise Limits</b>				
C12	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan	Construction Noise and Vibration Sub-Plan, E-Lab Consulting, 14/12/21 and 21/02/22 (CNVMSP) Photo series, ADCO 9040, 0925 Noise, vibration and dust monitoring logging system, current to 24/02/22 Complaints register current to 31/01/22	The CNVMSP identifies a range of controls. These were observed to be in place on site. The site has been arranged to utilize site sheds as shielding. No noise or vibration complaints have been received.	C
C13	The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition C3.	Construction Environmental Management Plan (CEMP), TAFE NSW institute of Applied Technology for Construction, ADCO, December 2021 (CEMP) HSE Project specific induction, ADCO, Version 4 Hammertech Toolbox Talk register, current to 16/02/22 Subcontractor meeting 08/02/22 Signed scope of Works, Concrete Supply, 07/02/22 (contract includes hours)	Hours have been incorporated into the CEMP, induction, project signage and subcontractor meeting minutes, all of which are communicated to site teams. The Project team / auditee has not yet identified any OOHW under C4 or C5.	C
C14	The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of 'quackers' to ensure noise impacts on surrounding noise sensitive receivers are minimised.	Construction Noise and Vibration Sub-Plan, E-Lab Consulting, 14/12/21 and 21/02/22 (CNVMSP) Site inspection 25/02/22 Complaints register current to 31/01/22	Quackers are identified within the CNVMSP. No complaints regarding this requirement has been received. Note: no plant movements were occurring on site during the inspection due to bad weather.	C
<b>Vibration Criteria</b>				
C15	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).	Site inspection 25/02/22	The WSU and TAFE are the nearest receivers, comprising commercial / educational buildings. These are not within the safe working distance of plant on site. Residential buildings are well away from the construction site.	C
C16	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 C15.	Site inspection 25/02/22	No residential buildings are within 30 metres of the site.	NT
C17	The limits in conditions C15 and C16 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B10 of this consent.	Construction Noise and Vibration Sub-Plan, E-Lab Consulting, 14/12/21 and 21/02/22 (CNVMSP) Site inspection 25/02/22	The WSU and TAFE are nearest receivers these are commercial / educational buildings. These are not within the safe working distance of plant on site. Residential buildings are well away from the construction site. No residential buildings are within 30 metres of the site.	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
<b>Tree Protection</b>				
C18	<p>For the duration of the construction works:</p> <ul style="list-style-type: none"> <li>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;</li> <li>b) all street trees immediately adjacent to the construction zone identified in approved drawings listed in condition A2 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;</li> <li>c) all trees on the site or adjoining the site that are not approved for removal must be suitably protected during construction as per the recommendations of 'Arboricultural Impact Assessment (Revision A)' prepared by Tree IQ and dated 10 December 2020 and its Addendum Report dated 10 August 2021, and the 'Tree Protection &amp; Removal Plan (Rev B)' prepared by Gray Puksand and dated 9 August 2021; and</li> <li>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.</li> </ul>	<p>Site inspection 25/02/22</p> <p>Interview with auditees 24/02/22</p> <p>Site photo, ADCO 18/02/22</p>	<p>No street trees have been trimmed or removed.</p> <p>The site is fenced.</p> <p>No works are extending beyond the fence line.</p> <p>Tree protection zones were observed to be in place during the site inspection.</p>	C
<b>Air Quality</b>				
C19	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	<p>Site photo, ADCO 01/02/22, 02/02/22, 11/02/22, 18/02/22</p> <p>Erosion and sediment control Plan, Northrop, Rev B</p> <p>Email, Northrop to ADCO, 21/02/22</p>	<p>2 x watercarts are in use across the site.</p> <p>Shade cloth is installed on the perimeter.</p> <p>The main haul road and car park have been stabilized with road base / DGB.</p> <p>Stockpiles have been kept below 2.5 m and shaped.</p> <p>Static stockpiles have been stabilized.</p>	C
C20	<p>During construction, the Applicant must ensure that:</p> <ul style="list-style-type: none"> <li>a) activities are carried out in a manner that minimises dust including emission of windblown or traffic generated dust;</li> <li>b) all trucks entering or leaving the site with loads have their loads covered;</li> <li>c) trucks associated with the development do not track dirt onto the public road network;</li> <li>d) public roads used by these trucks are kept clean; and</li> <li>e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.</li> </ul>	<p>Site photo, ADCO 01/02/22, 02/02/22, 11/02/22, 18/02/22</p> <p>Erosion and sediment control Plan, Northrop, Rev B</p> <p>Email, Northrop to ADCO, 21/02/22</p>	<p>2 x watercarts are in use across the site.</p> <p>Shade cloth is installed on the perimeter.</p> <p>The main haul road and car park have been stabilized with road base / DGB.</p> <p>Stockpiles have been kept below 2.5 m and shaped.</p> <p>Static stockpiles have been stabilized.</p>	C
<b>Imported Fill</b>				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C21	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>a) ensure that only VENM, ENM, or other material that meets the requirements of a relevant order and exemption issued by the EPA, is brought onto the site;</li> <li>b) keep accurate records of the volume and type of fill to be used; and</li> <li>c) make these records available to the Certifier upon request.</li> </ul>	<p>Recovered Aggregate Test Report, Resource Laboratories, (test dates 13/07/21, 11/06/21, 13/08/21)</p> <p>Waste Classification Report, P Clifton and Assoc, 05/11/21 (VENM classification for imported soil from 52 Golf Ave Mona Vale)</p> <p>Interview with auditees 24/02/22</p> <p>Kingswood IATC Load Sheet, 25/02/22</p>	<p>The recovered aggregate provided has been assessed against the EPA recovered aggregate order and exemption. A load sheet is being used to track volumes (through load counts, rather than actual volumes).</p> <p>The Project team / auditee are not aware of the Certifier requesting any material import reports.</p>	C
<b>Disposal of Seepage and Stormwater</b>				
C22	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	<p>Permit to discharge, 23/12/21, 04/02/22</p> <p>Email ADCO to Certifier, 10/11/21</p> <p>Civil Engineering Report, Soil and Water Management Plan, Northrop, 09/12/21 (the CSWMSP)</p>	<p>Provisions for discharge were set out in the CSWMP and erosion and sediment control plan, which were submitted to the Certifier. A 'permit to discharge' process is in place. It requires testing and authorization to release. The pump is fitted with a sediment filter to help prevent picking residual sediment.</p> <p>The water is discharged to TAFE land, not Council.</p>	C
<b>Emergency Management</b>				
C23	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	<p>Emergency Management Plan, ADCO, 16/02/22</p> <p>Emergency management plan (figure), ADCO, Toolbox talks (team and site wide), 15/02/22 and 17/02/22 respectively (emergency management)</p> <p>HSE Project specific induction, ADCO, Version 4</p>	<p>The induction includes information on emergency. The emergency response measures have been developed in the Emergency Management Plan. These are regularly communicated to site personnel and sign posted on site.</p>	C
<b>Stormwater Management System</b>				



Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C24	<p>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 Certifier. The system must:</p> <ul style="list-style-type: none"> <li>a) be designed by a suitably qualified and experienced person(s);</li> <li>b) be generally in accordance with the conceptual design in the 'Civil Engineering: SSDA Design Report (Revision 6)' prepared by Northrop and dated 9 June 2021</li> <li>c) be designed to ensure that the development has no adverse impact upon downstream drainage infrastructure by demonstrating that post-development stormwater flows for all storm events up to the 1% AEP event match with pre-development flows, or as otherwise agreed with Council.</li> <li>d) be in accordance with applicable Australian Standards;</li> <li>e) be in accordance with Stormwater Draining Specification for Building Developments (Penrith City Council, 2016); and</li> <li>f) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 201</li> </ul>	<p>Floodplain Management Report for 2-44 O'Connell Street, Kingswood NSW 2747, Rev B, Northrop, 11/02/21</p> <p>Memo Northrop to ADCO, 04/02/22 (verification of flood modelling under C24c))</p> <p>CC1 Civil Engineering Design Certificate, Northrop, 30/11/21 (and revised on 04/03/22)</p> <p>Crown Certificate 1 (021-217335) substructure and in ground services, Philip Chun, 12/12/21</p> <p>Crown Certificate 2.1 (021-217335) structure below upper ground floor, including foundations, slab on ground showing, walls, concrete columns, block walls, lift pits, cores and stairs, Philip Chun, 08/02/22</p>	<p>Northrop (civil engineers) have provided a verification memo stating that an operational stormwater management system complies with the design requirements of this condition. The design was accepted by the Certifier through issue of the CC1 and CC2.1.</p>	C
<b>Unexpected Finds Protocol – Aboriginal Heritage</b>				
C25	<p>In the event that surface disturbance identifies a new Aboriginal object:</p> <ul style="list-style-type: none"> <li>a) all works must halt in the immediate area to prevent any further impacts to the object(s);</li> <li>b) a suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects;</li> <li>c) the site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by Heritage NSW under Department of Premier and Cabinet and the management outcome for the site included in the information provided to AHIMS;</li> <li>d) the Applicant must consult with the Aboriginal community representatives, the archaeologists and Heritage NSW to develop and implement management strategies for all objects/sites; and</li> <li>e) works shall only recommence with the written approval of the Planning Secretary.</li> </ul>	<p>Unexpected and heritage find protocol, version 2, 18/02/22</p> <p>Interview with auditees 24/02/22</p> <p>Aboriginal Cultural Heritage Assessment (Revision F01)', Urbis, 02/06/21</p>	<p>The ACHAR found that 'Due to the low potential for Aboriginal archaeological resources to occur and therefore the low potential of direct or indirect harm, no management or mitigation measures are deemed necessary'. The Project team / auditees are not aware of any unexpected finds to date.</p>	NT



Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C26	Construction works must be carried out in accordance with the recommendations of the document titled 'Aboriginal Cultural Heritage Assessment (Revision F01)' prepared by Urbis and dated 2 June 2021.	Aboriginal Cultural Heritage Assessment (Revision F01)', Urbis, 02/06/21 Interview with auditees 24/02/22 Connecting with Country Meeting Minutes No. 5, 22/10/21 Smoking Ceremony Photos, 0190, 0194, 0201, 0216, 22/10/21	The ACHAR includes instructions on consultation in the development of the induction, unexpected find protocols (consistent with C25 and C27) and ongoing consultation.  Meeting minutes indicate that the RAP engagement is ongoing and dealing with welcome to country, landscaping.  <b>Non-compliance: The induction material and unexpected finds protocol were not prepared in consultation with the RAPs per se (as required by the ACHAR). Instead TAFE incorporated information consistent with the TAFE NSW reconciliation Action Plan.</b>  <b>Also refer the non-compliance under B10 with regards to the content of the unexpected finds protocol.</b>	NC
<b>Unexpected Finds Protocol – Historic Heritage</b>				
C27	If any unexpected archaeological relics are uncovered during the work, then: a) all works must cease immediately in that area and notice to be given to Heritage NSW and the Planning Secretary; b) 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 as determined in consultation with Heritage NSW; and c) works may only recommence with the written approval of the Planning Secretary.	Unexpected and heritage find protocol, version 2, 18/02/22 Interview with auditees 24/02/22 Aboriginal Cultural Heritage Assessment (Revision F01)', Urbis, 02/06/21	The Project team / auditees are not aware of any unexpected finds to date.	NT
<b>Waste Storage and Processing</b>				
C28	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 25/02/22 Complaints register current to 31/01/22	Waste appeared to be well maintained in designated waste storage areas. No issues.	C
C29	All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).	Just Skip Bins Waste Management Report, Dec 21 EPL 12700 (KLF Camelia)	The dominant waste stream is building and demolition waste which is pre-classified as General Solid Waste under the Waste Classification Guidelines. The waste streams, volumes and disposal destinations are recorded through monthly reports from the skip bin provider. General Solid Waste is disposed of to a licenced facility (KLF Camelia).  The Project is a cut to fill balance on site so no excavated material has been disposed.	C
C30	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 photo ADCO, 1482	Concrete washout bins are available on site. Excess concrete is cured then disposed of as General Solid Waste (Recyclable).	C

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C31	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.	Just Skip Bins Waste Management Report, Dec 21 EPL 12700 (KLF Camelia)	The dominant waste stream is building and demolition waste, which is pre-classified as General Solid Waste under the Waste Classification Guidelines. The waste streams, volumes and disposal destinations are recorded through monthly reports from the skip bin provider. General Solid Waste is disposed of to a licenced facility (KLF Camelia).  The Project is a cut to fill balance on site so no excavated material has been disposed.	C
C32	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.	Interview with auditees 24/02/22 TAFE NSW Preliminary Site Investigation TAFE NSW Construction Centre of Excellence 2-44 O'Connell Street, Kingswood, NSW, JBS&G, 05/02/21	The Preliminary Site Investigation determined contamination risk to be low. The Project team / auditee is not aware of any hazardous materials being present on site. No hazardous materials encountered.	NT
<b>Outdoor Lighting</b>				
C33	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.	Site inspection 25/02/22 Complaints register current to 31/01/22	The only construction phase lighting is that on the site sheds. The lights did not appear to be directed at any receivers or excessive in lumens. The lights are switched off at night. No complaints have been received.	C
<b>Independent Environmental Audit</b>				
C34	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	Letter DPE to TAFE, 14/12/21	WolfPeak were approved as the Independent Auditors prior to commencement of the first Independent Audit.	C
C35	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements.	This audit. Independent Audit Post Approval Requirements (DPIE, 2020)	This Independent Audit has been conducted in accordance with the IAPAR.	C
C36	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those agreed to above, upon giving at least 4 week's notice to the Applicant of the date or timing upon which the audit must be commenced.	This audit. Independent Audit Post Approval Requirements (DPIE, 2020) Email DPE to WolfPeak, 08/02/22	The timing of the Independent Audits have not been altered.	NT
C37	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 C35 of this consent, or condition C36 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.	-	These activities occur after the preparation of the Audit Report.	NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C38	Independent Audit Reports and the applicant/proponent's response to audit findings must be submitted to the Planning Secretary within two months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements unless otherwise agreed by the Planning Secretary.	-	These activities occur after the preparation of the Audit Report.	NT
C39	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.	Site inspection 25/02/22	The Project is in construction.	NT
<b>PART D: PRIOR TO COMMENCEMENT OF OPERATION</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.			NT
<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.			NT
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.			NT
<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			NT
<b>Warm Water Systems and Cooling Systems</b>				
D5	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.			NT
<b>Outdoor Lighting</b>				
D6	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: <ul style="list-style-type: none"> <li>a) complies with the latest version of AS 4282-2019 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and</li> <li>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.</li> </ul>			NT
<b>Mechanical Ventilation</b>				

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
D7	<p>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:</p> <ul style="list-style-type: none"> <li>a) AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings and other relevant codes; and</li> <li>b) any dispensation granted by Fire and Rescue NSW.</li> </ul>			NT
<b>Operational Noise – Design of Mechanical Plant and Equipment</b>				
D8	<p>Prior to the commencement of operation, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the assessment undertaken under condition B20 have been incorporated into the design of mechanical plant and equipment to ensure the development will not exceed the project noise trigger levels identified in the 'Acoustic Services – Noise and Vibration Impact Assessment for TAFE NSW Construction Centre of Excellence (Revision 4.0)' report prepared by Norman, Disney &amp; Young and dated 10 March 2021.</p>			NT
<b>Fire Safety Certification</b>				
D9	<p>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.</p>			NT
<b>Structural Inspection Certificate</b>				
D10	<p>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:</p> <ul style="list-style-type: none"> <li>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</li> <li>b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.</li> </ul>			NT
<b>Compliance with Food Code</b>				
D11	<p>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.</p>			NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
<b>Post-construction Dilapidation Report</b>				
D12	<p>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:</p> <ul style="list-style-type: none"> <li>a) to ascertain whether the construction created any structural damage to adjoining buildings or infrastructure;</li> <li>b) to be submitted to the Certifier. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifier must: <ul style="list-style-type: none"> <li>I. compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and</li> <li>II. have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.</li> </ul> </li> <li>c) to be forwarded to Council for information.</li> </ul>			NT
<b>Protection of Public Infrastructure</b>				
D13	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <ul style="list-style-type: none"> <li>a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and</li> <li>b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.</li> </ul> <p><i>Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by of this consent.</i></p>			NT
<b>Road Damage</b>				
D14	<p>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.</p>			NT
<b>Protection of Property</b>				
D15	<p>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.</p>			NT
<b>Roadworks</b>				
D16	<p>Prior to the commencement of operation, the Applicant must complete the extension to the right turn bay on the western leg of the Great Western Highway at the intersection of the Great Western Highway / French Street / O'Connell Street. The extension to the right turn bay must:</p> <ul style="list-style-type: none"> <li>a) be designed to meet TfNSW requirements and endorsed by a suitably qualified practitioner; and</li> <li>b) be designed in accordance with AUSTROADS and other Australian Codes of Practice</li> </ul>			NT
D17	<p>The Applicant is required to enter into a Works Authorisation Deed for the roadworks outlined in Condition D16.</p>			NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
D18	Notwithstanding conditions D16 and D17, the Planning Secretary may approve a request to waive the requirements outlined in conditions D16 and D17 where it has been demonstrated to the Planning Secretary's satisfaction that: <ul style="list-style-type: none"> <li>a) an area wide model (or alternative methodology agreed to by TfNSW) has been undertaken to justify that a reduction to the stipulated 2 per cent traffic growth rate along this section of the Great Western Highway is acceptable; and</li> <li>b) agreement has been obtained from TfNSW that the roadworks are not required. Note: TfNSW can provide STFM modelling to assist with the inputs into the area wide model should it be required.</li> </ul>			NT
<b>Car Parking Arrangements</b>				
D19	Prior to the commencement of operation or other timeframe agreed in writing by the Planning Secretary, evidence must be submitted to the Certifier that demonstrates that construction works associated with the proposed 16-space at-grade carpark have been completed and that the car parking facility is operational.			NT
<b>Bicycle Parking and End-of-Trip Facilities</b>				
D20	Prior to occupation, compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the Certifier: <ul style="list-style-type: none"> <li>a) the provision of a minimum 26 bicycle parking spaces;</li> <li>b) 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, and be located in easy to access, well-lit areas that incorporate passive surveillance;</li> <li>c) the provision of end-of-trip facilities generally in accordance with approved drawings listed at Condition A2; and</li> <li>d) appropriate pedestrian and cyclist advisory signs are to be provided. Note: All works/regulatory signposting associated with the proposed development shall be at no cost to the relevant roads authority</li> </ul>			NT
<b>Green Travel Plan</b>				
D21	Prior to the commencement of operation, a Green Travel Plan (GTP), must be submitted to the Certifier to promote the use of active and sustainable transport modes and a copy be provided to the Planning Secretary for information. The plan must: <ul style="list-style-type: none"> <li>a) be prepared by a suitably qualified traffic consultant in consultation with Transport for NSW;</li> <li>b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;</li> <li>c) include specific tools and actions to help achieve the objectives and mode share targets;</li> <li>d) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and</li> <li>e) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.</li> </ul>			NT
<b>Utilities and Services</b>				
D22	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 Sydney Water Act 1994			NT



Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
<b>Stormwater Operation and Maintenance Plan</b>				
D23	<p>Prior to the commencement of operation, a Stormwater Operation and Maintenance Plan (SOMP) is to be submitted to the Certifier. The SOMP must ensure the proposed stormwater quality measures remain effective and contain the following:</p> <ul style="list-style-type: none"> <li>a) maintenance schedule of all stormwater quality treatment devices;</li> <li>b) record and reporting details;</li> <li>c) relevant contact information; and</li> <li>d) Work Health and Safety requirements.</li> </ul>			NT
<b>Signage</b>				
D24	Signage must be installed in accordance with the specifications of the signage drawings listed at Condition A2.			NT
D25	Prior to the commencement of operation, way-finding signage and signage identifying the location of car parking must be installed.			NT
D26	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.			NT
<b>Operational Waste Management Plan</b>				
D27	<p>Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifier. The Waste Management Plan must:</p> <ul style="list-style-type: none"> <li>a) detail the type and quantity of waste to be generated during operation of the development;</li> <li>b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (Department of Environment, Climate Change and Water, 2009);</li> <li>c) detail the materials to be reused or recycled, either on or off site; and</li> <li>d) include the Management and Mitigation Measures included in the 'TAFE NSW Construction Centre of Excellence - Construction &amp; Operational Waste Management Plan' prepared by Waste Audit and dated February 2021.</li> </ul>			NT
<b>Landscaping</b>				
D28	Prior to the commencement of operation, replacement tree planting proposed on the TAFE Campus and proposed landscaping of the site (including hard and soft landscaping, paths and the like) must be completed in accordance with the landscape plans listed in condition A2(d).			NT
D29	<p>Prior to the commencement of operation, the Applicant must prepare a Landscape and Vegetation Management Plan to manage the revegetation and landscaping on-site and submit it to the Certifier. The plan must:</p> <ul style="list-style-type: none"> <li>a) describe the ongoing monitoring and maintenance measures to manage revegetation and landscaping; and</li> <li>b) outline weed management measures to be implemented.</li> </ul>			NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
<b>Operational Flood Emergency Management Plan</b>				
D30	<p>Prior the commencement of the operation, a Flood Emergency Management Plan must be submitted to the Certifier that:</p> <ul style="list-style-type: none"> <li>a) is be prepared by a suitably qualified and experienced person(s);</li> <li>b) addresses the provisions of the Floodplain Risk Management Guidelines (EESG);</li> <li>c) includes details of: <ul style="list-style-type: none"> <li>I. the flood emergency responses for operational phase of the development;</li> <li>II. predicted flood levels;</li> <li>III. flood warning time and flood notification;</li> <li>IV. assembly points and evacuation routes;</li> <li>V. evacuation and refuge protocols; and</li> </ul> </li> <li>d) awareness training for employees and contractors, and visitors.</li> </ul>			NT
<b>Public Art</b>				
D31	<p>Prior to the commencement of operation, the Applicant must prepare a public art strategy. The strategy must be developed:</p> <ul style="list-style-type: none"> <li>a) in accordance with the recommendations of 'Co.F.A.B. Lab Discussion Paper: Art in Western Sydney Construction Hub' prepared by TAFE NSW and dated 23 November 2020; and</li> <li>b) in consultation with Registered Aboriginal Parties, to determine how the strategy can incorporate Aboriginal cultural heritage interpretation.</li> </ul>			NT
D32	The Applicant must submit evidence of the creation/installation of public art having commenced to the Secretary prior to the final occupation of the building. The public art is to be completely installed to the satisfaction of the Planning Secretary within 12 months of final occupation.			NT
<b>PART E: POST OCCUPATION</b>				
<b>Operation of Plant and Equipment</b>				
E1	All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner.			NT
<b>Warm Water Systems and Cooling Systems</b>				
E2	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.			NT
<b>Operational Noise Limits</b>				
E3	The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in 'Acoustic Services – Noise and Vibration Impact Assessment for TAFE NSW Construction Centre of Excellence (Revision 4.0)' prepared by Norman, Disney & Young and dated 10 March 2021.			NT

Unique ID	Compliance requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
E4	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 agreed to by the Planning Secretary to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in 'Acoustic Services – Noise and Vibration Impact Assessment for TAFE NSW Construction Centre of Excellence (Revision 4.0)' prepared by Norman, Disney & Young and dated 10 March 2021. 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.			NT
<b>Unobstructed Driveways and Parking Areas</b>				
E5	All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.			NT
<b>Green Travel Plan</b>				
E6	The Green Travel Plan required by condition D21 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.			NT
<b>Ecologically Sustainable Development</b>				
E7	Unless otherwise agreed by the Planning Secretary, within 12 months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 5 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 B7, evidence of compliance of implementation must be provided to the Planning Secretary and Certifier.			NT
<b>Outdoor Lighting</b>				
E8	Notwithstanding condition D6, 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.			NT
<b>Landscaping</b>				
E9	The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape and Vegetation Management Plan.			NT

## **APPENDIX B – PLANNING SECRETARY AGREEMENT OF INDEPENDENT AUDITORS**



Mr Cameron Lang  
Level 2, Building A  
Mary Ann Street  
Ultimo New South Wales 2007

14/12/2021

Dear Cameron Lang

**TAFE NSW Institute of Applied Technology for Construction (SSD-8571481)  
Request for agreement to auditor**

I refer to your request (SSD-8571481-PA-4) 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 TAFE NSW Institute of Applied Technology for Construction (SSD-8571481).

In accordance with Condition C34 of SSD-8571481 (the 'Consent') and the Independent Audit Post Approval Requirements, the Secretary has agreed to the following audit team:

- Nicolas Ballard, Principal Environmental Auditor – Wolfpeak;
- Derek Low, Principal Environmental Consultant – Wolfpeak;
- Ann Azzopardi, Senior Sustainability Consultant – Wolfpeak; and
- Brendan Shannon, Senior Environmental Consultant – Wolfpeak.

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

## APPENDIX C – CONSULTATION RECORDS



## Derek Low

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**From:** Damien Smith <Damien.Smith@dpie.nsw.gov.au>  
**Sent:** Tuesday, 8 February 2022 4:40 PM  
**To:** Derek Low  
**Cc:** Rob Sherry; Thomas Minchin  
**Subject:** RE: Independent Audit of TAFE IATC (SSD 8571481) - updated

Good Afternoon Derek,

Thank you for the below email regarding the independent audit of the TAFE NSW Institute of Applied Technology for Construction, SSD 8571481 (the Consent).

The Department does not require any additional issues for including within the scope of the Audit that are not already captured by the Consent, including Condition C35 and the Department's Independent Audit Post Approval Requirements (May 2020).

For future requests for consultation, please allow additional time for the Department to provide comments prior to the commencement of the Audit. Typically 3 weeks is considered reasonable for similar requests.

If you have any questions or concerns regarding the above please feel to contact me.

Best Regards

**Damien Smith**  
**Senior Compliance Officer – Government Projects**

Planning & Assessment | Department of Planning and Environment  
T 02 9995 6289 | E [damien.smith@dpie.nsw.gov.au](mailto:damien.smith@dpie.nsw.gov.au)  
Locked Bag 5022 | PARRAMATTA NSW 2124  
[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)

Please direct all email correspondence to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)



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

*If you are submitting a compliance document or request as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au).*

*The Department has recently upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).*

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**From:** Derek Low <[dlow@wolfpeak.com.au](mailto:dlow@wolfpeak.com.au)>  
**Sent:** Monday, 24 January 2022 7:17 AM  
**To:** DPE PSVC Compliance Mailbox <[compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)>  
**Cc:** Mitch Alexander <[malexander@cadenceaust.com](mailto:malexander@cadenceaust.com)>; Sam Gibson <[sgibson@cadenceaust.com](mailto:sgibson@cadenceaust.com)>  
**Subject:** Independent Audit of TAFE IATC (SSD 8571481) - updated

**\*\*updated\*\***

Hi there.

I am one of the approved independent auditors on the TAFE NSW Institute of Applied Technology for Construction, SSD 8571481 (the Project).

I am currently preparing to undertake the first independent audit on the Project. The audit is required to be conducted in accordance with SSD 8571481 condition C35 and the Department of Planning and Environment's 2020 *Independent Audits Post Approval Requirements* (or IAPAR).

The consent is available at the following link: <https://www.planningportal.nsw.gov.au/major-projects/project/38196>

The IAPAR is available at the following link: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/Assess-and-regulate/About-Compliance/independent-audit-post-approval-requirements-2020-05-19.pdf>

The on-site component of the audit is scheduled to commence on 23 February 2022, with the report finalised a few weeks thereafter, and pertains to post-approval requirements and compliance.

In accordance with Section 3.2 of the IAPAR, I am consulting with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant Condition of Consent along with all post approval documents prepared to satisfy the Conditions of Consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request Department confirm:

- if it any key issues it would like examined, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR; or
- if it recommends that other parties or agencies are to be consulted. If so I request that the Department identify those parties.

Any questions please let me know. I look forward to hearing from you.

Regards

Derek Low | Principal Environmental Consultant  
General Manager



E: [dlow@wolfpeak.com.au](mailto:dlow@wolfpeak.com.au)

**P:** 1800 979 716

**M:** 0402 403 716

**A:** Suite 2, Level 10, 82 Elizabeth St, Sydney NSW 2000



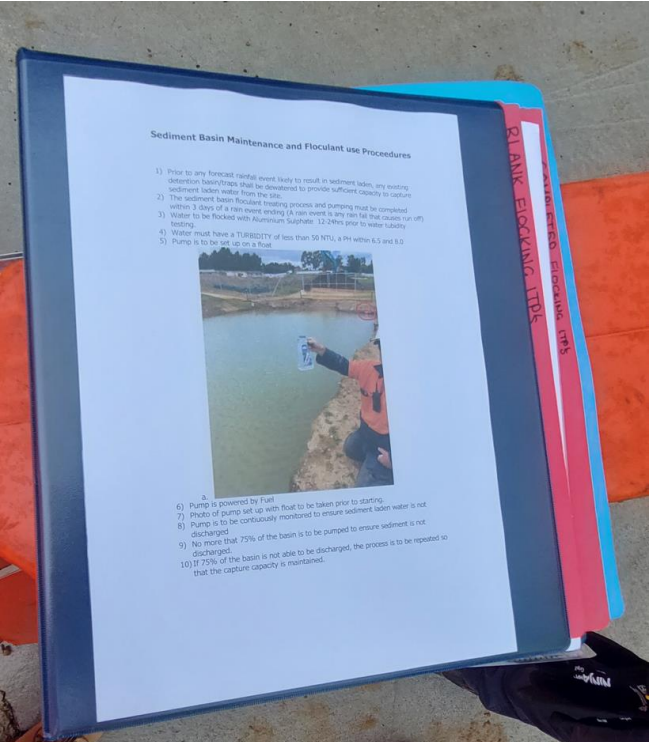
[www.wolfpeak.com.au](http://www.wolfpeak.com.au)





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## APPENDIX D – SITE INSPECTION PHOTOGRAPHS

No.	Comment	Photograph
1	Separation of materials. Water cart in background	
2	Stockpiles kept to minimal height and shaped when not in use.	
3	Water discharge procedure, on hand and filled out.	



4	Spill kit on hand.	
5	ADCO aerial photo from the day of the inspection showing site layout, stabilised access and basin capturing site water.	



6	ADCO aerial photo from the day of the inspection showing, site layout, tree protection and basin capturing water.	
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## APPENDIX E – DECLARATIONS

## Declaration of Independence - Auditor




Project Name:	TAFE IATC
Consent Number:	SSD 8571481
Description of Project:	<p>Institute of Applied Technology for Construction building and carpark, comprising:</p> <ul style="list-style-type: none"> <li>• earthworks and tree removal;</li> <li>• construction of three-storey building comprising 7,836sqm gross floor area for tertiary education use including internal and external learning spaces, an auditorium, a café kiosk, collaboration / breakout spaces, practical workshop areas, end-of-trip facilities and external terraces;</li> <li>• construction of an at-grade carpark providing for 16 car parking spaces, 26 bicycle parking spaces, loading dock and waste collection area;</li> <li>• landscaping works including hard and soft landscaping;</li> <li>• associated internal access road works and creation of a cycle path connecting to the Great Western Highway shared path; and</li> <li>• business identification and wayfinding signage</li> </ul>
Project Address:	TAFE NSW Kingswood Campus, 2-44 O'Connell Street, Kingswood, Lot 1 DP 866081
Proponent:	TAFE NSW
Title of audit	Independent Audit No. 1
Date:	21/03/22

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 and the *Independent Audit Post Approval Requirements (Department 2020)*;
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

- Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Auditor:	Derek Low
Signature:	
Qualification:	Master of Environmental Engineering Management Exemplar Global Auditor Number 114283
Company:	WolfPeak Pty Ltd