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1 EXECUTIVE SUMMARY

SNC-Lavalin has been engaged by Health Infrastructure to undertake an audit of the New Tweed Valley Hospital Stage 1 works. The audit is required by the Development Consent conditions C47 – C52.

To complete this audit SNC-Lavalin undertook a site inspection and reviewed relevant and available documents relating to the approval and to the ongoing management and monitoring of the site environmental aspects.

The inspection was undertaken on August 28 2019, with members of Health Infrastructure, LendLease and TSA Management present. The findings from the audit reveal the site is operating in an environmentally responsible manner, and in general compliance with the Development Consent.

Based on the site inspections and documents reviewed by the auditors, the non-compliances did not result in significant environmental harm. The systems appear to be effective at managing environmental issues on the site.

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2 INTRODUCTION

2.1 BACKGROUND OF PROJECT

The Project (SSD 9575) comprises Stage 1 Early Works for the delivery of the Tweed Valley Hospital. This stage consists of on-site activities such as bulk earthworks, retaining walls, establishment of in-ground services and roadworks. Construction for the Project commenced on 16 July 2019, with an initial focus on clearing and grubbing, installation of environmental monitoring equipment (noise, vibration and dust), and establishing the entrance to the site.

2.2 AUDIT TEAM

SNC-Lavalin Australia Pty Ltd (SNC-Lavalin) has been appointed to undertake Independent Environmental Audits for the Project.

The SNC-Lavalin audit team is described in Table 1 below with contact details provided.

Table 1 Audit team

Role	Name	Qualifications	Experience
Lead Auditor	[REDACTED]	Environmental Systems Auditor, SAI Global Master of Environmental Engineering Management BE (Civil & Environmental)	Auditing qualifications completed in 2003. Over 50 audits completed.
Auditor	[REDACTED]	Lead Environmental Auditor, SAI Global BSc (Environmental Studies, Geology and Geophysics) BA (Economics)	Auditing qualifications completed in 2019.

This audit team has been endorsed by the Department of Planning, Industry and Environment (the Department) (refer to Appendix A).

2.3 AUDIT OBJECTIVES

The key audit objective was to assess whether (or not) compliance is being achieved on the site. This was achieved through assessing the Project against the audit scope outlined in Section 1.4.

2.4 AUDIT SCOPE

The audit consisted of an assessment of compliance against:

- > Independent Audit Post Approval Requirements (Department of Planning and Environment 2018)
- > Development Consent (SSD 9575)
- > Post approval documents, including an assessment of the effective implementation of Environmental Management Plans and Sub-Plans
- > Any environmental licences or other approvals

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- > Environmental performance including but not limited to:
 - Actual impacts compared with Predicted impacts in the Environmental Impact Statement (EIS)
 - Physical extent of the development in comparison with the approved boundary, and any potential off-site impacts
 - Incidents, non-compliances and complaints
 - Performance of the development, with regard to agency policy and environmental issues identified during consultation when developing the scope of the audit
 - Feedback received from the Department, and other agencies and stakeholders on the environmental performance of the project
- > Environmental Management System (EMS) at a high level
- > A high-level assessment of whether Environmental Management Plans and Sub-Plans are adequate

Table 2 outlines where these requirements have been addressed in the audit report.

Table 2 Scope requirements

Scope requirement	Where addressed
Independent Audit Post Approval Requirements (Department of Planning and Environment 2018)	This document
Development Consent (SSD 9575)	Section 5 Appendix D
Post approval documents, including an assessment of the effective implementation of Environmental Management Plans and Sub-Plans	Section 4.1 Section 4.6 Appendix C Appendix D
Any environmental licences or other approvals	Appendix D
Environmental performance including but not limited to:	N/A
> Actual impacts compared with Predicted impacts in the Environmental Impact Statement (EIS)	Section 4.10
> Physical extent of the development in comparison with the approved boundary, and any potential off-site impacts	Section 4.10 Appendix D
> Incidents, non-compliances and complaints	Section 4.3 Section 4.4 Section 4.8
> Performance of the development, with regard to agency policy and environmental issues identified during consultation when developing the scope of the audit	Appendix D
> Feedback received from the Department, and other agencies and stakeholders on the environmental performance of the project	Appendix C Appendix D
Environmental Management System (EMS) at a high level	Section 4.7

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Scope requirement	Where addressed
A high-level assessment of whether Environmental Management Plans and Sub-Plans are adequate.	Section 4.6

2.5 PERIOD COVERED BY AUDIT

The audit was undertaken from 28-29 August 2019, six weeks after construction commenced. The audit period was from 11 June 2019, when planning approval was granted, to 29 October 2019. The audit focused on the post approval documentation and initial six weeks of construction.

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3 AUDIT METHODOLOGY

3.1 APPROVAL OF AUDIT TEAM

For documentation detailing the approval of the audit team from The Secretary of the Department of Planning, Industry and Environment refer to Appendix A.

3.2 DEVELOPMENT OF AUDIT SCOPE

The audit scope was developed to ensure the Project was assessed against all regulatory requirements they are operating under.

3.3 SUMMARY OF AUDIT PROCESSES

To complete the audit the following was undertaken:

- > Preliminary document review to familiarise the team with the project and their processes
- > Opening meeting
- > Site visit
- > Interviews
- > Review of documents and records on-site
- > Closing meeting

3.4 SITE PERSONNEL

The following site personnel were in attendance during the audit or parts of:

- > ██████████ – Senior Project Engineer, LendLease
- > ██████████ – Site Engineer, LendLease
- > ██████████ – Project Director, Health Infrastructure
- > ██████████ – Senior Project Manager, TSA Management
- > ██████████ – Senior Site Manager, LendLease
- > ██████████ – Regional H&S Manager, LendLease
- > ██████████ – Local Industry and Indigenous Stakeholder Manager, LendLease

Each individual noted provided evidence of the Project’s compliance at different stages during the audit.

3.5 SITE INSPECTIONS

A site inspection was undertaken by ██████████ and ██████████ on 28 August 2019. The site visit was completed in the morning and the weather was warm and cloudy, with no rain during the inspection or on the previous day. A walk-around of the entire site was undertaken under the supervision of Lend Lease, Health Infrastructure and TSA personnel. During the site inspection environmental controls on-site, that were installed and appeared to be operating effectively included:

- > Sediment basins
- > Sediment fences
- > No-go zones

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- > Fauna crossings
- > Rumble grid and wheel wash at the exit of the site.

Refer to Appendix B for site photographs and descriptions.

3.6 CONSULTATION

An Independent Audit Program was provided, for information, to the Department. This was provided by Health Infrastructure. The Department did not provide any comments

3.7 COMPLIANCE DESCRIPTORS

The compliance status of each requirement was determined using the relevant descriptors in Table 3. No other terms have been used to describe the compliance status.

Table 3 Compliance descriptors

Status	Description
Compliant	Sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-compliant	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 was undertaken.

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4 AUDIT FINDINGS

4.1 APPROVALS AND DOCUMENTS

Relevant approvals and documents were reviewed as part of this audit. Refer to Appendix C for a full list of these documents.

4.2 ASSESSMENT OF COMPLIANCE

The Project was audited against a total of 134 Conditions of Consent with a total of 14 non-compliances identified during the reporting period.

4.3 PENALTY NOTICES

No penalty notices have been issued from relevant regulatory authorities including the Department, EPA and local Council.

4.4 NON-COMPLIANCES

Fourteen (14) non-compliances were observed at the time of the audit. These non-compliances and the actions to be taken are outlined in Table 4.

4.5 PREVIOUS AUDIT ACTIONS

Not applicable – this is the first construction audit to have been conducted.

4.6 REVIEW OF MANAGEMENT PLANS

The following management plans were reviewed:

- > Hazardous Materials Management Plan (HMMP)
- > Construction Environmental Management Plan (CEMP), including the following sub plans:
 - Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP)
 - Construction Noise and Vibration Management Sub-Plan (CNVMSP)
 - Construction Waste Management Sub-Plan (CWMSMP)
 - Construction Soil and Water Management Sub-Plan (CWEMSP)
 - Flood Emergency Response Sub-Plan (FERSP)
 - Construction Air Quality Management and Dust Management Sub-Plan (CAQDMSP)
- > Biodiversity Management Plan

These management plans have been based off the LendLease policies and provide adequate environmental protection for the site.

4.7 ENVIRONMENTAL MANAGEMENT SYSTEMS

The Environmental Management System (EMS) currently being used on site has been developed from the Lend Lease EMS. The EMS provides for adequate environmental protection and the environmental policy was sighted on the walls of the site sheds.

4.8 COMPLAINTS

There have been no reported complaints during the reporting period.

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4.9 INCIDENTS

No incidents reportable to the Department have occurred on the Project during the reporting period.

4.10 ACTUAL AND PREDICTED IMPACTS

The following issues were identified as potential for impact in the EIS:

- > Social and economic
- > Traffic and accessibility
- > Noise and vibration
- > Sediment, erosion and dust control
- > Ecology (site clearing)

The following activities were observed on site as having the potential to contribute to the adverse environmental impacts outlined in the EIS:

- > Site clearance and vegetation removal
- > Earthworks

As this audit was undertaken six weeks into construction, only the initial stages have been completed. Site establishment and mobilisation had been completed with site sheds set up, including amenities for site personnel. Parking areas have also been established for personnel.

Site clearance and vegetation removal was partially completed with areas of the site being cleared progressively, as required during the works. The site is only operating within the approval boundary, and this is delineated with site fencing. Water quality testing has occurred outside of the boundary to ensure any potential off-site impacts are monitored.

Controls had been put in place to mitigate against any potential risks arising from these activities including:

- > ERSED controls (e.g. sediment fences, sediment basins)
- > Security fencing
- > Fauna crossing fences
- > Environmental monitoring (e.g. noise and vibration)
- > Regular community consultation
- > No-go zones

The environmental impacts observed on site were consistent with those predicted in the EIS (as relevant to the early stage of works).

4.11 EVIDENCE COLLECTED

Evidence was collected during the audit through the following means:

- > Site visit
 - Refer to Appendix B for site photographs
- > Interviews
 - Refer to Section 3.4 for the personnel interviewed during the audit

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- > Review of Project documents and records
 - o Refer to Appendix C for a list of documents reviewed during this audit

Refer to Appendix D for the completed audit checklist, outlining the evidence collected against each compliance condition.

4.12 EVIDENCE TO SUPPORT COMPLIANCE ASSESSMENT

Refer to Appendix C for the documents provided as evidence to support compliance assessment.

4.13 PREVIOUS COMPLIANCE REPORT ACTIONS

Not applicable – this is the first construction audit to have been conducted. No annual reviews or compliance reports have been undertaken to-date.

4.14 OPPORTUNITIES

Opportunities for improvement identified during the reporting period are outlined in Table 4. A summary of these opportunities include:

- > Provide updated documents to the Department where listed documents have been superseded
- > Including clear reference to all relevant requirements in documents
- > Covering self-banded storage cages or relocating the cage to a covered area (if appropriate).

4.15 KEY STRENGTHS

The Project Team utilise a system called Enablon to report activities on-site including:

- > Incidents
- > Risks
- > Positive actions

By using this system, the site team are able to track performance in real-time, and set deadlines for a date to close-out of assigned actions.

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5 NON-COMPLIANCES AND RECOMMENDATIONS

Table 4 details non-compliances and recommendations against each non-compliance identified and outlines opportunities for improvement.

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Table 4 Non-compliances and recommendations

Condition	Requirement	Non-compliance Findings	Status	Action / Recommendation
A2	The development may only be carried out:			
(a)	In compliance with the conditions of this consent;	14 Non-compliances have been reported against the conditions of consent.	Non-compliant	The Project team is to ensure that all actions of this audit report are completed for compliance against the conditions of consent.
A7	The Applicant must comply will all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.	14 Non-compliances were identified during the audit.	Non-compliant	The Project team is to ensure all site personnel are aware of the conditions and how they are to be implemented.
B12	The assessment and management of identified contaminants on the Site must be undertaken having regard to guidelines made or endorsed by the NSW EPA including but not limited to: a) Sampling Design Guidelines (NSW EPA, 1995) www.epa.nsw.gov.au/resources/clm/95059sampgdline.pdf ;	The management plans and other site documents do not detail all the guidelines outlined in this condition.	Non-compliant	The Project team is to ensure all guidelines are listed and applied appropriately through relevant management plans and other documents.

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Condition	Requirement	Non-compliance Findings	Status	Action / Recommendation
	<ul style="list-style-type: none"> b) Guidelines for the NSW Site Auditor Scheme (3rd edition) (NSW EPA, 2017) https://www.epa.nsw.gov.au/publications/contaminatedland/17p0269-guidelines-for-thensw-site-auditor-scheme-third-edition; c) Guidelines for Consultants Reporting on Contaminated Sites (NSW OEH 2011) www.epa.nsw.gov.au/resources/clm/20110650consultantsglines.pdf; d) Guidelines for the Assessment and Management of Groundwater Contamination (NSW DEC 2007); e) The National Environment Protection (Assessment of Contamination) Measure 1999 (as amended 2013, NEPC 2013); f) Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG 2018); and g) Australian and New Zealand Guidelines for Fresh and Marine Water Quality - Water Quality for primary industries (ANZECC 2000). 			
B13	<p>The updated RAP (if required as per condition B11 of Schedule 3) must include:</p> <ul style="list-style-type: none"> a) an unexpected finds contamination procedure to ensure that potentially 	The RAP does not explicitly address Construction Health, Safety and Environment aspects.	Non-compliant	The RAP is to explicitly address Construction Health, Safety and Environment, with

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Condition	Requirement	Non-compliance Findings	Status	Action / Recommendation
	contaminated material is appropriately managed; b) Construction Health, Safety and Environment Management Plan to mitigate risks to site workers and environment during the development arising from exposures to potential contamination.			reference to the Project H&S Plan.
B17	Remediation approved as part of this development consent must be carried out in accordance with the Remedial Action Plan Addendum for the Residential House (18084 R02), Remedial Action Plan Addendum for the Farm Shed (18084 R04) dated January 2019 prepared by Cavvanba Consulting, Remediation Action Plan prepared by OCTIEF PTY LTD dated 1 February 2019 and the additional updated recommendations in accordance with condition B11 and B13 of Schedule 3.	N/A	Not triggered	Recommendation: The Project is to provide updated plans to the Department where reports listed have been superseded.
B35	Prior to the commencement of construction, the Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel.	The site plan is not up to date with regards to the site parking available and in use, on the site.	Non-compliant	The site plan is to be updated to include heavy vehicle parking and the new carpark (office staff).
B41	Prior to the commencement of construction, the Applicant must design the stormwater management system for the Stage 1 works and submit it to the satisfaction of the Certifying Authority. The system must:	The ERSED Plan is not up-to-date.	Non-compliant	The ERSED Plan is to be updated as a progressive document to reflect changed site conditions.

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Condition	Requirement	Non-compliance Findings	Status	Action / Recommendation
	<ul style="list-style-type: none"> a) be designed by a suitably qualified and experienced person(s); b) be generally in accordance with the plans approved in Condition A2 of Schedule 3; c) be in accordance with applicable Australian Standards; d) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines; and e) ensure that the stormwater system does not increase the pre-development peak flows. 			
B46	No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	N/A	Compliant	Recommendation: The Compliance Reporting Post approval Requirements are to be included in the document for clarity
B47	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	N/A	Compliant	Recommendation: The Compliance Reporting Post approval Requirements are to

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Condition	Requirement	Non-compliance Findings	Status	Action / Recommendation
				be included in the document for clarity
B48	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.	The Department and Certifying Authority were not notified that the Compliance Reports were publicly available.	Non-compliant	The Project is to advise the Department and Certifying Authority that the Compliance Reports are available.
C19	Unattended long-term construction noise monitoring must be undertaken during the Stage 1 works. The location of the unattended logger must be in accordance with the approved CNVMP required by condition B28 of Schedule 3. These loggers must be maintained and checked by a suitably qualified acoustician. The logger must automatically send a message to the suitably qualified acoustician once noise levels from construction works on the Site exceed 75dBA LAeq(15min) at the residential and non-residential receivers in Catchments A / B, Kingscliff TAFE and Kingscliff High School, to ensure that the mitigation measures specific to this exceedance are implemented on the Site at that time. The results of this monitoring must be provided to the Department for information on a monthly basis after the commencement of the Stage 1 construction works.	The monthly report for July has not been prepared.	Non-compliant	The Project is to ensure the preparation of monthly reports for the noise monitoring data.
C28	The Applicant must install and operate equipment in line with best practice to ensure that the construction works comply with all load limits, air quality criteria / air emission limits and air quality monitoring requirements	Air quality is visibly monitored, with no analytical testing undertaken. The method	Non-compliant	The Project is to ensure implementation of

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Condition	Requirement	Non-compliance Findings	Status	Action / Recommendation
	as specified in the CAQMSP required by condition B32 of Schedule 3.	for air quality monitoring is not explicitly outlined in the CAQMSP.		this condition is correct. If analytical air quality monitoring is not required (except for asbestos works) this is to be detailed in the CAQMSP.
C46	The Applicant must consult with the community regularly throughout construction, including consultation with the nearby sensitive receivers of Catchments A and B identified in the Noise and Vibration Impact Assessment Report prepared by Acoustic Studio dated 17 October 2018, and the addendum document Additional Stage 1 Works – Site Access and Associated Road Works prepared by Acoustic Studio dated 18 January 2019, the adjoining landowners / users of the agricultural land, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.	This condition is not explicitly outlined in the Project's Communication Plan.	Non-compliant	The Project is to ensure this condition is captured in the appropriate location within relevant plans and linkage made clear how it is addressed.
C53	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.	This condition is not detailed in site management document relating to incidents occurring.	Non-compliant	The Project is to include these specific conditions alongside the LendLease policies. Incident reporting requirement to the Department is to be included in site

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Condition	Requirement	Non-compliance Findings	Status	Action / Recommendation
				management documentation and implemented where an incident occurs.
C54	Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix 1.	This condition is not detailed in site management document relating to incidents occurring.	Non-compliant.	The Project is to include these specific conditions alongside the LendLease policies. Incident reporting requirement to the Department is to be included in site management documentation and implemented where an incident occurs.
C55	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.	This condition is not detailed in site management document relating to non-conformances occurring.	Non-compliant.	The Project is to include these specific conditions alongside the LendLease policies. Non-compliance reporting requirement to the Department is to be included in site management documentation and

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Condition	Requirement	Non-compliance Findings	Status	Action / Recommendation
				implemented where an incident occurs.
C56	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.	This condition is not detailed in site management document relating to non-conformances occurring.	Non-compliant.	The Project is to include these specific conditions alongside the LendLease policies. Non-compliance reporting requirement to the Department is to be included in site management documentation and implemented where an incident occurs.
C63	The Applicant must store all chemicals, fuels and oils used on-site in appropriately bunded and impervious areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Manual</i> (Department of Environment and Climate Change, 2007).	N/A	Compliant	Recommendation: The Project is to consider covering the cage or storing cage in a covered area (if appropriate)

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APPENDIX A – PLANNING SECRETARY AUDIT TEAM AGREEMENT

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Health Infrastructure
ATTN: [REDACTED]
Manager, Planning
Level 14, 77 Pacific Highway
NORTH SYDNEY NSW 2060

Contact: [REDACTED]
Phone: [REDACTED]
Email: compliance@planning.nsw.gov.au

BY EMAIL ONLY: [REDACTED]

17 June 2019

Dear [REDACTED]

**Agreement of Independent Auditor
Tweed Valley Hospital (SSD 9575)**

Reference is made to the submission, dated 14 June 2019, seeking the agreement of the Secretary of the Department of Planning and Environment (the Department) of a suitability qualified, experienced and independent audit team to undertake independent audits of the Tweed Valley Hospital project.

In accordance with Condition C47, Schedule 3 and the *Independent Audit Post Approvals Requirements* (Department 2018), the Secretary has agreed to the following audit team:

- Ms [REDACTED];
- Mr [REDACTED]; and
- Mr [REDACTED].

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* (Department 2018). Failure to meet these requirements will require revision and resubmission.

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

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

If you have any questions, please contact me on the details listed above.

Yours sincerely

[REDACTED]

[REDACTED]
Team Leader - Compliance
As nominee of the Secretary



APPENDIX B – SITE INSPECTION PHOTOGRAPHS

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Figure 1 Sediment basin



Figure 2 Sediment fencing

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Figure 3 Site fencing with fauna crossing



Figure 4 Cleared site with stockpiles

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Figure 5 Rumble grid and wheel wash at site exit



Figure 6 No-go zone

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APPENDIX C – DOCUMENT REVIEW LIST

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Approvals and Document Review List

Document
Commencement of Investigation Work Letter
Start of Physical Works Letter
Structural drawings
Consultation with service providers document
Pre-Construction Dilapidation Report
Biodiversity Offset Credits Report
Biodiveristy Payment Summary Report
Tax invoice from from NSW Biodiveristy Conservation
DPIE Approval Letter of Auditors
Soil and Groundwater Investigation Report
Remedial Action Plan for the Residential House
Contaminated Land Management Plan
Soil and Groundwater Investigation Plan
Hazardous Materials Management Plan
Site Plan
Works Plan
Validation Sampling and Analysis Quality Plan
Work Health and Safety Plan
Community Consultation Strategy
Approval letter for the Community Consultation Strategy
Construction Environmental Management Plan
Construction Traffic and Pedestrian Management Sub-Plan
Construction Noise and Vibration Management Sub-Plan
Construction Waste Management Sub-Plan
Construction Soil and Water Management Plan
Flood Emergency Response Sub-Plan
Construction Air Quality Management and Dust Management Sub-Plan
Biodiveristy Management Plan
DPE Approval Letter for the Biodiversity Management Plan
Site Car Park Layout
Section 138 Permit for crossover and roundabout
Erosion and Sediment Control Plan
Erosion and Sediment Control Plan Approval Certificate
Civil drawings
Design statements from qualified design personnel
Piling plan
Temporary external lighting report
LCI design statement confirming light positions
Compliance Monitoring and Reporting Program
Compliance Report
Pre-Construction Compliance Report
Temporary sanitary facilities site design
Approved plans, specifications and documents

Site notice board
Mobile equipment tag procedure
Mobile equipment tag example
Plant register
Confirmation letter from Lendlease that no demolition works will be undertaken
Daily fencing, hoarding and signage checklist
Observation report
Noise graph examples
Noise and Vibration presentation - including stop work procedures, acoustic barriers, water carts
Noise data
Instant data
Location of loggers on plan
Stakeholder meeting minutes with Kingscliff High School
Vibration data
Tree protection plan
Dust monitoring data
Water quality monitoring report
Unexpected finds protocol
Energy, water and waste monthly report
Waste classification report for area to be remediated
Permit to dispose of contaminated material
Early engagement register
Stakeholder interaction register
Early Works Tactical Engagement and Community Plan
Construction Communication Management Plan
Mobile observation report



APPENDIX D – INDEPENDENT AUDIT TABLE

Report	Independent Environmental Audit New Tweed Valley Hospital Stage 1 Works	29 Oct 2019
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CONSTRUCTION AUDIT TABLE

This audit table below details all the requirements that must be complied with during construction of the Project. The table is to be completed during each audit by the Independent Environmental Auditor.

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Administrative Conditions				
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and, if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction and operation of the development.	Environmental management documentation sighted. The site documents are being implemented on site, with controls in place for high risk activities. These were observed during the site investigation, with photos depicting some of these controls.		Compliant
A2	The development may only be carried out:			Non-compliant
(a)	in compliance with the conditions of this consent;	This audit report outlines the non-compliances that have been identified against the conditions of consent.		Non-compliant

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(b)	in accordance with all written directions of the Planning Secretary;	Environmental documentation has been sighted, as outlined throughout this audit report. Written directions received and responded to are outlined in Condition A3.		Compliant
(c)	generally in accordance with the EIS, the Response to Submissions, Supplementary Response to Submissions and environmental management mitigation measures provided in Appendix 2; and	Environmental documentation has been sighted, as outlined throughout this audit report. Controls were observed during the site visit.		Compliant
(d)	in accordance with the approved plans in the table below:	The approved plans have been sighted.		Compliant

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A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:			Compliant
(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;	Email from HI to DPIE (24/07/19) regarding updates to the Preconstruction compliance report that were requested via email from DPIE (17/07/19).		Compliant
(b)	any reports, reviews or audits commissioned by the Department regarding compliance with this approval; and	Email from DPIE to HI (22/10/19) requesting updates to the audit report.		Compliant
(c)	the implementation of any actions or measures contained in any such document referred to in (a) above.	The updated Preconstruction compliance report was sighted (19/07/19).		Compliant
Limits of Consent				
A5	This consent lapses five years after the date of consent unless the works associated with Stage 1 of the development have physically commenced.		It has not been five years since approval was granted.	Not triggered.
A6	This development consent does not include the approval of:			Compliant

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(a)	the four existing sediment basins on the northern side of the Site constructed as part of preliminary works (identified in approved plans in condition A2 of Schedule 3);	Early Works Crown Certificate 1 (16/11/18) for approval relating to the construction of the four sedimentation basin works. Assessment of REF (16/11/18) for the approval of the four sediment basins during preliminary works sighted.		Compliant
(b)	the indicative layout of the future hospital building identified in approved plans in condition A2 of Schedule 3;	Satellite image of the indicative layout sighted.		Compliant
(c)	demolition of any existing structures on the Site;	Complying Development Certificate (29/11/18) sighted – approval for demolition of detached timber clad single storey dwelling. Lead Paint Clearance Certificate from Cavvanba (6/12/18) sighted. Asbestos Clearance Certification from		Compliant

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		Cavvanba (4/12/18) sighted.		
(d)	the "LPG tanks" identified in approved drawing 130559-JHA-HY-DWG-002 Rev 2, prepared by JHA dated 06/05/2019; and	Work has not been undertaken on the LPG tanks.		Compliant
(e)	any rock blasting activities.	No rock blasting activities have occurred.		Compliant
Prescribed Conditions				
A7	The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.		14 Non-compliances were identified during the audit.	Non-compliant.
Planning Secretary as Moderator				
A8	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.	All disputes will be referred to the Planning Secretary.		Compliant
Long Service Levy				
A9	For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.	Levy Receipt (28/02/19) from NSW Government to Lendlease sighted.		Compliant
Legal Notices				
A10	Any advice or notice to the consent authority must be served on the Planning Secretary.	Correspondence (emails) between the Project and DPIE has		Compliant

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Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		been sighted, as outlined in this audit report.		
Evidence of Consultation				
A11	Where conditions of this consent require consultation with an identified party, the Applicant must:			Compliant
(a)	consult with the relevant party prior to submitting the subject document for approval; and	Consultation undertaken with relevant parties as outlined in Condition B4.		Compliant
(b)	provide details of the consultation undertaken including:	Stakeholder interaction register sighted (4/3/19 – 15/08/19). Community consultation register sighted (4/3/19 – 22/10/19).		Compliant
(i)	the outcome of that consultation, matters resolved and unresolved; and	Stakeholder interaction register sighted (4/3/19 – 15/08/19). Community consultation register sighted (4/3/19 – 22/10/19).		Compliant
(ii)	details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Stakeholder interaction register sighted (4/3/19 – 15/08/19).		Compliant

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		Community consultation register sighted (4/3/19 – 22/10/19).		
Heritage				
A12	The Stage 1 works must include the details of the methods to retain the five walls (where possible, either in part or in full) identified in the Historical Heritage Assessment Report prepared by Niche Environment and Heritage dated 19 October 2018, in accordance with the recommendations of this report and in consultation with Council, including but not limited to:			Compliant
(a)	avoidance of works near wall 2 and 5;	Email from Tweed Shire Council to HI (26/06/19) confirming the Historic Heritage Assessment addresses the condition.		Compliant
(b)	retention of wall 4 (where possible, either in part or in full) and integration with the carpark area;	Email from Tweed Shire Council to HI (26/06/19) confirming the Historic Heritage Assessment addresses the condition.		Compliant
(c)	part retention of wall 3 with evidence that the demolished materials can be reused in the Stage 2 application; and	Email from Tweed Shire Council to HI (26/06/19) confirming the Historic Heritage Assessment addresses the condition.		Compliant

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(d)	part retention of wall 1, archival recordings of the demolished section and reconstruction of the remaining section of the wall to ensure its stabilisation.	Email from Tweed Shire Council to HI (26/06/19) confirming the Historic Heritage Assessment addresses the condition.		Compliant
A13	If wall 1, wall 3 and wall 4, identified in the Historical Heritage Assessment Report prepared by Niche Environment and Heritage dated 19 October 2018, require removal (either in part or full), then archival recording of the walls must be conducted prior to the commencement of Stage 1 works, in consultation with Council.	Email from Tweed Shire Council to HI (26/06/19) confirming the Historic Heritage Assessment addresses the condition.		Compliant
Construction Staging				
A14	The project may be constructed in stages. Where staged construction is proposed, a Staging Report must be prepared and submitted for the approval of the Planning Secretary. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of construction of the first of the proposed stages of construction.		This project has not been staged.	Not triggered
A15	The Staging Report must:		This project has not been staged.	Not triggered
(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;		This project has not been staged.	Not triggered
(b)	specify how compliance with conditions will be achieved across and between each of the stages of the project; and		This project has not been staged.	Not triggered

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(c)	set out mechanisms for managing any cumulative impacts arising from the proposed staging.		This project has not been staged.	Not triggered
A16	The project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.		This project has not been staged.	Not triggered
A17	Where staging is proposed, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.		This project has not been staged.	Not triggered
Staging, Combining and Updating Strategies, Plans, Programs or Drawings				
A18	With the approval of the Planning Secretary, the Applicant may:			Compliant
(a)	prepare and submit any strategy, 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, program or drawing applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);	Project documents have been submitted in accordance with the condition.		Compliant
(b)	combine any strategy, plan, program or drawing required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and	Project documents have been submitted in accordance with the condition.		Compliant
(c)	update any strategy, plan, program or drawing required by this consent (to ensure the strategies, plans, programs and drawings required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).	Project documents have been submitted in accordance with the condition.		Compliant

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A19	If the Planning Secretary agrees, a strategy, plan, program or drawing may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	Project documents will not be updated without consultation unless approval from the Secretary has been granted.		Compliant
A20	If approved by the Planning Secretary, updated strategies, plans, programs or drawings supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.	Updated Project documents are implemented on site as required. Project documents are controlled with revision numbers and dates outlined.		Compliant
Applicability of Guidelines				
A21	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.	Environmental documentation has been sighted, with reference to the guidelines consistent to the conditions of consent.		Compliant
A22	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.		A request from the Secretary of this nature has not been issued.	Not triggered

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Monitoring and Environmental Audits				
A23	<p>Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, noncompliance notification, Site audit report and independent auditing.</p> <p><i>Note: For the purposes of this condition, as set out in the EP&A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i></p>	<p>The relevant monitoring programs, incident and non-conformance reporting were sighted in the EMP documentation. This report meets the requirements for the independent construction audit.</p>		Compliant
Access to Information				
A24	At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:			Compliant
(a)	make the following information and documents (as they are obtained or approved) publicly available on its website:	The Tweed Valley Hospital Development website was viewed, and the required		Compliant

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		information was available.		
	(i) the documents referred to in condition A2 of Schedule 3 of this consent; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent; (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; (vi) a summary of the current stage and progress of the development; (vii) contact details to enquire about the development or to make a complaint; (viii) a complaints register, updated monthly; (ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report; (x) any other matter required by the Planning Secretary; and	The Tweed Valley Hospital Development website was viewed, and the required information was available.		Compliant
(b)	keep such information up to date, to the satisfaction of the Planning Secretary.	The Tweed Valley Hospital Development website was viewed, and the required		Compliant

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		information was available.		
Compliance				
A25	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.	Training modules and register records were sighted (Personnel signed on from 26/6/19 – 21/8/19).		Compliant
ADVISORY NOTES				
AN1	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	Environmental management documentation sighted.		Compliant
Notification of Commencement				
B1	The Department must be notified in writing of the dates of commencement of physical works at least 48 hours before those dates.	2 letters issued –commencement of investigation work (14 June 2019 to commence on 19 June 2019: letter from HI to DPE) & - start of physical works (20 June 2019 to commence 16 July 2019: email from HI to DPE compliance planning)		Compliant

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B2	If the Stage 1 construction works are to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	No action – no staging for early works		Not triggered
Certified Drawings				
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: <ul style="list-style-type: none"> (a) the relevant clauses of the BCA; and (b) This development consent. 	Robert Bird – Civil and Structural engineer. Signatures witnessed on structural and civil drawings. Qualifications of engineers sighted. Approval in crown certificate (15/07/19).		Compliant
Protection of Public Infrastructure				
B4	Before the commencement of construction, the Applicant must:			Compliant
(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;	Consultation with service providers document sighted – form of meeting minutes summary of correspondence :replies and conversation taking place, comm stakeholder meeting minutes		Compliant

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		Energy: Meeting minutes (11/06/19), Email (LCI to BMG 9/04/19) NBN: Email (LCI to BMG 9/04/19) Council Public Infrastructure: Email (TSA to Council 26/06/19) Council Water and Sewer: Stakeholder Engagement Register (20/06/19), email (JHA to BMG 9/04/19)		
(b)	prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and	TSA uploaded dilap reports to Tweed Council portal. Emails witnessed with a screenshot (TSA to Council 26/06/19). Pre-construction dilapidation report witnessed – outlines the relevant conditions, and areas assessed (sighted as just before and just after project boundary on Cudgen Road [private		Compliant

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		property going onto road and northern row of Tafe], roads, gutters and pathway reports sighted		
(c)	submit a copy of the dilapidation report to the Certifying Authority and Council.	BMG (Blackett Maguire & Goldsmith) certifier: sighted issue of report, response received with crown certificate (15/07/19).		
Biodiversity				
B5	Prior to carrying out of the Stage 1 construction works that would impact on biodiversity values, the following credits must be retired to offset the residual biodiversity impacts of the development:	Greencap ecologist engaged through TSA – did biodiversity offset credits. Damian Licari sighted as the ecologist.		Compliant
(a)	ecosystem credits as specified in Table 1:	Biodiversity payment summary report sighted. Email from TSA to HI (1/07/19) to confirm BCT payment being processed.		Compliant

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	<p><i>Table 1 Ecosystem credits required to be retired - like for like</i></p> <table border="1"> <thead> <tr> <th>Impacted community type</th> <th>plant</th> <th>Number of ecosystem credits</th> <th>IBRA sub-regions from which the credit can be sourced</th> <th>Plant community type(s) that can be used to offset the impacts from development</th> </tr> </thead> <tbody> <tr> <td>PCT 1302 - White Booyong – Fig subtropical rainforest of the NSW North Coast Bioregion</td> <td></td> <td>3.00</td> <td>Burringbar-Conondale Ranges, Scenic Rim and Sunshine Coast-Gold Coast Lowlands or Any IBRA subregion that is within 100 Kilometres of the outer edge of the impacted site.</td> <td>Lowland Rainforest in the NSW North Coast and Sydney Basin Bioregions (including PCT's 669, 670, 770, 845, 886, 887, 1068, 1201, 1275, 1302, 1525, 1527, 1528, 1529, 1533, 1534, 1535, 1541, 1545)</td> </tr> </tbody> </table>	Impacted community type	plant	Number of ecosystem credits	IBRA sub-regions from which the credit can be sourced	Plant community type(s) that can be used to offset the impacts from development	PCT 1302 - White Booyong – Fig subtropical rainforest of the NSW North Coast Bioregion		3.00	Burringbar-Conondale Ranges, Scenic Rim and Sunshine Coast-Gold Coast Lowlands or Any IBRA subregion that is within 100 Kilometres of the outer edge of the impacted site.	Lowland Rainforest in the NSW North Coast and Sydney Basin Bioregions (including PCT's 669, 670, 770, 845, 886, 887, 1068, 1201, 1275, 1302, 1525, 1527, 1528, 1529, 1533, 1534, 1535, 1541, 1545)					
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(b)	<p>species credits as specified in Table 2:</p> <p><i>Table 2 Species credits required to be retired – like for like</i></p> <table border="1"> <thead> <tr> <th>Impacted species credit species</th> <th>Number of species credits</th> <th>IBRA sub-regions from which the credit can be sourced</th> </tr> </thead> <tbody> <tr> <td><i>Coeranoscincus reticulatus</i> Three-toed Snake-tooth Skink</td> <td>6.00</td> <td>Any in NSW</td> </tr> <tr> <td><i>Cryptocarya foetida</i> Stinking Cryptocarya</td> <td>2.00</td> <td>Any in NSW</td> </tr> <tr> <td><i>Ninox strenua</i> Powerful Owl</td> <td>6.00</td> <td>Any in NSW</td> </tr> </tbody> </table>	Impacted species credit species	Number of species credits	IBRA sub-regions from which the credit can be sourced	<i>Coeranoscincus reticulatus</i> Three-toed Snake-tooth Skink	6.00	Any in NSW	<i>Cryptocarya foetida</i> Stinking Cryptocarya	2.00	Any in NSW	<i>Ninox strenua</i> Powerful Owl	6.00	Any in NSW	Credit report sighted, species in Table 2 and credits sighted as correct.		Compliant
Impacted species credit species	Number of species credits	IBRA sub-regions from which the credit can be sourced														
<i>Coeranoscincus reticulatus</i> Three-toed Snake-tooth Skink	6.00	Any in NSW														
<i>Cryptocarya foetida</i> Stinking Cryptocarya	2.00	Any in NSW														
<i>Ninox strenua</i> Powerful Owl	6.00	Any in NSW														
B6	The requirement to retire like – for – like ecosystem credits and like – for – like species credits in condition B5 of Schedule 3 may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of ecosystem credits /	Biodiversity payment summary report sighted. Email from TSA to HI (1/07/19) to confirm BCT		Compliant												

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	species credits, as calculated by the Biodiversity Offsets Payment Calculator.	payment being processed.		
B7	Evidence of retirement of credits in condition B5 or payments to the Biodiversity Conservation Fund in satisfaction of condition B6 must be provided to the Planning Secretary for approval prior to the commencement of the Stage 1 works that would impact on the biodiversity values.	Tax invoice from NSW Biodiversity Conservation trust for total amount sighted (NSW Government to HI 24.06.19). Email correspondence of payment confirmation from TSA to HI (1/07/19). Section 6.33 Certificate witnessed (5 July 2019) confirms the offsets have been completed.		Compliant
Site Contamination				
B8	Prior to the commencement of any construction works on the Site as part of this development consent, the Applicant must engage a Site Auditor accredited by the NSW Environment Protection Authority under the Contaminated Land Management Act 1997, for the full duration of additional soil investigation works / additional contamination assessment (as required by this development consent), the remediation works programme, post remedial validation works and preparation and / or implementation of management plans.	JBSG auditor Andrew Lau & Arthur Teo Letter sighted (29 May 2019)– issued to CA and DPE confirming the auditors		Compliant

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B9	The Applicant must undertake the following additional investigation of soil and groundwater contamination in the vicinity of the demolished farm shed area, the potential sheep dip structures on the site, the farm dump areas after the removal of the surface slabs and other infrastructure, and the farm dam, prior to the commencement of any construction works in relation to Stage 1 of the development (excluding remediation works) to these areas of the Site. The further assessment must include:	Groundwater and soil investigation report sighted (August 2019) prepared by Cavvanba consulting.	Waiting on final confirmation in report – verbal confirmation. Areas of contamination have not been worked on yet and are closed off with sed fencing.	Compliant
(a)	soil testing at depths to delineate the vertical extents of any fill materials, and contamination (beyond the previously conducted investigation limits of 0.3m depth);	Groundwater and soil investigation report sighted (August 2019) prepared by Cavvanba consulting.		Compliant
(b)	groundwater monitoring, including gauging and sampling; and	Groundwater and soil investigation report sighted (August 2019) prepared by Cavvanba consulting.		Compliant
(c)	tests for all relevant contaminants of concern including but not limited to arsenic.	Groundwater and soil investigation report sighted (August 2019) prepared by Cavvanba consulting.		Compliant

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B10	An additional Soil and Groundwater Investigation Report, delineating the extent of any contaminants found in carrying out the investigations in accordance with condition B9 of Schedule 3, must be reviewed and endorsed by the Site Auditor (as required by condition B8 of Schedule 3), and a copy of the Report and interim site audit advice endorsing the Report must be submitted to the Certifying Authority and Planning Secretary.	Sent to JBSG (email sighted) satisfied with RAPs	Interim site audit advice aimed for end of the week (30/08/19). Waiting on final sign off from site auditor and submit to CA and DPE – ETA Friday 30/08/19	Compliant
B11	If the additional Soil and Groundwater Investigation Report, required by condition B10 of Schedule 3, concludes that there are elevated levels of contamination in the investigation areas, then the following documents must be updated (as required) to include additional remediation strategies addressing the results of the additional investigations:			Compliant
(a)	Remedial Action Plan (RAP) Addendum for the Residential House (18084 R02) and the Farm Shed (18084 R04) dated January 2019 prepared by Cavvanba Consulting; and	RAP House updated (1/08/19) – auditor stated they have no further comments (via Aconex correspondence)		
(b)	Remedial Action Plan dated 1 February 2019 prepared by Octief. The updated RAPs (if required) must be endorsed by the engaged Site Auditor, and a copy of the updated RAPs accompanied by interim site audit advice from the Site Auditor endorsing the documents must be submitted to the Planning Secretary prior to the commencement of the remediation works on the Site.	Interim Audit Advice (0504-1914-002) from JBS&G the Site Auditor, was sighted (30/08/19).		Compliant

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B12	<p>The assessment and management of identified contaminants on the Site must be undertaken having regard to guidelines made or endorsed by the NSW EPA including but not limited to:</p> <ul style="list-style-type: none"> a) Sampling Design Guidelines (NSW EPA, 1995) www.epa.nsw.gov.au/resources/clm/95059sampgdline.pdf; b) Guidelines for the NSW Site Auditor Scheme (3rd edition) (NSW EPA, 2017) https://www.epa.nsw.gov.au/publications/contaminatedland/17p0269-guidelines-for-thensw-site-auditor-scheme-third-edition; c) Guidelines for Consultants Reporting on Contaminated Sites (NSW OEH 2011) www.epa.nsw.gov.au/resources/clm/20110650consultantsglines.pdf; d) Guidelines for the Assessment and Management of Groundwater Contamination (NSW DEC 2007); e) The National Environment Protection (Assessment of Contamination) Measure 1999 (as amended 2013, NEPC 2013); f) Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG 2018); and g) Australian and New Zealand Guidelines for Fresh and Marine Water Quality - Water Quality for primary industries (ANZECC 2000). 	Contaminated Land Management Plan Soil and Groundwater investigation plan.	The Project team is to ensure all guidelines are listed and applied appropriately through relevant management plans and other documents.	Non-compliant
B13	The updated RAP (if required as per condition B11 of Schedule 3) must include:	Updated RAPs sighted (24/01/19, 1/08/19, 9/08/19, 19/08/19).		Non-compliant

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(a)	an unexpected finds contamination procedure to ensure that potentially contaminated material is appropriately managed;	Procedure sighted.		
(b)	a Construction Health, Safety and Environment Management Plan to mitigate risks to site workers and environment during the development arising from exposures to potential contamination.	Remediation plan included – with reference to exposure, medical clinic/ hospital details	The RAP is to explicitly address Construction Health, Safety and Environment, with reference to the Project H&S Plan.	Non-compliant
B14	Where any material identified as contaminated is to be disposed off-site, the disposal location and results of soil testing must be submitted to the Planning Secretary prior to its removal from the site.		The waste has not been removed from site. In the process of finalising waste receiving facility – confirmation by 30/08/19. Will be issued to EPA when response is received.	Not-triggered
B15	A Hazardous Materials Management Plan (HMMP) must be prepared and submitted to the Site Auditor for review and approval, prior to the commencement of the remediation works on the Site. The HMMP must satisfy the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 'asbestos wastes'.	Interim Audit Advice (30/08/19) sighted from JBS&G. Details they received and approve the HMMP.		Compliant
B16	The following documents with all details of the proposed remediation / hazardous management (as required by conditions B11 to B15 of Schedule 3) and validation strategies must be provided to the Site	This has been completed as part of the HMMP issued.		Compliant

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	<p>Auditor for review and approval, prior to remediation works commencing on the Site:</p> <ul style="list-style-type: none"> a) a Site Plan identifying all areas that need to be remediated; b) a Works Plan; c) a Validation Sampling and Analysis Quality Plan (VSAQP); and d) a Work Health and Safety Plan (WHSP). <p>A copy of the document, accompanied by interim site audit advice from the Site Auditor endorsing the document, must be submitted to the Certifying Authority.</p>	<p>Feedback from JBSG for Works Plan sighted.</p> <p>Cavvanba completed and issued to Auditor.</p> <p>Feedback from JBSG for WHSP sighted.</p> <p>The feedback sheet from JBSG sighted.</p> <p>Interim Audit Advice (30/08/19) sighted from JBS&G. Details they received and approve the HMMP.</p>		
B17	<p>Remediation approved as part of this development consent must be carried out in accordance with the Remedial Action Plan Addendum for the Residential House (18084 R02), Remedial Action Plan Addendum for the Farm Shed (18084 R04) dated January 2019 prepared by Cavvanba Consulting, Remediation Action Plan prepared by OCTIEF PTY LTD dated 1 February 2019 and the additional updated recommendations in accordance with condition B11 and B13 of Schedule 3.</p>	<p>Remediation works have not started.</p>	<p>The Project is to provide updated plans to the Department where reports listed have been superseded.</p>	<p>Not triggered.</p>
B18	<p>The appointed Site Auditor must prepare a Site Audit Report and Section A Site Audit Statement for all parts of the Site identified in the Site Plan in condition B16(a) of Schedule 3, upon completion of remedial works, remediation validation program, and management of hazardous or residual contaminated material in accordance with conditions B11 to B15 of Schedule 3. The Site Audit Report and</p>	<p>Remediation works have not started.</p>		<p>Not triggered.</p>

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	Section A Site Audit Statement must verify that the relevant parts of the site (as identified in condition B16 of Schedule 3) have been remediated in accordance with the RAP (as updated), other identified validation strategies in condition B16 of Schedule 3 and is suitable for the hospital land use.			
B19	The Site Audit Statement is to be submitted to the satisfaction of the Certifying Authority, prior to the commencement of construction works in relation to Stage 1 of the development, to those areas of the Site requiring remediation in the Site Plan required by condition B16(a) of Schedule 3.	Remediation works have not started.		Not triggered.
Utilities and Services				
B20	Before the construction of each utility works (such as hydraulic, sewer, electricity, telecommunications etc.) associated with the development, the Applicant must:	Construction of utility works has not commenced.	Council has been approached and waiting on response (2/09/19).	Not triggered.
(a)	obtain an agreed approach with Council regarding the proposed water and sewer headworks and the associated connections from Council for Stage 1 works and the future Stage 2 application;	N/A		Not triggered.
(b)	apply to Council for connections to Council's water supply and sewerage infrastructure; and	N/A		Not triggered.
(c)	obtain relevant approvals from Council (including payment of any financial contributions for water and sewer connections where applicable), the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.	N/A		Not triggered.
Community Communication Strategy				

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B21	A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction. The Community Communication Strategy must:	Drafted and prepared by HI – document sighted (8/07/19).		Compliant
(a)	identify people to be consulted during the design and construction phases;	Section 2: Stakeholders		Compliant
(b)	set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;	Section 3: Communication tools		Compliant
(c)	provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development; and	Section 3: Communication tools		Compliant
(d)	set out procedures and mechanisms: (i) through which the community can discuss or provide feedback to the Applicant; (ii) through which the Applicant will respond to enquiries or feedback from the community; and (iii) to resolve any issues and mediate any disputes that may arise in relation to the Stage 1 construction	Section 4: Feedback mechanisms and procedures		Compliant

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B22	The Community Communication Strategy must be submitted to the Planning Secretary for approval no later than two weeks before the commencement of any Stage 1 construction works.	Email 18/6/19 from HI to DPE submitting the CCS sighted.		Compliant
B23	Work for the purposes of the development must not commence until the Community Communication Strategy has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.	Approval letter 8/7/19 from Secretary to HI sighted.		Compliant
Environmental Management Plan Requirements				
B24	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <ul style="list-style-type: none"> a) detailed baseline data; b) details of: <ul style="list-style-type: none"> (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures and criteria; and (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; d) a program to monitor and report on the: 	The SSD conditions are listed in a compliance table at the start of each plan, with reference to sections in the document.		Compliant

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	<p>(i) impacts and environmental performance of the development; and</p> <p>(ii) effectiveness of the management measures set out pursuant to paragraph (c) above.</p> <p>e) a contingency plan, including relevant timeframes, to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria;</p> <p>f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>g) a protocol for managing and reporting any:</p> <p>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</p> <p>(ii) complaint;</p> <p>(iii) failure to comply with statutory requirements; and</p> <p>(iv) a protocol for periodic review / update of the plan and any updates in response to incidents or matters of non-compliance.</p> <p><i>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>			
Construction Environmental Management Plan				
B25	The Applicant must prepare a Construction Environmental Management Plan (CEMP) and it must include, but not be limited to, the following:	CEMP sighted (18/06/2019 Issue no. 8).		Compliant

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	<p>a) Details of:</p> <ul style="list-style-type: none"> (i) hours of work; (ii) 24-hour contact details of site manager; (iii) management of dust and odour to protect the amenity of the neighbourhood; (iv) stormwater control and discharge; (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site; (vi) groundwater management plan including measures to prevent groundwater contamination; (vii) external lighting in compliance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting; (viii) community consultation and complaints handling; <p>b) Construction Traffic and Pedestrian Management Sub-Plan (condition B27 Schedule 3);</p> <p>c) Construction Noise and Vibration Management Sub-Plan (condition B28 Schedule 3);</p> <p>d) Construction Waste Management Sub-Plan (condition B29 Schedule 3);</p> <p>e) Construction Soil and Water Management Sub-Plan (condition B30 Schedule 3);</p> <p>f) Flood Emergency Response Sub-Plan (condition B31 Schedule 3);</p> <p>g) Construction Air Quality Management and Dust Management Sub-Plan (condition B32 Schedule 3);</p>	Sub-plans sighted (see condition B27 – B34).		

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	<p>h) details of location of protective fencing (exclusion fence) to protect the vegetation on the Site, identified for retention in the approved plans in condition A2 of Schedule 3;</p> <p>i) details to demonstrate that the proposed exclusion fence on the site would not impinge on species movement within the site and the adjoining 'coastal wetlands' during the construction works;</p> <p>j) an unexpected finds protocol for contamination and associated communications procedure;</p> <p>k) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure including the recommendations of the Aboriginal Cultural Heritage and Archaeological Report prepared by Niche Environment and Heritage dated 11 October 2018;</p> <p>l) an unexpected finds protocol for archaeological deposits within the identified rubbish areas of the site as recommended by Historical Heritage Assessment Report prepared by Niche Environment and Heritage dated 19 October 2018 and associated communications procedures;</p> <p>m) procedures to retain the stone walls identified in the Historical Heritage Assessment Report prepared by Niche Environment and Heritage dated 19 October 2018 and conditions A12 and A13 of schedule 3 (where possible);</p> <p>n) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site; and</p>			

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	<p>o) mitigation measures against mosquitos and biting insects for construction workers and measures to minimise mosquito breeding on the existing sediment basins, where feasible and ensuring the correct function of the basins and protection of the surrounding environment.</p>			
B26	<p>The Applicant must not commence construction of the development until the CEMP is approved by the Certifying Authority and a copy submitted to the Planning Secretary.</p>	<p>Certifying Authority approval in the crown certificate (15/07/19). Correspondence sighted – email 12 July 2019 HI to DPE.</p>		Compliant
B27	<p>The Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must address, but not be limited to, the following:</p> <ul style="list-style-type: none">a) be prepared by a suitably qualified and experienced person(s);b) be prepared in consultation with TfNSW, RMS and Council;c) demonstrate that all construction vehicles can enter and leave the Site in a forward direction;d) demonstrate that the swept path of the longest vehicle entering and exiting the Site in association with the construction works, would be in accordance with AUSTROADS;e) detail the measures to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians, bus services and slow-moving agricultural	<p>Sub-plan sighted (4/07/2019 Rev 3).</p>		Compliant

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	<p>vehicles using the same road network as the construction vehicles;</p> <p>f) include a procedure for identifying additional impacts and recording the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts;</p> <p>g) include a procedure to manage the movement of slow-moving agricultural vehicles (tractors etc.) on Tweed Coast Road and Cudgen Road along with the construction traffic (specifically heavy vehicles);</p> <p>h) detail heavy vehicle routes (including separate access routes for vehicles entering and leaving the Site), access and parking arrangements and demonstrate that all heavy vehicles routes would be via arterial / regional roads only (such as Tweed Coast Road) prior to entering Cudgen Road, and not via any of the local roads within the Kingscliff urban area (such as Kingscliff Street or Pearl Street);</p> <p>i) includes details that specify that the total number of daily two-way movements for heavy vehicles (as identified in the Traffic Impact Assessment Report prepared by Bitzios dated 18 October 2018), to and from the Site during Stage 1 works is restricted to 70;</p> <p>j) include details to demonstrate that all heavy vehicle access to / from the Site would occur outside of the identified morning peak period (8am – 9am) and afternoon peak period (2:45pm – 4:15pm);</p>			

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	<ul style="list-style-type: none"> k) include a Traffic Control Plan (TCP) to manage road closures and the works within the Cudgen Road reserve and the Cudgen Road / Turnock Street roundabout; l) include a Driver Code of Conduct to: <ul style="list-style-type: none"> (i) minimise the impacts of earthworks and construction on the local and regional road network; (ii) minimise conflicts with other road users; (iii) minimise road traffic noise; and (iv) ensure truck drivers use specified routes. m) include a program to monitor the effectiveness of these measures; and n) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes. 			
B28	<p>The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following:</p> <ul style="list-style-type: none"> a) be prepared by a suitably qualified and experienced noise expert; b) (provide details of all the residential and non-residential receivers in Catchments A, B and C, the Kingscliff TAFE and Kingscliff High School as identified in the Noise and Vibration Impact Assessment Report prepared by Acoustic Studio dated 17 October 2018; c) describe procedures for achieving the noise management levels outlined in the EPA's Interim Construction Noise Guideline (DECC, 2009) and the relevant provisions of 	Noise and Vibration Sub Plan sighted (27/06/2019 Rev 6).	Page 8 of 32 to be reformatted.	Compliant

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	<p>Australian Standard 2436 - 2010 Guide to Noise Control on Construction and Maintenance and Sites, at all identified receivers;</p> <p>d) incorporate all reasonable and feasible noise mitigation measures and construction methods during the proposed Stage 1 construction works so that the project specific construction noise management levels (NMLs) at all the identified receivers (B28(b) of Schedule 3), for standard construction hours (air borne, and ground borne), as provided in the following documents are maintained (where possible):</p> <p>(i) Section 5.2 of the Noise and Vibration Impact Assessment Report prepared by Acoustic Studio dated 17 October 2018; and</p> <p>(ii) Section 2.4.4 of the document Additional Stage 1 Works – Site Access and Associated Road Works dated 18 January 2019.</p> <p>e) identify the construction activities (such as piling, rock crushing, continuous noise generating activities for multiple days / or during weekends) with the associated predicted construction noise levels, that would exceed the NMLs and reach or exceed the Highly Affected Noise Level of 75dB(A) LAeq(15min), at the identified the residential and nonresidential receivers in Catchments A / B, Kingscliff TAFE and Kingscliff High School;</p> <p>f) describe the management and mitigation measures to be implemented when the predicted construction noise levels for the above construction activities exceed 75dB(A)</p>			

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	<p>LAeq(15min) at the residential and non-residential receivers in Catchments A / B, Kingscliff TAFE and Kingscliff High School, including (but not limited to):</p> <ul style="list-style-type: none"> (i) proposing suitable location of the noise generating equipment (including the location of the rock crusher within the site) so that the predicted construction noise levels at the residential and non-residential receivers in Catchments A / B can be lowered (up to 19dB); (ii) intra-day respite periods (such as one hour of respite every three hours or exclusion of such works on the Saturdays); (iii) scheduling of the noisy activities outside the sensitive times of the day and specific periods of the year (such as examination time for educational establishments, between 7am – 9am in the morning, 12noon – 2pm in the afternoon); (iv) equipment-specific temporary screening for noisy equipment or use of noise control measures in AS 2436; (v) use of noise shields (such as hoardings up to 2.4m in height) along the specific boundaries facing the identified sensitive receivers; and (vi) construction methods and procedures to reduce noise predicted to be generated during the roadworks, roundabout improvement and vehicular access points associated within the development. <p>g) include details of noise monitoring procedures and the location of the loggers on the eastern and southern</p>			

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	<p>boundaries of the Site, facing the sensitive receiving catchments, to record the noise levels generated by the construction activities, and to ensure that appropriate notification occurs in the event that the construction noise level exceeds 75dB(A) LAeq(15min) at a receiver, so that mitigation measures can be incorporated on the Site at that time;</p> <p>h) provide details of the surveys of each of the key vibration generating activity / equipment and the predicted vibration levels of the equipment;</p> <p>i) include details of vibration monitoring techniques to be implemented when vibration levels exceed the prescribed criteria identified in the Noise and Vibration Impact Assessment Report prepared by Acoustic Studio dated 17 October 2018 and addendum document Additional Stage 1 Works – Site Access and Associated Road Works dated 18 January 2019;</p> <p>j) include strategies that have been developed with the community (specifically residents in Catchments A and B), Kingscliff TAFE and Kingscliff High School for managing high noise and vibration generating works;</p> <p>k) describe the community consultation undertaken to develop the strategies in condition B28(g) of Schedule 3; and</p> <p>l) include details of a complaints management system that would be implemented for the duration of the construction.</p>			
B29	The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the following:	Sub-plan sighted (18/06/2019 Rev 5).		Compliant

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	<ul style="list-style-type: none">a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations; andb) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.			
B30	<p>The Construction Soil and Water Management Plan (CSWMSP) and the plan must address, but not be limited to the following:</p> <ul style="list-style-type: none">a) be prepared by a suitably qualified expert, in accordance with the approved plans in condition A2 of Schedule 3;b) describe all erosion and sediment control measures to be implemented during construction in accordance with the approved plans in condition A2 of Schedule 3 and the publication Managing Urban Stormwater Soils and Construction, 4th Edition published by Landform ('Blue Book');c) provide details demonstrating that the existing sediment basin at the north-western corner of the site has a minimum volume of 4000 cubic metres;d) include an Acid Sulfate Soils Management Plan, including measures for the management, handling, treatment and disposal of acid sulfate soils, including monitoring of water quality at acid sulfate soils treatment areas (if any);	Sub-plan sighted (24/06/2019 Rev 6).		Compliant

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	<p>e) include details of all the alternate flocculants to be used in the existing sediment basins on the Site including “Turbiclear” as recommended by Greencap in a letter dated 10 April 2019;</p> <p>f) 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>g) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events during Stage 1 construction works, including, but not limited to 1 in 1-year ARI (Annual Recurrence Interval), 1 in 5-year ARI and 1 in 100-year ARI);</p> <p>h) include details of all off-site flows from the Site to demonstrate that the peak flows from the Site into the wetland do not exceed the pre-development flows;</p> <p>i) include details of maintenance and monitoring programme in relation to the four sediment basins (stormwater retention and water quality treatment devices), recording and reporting details, relevant contact information and Work Health and Safety requirements to ensure that the proposed stormwater quality measures remain effective for the duration of Stage 1 works; and</p> <p>j) provide details of the water quality monitoring techniques to be adopted to ensure that the pre-development water quality levels are maintained (except large flood events including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI) during construction works. The water quality</p>			

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	monitoring locations and targets must comply with the recommendations of the BDAR.			
B31	<p>The Flood Emergency Response Sub-Plan (FERSP) must address, but not be limited to, the following:</p> <ul style="list-style-type: none">a) be prepared by a suitably qualified and experienced person(s);b) address the provisions of the Floodplain Risk Management Guideline (OEH, 2007);c) include details of:<ul style="list-style-type: none">(i) the flood emergency responses during the Stage 1 works;(ii) flood warning time and flood notification;(iii) assembly points and evacuation routes for the contractors and employees;(iv) evacuation and refuge protocols; and(v) awareness training for employees and contractors.	Sub-plan sighted (27/06/2019 Rev 6).		Compliant
B32	<p>The Construction Air Quality Management and Dust Management Sub-Plan (CAQDMSP) and the plan must address, but not be limited to the following:</p> <ul style="list-style-type: none">a) be prepared by a suitably qualified expert, in consultation with NSW EPA and the Council;b) describe the measures that would be implemented on site to ensure:	Sub-plan sighted (20/06/2019 Rev 7).		Compliant

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	<p>(i) the control of air quality and odour impacts of the Development, in particular, during rock crushing and piling activities;</p> <p>(ii) that these controls remain effective over time;</p> <p>(iii) that all reasonable and feasible air quality management practice and measures are employed, with specific reference to the rock crushing and piling activities, including the relevant measures listed in Appendix 2 of this document;</p> <p>(iv) the air quality impacts are minimised during adverse meteorological conditions or extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Planning Secretary; and</p> <p>(v) compliance with the relevant conditions of this consent.</p> <p>c) include performance objectives for monitoring dust and ensuring no off-site air quality impacts to users of Kingscliff TAFE, and nearby residences and other businesses;</p> <p>d) includes an air quality monitoring program that:</p> <p>(i) is capable of evaluating the performance of the construction works;</p> <p>(ii) includes a protocol for determining any exceedances of the relevant conditions of consent and responding to complaints;</p> <p>(iii) adequately supports the air quality performance objectives; and</p> <p>(iv) evaluates and reports on the effectiveness of air quality management for the construction works.</p>			

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	<ul style="list-style-type: none"> e) details on monitoring weather conditions and communicating changing conditions to the workforce; and f) stop work procedures if performance objectives are not being met. 			
Biodiversity Management Plan				
B33	<p>The Applicant must prepare a Biodiversity Management Plan for the Stage 1 works (Stage 1 BMP) and the plan must address, but not be limited to the following:</p> <ul style="list-style-type: none"> a) all recommendations to mitigate the direct, indirect and prescribed impacts for Stage 1 works contained in the endorsed BDAR, the MNES Report and the management and mitigation measures in Appendix 2; b) details of measures to protect the vegetation on the northern part of the Site, specifically the coastal wetlands mapped under Coastal Management SEPP; c) details of measures to protect all trees identified for retention in Drawing No L-EIS-1 Rev F Tree Removal and Preservation Plan prepared by Turf Design dated 03/05/2019 and in the Preliminary Arboricultural Report prepared by Arbor safe dated 17 October 2018; d) the feasibility of translocation of the one <i>Cryptocarya foetida</i> proposed to be removed from the Site; e) a Vegetation Management Sub-Plan (VMP) for the Site during the construction works; f) a Habitat Management Sub-Plan (HMP) for the identified threatened species, ecological endangered communities 	BMP Stage 1 sighted June 2019, prepared by Greencap.		Compliant

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	(EEC) and threatened ecological communities (TEC) including the Koala food trees Zone 6; g) A Fauna Management Sub-Plan (FMP) for the Site including details of impacts and proposed mitigation measures due to impact on movement, construction traffic, proposed construction hours, details of any fencing, restricting developments in identified areas, light spill, construction noise and on-site crane movements; and h) measures to communicate to the construction workforce the biodiversity values that are to be retained and protected.			
B34	The Stage 1 BMP must be prepared in consultation with OEH and be submitted to the Planning Secretary for approval prior to the commencement of construction works on the Site, approved under Stage 1 of this consent.	BMP consultation section (s 1.9). OEH comments register for BMP sighted (21/05/19). Approval letter (12/7/19) from Secretary to HI sighted.		Compliant
Construction Parking				
B35	Prior to the commencement of construction, the Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel.	Site Car Parking layout sighted.	The site plan is to be updated to include heavy vehicle parking and the new carpark (office staff).	Non-compliant
Road Design and Traffic Facilities				

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B36	All roads and traffic facilities (including provision of access points) must be designed to meet the relevant standards / design specifications of Council and or RMS. The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works.	S138 sighted – Tweed Council to TSA management.		Compliant
B37	Prior to the commencement of works for the vehicular access A (as marked in the approved plans in condition A2 of Schedule 3, the Applicant must prepare the final design of this access point in consultation with Council. The design of the access A must consider:	Cudgen Road Auxiliary Lane Civil Engineering works drawings (Robert Bird Group) issued (23/08/19). In consultation with council – awaiting approval to proceed.		Compliant
(a)	analysis of the suitability of alternate design options such as provision of a deceleration lane in lieu of the proposed slip lane, to mitigate rear end crashes and also provide an access at right angles to Cudgen Road; and	In consultation with council – awaiting approval to proceed.		Compliant
(b)	safety of pedestrians and cyclists using the shared path along the Cudgen Road frontage including a Road Safety Evaluation (RSE) (in accordance with the NSW Centre for Road Safety Guidelines for Road Safety Audit Practices and Austroads Guide to Road Safety Part 6: Road Safety Audit) must be prepared by a suitably qualified person for all of the alternative design options considered;	In consultation with council – awaiting approval to proceed.		Compliant
(c)	additional road safety measures and / or traffic management measures in accordance with the recommendations of the RSE.	In consultation with council – awaiting approval to proceed.		Compliant

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B38	The final design of the vehicular access A (as marked in the approved plans in condition A2 of Schedule 3) must be approved by the Planning Secretary, prior to commencement of these works.	Still working through the process for vehicular access.		Not triggered.
Intersection Works				
B39	Prior to the commencement of Stage 1 works relating to road / pavement / or driveway crossover construction on Cudgen Road and Turnock Street intersection upgrade works (roundabout improvement), the Applicant must submit design plans to the relevant road authority (Council and / or RMS) and obtain relevant approvals.	S. 138 sighted.		Compliant
Pre-Construction Dilapidation Report				
B40	The applicant must prepare and submit a pre-commencement dilapidation report providing an accurate record of the existing condition of adjoining private properties, and the buildings within the Kingscliff TAFE site that front on to Cudgen Road (the northern-most row of buildings). A copy of the report must be provided to Council and the Certifying Authority.	Pre-construction dilapidation reports sighted (6/05/19). Prepared by B&P surveys x6 properties Tafe buildings Correspondence from HI to Council sending dilap report (21/06/19).		Compliant
Stormwater Management System				
B41	Prior to the commencement of construction, the Applicant must design the stormwater management system for the Stage 1 works	Erosion and Sediment Control Plan (8/4/19)	The ERSED Plan is to be updated as a progressive	Non-compliant

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	<p>and submit it to the satisfaction of the Certifying Authority. The system must:</p> <ul style="list-style-type: none"> a) be designed by a suitably qualified and experienced person(s); b) be generally in accordance with the plans approved in Condition A2 of Schedule 3; c) be in accordance with applicable Australian Standards; d) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines; and e) ensure that the stormwater system does not increase the pre-development peak flows. 	<p>completed by Robert Bird Group sighted.</p> <p>Design certificate sighted (26/06/19).</p> <p>Approval sighted in the crown certificate (15/07/19).</p>	<p>document to reflect changed site conditions.</p>	
Stockpiles				
B42	<p>The location of the stockpiles of waste materials for disposal and of materials for re-use or recycling on the Site must be planned and mapped prior to the commencement of any works on the site. The details are to be provided to the Certifying Authority and a copy submitted to the Planning Secretary for information prior to the commencement of works. To reduce visual impacts on the surrounding locality, the height of each stockpile must not exceed 3m.</p>	<p>Erosion and Sediment Control Plan (8/4/19) sighted.</p> <p>Included in WMP (18/06/19) – submitted to certifying authority.</p> <p>Approval through crown certificate.</p>		Compliant
Elements of Stage 1 works				
B43	<p>Detailed drawings of the following elements of Stage 1 works must be submitted to the Certifying Authority prior to commencement of works on the Site:</p>			Compliant

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(a)	all retaining walls on the Site, with a maximum height of 3.4m above the ground level at that location;	Civil drawings – sighted with signatures.		Compliant
(b)	battered embankments proposed on the western boundary in lieu of retaining walls;	Design statements from qualified design personnel include the relevant conditions.		Compliant
(c)	details of the piling works;	Piling plan sighted.		Compliant
(d)	additional landscape treatment measures to reduce the adverse visual impacts of the retaining walls on the Site;	Prepared by Turf landscapers – detailed sketch		Compliant
(e)	the impervious areas including the haul roads and the construction car parking areas;	Plans showing impervious services – roads		Compliant
(f)	details of incorporation of the recommendations of the Preliminary Geotechnical Investigation prepared by Morrison Geotechnics dated September 2018 and the addendum dated December 2018, in the construction of the retaining walls, battered embankments, and piling works; and	CA happy with this included as a reference in the design statement – not captured in drawings		Compliant
(g)	details of the existing sediment basin on the north-western corner of the site or proposed alterations to this basin as part of the Stage 1 works (if needed) to demonstrate that the basin as a minimum volume of 4000 cubic metres.	Not captured in drawings – included in the design statements		Compliant
Roadworks and Access				

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B44	Prior to the commencement of construction of the vehicular access points to the Site and associated crossovers, the Applicant must submit detailed design plans to the satisfaction of the relevant road authority (Council and / or RMS) and obtain approval under section 138 of the Roads Act 1993.	S138 approval for crossover and roundabout sighted		Compliant
Outdoor Lightings				
B45	The Applicant must ensure the lighting associated with the construction works:	Sighted in Appendix 10 of CEMP.		Compliant
(a)	complies with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and	Temporary external lighting report (15/05/2019) sighted – reference to standards and the positioning.		Compliant
(b)	is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.	LCI design statement confirming the position of the lights (15/05/19).		Compliant
Compliance Reporting				
B46	No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	Compliance monitoring and reporting document sighted. Email from HI to Planning via email 20 June 2019. Confirmation CA received in crown certificate (15/07/19).	The Compliance Reporting Post approval Requirements are to be included in the document to ensure it is clear it was prepared in accordance with the document.	Compliant

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B47	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	Compliance report sighted. Pre-construction compliance report sighted (19/07/19 Rev 2)	The Compliance Reporting Post approval Requirements are to be included in the document to ensure it is clear it was prepared in accordance with the document.	Compliant
B48	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.	Compliance report is online and publicly available.	The Project is to advise the Department and CA that the Compliance Reports are available.	Non-compliant
B49	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	Not required at this stage.		Not triggered.
Temporary Sanitary Facilities				
B50	Temporary sanitary facilities are to be provided on site for persons employed for site and construction works. Each toilet provided must be:	Toilets are chemical closets – pumped out once a week. Site designs sighted.		Compliant
(a)	a standard flushing toilet connected to public sewer or an approved accredited sewage management facility subject to approval from Tweed Shire Council. The required application under Section 68 of	N/A		N/A

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	the Local Government Act is to include Hydraulic Engineering or On-site Sewerage Management Design, or			
(b)	Chemical closet.	Toilets are chemical closets – pumped out once a week. Site designs sighted and observed on site.		Compliant
Approved Plans to be On-Site				
C1	A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on the Site at all times and must be readily available for perusal by any officer of the Department, Council or the Certifying Authority.	Plans, specifications and documents sighted, and readily available.		Compliant
Site Notice				
C2	A site notice(s):			Compliant
(a)	must be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer.	Site notice board sighted at the entrance of the site, with details provided.		Compliant
(b)	is to satisfy all but not be limited to, the following requirements: <ul style="list-style-type: none"> i. minimum dimensions of the notice must measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size; ii. the notice is to be durable and weatherproof and is to be displayed throughout the works period; 	Site notice board sighted at the entrance of the site, with large text, waterproof material, additional details of the site (e.g. hours, contact details). The board		Compliant

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	<p>iii. the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice; and</p> <p>iv. the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.</p>	details that unauthorised entry is not permitted.		
Operation of Plant and Equipment				
C3	<p>All plant and equipment used on site, or to monitor the performance of the development must be:</p> <p>a) maintained in a proper and efficient condition; and</p> <p>b) operated in a proper and efficient manner.</p>	<p>Mobile equipment tag procedure sighted.</p> <p>Plant register folder sighted – records up-to-date</p> <p>Mobile equipment tag example sighted.</p>	Once a month plant is re-assessed – visible inspection, alarms, leaks (pink sticker – mobile equipment tag).	Compliant
Demolition				
C4	<p>Demolition works (including removal of any remaining slabs on the Site) must comply with <i>Australian Standard AS 2601-2001</i> The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans, and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.</p>	<p>No demolition works on-site.</p> <p>Letter from Lendlease to BM&G (11 July 2019) to confirm no demo works to be undertaken.</p> <p>Response from BM&G received in crown certificate.</p>		Not triggered

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Construction Hours				
C5	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.	On Site notice CEMP (18/06/19) NVMP (11/06/19) site induction All deliveries have been within hours.		Compliant
C6	Activities may be undertaken outside of the hours in condition C5 of Schedule 3, 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) where a variation is approved in advance in writing by the Planning Secretary or her nominee if appropriate justification is provided for the works.		Protocol in place (HI) if outside of hours required.	Not triggered
C7	Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.	Such activities have not taken place.	Full-time comms in charge of liaison with community. Weekly meetings with Tafe and school.	Not triggered.
C8	The construction hours must include respite periods and specific times for activities during the day (outside the sensitive times), as	Respite periods outlined in the NVMP (11/06/19).		Compliant.

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	required by condition B28(g) of Schedule 3 of this consent, for the high noise generating construction activities (such as activities that would reach or exceed the Highly Affected Noise Level as defined in the ICNG).			
Implementation of Management Plans				
C9	The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans) and the Stage 1 BMP (including Sub-Plans).	Subcontractors have pre-start meetings – about the management plans. Induction slides Pre-starts Daily builders brief	Supervisors provided with management plans.	Compliant
Construction Traffic				
C10	All construction vehicles (excluding worker 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 before stopping.	No parking outside of site. Parking facilities on-site (parking plan sighted) Driveway long enough for all vehicles to be contained within site while stopping before entering site.		Compliant
Road Occupancy Licence				

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C11	A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.	s. 138 permits sighted.		Compliant
SafeWork Requirements				
C12	To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.	Daily fencing/ hoarding/ signage checklist – example sighted (16/08/19). Observation report sighted – 29/8/19		Compliant
Hoarding Requirements				
C13	The following hoarding requirements must be complied with:		Security cameras in place to prevent.	Not triggered.
(a)	no third-party advertising is permitted to be displayed on the subject hoarding/ fencing;	Daily fencing/ hoarding/ signage checklist – example sighted (16/08/19).		Not triggered.
(b)	the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application; and	No graffiti or third-party advertising to date – picked up on daily checklist.		Not triggered.
(c)	the Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.	No hoarding over council footways or road reserve.		Not triggered.
No Obstruction of Public Way				

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C14	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.	Pre-start slides Induction slides Daily builders brief s.138 permits sighted. Full-time Gateman implements and checks.		Compliant
Construction Noise Limits				
C15	The development must be constructed to achieve the project specific construction NMLs detailed in Section 7 of the Noise and Vibration Impact Assessment Report prepared by Acoustic Studio dated 17 October 2018 and addendum report Additional Stage 1 Works – Site Access and Associated Road Works prepared by Acoustic Studio dated 18 January 2019 for all the identified residential and non-residential receivers. All feasible and reasonable noise mitigation measures must be implemented and any activities that are likely to exceed the NMLs or the high affected noise level of 75dB(A) must be identified and managed in accordance with the management and mitigation measures in Appendix 2 and the approved CNVMSP required by condition B28 of Schedule 3.	x2 noise graph examples sighted. Email sighted 20/08/19 – instant message of noise exceedance. Stop work procedures, respite periods (every 3 hours), acoustic barriers, additional water carts – mitigation measures identified in Noise and Vibration presentation (sighted)		Compliant
C16	The Applicant must ensure construction vehicles do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition C5.	No heavy vehicles outside of hours to date.		Compliant.
C17	The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the	Reversing alarms used – quakers on some vehicles.		Compliant

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	public, the use audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.			
C18	Any noise generated during construction of the development must not be offensive noise within the meaning of the <i>Protection of the Environment Operations Act 1997</i> or exceed approved noise limits for the site.	No noise complaints. Noise data sighted. Random resident check-ups (every Friday).		Compliant
C19	Unattended long-term construction noise monitoring must be undertaken during the Stage 1 works. The location of the unattended logger must be in accordance with the approved CNVMP required by condition B28 of Schedule 3. These loggers must be maintained and checked by a suitably qualified acoustician. The logger must automatically send a message to the suitably qualified acoustician once noise levels from construction works on the Site exceed 75dBA LAeq(15min) at the residential and non-residential receivers in Catchments A / B, Kingscliff TAFE and Kingscliff High School, to ensure that the mitigation measures specific to this exceedance are implemented on the Site at that time. The results of this monitoring must be provided to the Department for information on a monthly basis after the commencement of the Stage 1 construction works.	Noise data sighted. Instant data sighted. Location of loggers on plan sighted. Logger sighted on-site. ADE is the noise specialist.	The monthly report for July has not been prepared. First monthly report is to be received and passed onto the Department (for the month of August). The Project is to ensure they prepare monthly reports for the noise monitoring data.	Non-compliant
C20	The intra-day respite periods required to be provided in the CNVMP in condition B28 of Schedule 3 of this development consent must be reviewed on a monthly basis, after the commencement of Stage 1 construction works, in consultation with Kingscliff TAFE and Kingscliff High School. The respite periods are to be maintained / or amended, as agreed with the identified noise receivers. The details of any amendments to the intra-day respite periods due to	Consultation with the TAFE (4/03/19, 27/06/19, 15/08/19) and High School (14/08/19) regarding respite periods has been undertaken.		Compliant

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	agreement with the Kingscliff TAFE and Kingscliff High School, must be provided to the Department for information.	Stakeholder meeting minutes with Kingscliff High School sighted (14/08/19).		
Vibration Criteria				
C21	Vibration caused by construction at any residence or structure outside the Site must be limited to: (a) for structural damage, the latest version of <i>DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures</i> (German Institute for Standardisation, 1999); and b) for human exposure, the acceptable vibration values set out in the <i>Environmental Noise Management Assessing Vibration: a technical guideline</i> (DEC, 2006) (as may be updated or replaced from time to time).	Reference included in the NVMP. Vibration data example sighted.		Compliant
C22	Vibratory compactors must not be used closer than 30 metres from any residence unless vibration monitoring confirms compliance with the vibration criteria specified in condition C21 of Schedule 3.	Vibration logger's location sighted on site plan, and in-field. No residents within 30 metres of works.		Compliant
C23	Prior to the operation of each vibration generating activity, a vibration assessment of that equipment is required to be carried out to determine that the vibration levels do not exceed the criteria in condition C21 of Schedule 3 and vibration monitoring techniques are to be implemented on the Site.	Delta Group Vibration Assessment Report (12/08/19).		Compliant.

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C24	The limits in conditions C21 and C22 of Schedule 3 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B25 of Schedule 3.	Delta Group Vibration Assessment Report (12/08/19).		Compliant.
Tree Protection				
C25	For the duration of the construction works:	Tree protection plan sighted. Works have not begun in areas where trees are to be retained.		Compliant
(a)	all trees on the Site that are not approved for removal must be suitably protected during construction as per recommendations of the BMP required by condition B33 of Schedule 3 and AS4970 – 2009 Protection of trees on development sites;	Tree protection zone on-site sighted.		Compliant
(b)	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;	No removal of street trees.		Compliant
(c)	all street trees to be retained must be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council;	No removal of street trees.		Compliant
(d)	all works within the specified tree protection zones or structural root zones of trees to be retained on the site, must be carried out under the supervision of a qualified arborist;	No works within tree protection zones have been required.		Compliant

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		Arborist not engaged directly by LendLease – through packages instead.		
(e)	during the course of works, alternative tree protection measures must be installed, as required;	Tree protection zone on-site sighted.		Compliant
(f)	if access to the area within any protective barrier / exclusion fence is required during the works, it must be carried out under the supervision of a qualified arborist with alternative tree protection measures installed as required; and	No works within tree protection zones have been required.		Compliant
(g)	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.	No works within tree protection zones have been required.		Compliant
Dust Minimisation				
C26	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent, including avoiding rock crushing where possible and reuse of the boulders in the construction works and / or landscaping of the Site.	Water carts on-site sighted. Rock crusher positioned away from residents, multiple water spray elements. Located at lowest point of site.		Compliant
C27	During construction, the Applicant must ensure that:			Compliant

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(a)	exposed surfaces and stockpiles are suppressed by regular watering;	Water carts on-site sighted.		Compliant
(b)	all trucks entering or leaving the site with loads have their loads sealed and covered;	Gate men monitors trucks entering and leaving site.		Compliant
(c)	trucks associated with the development do not track dirt onto the public road network;	Wheel wash set-up and regular monitoring in the daily check.		Compliant
(d)	public roads used by these trucks are kept clean;	Wheel wash set-up and regular monitoring in the daily check.		Compliant
(e)	land stabilisation works are carried out progressively on site to minimise exposed surfaces; and	Full-time level 1 Geotech engineer – ensures stability. Areas sighted as still being vegetated during site walk, where possible.		Compliant
(f)	minimise air quality impacts of the project during adverse meteorological conditions.	Online weather monitoring (BOM). Subscribers to Early Warning Network – get warning for weather events.		Compliant
Air Quality Discharges				

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C28	The Applicant must install and operate equipment in line with best practice to ensure that the construction works comply with all load limits, air quality criteria / air emission limits and air quality monitoring requirements as specified in the CAQMSP required by condition B32 of Schedule 3.	Air quality is visibly monitored. Air quality monitors brought to site 9/09/19 – implemented during asbestos remediation works only. Dust monitoring equipment installed for continuous monitoring.	The Project is to ensure implementation of this condition is correct. If analytical air quality monitoring is not required (except for asbestos works) this is to be detailed in the CAQMSP.	Non-compliant
C29	Dust deposition monitoring must be undertaken during the construction works (as per AS/NZS 3580). This would include monitoring points in appropriate locations on the Site boundary. Monitoring locations must include sensitive receivers that are most likely to be affected. The locations and frequency of the monitoring are to be detailed within the CAQMSP.	Dust monitoring equipment installed for continuous monitoring – 3 locations along the site boundary. Dust monitoring data sighted (ADE 23/08/19). Data to be captured in monthly report issued 6/9/19/		Compliant
Erosion and Sediment Control				
C30	All erosion and sediment control measures must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment. The monitoring regime for the four sediment basins and the water quality treatment devices, as	Sediment fences checked daily and any issues raised in daily inspections.		Compliant

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	required by condition B27 must be implemented throughout the duration of the Stage 1 construction works.	Sed basins – monitored if planned to discharge or uncontrolled discharge. All other monitoring done by visible monitoring. SWMP sighted.		
Imported Soil				
C31	The Applicant must: <ul style="list-style-type: none"> (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site; (b) keep accurate records of the volume and type of fill to be used; and (c) make these records available to the Certifying Authority upon request. 	No soil brought onto site.		Not triggered.
Disposal of Seepage and Stormwater				
C32	Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the EPA in accordance with the <i>Protection of the Environment Operations Act 1997</i> .	No water pumped into street system.		Not triggered.
C33	The maintenance measures for the stormwater quality treatment devices, as identified in the CSWMP in condition B30 of Schedule 3 must be complied with at all times.	Daily checks. Contractors to monitor own sed. Control measures.		Compliant

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		Enablon app – anything marked as risk, will send reminders if not closed out.		
C34	The results of the water quality monitoring, as required by the CSWMP in condition B30 of Schedule 3, must be submitted to the Certifying Authority on a monthly basis to ensure compliance with the water quality levels as prescribed in the BDAR.	1 st report submitted 30 July 2019 – via aconex LendLease to BM&G (23 August 2019)		Compliant
Unexpected Finds Protocol – Aboriginal Heritage				
C35	In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and OEH to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of OEH.	Unexpected Finds Protocol sighted (16/07/2018 Rev 8).		Compliant
Unexpected Finds Protocol – Historic Heritage				
C36	If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the OEH Heritage Division contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can	Unexpected Finds Protocol sighted (16/07/2018 Rev 8).		Compliant

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	continue in that area. Works may only recommence with the written approval of Heritage Division of the OEH.			
Waste Storage and Processing				
C37	The construction waste must be managed and disposed in accordance with the CWMSP required by condition B29 of Schedule 3.	CWMSP sighted (18/06/19). Section 3 – implementation of this plan provides mitigation and management measures. Waste company SUEZ, previously was VEOLIA. Monthly claim – subcontractors report waste. Energy, water and waste reporting monthly report sighted. No waste dockets to-date as no waste has been sent off site.		Compliant.
C38	Waste 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.	General Waste Skip bins sighted.		Compliant

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C39	All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).	Waste classification undertaken by Cavvanba for area to be remediated (only area where waste will go off-site). Report by Cavvanba sighted.		Compliant
C40	The body of any vehicle or trailer used to transport waste or excavation spoil must be covered before leaving the premises to prevent any spillage or escape of any dust, waste of spoil. Mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the site must be removed before leaving the premises.	Full-time gateman monitors all vehicles leaving the site. Follows LendLease policy. No waste leaves site. Wheel wash and rubble grid installed.		Compliant
C41	The Applicant must ensure that			Compliant
(a)	concrete waste (if any) and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse;	Return concrete waste in the agitator trucks.		Compliant
(b)	Waste concrete (is any) is either returned in the agitator trucks to the supplier or directed to a dedicated watertight skip protected from the entry of precipitation; and	Return concrete waste in the agitator trucks.		Compliant
(c)	Concrete rinse water (if any) is directed to a dedicated watertight skip protected from the entry of precipitation or a suitable water treatment plant.	Concrete wash-out facility to be installed.		Compliant

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C42	Materials for re-use or recycling are stockpiled to avoid cross contamination by general and other waste such as hazardous materials and contaminated soil.	x2 stockpiles (locations identified) Site was tested for contaminated soil – identified area is kept away from the stockpiles.		Compliant
C43	The movement materials from stockpiles of waste materials for disposal and / or materials for reuse or recycling must be recorded at all times.	Contractor (Delta Civil) tracks internal movements of fill for reuse around site.		Compliant
C44	The waste materials stockpiled for disposal and materials stockpiled for re-use or recycling must be appropriately managed to ensure waste streams reach their intended final destinations, being premises legally able to accept those wastes and materials for re-use or recycling. Appropriate evidence must be maintained to demonstrate that waste is disposed off to premises that can legally accept the materials.	No Materials left site to date. Permit sighted to dispose of the contaminated material. Addressed in RAP.		Compliant
Handling of Asbestos				
C45	The Applicant is to consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – ‘Transportation and management of asbestos waste’ must also be complied with.	In the process of notifying SafeWork for the remediation works to occur. Will be completed prior to removal.		Compliant
Community Engagement				

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C46	The Applicant must consult with the community regularly throughout construction, including consultation with the nearby sensitive receivers of Catchments A and B identified in the Noise and Vibration Impact Assessment Report prepared by Acoustic Studio dated 17 October 2018, and the addendum document Additional Stage 1 Works – Site Access and Associated Road Works prepared by Acoustic Studio dated 18 January 2019, the adjoining landowners / users of the agricultural land, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.	Early engagement register sighted (19/ 20 June 2019). Stakeholder interaction register sighted – to date (15/8/19) Community notices register sighted (10/07/19, 03/09/18) Early Works Tactical Engagement and Community Plan sighted (May 2019) Construction Communication Management Plan (LendLease)	The Project is to ensure this condition is captured in the appropriate location within relevant plans and linkage made clear how it is addressed.	Non-compliant
Incident Notification, Reporting and Response				
C53	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.	No incidents have occurred.	The Project is to include these specific conditions alongside the LendLease policies. Incident reporting requirement to the Department is to be included in site management	Non-compliant.

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			documentation and implemented where an incident occurs.	
C54	Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix 1.	No incidents have occurred.	The Project is to include these specific conditions alongside the LendLease policies. Incident reporting requirement to the Department is to be included in site management documentation and implemented where an incident occurs.	Non-compliant.
Non-Compliance Notification				
C55	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.	No non-compliances have been noted to date.	The Project is to include these specific conditions alongside the LendLease policies. Non-compliance reporting requirement to the Department is to be included in site management documentation and	Non-compliant.

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			implemented where an incident occurs.	
C56	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.	Noted. No notifications have been prepared.	The Project is to include these specific conditions alongside the LendLease policies. Non-compliance reporting requirement to the Department is to be included in site management documentation and implemented where an incident occurs.	Non-compliant.
C57	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Noted.		Not triggered
Revision of Strategies, Plans and Programs				
C58	Within three months of: <ul style="list-style-type: none"> (a) the submission of a compliance report under condition B46 of Schedule 3; (b) the submission of an incident report under condition C54 of Schedule 3; (c) the submission of an Independent Audit under condition C48 of Schedule 3; (d) the issue of a direction of the Planning Secretary under condition A2 of Schedule 3 which requires a review, 	Construction has not been ongoing for three months.		Not triggered.

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	the strategies, plans and programs required under this consent must be reviewed, and the Department and the Certifying Authority must be notified in writing that a review is being carried out.			
C59	<p>If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Certifying Authority. Where revisions are required, the revised document must be submitted to the Certifying Authority for approval within six weeks of the review.</p> <p><i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</i></p>	Noted.		Not triggered.
Discharge Limits				
C60	The development must comply with section 120 of the <i>Protection of the Environment Operations Act</i> , which prohibits the pollution of waters, except as expressly provided for in an Environment Protection Licence.	<p>Consultation with EPA undertaken – advises that an EPL was not required.</p> <p>Discharge has not occurred to date.</p> <p>Captured in SWMP.</p>		Compliant
Dewatering				
C61	The site must not be dewatered during the proposed piling works. Appropriate methods must be undertaken to avoid dewatering, in accordance with the recommendations of the Preliminary	<p>Piling works have commenced.</p> <p>Communication with tenderers (noted in</p>		Compliant

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	Geotechnical Investigation prepared by Morrison Geotechnics dated September 2018 and the addendum dated December 2018.	scope of works) that dewatering will not be allowed. Wet pours will be used to install the piles.		
C62	In the event that groundwater is intercepted during construction works and dewatering is required, written approval and relevant licences must be obtained from the relevant authorities (such as NSW Department of Primary Industries).		Wet pours will be used to install the piles. Dewatering will not be required.	Not triggered.
Bunding				
C63	The Applicant must store all chemicals, fuels and oils used on-site in appropriately bunded and impervious areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Manual</i> (Department of Environment and Climate Change, 2007).	Self-bunded storage cage observed in mobile observation report.	Consider covering the cage or storing the cage in a covered area (if appropriate).	Compliant
Roadworks and Access				
C64	The Applicant must complete the intersection upgrade works (roundabout) on Cudgen Road and Turnock Street prior to any heavy vehicles (as identified in the <i>Traffic Impact Assessment Report</i> prepared by Bitzios dated 18 October 2018) accessing the Site at this location.	Works have not commenced at this location.		Not triggered.
C65	The Applicant must complete the construction of the vehicular access points to the Site and associated crossovers, to the satisfaction of Council prior to the completion of the Stage 1 works.	Noted.		Not triggered.

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	The Applicant must obtain approval for the works under section 138 of the <i>Roads Act 1993</i> .			

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APPENDIX E – INDEPENDENT AUDIT DECLARATION FORM

Report	Independent Environmental Audit New Tweed Valley Hospital Stage 1 Works	29 Oct 2019
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Appendix C – Independent Audit Declaration Form Template

Independent Audit Declaration Form

Project Name *New Tweed Valley Hospital*
Consent Number *SSD 9575*
Description of Project *Stage 1 Early works and enabling works*
Project Address *771 Cudgen Road, Cudgen*
Proponent *Health Infrastructure*
Title of Audit *New Tweed Valley Hospital Stage 1 works*
Date *3/9/19*

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 2018)*;
- 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 [REDACTED]
Signature [REDACTED]
Qualification *Lead Environmental Auditor, SAI Global*
Company *SNC-LAVALIN*
Company Address *Level 17, 55 Clarence St, Sydney 2000*

Appendix C – Independent Audit Declaration Form Template

Independent Audit Declaration Form

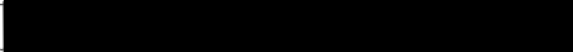

Project Name New Tweed Valley Hospital
Consent Number SSD 9575
Description of Project Stage 1 Early works and enabling works
Project Address 771 Ludgen Road, Ludgen
Proponent Health Infrastructure
Title of Audit New Tweed Valley Hospital Stage 1 works
Date 4/9/19

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 2018)*;
- 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 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 
Signature 
Qualification Environmental Systems Auditor, SAI Global
Company SNC-LAVALIN
Company Address Level 17, 55 Clarence Street Sydney 2000