

Independent Environmental Audit New Tweed Valley Hospital Stage 1 Works

October 2020

Prepared for:

Health Infrastructure

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1 EXECUTIVE SUMMARY

SNC-Lavalin Atkins has been engaged by NSW Health Infrastructure (HI) to undertake an audit of State Significant Development New Tweed Valley Hospital Stage 1 works (the Project). The audit is required by the SSD 9575 Development Consent conditions C47 – C52. This is the third Independent Audit of this stage in construction and has been undertaken within six months of the previous independent audit to satisfy the frequency of audits as outlined in Condition C49 and the Department of Planning, Industry and Environment's (DPIE) Independent Audit Post Approval Requirements.

SNC-Lavalin Atkins undertook a remote desktop audit, as the auditors did not travel to site as a precautionary measure as they are based in Sydney (a high-risk area for COVID-19). A review of relevant and available documents relating to the approval and the ongoing management and monitoring of the site environmental aspects was undertaken through the use of Microsoft Teams.

The audit was undertaken remotely on 11 August 2020, with members of Health Infrastructure, TSA Management and Lendlease Building present. The Project was audited against Schedule 3 of the Development Consent Conditions relevant to the stage of works the Project is currently at.

The findings from the audit conclude:

- > Zero (0) non-conformances were identified during the audit.
- > Four (4) recommendations have been made relating to:
 - The Project website appeared to be out of date
 - The dewatering procedure should be revised to include details in accordance with the 'BlueBook'
 - Notification to the Certifying Authority and DPIE that the Compliance Report was being made publicly available, and
 - Submission of noise monitoring results to DPIE on a monthly occurrence

Based on the video footage, site photographs and documents reviewed by the auditor, the processes and systems in place appear to be effective at managing environmental issues on 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 New Tweed Valley Hospital. This stage consists of on-site activities such as bulk earthworks and piling for the main hospital building including excavation and filling, construction of the sites permanent infrastructure including drainage, pavements including kerb, retaining walls and in ground services installation. 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.

The proponent for the Project is Health Infrastructure. TSA Management is the Client Representative and Lendlease Building is the Managing Contractor for the delivery of the works.

The \$673.2 million investment in health for the Tweed Valley will deliver a brand new, leading hospital with greater capacity and capability to serve the Tweed-Byron community, as well as interim upgrades at The Tweed Hospital. Specific outcomes of the works being undertaken during the New Tweed Valley Hospital (the Project) include:

- > an increase in beds
- > an expanded emergency department
- > enhanced surgical and medical services
- > enhanced ambulatory services and outpatient clinics
- > cardiac catheterisation laboratory (new service)
- > integrated cancer care service, including radiotherapy (new service)

An Environmental Impact Statement (EIS) has been prepared in accordance with DPIE Secretary's Environmental Assessment Requirements (SEARs). The EIS considers potential impacts derived from construction and operation activities of the Project.

The conditions C47 – C52 of the State Significant Development Consent no. 9575 requires an independent audit to be conducted during the construction and operation phases of the Project. SNC-Lavalin Atkins has been engaged by Health Infrastructure to complete the Independent Environmental Audits for the Project to satisfy the requirements of the Development Consent.

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2.2 PROJECT LOCATION AND SITE DESCRIPTION

The site comprises one allotment known as 771 Cudgen Road, Cudgen, legal described as Lot 11 DP 1246853. The allotment is located approximately 9.8 kilometres (km) south of Tweed Heads town centre and 40km south-east of Surfers Paradise in Gold Coast (refer to Figure 1).

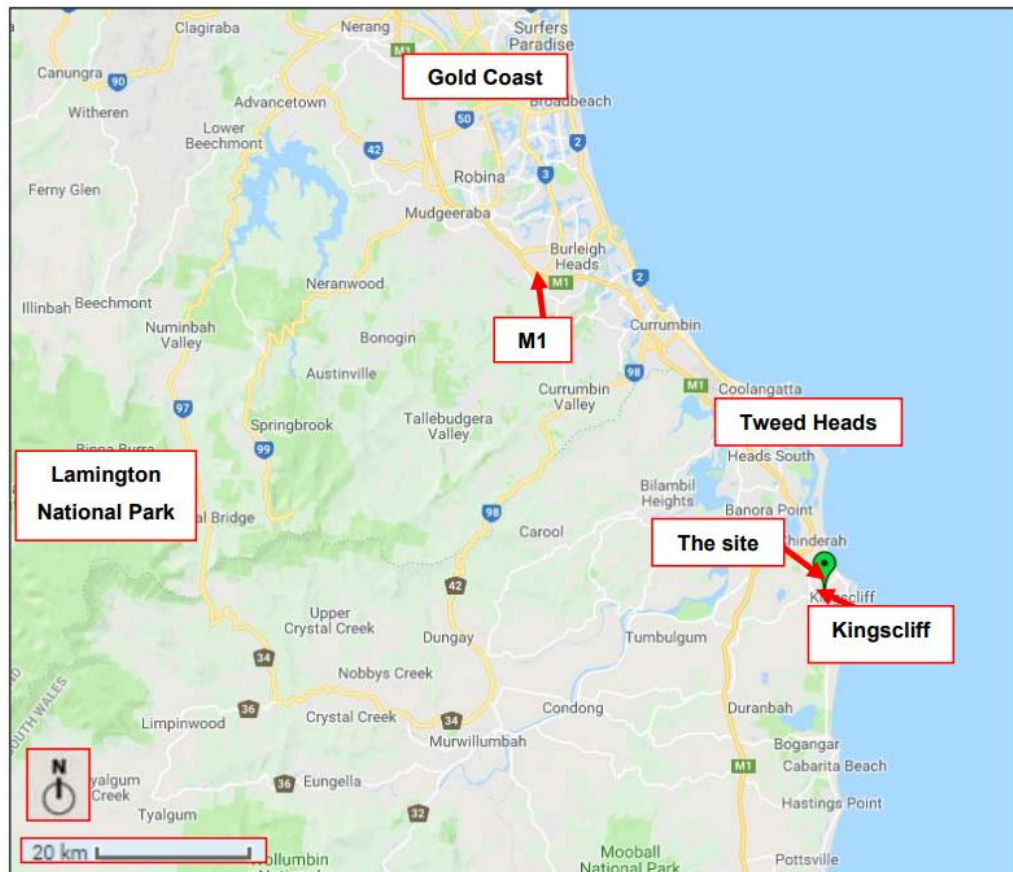


Figure 1 Regional Context Map (Source: SSD 9575 MOD 2 Report (DPIE Major Projects website))

The site is irregular in shape, with a total area of approximately 19.38 hectares (ha), a 730 metre (m) long frontage to Cudgen Road and 185m frontage to Turnock Street (north-eastern boundary). The northern and north-western boundary of the site adjoins mapped coastal wetlands.

The Kingscliff TAFE is located immediately opposite the site, to the south of Cudgen Road. To the south-west and west are agricultural lands that form part of the mapped Cudgen Plateau State Significant Farmland.

The Cudgen village, located on the western side of Tweed Coast Road, has a population of 1000 people. The site forms part of a large rural area at the western edge of the Kingscliff area. It is well connected to the regional and interstate road network via Tweed Coast Road and the M1.

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Figure 2 identifies the project site and the surrounding developments.



Figure 2 Project site and surrounding developments (Source: SSD 9575 MOD 2 Report (DPIE Major Projects website))

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2.3 AUDIT TEAM

SNC-Lavalin Atkins has been appointed to undertake the Independent Environmental Audits for the Project. The SNC-Lavalin Atkins audit team members that participated in the audit are described in **Table 1** below.

Table 1: Audit team

Role	Name	Qualifications	Experience
Environment Auditor		Bachelor Environmental Management and Science Management Systems Auditing, Exemplar Global Leading Management Systems Audit Team, Exemplar Global	12 years of construction environmental management experience Five (5) years of Environmental auditing experience Member of the TfNSW Infrastructure Auditing Panel. Totalling 13 Infrastructure Audits

The auditor has been approved by DPIE (refer to Appendix A).

2.4 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 2.5.

The audit is to provide positive support for good practices, while providing practical and reasonable recommendations for improvement that can be carried over to the later stages of the Project, as construction accelerates.

2.5 AUDIT SCOPE

SNC-Lavalin Atkins has undertaken an Independent Environmental Audit for the construction phase of the New Tweed Valley Hospital Stage 1 works. The audit was undertaken in accordance with the Audit Program and addresses compliance with the relevant Conditions as detailed in the Development Consent and DPIE Independent Audit Post Approval Requirements. These documents were also drawn upon when developing the audit criteria and checklist as preparatory documents for the audit.

In accordance with DPIE's Independent Audit Post Approval Requirements, the audit consisted of an assessment of compliance against:

- > Independent Audit Post Approval Requirements (Department of Planning and Environment)
- > Development Consent (SSD 9575 Mod 2 (28 April 2020))
- > Post approval documents, including an assessment of the effective implementation of Environmental Management Plans and Sub-Plans
- > Any environmental licences or other approvals
- > Environmental performance including but not limited to:
 - Actual impacts compared with predicted impacts in the Environmental Impact Statement (EIS)

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- 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)	Appendix C
Post approval documents, including an assessment of the effective implementation of Environmental Management Plans and Sub-Plans	Section 5.1 Appendix C
Any environmental licences or other approvals	Appendix C
Environmental performance including but not limited to:	
> Actual impacts compared with Predicted impacts in the Environmental Impact Statement (EIS)	Section 5.4
> Physical extent of the development in comparison with the approved boundary, and any potential off-site impacts	Section 5.4 Appendix C
> Incidents, non-compliances and complaints	Section 4.8 Section 4.4 Section 4.7
> Performance of the development, with regard to agency policy and environmental issues identified during consultation when developing the scope of the audit	Section 3.6 Appendix C
Environmental Management System (EMS) at a high level	Section 0
A high-level assessment of whether Environmental Management Plans and Sub-Plans are adequate.	Section 5.1

2.6 PERIOD COVERED BY AUDIT

Condition C49 of the Development Consent outlines the Independent Environmental Auditing frequency requirements for the Project. The condition requires that an Independent Environmental Audit is undertaken of the SSD in the following periods:

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- (a) an initial construction Independent Audit must be undertaken within eight weeks of the notified commencement date of construction; and
- (b) a subsequent Independent Audit of construction must be undertaken no later than six months from the date of the initial construction Independent Audit.

In all other respects Table 1 of the Independent Audit Post Approval Requirements (DPIE) remains the same. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least four weeks' notice to the applicant of the date upon which the audit must be commenced.

The second subsequent Independent Audit was undertaken on 11 August 2020, less than six months from the date of the previous/subsequent audit (11 February 2020). The audit focused on issues that were relevant to the current stage of works – Stage 1.

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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 DPIE 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 auditor with the project and the contractor's processes
- > Desktop audit of publicly available documentation and previous audit findings
- > Opening meeting
- > Interviews
- > Review of documents and records
- > Closing meeting

3.4 SITE PERSONNEL

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

- > [REDACTED] Site Engineer, Lendlease
- > [REDACTED] – Senior Project Engineer, Lendlease
- > [REDACTED] Director, Health Infrastructure
- > [REDACTED] Senior Project Manager, TSA Management
- > [REDACTED] – Senior Site Manager, Lendlease

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

3.5 SITE INSPECTION

A physical site inspection was not undertaken by the auditor, as the audit occurred remotely due to COVID-19 travel restrictions. A video was provided by LL which included aerial footage of the site, recorded by a drone.

Site inspections, photographs and hazard observations were also provided to the auditor throughout the audit and were discussed as part of the audit process.

Evidence of environmental controls demonstrated that the site appeared to be operating effectively, this included:

- > Tree protection zones
- > Bush regeneration zones
- > Sediment basins

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- > Sediment fences
- > No-go zones
- > Rumble grid and wheel wash at the exit of the site
- > Dust management
- > Chemical storage

3.6 CONSULTATION

DPIE Compliance were consulted with in relation to the scope of the audit. DPIE Compliance noted that although the large areas of the site have been completed, it would be prudent to inspect erosion and sediment controls, and stormwater infrastructure to ensure they were in place, and operating and maintained effectively.

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 - TABLES

4.1 AUDIT FINDINGS SUMMARY

The following table (Table 4) summarises the audit findings, further details on the findings can be found in the relevant section of the report.

Table 4: Audit findings summary

Description	Quantity	Section of Report where addressed
Assessment of Compliance		
Number of Conditions of Approval	145	Section 4.2
Non-compliant	0	Section 4.4
Not triggered	32	Section 4.2
Recommendations identified during the audit	4	Section 4.5
Other		
Penalty notices issued during audit period	0	Section 4.3
Non compliances recorded during the audit period	0	Section 4.4
Complaints reported during audit period	2	Section 4.7
Incidents recorded during the audit period	0	Section 4.8

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4.2 ASSESSMENT OF COMPLIANCE

Table 5 and Figure 3 provide a summary of the assessment of compliance per the relevant section of the conditions of approval.

Table 5: Assessment of compliance

SSD Requirement	No. of conditions	Findings		
		Compliant	Non-compliant	Not triggered
Part A – Administrative controls	25	14	0	11
Part B – Prior to commencement of construction	50	48	0	2
Part C – During construction	65	59	0	6
Part D – Post Completion of Stage 1 Construction Works	5	0	0	5

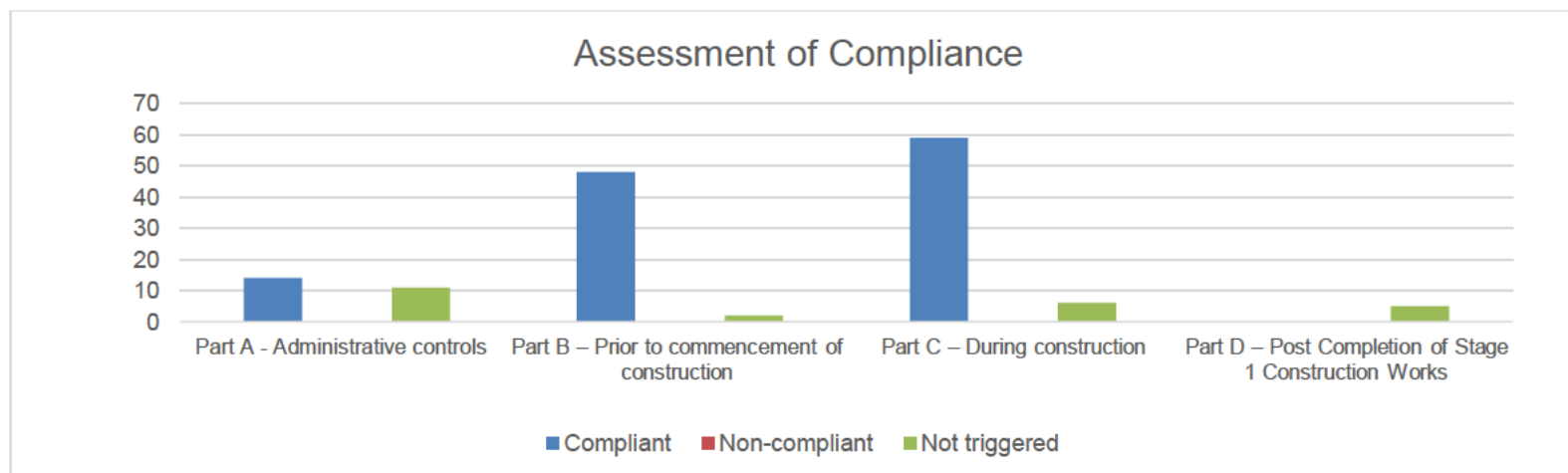


Figure 3: Assessment of compliance

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4.3 PENALTY NOTICES

No penalty notices have been issued from relevant regulatory authorities including the Department, NSW Environmental Protection Authority (EPA) and local Council.

4.4 NON-COMPLIANCES

No non-compliances were identified during the audit period. Refer to section 4.5 for recommendations identified during the audit.

4.5 RECOMMENDATIONS

The following table (Table 6) summarises the recommendations identified during the audit.

Table 6: Recommendations identified during the audit

ID	Relevant CoA	Requirement	Recommendation
TVH-S1 03 REC 01	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: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (b) keep such information up to date, to the satisfaction of the Planning Secretary	It is recommended a desktop review occurs to ensure that all project documents (required online) are the most current and up to date, and available for viewing.
TVH-S1 03 REC 02	B30	The Construction Soil and Water Management Plan (CSWMSP) and the plan must address, but not be limited to the following: 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);	The following recommendations have been noted for inclusion in the TVH Basin Water Discharge Procedure: <ul style="list-style-type: none">• The volume of a rainfall event that would trigger an emergency / uncontrolled release from the basin• Detail regarding the requirement to empty / dewater sediment basins within 5 days post rainfall event• NTU / TSS correlation and ongoing verification

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ID	Relevant CoA	Requirement	Recommendation
TVH-S1 03 REC 03	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 requirement to notify the Certifying Authority (in addition to DPIE) within 7 days was missed for the previous Construction Compliance Report. It is recommended the internal process to track compliance for time sensitive requirements is reviewed.
TVH-S1 03 REC 04	C19	Unattended long-term construction noise monitoring must be undertaken during the Stage 1 works. 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.	Records for May and June have not been issued to DPIE. These are to be provided to DPIE each month. It is noted these reports are available online.

4.6 PREVIOUS AUDIT ACTIONS

The following table (Table 7) summarises the status of actions arising from previous audits and the progress or outcomes of each action.

Table 7: Previous audit actions

Relevant compliance requirement	Details of the non-compliance	Actions taken/evidence provided	Status (Closed/Open)
B30	<p>A work method statement or procedure has not been developed for dewatering activities.</p> <p>No formal approval exists for the Project to dewater sediment basins on or off site.</p> <p>This is not in accordance with section 3 (Implementation of the Sub Plan) of the CSWMSP:</p> <p><i>Water treatment and dewatering undertaken in accordance with documented site procedure and Workplace Delivery Code.</i></p>	<p>TVH Basin Water Discharge Procedure has been developed in response to the previous audit finding and satisfies the requirements. The procedure has been included as Appendix M (Sediment Basin – Water Discharge Procedure) and Appendix N (Sediment Basin – Water Discharge Permit) in the CSWMSP.</p> <p>The procedure contains ‘normal’ and ‘emergency’ scenarios in the event for rain.</p> <p>The following improvements have been noted for the procedure:</p> <ul style="list-style-type: none"> • The volume of a rainfall event that would trigger an 	Closed

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Relevant compliance requirement	Details of the non-compliance	Actions taken/evidence provided	Status (Closed/Open)
		emergency / uncontrolled discharge from the basin <ul style="list-style-type: none"> Detail regarding the requirement to empty/dewater sediment basins within 5 days post rainfall event NTU / TSS correlation and ongoing verification 	
C25	Recommendation Tree protection zone signage requires maintenance.	Evidence of signage for tree protection zones were provided during the audit and deemed appropriate. Signage were installed correctly and appropriately maintained.	Closed

4.7 COMPLAINTS

Two (2) separate complaints were received during the audit period regarding the odour from the bitumen primer. The following table (Table 8) summarises the complaints recorded during the audit period.

Table 8: Complaints recorded during audit period

Date received	Description of complaint	Actions taken/proposed to address complaint
14/07/2020	Concern regarding smell from the site received through the Project email	An initial phone call was made to confirm that the complaint was being looked into. A representative from Lendlease then contacted the complainant directly to confirm the smell was the bitumen primer. The complainant was satisfied with the explanation, as his concerns were that the smell was a pesticide product. This complaint was closed out via phone.
14/07/2020	Concern regarding smell from the site received through the Lendlease email	A representative from Lendlease then contacted the complainant directly to confirm the smell was the bitumen primer. The complainant was satisfied with the explanation. This complaint was closed out via phone.

4.8 INCIDENTS

No incidents were recorded during the audit period

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4.9 PREVIOUS COMPLIANCE REPORT ACTIONS

A Construction Compliance Report was prepared in accordance with the requirements of The Compliance Reporting Post Approval on 15 June 2020, which meets the requirements of SSD condition B47.

The audit team included representatives from Health Infrastructure, TSA Management and Lendlease Building. The audit team conducted a review of the documents and on-site records to assess compliance against the respective SSD conditions.

The audit team conducted an audit against 134 Conditions of Consent. A total of zero (0) non-compliances were identified during the reporting period. As such no previous compliance report actions were required.

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5 AUDIT FINDINGS – DISCUSSION

5.1 REVIEW OF ADEQUACY OF MANAGEMENT PLANS

The following management plans were reviewed:

- > Hazardous Materials Management Plan (HMMP)
- > Contamination Management Plan (CMP)
- > Heritage and Archaeological Management Plan
- > Construction Environmental, Health and Safety Management Plan (CEHSMP) 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 (CWMSP)
 - 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.

5.2 REVIEW OF ENVIRONMENTAL MANAGEMENT SYSTEM

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 is also located on the walls of the site sheds.

5.3 REVIEW ENVIRONMENTAL PERFORMANCE

The audit was conducted remotely, and a physical site inspection was not able to occur due to travel restrictions in place due to COVID-19. Video footage of the project site and surrounding area was provided to the auditor, along with photographic evidence and observations of environmental controls on site.

Stage 1 of the project appeared to be well progressed and the site was deemed low risk in terms of erosion and downstream sedimentation risk. This is due to the permanent drainage structures having been installed across site and large sediment basins located on the downslope side of the project boundary.

The overall standard of environmental controls was deemed high and appeared to be well planned and implemented.

- > Evidence of erosion and sediment controls provided appeared to be operating effectively
- > Stabilised site access including industry best practice truck washdown is in place at key access points
- > There was no evidence of mud being tracked from the Project site
- > No fugitive dust emissions noted in complaints register
- > No noise complaints noted in the complaints register

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- > General site housekeeping appeared to be in good working order
- > Chemical storage was appropriate for the volume of chemicals being used and stored appropriately
- > Evidence of tree protection controls were provided, along with well-maintained signage
- > Heritage items were appropriately protected on site and stored safely

5.4 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 discussed as having the potential to contribute to the adverse environmental impacts outlined in the EIS:

- > Vegetation clearing
- > Bulk earthworks
- > Piling
- > Excavation and filling
- > Construction of the sites permanent infrastructure including:
 - Drainage
 - Pavements including kerb, retaining walls and in ground services installation.

At this stage of the audit site establishment and mobilisation have been completed, clearing and vegetation removal was completed, bulk earthworks including excavation, filling and piling works were being undertaken.

The site is operating within the approval boundary, and this is delineated with site fencing and other tree protection zones for vegetation within the boundary. Dust, vibration, noise and water quality monitoring is regularly occurring for the Project to ensure any potential off-site impacts are prevented and minimised.

Controls had been installed to mitigate against any potential risks arising from these activities including:

- > ERSED controls (e.g. sediment fences, sediment basins, vehicle washdown)
- > Security fencing (with visible site signage)
- > Fauna crossing fences
- > Environmental monitoring (e.g. dust, water quality and regular measuring of noise and vibration levels through the three monitors located on site)
- > Regular community consultation
- > No-go zones
- > Environmental management zones

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- > Bush regeneration zones
- > Tree protection zones
- > Storage for heritage items within a protected area
- > Appropriate offsite disposal of contaminated material
- > Time lapse cameras located on site to record visual air quality data

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

5.5 KEY STRENGTHS

The Project team was able to demonstrate a systematic approach to proactively manage environmental issues on site. There is strong evidence to suggest environmental management practices are being implemented effectively on site to prevent environmental harm.

There is a strong understanding of the conditions of approval and the project requirements. The Project team is well organised and has a strong focus on compliance and document control.

The mobile application and online software (Enablon) were in place for on-site reviews and inspections. This ensured the live tracking of action close out and acted as an implementation checklist for environmental controls and hazard observations.

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APPENDIX A – PLANNING SECRETARY AUDIT TEAM AGREEMENT

[REDACTED]
Manager Planning
Health Infrastructure
PO Box 1060
North Sydney, NSW 2059

05/08/2020

Dear [REDACTED]

**Tweed Valley Hospital Concept & Stage 1 (SSD-9575)
Additional Independent Auditor Approval**

I refer to your request (SSD-9575-PA-13) for the Secretary's approval of suitably qualified persons to prepare independent audits for the Tweed Valley Hospital Concept and Stage 1 project (SSD-9575).

In accordance with Condition C47, Schedule 3 of SSD-9575 (the 'Consent') and the Independent Audit Post Approval Requirements, the Secretary has agreed to the inclusion of [REDACTED] to the approved SNC Lavalin audit team:

- [REDACTED];
- [REDACTED] and
- [REDACTED].

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

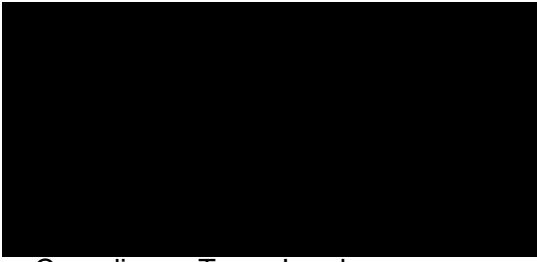
The Independent Audit must be prepared, undertaken and finalised in accordance with the *Independent Audit Post Approval Requirements*. Failure to meet these requirements will require revision and resubmission.

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

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

If you wish to discuss the matter further, please contact me on 0437 254 472.

Yours sincerely



Compliance Team Leader
Compliance

As nominee of the Planning Secretary



APPENDIX B – SITE PHOTOGRAPHS



Aerial view of the project site in the North-East direction



Aerial view of the project site in the South direction



Aerial view of the project site in the North-West direction



Aerial view of the project site in the North-West direction



APPENDIX C – INDEPENDENT AUDIT TABLE

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status																																																																																												
SCHEDULE 3 CONDITIONS OF CONSENT FOR STAGE 1 WORKS																																																																																																
PART A ADMINISTRATIVE CONDITIONS																																																																																																
Obligation to Minimise Harm to the Environment																																																																																																
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and, if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction and operation of the development.	<ul style="list-style-type: none">No major environmental incidents.No major breaches.Environmental controls as observed in the photos and video provided.	All reasonable and feasible measures have been implemented to prevent and minimise material harm to the environment.	Compliant																																																																																												
Terms of Consent																																																																																																
A2	<p>The development may only be carried out:</p> <p>(a) in compliance with the conditions of this consent;</p> <p>(b) in accordance with all written directions of the Planning Secretary;</p> <p>(c) generally, in accordance with the EIS, the Response to Submissions, Supplementary Response to Submissions and environmental management mitigation measures provided in Appendix 2; and</p> <p>(d) <u>generally in accordance with SSD-9575-Mod-1 and SSD-9575-Mod-2; and</u></p> <p>(e) in accordance with the approved plans in the table below:</p> <table><tr><th colspan="4">Architectural Drawings prepared by STH and Bates Smart</th></tr><tr><th>Dwg No.</th><th>Rev</th><th>Name of Plan</th><th>Date</th></tr><tr><td>00AR-DWG-10-110</td><td>4 <u>7</u></td><td>Construction general arrangement</td><td>03/05/2019 11/09/2019</td></tr></table> <table><tr><th colspan="4">Landscape Drawings prepared by Turf Design Studio</th></tr><tr><th>Dwg No.</th><th>Rev</th><th>Name of Plan</th><th>Date</th></tr><tr><td>L-EIS-1</td><td>F</td><td>Tree Removal and Preservation Plan</td><td>03/05/2019</td></tr><tr><td>LS-DWG -02-001</td><td>8</td><td>Tree Removal and Preservation Plan</td><td>10.10.2019</td></tr></table> <table><tr><th colspan="4">Stormwater, Roadwork and Civil Drawings prepared by Bonacci</th></tr><tr><th>Dwg No.</th><th>Rev</th><th>Name of Plan</th><th>Date</th></tr><tr><td>C001</td><td>P5</td><td>Drawing Register and Construction Notes</td><td>03/09/2018</td></tr><tr><td>C006</td><td>P2</td><td>Soil and Water Management Details</td><td>03/09/2018</td></tr><tr><td>C007</td><td>P3</td><td>Soil and Water Management Calculations – Sheet 1</td><td>03/09/2018</td></tr><tr><td>C008</td><td>P2</td><td>Soil and Water Management Calculations – Sheet 2</td><td>11/01/2019</td></tr><tr><td>C055</td><td>P2</td><td>Retaining Wall Details – Sheet 1</td><td>16/10/2018</td></tr><tr><td>C056</td><td>P2</td><td>Retaining Wall Details – Sheet 2</td><td>16/10/2018</td></tr><tr><td>C060</td><td>P2</td><td>Stormwater Drainage Details</td><td>16/10/2018</td></tr><tr><td>C500</td><td>P2</td><td>Drawing Register and Construction Notes</td><td>05/11/2018</td></tr><tr><td>C505</td><td>P2</td><td>Sediment and Erosion Control Plan</td><td>05/11/2018</td></tr><tr><td>C507</td><td>P1</td><td>Soil and Water Management Details</td><td>05/11/2018</td></tr><tr><td>C540</td><td>P3</td><td>External Works Intersection Plan</td><td>22/11/2018</td></tr><tr><td>C545</td><td>P2</td><td>Demolition Plan</td><td>05/11/2018</td></tr><tr><td>C560</td><td>P2</td><td>Civil Works Details</td><td>05/11/2018</td></tr><tr><td>SK001</td><td>01</td><td>Piling Details Sheet 1</td><td>08/08/2018</td></tr></table>	Architectural Drawings prepared by STH and Bates Smart				Dwg No.	Rev	Name of Plan	Date	00AR-DWG-10-110	4 <u>7</u>	Construction general arrangement	03/05/2019 11/09/2019	Landscape Drawings prepared by Turf Design Studio				Dwg No.	Rev	Name of Plan	Date	L-EIS-1	F	Tree Removal and Preservation Plan	03/05/2019	LS-DWG -02-001	8	Tree Removal and Preservation Plan	10.10.2019	Stormwater, Roadwork and Civil Drawings prepared by Bonacci				Dwg No.	Rev	Name of Plan	Date	C001	P5	Drawing Register and Construction Notes	03/09/2018	C006	P2	Soil and Water Management Details	03/09/2018	C007	P3	Soil and Water Management Calculations – Sheet 1	03/09/2018	C008	P2	Soil and Water Management Calculations – Sheet 2	11/01/2019	C055	P2	Retaining Wall Details – Sheet 1	16/10/2018	C056	P2	Retaining Wall Details – Sheet 2	16/10/2018	C060	P2	Stormwater Drainage Details	16/10/2018	C500	P2	Drawing Register and Construction Notes	05/11/2018	C505	P2	Sediment and Erosion Control Plan	05/11/2018	C507	P1	Soil and Water Management Details	05/11/2018	C540	P3	External Works Intersection Plan	22/11/2018	C545	P2	Demolition Plan	05/11/2018	C560	P2	Civil Works Details	05/11/2018	SK001	01	Piling Details Sheet 1	08/08/2018	SSD Conditions Tracker	The development is generally being carried out in accordance with the specifications of condition A2.	Compliant
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A3	<p>Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:</p> <p>(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;</p> <p>(b) any reports, reviews or audits commissioned by the Department regarding compliance with this approval; and</p> <p>(c) (c) the implementation of any actions or measures contained in any such document referred to in (a) above.</p>	-	No written directions have been issued by DPIE to date.	Not triggered																																																																																				
A4	<p>The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c), A2(d) or A2(de) of Schedule 3. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) , A2(d) and A2(de) of Schedule 3, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.</p> <div>[SSD-9575-Mod-1]</div>	-	-	Not triggered																																																																																				
Limits of Consent																																																																																								

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A5	This consent lapses five years after the date of consent unless the works associated with Stage 1 of the development have physically commenced.	-	-	Not triggered
A6	This development consent does not include the approval of: <ul style="list-style-type: none"> (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); (b) the indicative layout of the future hospital building identified in approved plans in condition A2 of Schedule 3; (c) demolition of any existing structures on the Site; (d) the "LPG tanks" identified in approved drawing 130559-JHA-HY-DWG-002 Rev 2, prepared by JHA dated 06/05/2019; and (e) any rock blasting activities. 	-	a) The sediment basins were approved under a prior REF and do not form part of the scope of works subject to this audit. b) drone footage shows works have not commenced in the future location of the hospital building c) Complying Development Certificate (29/11/18) d) Drone footage shows that works have not commenced on 'LPG tanks' e) No rock blasting activities have occurred	Not triggered
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.	BCA crown certificate CRO-18134 Maguire + Goldsmith - 15 July 2019	The project is complying with all relevant prescribed conditions.	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.	-	No disputes have occurred between the Applicant and a public authority to date	Not triggered
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.	Evidence of Long Service Levy Payment - Receipt number is 00371220 (28/02/19)	Long service fund payment sighted.	Compliant
Legal Notices				
A10	Any advice or notice to the consent authority must be served on the Planning Secretary.	-	No notices received from the Planning Secretary.	Not triggered
Evidence of Consultation				
A11	Where conditions of this consent require consultation with an identified party, the Applicant must: <ul style="list-style-type: none"> (a) consult with the relevant party prior to submitting the subject document for approval; and (b) provide details of the consultation undertaken including: <ul style="list-style-type: none"> i. the outcome of that consultation, matters resolved and unresolved; and ii. details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved. 	Community Communication Strategy sighted Stakeholder interactions register	Consultation phase complete for the preparation of management plans. Mechanism to consult on ongoing basis include: <ul style="list-style-type: none"> • cross government working groups • community reference panel • monthly meetings with Kingscliff TAFE and Kingscliff high school. • consultation with surrounding sensitive receivers a) Consultation undertaken with relevant stakeholders as outlined in Condition B4 (Protection of Public Infrastructure) b) Stakeholder interaction register (latest entry 15/6/2020). Community consultation register (4/3/19 - 15/6/2020) <ul style="list-style-type: none"> i. Stakeholder interaction register (4/3/19 - 15/6/2020). Community consultation register (4/3/19 - 14/1/2020) 	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			ii. Stakeholder interaction register (4/3/19 - 15/6/2020). Community consultation register (4/3/19 - 15/6/2020)	
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: <ul style="list-style-type: none"> (a) avoidance of works near wall 2 and 5; (b) retention of wall 4 (where possible, either in part or in full) and integration with the carpark area; (c) part retention of wall 3 with evidence that the demolished materials can be reused in the Stage 2 application; and (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. 	<p>August 2019 Presentation Site Map indicating heritage item location of South Sea Islander Dry Stone Walls</p> <p>Heritage Management Plan June 2019 Rev 6.0</p> <ul style="list-style-type: none"> Appendix 1 - Site Layout indicates original area for wall Appendix 5 - Archival Recording Report by Niche Environmental Heritage for Dry Stone Walls <p>Aerial photo of stockpiled blocks away from construction area</p>	<p>A storage area for the heritage items is located outside the construction area of the project, within a protected area (fence).</p> <ul style="list-style-type: none"> The HMP indicates archival process, location decision, surrounding vegetation management and future actions / outcomes for walls. <p>Community consultation is still being undertaken with South Sea Islander Community for the future use of the heritage items. Resolution will occur at a later stage.</p> <p>Archival recordings were completed prior to commencement on site by Heritage Specialist.</p> <p>No Aboriginal heritage items have been found on site during construction.</p>	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.	Archival Recording Report 23 September 2019	Archival recording of the walls was completed prior to the commencement of Stage 1 works.	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.	-	Construction is not staged as part of this Planning Approval (SSD 9575). Completion of Stage 1 is achieved upon the completion of piling and sub-structure elements.	Not triggered
A15	The Staging Report must: <ul style="list-style-type: none"> (a) if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish; (b) specify how compliance with conditions will be achieved across and between each of the stages of the project; and (c) set out mechanisms for managing any cumulative impacts arising from the proposed staging. 	-	Construction is not staged as part of this Planning Approval (SSD 9575).	Not triggered
A16	The project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.	-	Construction is not staged as part of this Planning Approval (SSD 9575).	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.	-	Construction is not staged as part of this Planning Approval (SSD 9575).	Not triggered
Staging, Combining and Updating Strategies, Plans, Programs or Drawings				
A18	With the approval of the Planning Secretary, the Applicant may: <ul style="list-style-type: none"> (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); (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 (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). 	-	Staging documents have been submitted in accordance with the requirements of Condition A18.	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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.	Revised Tree removal and preservation plan	-	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.	-	-	Not triggered
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.	-	The specifications of condition A21 are being complied with.	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.	-	The specifications of condition A22 are being complied with.	Compliant
Monitoring and Environmental Audits				
A23	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, non-compliance notification, Site audit report and independent auditing. 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.	Daily Site Diary (28/07/2020) Aconex transmittal sighted. Includes information regarding footings, rectification of site drainage, and at grade car park.	The relevant monitoring programs, incident and non-conformance reporting were sighted in the EMP documentation. DPIE visited site on a regular occurrence (every two weeks). DPIE inspections have reduced to monthly due to the positive nature of complaint management and the state and performance of site activities. The initial independent audit was undertaken in August 2019, six (6) weeks after construction commenced. A subsequent independent audit occurred in February 2020, within six (6) months of the initial audit occurring.	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: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: i. the documents referred to in condition A2 of 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 (b) keep such information up to date, to the satisfaction of the Planning Secretary.	www.tweedvalleyhospital.health.nsw.gov.au/delivery/early-works/early-works-documents	All relevant information and documents are publicly available on the website. The Project website appears to be out of date: • the CEMP and sub plans were not the most current versions online Recommendation It is recommended a desktop review occurs to ensure all the project documents (required online) are the most current and up to date, and available for viewing.	Compliant Recommendation
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.	Builders brief accompanying daily prestart sighted 11 August 2020	Site induction is undertaken in two parts: • Part A – online, general • Part B – on site induction, specific conditions relevant to workers	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>TVH Part B Site Induction Presentation Rev 10, May 2020</p> <p>Example of toolbox sighted</p> <p>Early Works High Risk Workshop (for Building Retaining walls and substructure) PowerPoint presentation, July 2020, sighted.</p>	<p>Daily toolbox forms part of the pre-start and builders brief for site wide activities / activities to be aware of / ongoing risks / upcoming environmental concerns</p> <p>A High Risk Workshop occurs prior to subcontractors arriving to site and includes SSD and environmental management requirements.</p> <p>Subcontractors sign onto Environmental Management Plan.</p>	
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.	-	All licences, permits, approvals and consents required by law have been obtained and maintained in accordance with condition AN1.	Compliant
PART B PRIOR TO COMMENCEMENT OF CONSTRUCTION				
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.	<p>Commencement of investigation work (14 June 2019 to commence works on 19 June 2019: letter from HI to DPIE)</p> <p>Start of physical works (20 June 2019 to commence work on 16 July 2019: email from HI to DPIE compliance planning)</p>		Compliant
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 staging for early works	-	Not triggered
Certified Drawings				
B3	<p>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:</p> <ul style="list-style-type: none"> a) the relevant clauses of the BCA; and b) this development consent. 	<p>Robert Bird – Civil and Structural engineer</p> <p>Signatures witnessed on structural and civil drawings</p> <p>Qualifications of engineers sighted</p>		Compliant
Protection of Public Infrastructure				
B4	<p>Before the commencement of construction, the Applicant must:</p> <ul style="list-style-type: none"> a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and c) submit a copy of the dilapidation report to the Certifying Authority and Council. 	<p>Consultation with service providers document sighted</p> <ul style="list-style-type: none"> • form of meeting minutes, summary of correspondence, (essential energy replies and conversation taking place, electrical, NBN), community stakeholder meeting minutes <p>TSA uploaded dilapidation reports to Tweed Council online portal.</p> <p>Pre-construction dilapidation report witnessed outlines the relevant conditions.</p>		Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status																				
		<ul style="list-style-type: none">Included areas assessed (sighted as just before and just after project boundary on Cudgen Road [private property going onto road and northern row of Tafe], roads, gutters and pathway reports sighted). BMG (Blackett Maguire & Goldsmith) certifier: sighted issue of report, response received with crown certificate.																						
Biodiversity																								
B5	<p>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:</p> <p>a) ecosystem credits as specified in Table 1:</p> <p>Table 1 Ecosystem credits required to be retired - like for like</p> <table><tr><th>Impacted plant community type</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><tr><td>PCT 1302 - White Booyong – Fig subtropical rainforest of the NSW North Coast Bioregion Lowland Rainforest in the NSW North Coast and Sydney Basin Bioregions endangered ecological community</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></table> <p>b) species credits as specified in Table 2:</p> <p>Table 2 Species credits required to be retired – like for like</p> <table><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><tr><td>Coeranoscincus reticulatus Three-toed Snake-tooth Skink</td><td>6.00</td><td>Any in NSW</td></tr><tr><td>Cryptocarya foetida Stinking Cryptocarya</td><td>2.00</td><td>Any in NSW</td></tr><tr><td>Ninox strenua Powerful Owl</td><td>6.00</td><td>Any in NSW</td></tr></table>	Impacted plant community type	Number of ecosystem credits	IBRA sub-regions from which the credit can be sourced	Plant community type(s) that can be used to offset the impacts from development	PCT 1302 - White Booyong – Fig subtropical rainforest of the NSW North Coast Bioregion Lowland Rainforest in the NSW North Coast and Sydney Basin Bioregions endangered ecological community	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)	Impacted species credit species	Number of species credits	IBRA sub-regions from which the credit can be sourced	Coeranoscincus reticulatus Three-toed Snake-tooth Skink	6.00	Any in NSW	Cryptocarya foetida Stinking Cryptocarya	2.00	Any in NSW	Ninox strenua Powerful Owl	6.00	Any in NSW	<p>Greencap ecologist engaged through TSA – completed biodiversity offset credits.</p> <p>Credit report sighted, species in Table 2 and credits sighted as correct.</p>		Compliant
Impacted plant community type	Number of ecosystem credits	IBRA sub-regions from which the credit can be sourced	Plant community type(s) that can be used to offset the impacts from development																					
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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 / species credits, as calculated by the Biodiversity Offsets Payment Calculator.	Biodiversity payment summary report.	-	Compliant																				
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.	<p>Tax invoice from NSW Biodiversity Conservation trust for total amount.</p> <p>Email correspondence of payment confirmation from TSA to HI.</p> <p>Section 6.33 Certificate witnessed (5 July 2019) confirms the offsets have been accounted for.</p>	-	Compliant																				
Site Contamination																								

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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.	The NSW EPA accredited Site Auditors for the development consent are Andrew Lau & Arthur Teo (JBS&G) Letter sighted (29 May 2019) – issued to the Certifying Authority (and DPIE approving the auditors).	-	Compliant
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: 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); b) groundwater monitoring, including gauging and sampling; and 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. Scope for remediation consultant sighted.	-	Compliant
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.	Interim site audit advice received from JBS&G (email sighted) reporting satisfaction with RAPs. Submission to CA and DPIE sighted. Site audit statement, NSW EPA sighted.	Interim Site Audit Advice Rev 0	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: 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 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.	The updated RAP for the House was approved with the auditor stating they have no further comments (via aconex correspondence)	RAP for Farm pit RAP for House RAP for Shed Issues of validation for shed, results came back as positive, additional (4) rounds of excavation were required prior to confirmation of satisfactory remediation.	Compliant
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/95059samppgdline.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	Management plans have been prepared to addressed the requirements of Condition B12. The management plans are available on the project website.	Compliant
B13	The updated RAP (if required as per condition B11 of Schedule 3) must include: a) an unexpected finds contamination procedure to ensure that potentially contaminated material is appropriately managed;	Updated RAPs sighted. a) Procedure sighted	RAP includes construction, health, safety and environment with reference to the project H&S plan.	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	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.	b) Remediation plan included – with reference to exposure, medical clinic/ hospital details Letter confirming works are to be in accordance with management plans and RAPs. Interim Site Audit Statement.		
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.	Evidence of disposal permit processes were sighted including: <ul style="list-style-type: none"> Approval of disposal permit 27 August 2019. Submitted to DPIE on 12 November 2019. Approval of disposal permit 3 October 2019. Email correspondence sighted with classification of soil as general solid waste 24 September 2019 Waste from Farm pit classified as general solid waste (confirmed not contaminated). QLD Disposal permit for the removal of asbestos application. Material taken to QLD waste facility	Contaminated material has been appropriately disposed off-site. Evidence of disposal permits, and correspondence relating to waste classification were provided during the audit. No additional contaminated material has been disposed offsite other than the material disposed previously.	Compliant
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'.	HMMP sighted. Review Comments and approval sighted (JBS&G).	-	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 Auditor for review and approval, prior to remediation works commencing on the Site: <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). 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.	This has been completed as part of the HMMP issued to site auditor Review Comments and approval for Works Plan sighted (JBS&G). Cavvanba completed and issued to Auditor. Feedback from JBSG for WHSP sighted. The feedback sheet from JBSG sighted.	-	Compliant
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.	Updated RAPs Final validation report November 2019 Submission evidence to the DPIE sighted.	Remedial works have been completed, backfilled and gravelled. Stringent requirement (0 asbestos fibres) was achieved. Updated RAPs have been submitted to the DPIE. Validation Report completed by Cavvanba.	Compliant
B18	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 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.	Site Audit Report and Site Audit Statement provided by JBS&G 22 November 2019	All Cavvanba work is validated in the Site Audit Report and provides the clearance certificate/statement for the site.	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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.	Site Audit Statement JBS&G 22 November 2019 Correspondence BM+G provided statement on 14 Jan 2020	No waste was reused on site (no asbestos mounds). Site Audit Statement issued to the certifier (BMG) to certify statement.	Compliant
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: 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; b) apply to Council for connections to Council's water supply and sewerage infrastructure; and 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.	Tweed Valley Hospital Water Meter Connection Application 2019 Tweed Valley Hospital Water Meter Connection Quote 2020	Application to Tweed Shire Council and quote sighted as part of the audit. Works completed in Quarter 1 2020. Connection to electricity network and sewerage system have not been applied for, works have not commenced. Application process has been initiated. Provisions have been installed for future communication network. Procurement of services has commenced.	Compliant
Community Communication Strategy				
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: a) identify people to be consulted during the design and construction phases; b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development; c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development; and 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 works, including disputes regarding rectification or compensation.	Community Communication Strategy prepared by HI: a) Section 2: Stakeholders b) Section 3: Communication tools c) Section 4: Feedback mechanisms and procedures Complaints Register 31 July 2020 Site diary (15/07/2020) – Supervisor documented communication with complainant Community notice outlining upcoming work, December 2019 and January 2020, sighted.	Complaints Register: • Minimal complaints received (11) over the life of the Project (as of the date of the audit) • Two (2) complaints have been received since previous audit occurred in Feb 2020 regarding odour (bitumen primer) – complaints have been addressed • Complaints register is updated and published monthly on the project website. • The register is managed by a combination of Lend Lease and Health Infrastructure depending on the nature and context of the complaint.	Compliant
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 June 2019 from HI to DPIE sighted.	The Community Communication Strategy has been submitted to the Planning Secretary and is available on the project website.	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 July 2019 from Secretary to HI sighted.	-	Compliant
Environmental Management Plan Requirements				
B24	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: a) detailed baseline data; b) details of: (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 management plan and cross referenced to the section within the document. Daily observation report (7 July 2020) for concrete washout, sighted Daily observation report (21 July 2020) for sediment tracking, sighted	Managing and reporting in relation to the environmental management plans is implemented through: • Daily inspections • Daily checklists • Application for supervisor/engineering review ○ Actions and timelines are managed via the inspection application ('enablon') on the tablet ○ App includes prompts. Managers are able to view open and closed observations. Dashboard for tracking actions can be viewed.	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<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>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</p>	<p>Environmental Inspection Checklist, 3 March 2020, sighted.</p> <p>Online platform used for monitoring and reporting called 'enablon'</p>		
Construction Environmental Management Plan				
B25	<p>The Applicant must prepare a Construction Environmental Management Plan (CEMP) and it must include, but not be limited to, the following:</p> <p>a) Details of:</p> <p>(i) hours of work;</p> <p>(ii) 24-hour contact details of site manager;</p> <p>(iii) management of dust and odour to protect the amenity of the neighbourhood;</p> <p>(iv) stormwater control and discharge;</p> <p>(v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;</p> <p>(vi) groundwater management plan including measures to prevent groundwater contamination;</p> <p>(vii) external lighting in compliance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting;</p> <p>(viii) community consultation and complaints handling;</p> <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> <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>Construction Environmental, Health and Safety Management Plan, (6 February 2020 Issue No. 10)</p> <p>Contamination Management Plan, (19 June 2019 Revision No. 4)</p> <p>Heritage and Archaeological Management Plan, (19 June 2019 Revision No. 6)</p> <p>Noise and Vibration Management Plan, (10 December 2019 Revision No. 7)</p> <p>Air Quality Dust Management Plan, (7 February 2020 Revision 9)</p> <p>Flood Emergency Response Management Plan, (7 February 2020 Revision No. 6)</p> <p>Waste Management Plan, (7 February 2020 Revision No. 6)</p> <p>Soil and Water Management Plan, (10 March 2020 Revision No. 9.1)</p> <p>Construction Traffic and Pedestrian Management Sub Plan, (16 March 2020 Revision 4)</p>	<p>The Construction Environmental Management Plan has been prepared and included as part of the Project Construction Environmental, Health and Safety Management Plan.</p> <p>Issue 10 was been provided during the audit, however, the latest revision (issue 10) is not available on the project website.</p> <p>The CEHSMP has been prepared to address the requirements of condition B25</p> <p>Recommendation</p> <p>Refer to condition A24 (project website) – please ensure the latest revision of the CEMP and sub-plans are available on the project website</p>	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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 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. 			
B26	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.	Certifying Authority approval in the crown certificate (15 July 2019) Correspondence – email 12 July 2019 HI to DPIE	-	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 vehicles using the same road network as the construction vehicles; 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; 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); 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); 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 with the exception of allowing 120 two-way movements for heavy vehicles for a period of six weeks (temporarily) during removal of excess soil from the site due to bulk earthworks; 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); 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; and o) include all additional traffic management measures in the Construction Traffic Pedestrian Management Sub Plan prepared by Bitzios dated 16 March 2020 <p style="text-align: right;">[SSD-9575-Mod-2]</p>	Construction Traffic and Pedestrian Management Sub-Plan sighted (16 March 2020 Revision 4)	The Construction Traffic and Pedestrian Management Sub-Plan has been prepared to address condition B27.	Compliant
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; 	Noise and Vibration Management Sub-Plan sighted	Noise and Vibration Management Sub-Plan has been prepared to address Condition B28	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>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;</p> <p>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 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 non-residential 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) 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> <p>(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);</p> <p>(ii) intra-day respite periods (such as one hour of respite every three hours or exclusion of such works on the Saturdays);</p> <p>(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);</p> <p>(iv) equipment-specific temporary screening for noisy equipment or use of noise control measures in AS 2436;</p> <p>(v) use of noise shields (such as hoardings up to 2.4m in height) along the specific boundaries facing the identified sensitive receivers; and</p> <p>(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> <p>g) include details of noise monitoring procedures and the location of the loggers on the eastern and southern 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>(12 December 2019 Revision 7)</p> <p>June 2020 Environmental Noise Assessment Report (June 220)</p> <p>July 2020 Environmental Noise Assessment Report (July 2020)</p> <p>Vibration Monitoring Assessment Report (June 2020)</p> <p>Vibration Monitoring Assessment Report (July 2020)</p> <p>Complaints Register 31 July 2020</p>	<p>Three noise and vibration monitors are located on site</p> <ul style="list-style-type: none"> Prior to undertaking any vibration work, the plant and equipment is assessed to confirm the potential impact to sensitive receivers. <ul style="list-style-type: none"> The Project has: <ul style="list-style-type: none"> Limits for residential Limits for structures (TAFE) Limits for human comfort The nearest residence is approx. 20-50m Noise levels are conservatively measured at the boundary of the site. <p>No noise or vibration complaints have been received.</p> <p>No noise exceedances have occurred during June and July 2020.</p> <p>All results from vibration monitoring undertaken during July 2020 were below the threshold used to assess the effects of short-term vibration on structures according to DIN 4150-3:2016.</p> <p>Respite periods have been implemented on site on one (1) occasion – no respite periods have occurred since the previous audit.</p>	

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	k) describe the community consultation undertaken to develop the strategies in condition B28(g) of Schedule 3; and l) include details of a complaints management system that would be implemented for the duration of the construction.			
B29	The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the following: a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations; and b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.	Construction Waste Management Sub-Plan sighted. (7 February 2020 Revision 6)	Construction Waste Management Sub-Plan has been prepared to address Condition B29	Compliant
B30	The Construction Soil and Water Management Plan (CSWMSP) and the plan must address, but not be limited to the following: a) be prepared by a suitably qualified expert, in 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); 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; 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); 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); 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; 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 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 monitoring locations and targets must comply with the recommendations of the BDAR.	Construction Soil and Water Management Plan Sub-Plan sighted. (10 March 2020 Revision 9.1) Water Quality Report December 2019 Surface Water Quality Monitoring Results & Report, 11 February 2020, sighted.	Sediment basins calculations confirmed Rev 7 Feb 2020 updated No discharge has occurred from the sediment basin (preparations are in place, flocculants have been approved – no gypsum due to the sensitivity to frogs in area). TVH Basin Water Discharge Procedure has been developed in response to the previous audit finding and generally satisfies the requirement. It has been included as Appendix M (Sediment Basin – Water Discharge Procedure) and Appendix N (Sediment Basin – Water Discharge Permit) in the CSWMSP. The Procedure contains 'normal' and 'emergency' scenarios' in an event for rain and approved parameters for discharge. <u>Recommendation</u> The following recommendations have been noted for inclusion in the TVH Basin Water Discharge Procedure: <ul style="list-style-type: none"> • The volume of a rainfall event that would trigger an emergency / uncontrolled discharge from the basin • Detail regarding the requirement to empty/dewater sediment basins within 5 days post rainfall event • NTU / TSS correlation and ongoing verification An attempt at NTU / TSS correlation has occurred, which includes data from one (1) previous rainfall event. Additional data is required (i.e. 10 events), for the correlation to be robust. Ongoing verification must occur. The dewatering procedure has not been enacted on site. External consultant (EcoTeam) has undertaken water quality sampling within the four (4) sediment basins in February 2020.	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			Erosion and Sediment Control Plan (ESCP) sighted 30 July 2020 No acid sulphate soils are present on site. .	
B31	The Flood Emergency Response Sub-Plan (FERSP) must address, but not be limited to, the following: 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: (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.	Flood Emergency Response Sub-Plan sighted. (7 February 2019 Issue No. 6) Emergency Rescue scenario drill report, 3 June 2020, sighted.	Flood Emergency Response Sub-Plan has been prepared to address Condition B31.	Compliant
B32	The Construction Air Quality Management and Dust Management Sub-Plan (CAQDMSP) and the plan must address, but not be limited to the following: 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: (i) the control of air quality and odour impacts of the Development, in particular, during rock crushing and piling activities; (ii) that these controls remain effective over time; (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; (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 (v) compliance with the relevant conditions of this consent. 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; d) includes an air quality monitoring program that: (i) is capable of evaluating the performance of the construction works; (ii) includes a protocol for determining any exceedances of the relevant conditions of consent and responding to complaints; (iii) adequately supports the air quality performance objectives; and (iv) evaluates and reports on the effectiveness of air quality management for the construction works. 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.	Air Quality Sub-Plan sighted. (7 February 2019 Revision No. 9)	The Air Quality Management and Dust Management Plan has been prepared to address condition B32.	Compliant
Biodiversity Management Plan				
B33	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: 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;	Biodiversity Management Plan Stage 1 sighted June 2019, prepared by Greencap. Observation Report 17/03/20 – Tree Protection Zone signage	Photos of protective fencing in place, tree-protection zones and no-go signage were provided during the audit and observed to be maintained. <u>Previous audit finding</u> Observation report includes photos of new signage for TPZ	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>c) details of measures to protect all trees identified for retention in Drawing No L-EIS-1 Rev F LS-DWG-01-001, Rev8, Tree Removal and Preservation Plan prepared by Turf Design dated 03/05/2019 10.10.2019 and in the <i>Preliminary Arboricultural Report</i> prepared by Arbor safe dated 17 October 2018;</p> <p>d) the feasibility of translocation of the one <i>Cryptocarya foetida</i> proposed to be removed from the Site;</p> <p>e) a Vegetation Management Sub-Plan (VMP) for the Site during the construction works;</p> <p>f) a Habitat Management Sub-Plan (HMP) for the identified threatened species, ecological endangered communities (EEC) and threatened ecological communities (TEC) including the Koala food trees Zone 6;</p> <p>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</p> <p>h) measures to communicate to the construction workforce the biodiversity values that are to be retained and protected.</p> <p style="text-align: right;">[SSD-9575-Mod-1]</p>	<p>ITPs records sighted for weed management:</p> <ul style="list-style-type: none"> Primary weeding for Zone 1.6 (Flooded Gum and Tallowood) week ending 5/02/20 Second weeding for Zone 6 (veg buffer zone) and 1.3 (flood gum) week ending 1/04/20 <p>Surface Water Quality Monitoring Results & Report for the Tweed Valley Hospital Project (May/June 2020)</p>	<p>Greencap categorised areas on site in different environmental management zones.</p> <ul style="list-style-type: none"> Bush management and regeneration has commenced by Boyds Bay sub consultants. Boyds Bay employ different weed management techniques in this area. Civil contractor (Delta) manages weeds on site via Slashing and or Spraying. <p>Weed & Seed hygiene maintains biosecurity requirements with best practice wash bays established on site.</p> <p>Primary weeding involves the first pass removal of weeds within relevant vegetation zones. Secondary weeding is pesticide use and weed treatment is determined by the vegetation zone type.</p>	
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. Approval letter 12 July 19 from DPIE to HI.	-	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 Updated site plan sighted (27/01/20).	<p>Photo evidence of parking facilities</p> <p>Heavy vehicles are located immediately inside the compound entrance. This area is manned by a gate supervisor.</p> <p>No complaints received regarding vehicle parking on local roads.</p> <p>Information is communicated through daily prestart and site induction.</p>	Compliant
Road Design and Traffic Facilities				
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.	Section 138 (Application for Access) sighted – Tweed Council to TSA management.	-	Compliant
B37	<p>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:</p> <p>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</p> <p>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;</p> <p>c) additional road safety measures and / or traffic management measures in accordance with the recommendations of the RSE.</p>	<p>Determination of Application under S138 6 Sep 2019</p> <p>Driveway Option 1 developed by RSA 3 July 2019</p> <p>Driveway Option 2 developed by RSA 3 July 2019</p> <p>Access Design Drawings 25 August 2019</p>	<p>Road safety evaluation undertaken by Bitzios</p> <ul style="list-style-type: none"> Road safety analysis of slip lane driveway options Visibility of pedestrian movements investigated Evaluation of the access point 	Compliant
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.	DPIE approval letter 11 November 2019	-	Compliant
Intersection Works				

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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.	Section 138 (Application for Access) 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. Prepared by B&P surveys Six properties and TAFE buildings	-	Compliant
Stormwater Management System				
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: <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. 	Erosion and Sediment Control Plan (30 July 2020) sighted. Design certificate (26 June 2019) Approval sighted in crown certificate (ERSED plans appropriately updated. Approved by Colin Rope (Birds civil team lead) on 30 July 2020. ERSED plan has been updated to remove some temporary controls and mark up the relocation of a stockpile area.	Compliant
Stockpiles				
B42	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.	Erosion and Sediment Control Plan (30 July 2020) sighted. Drawings from plan also sighted. The CSWMP (20/03/20) – submitted to certifying authority. Approval through crown certificate (2/04/2020) .	DPIE compliance team have reviewed stockpile locations and maintenance during previous site inspections – no issues raised. Recent ERSED Plan include locations of stockpiles.	Compliant
Elements of Stage 1 works				
B43	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: <ul style="list-style-type: none"> a) all retaining walls on the Site, with a maximum height of 3.4m above the ground level at that location; b) battered embankments proposed on the western boundary in lieu of retaining walls; c) details of the piling works; d) additional landscape treatment measures to reduce the adverse visual impacts of the retaining walls on the Site; e) the impervious areas including the haul roads and the construction car parking areas; 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 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. 	<ul style="list-style-type: none"> a) Civil drawings – sighted with signatures. b) Design statements from qualified design personnel include the relevant conditions. c) Piling plan d) Prepared by Turf landscapers – detailed sketch e) Plans showing impervious services – roads f) CA satisfied it is included as a reference in the design statement – not captured in drawings g) Stage2 SSDA BioRetention Basin Plan and Details RBG-CV-DWG-RIE-86-310 Crown Certificate 2 April 2020	Drawings have been updated in response to the approval of the Crown Certificate on 2 April 2020	Compliant
Roadworks and Access				
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.	Section 138 (Application for Access) approval for slip lane and roundabout	-	Compliant
Outdoor Lightings				

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B45	The Applicant must ensure the lighting associated with the construction works: <ul style="list-style-type: none"> a) complies with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and 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. 	Sighted in Appendix 10 of CEMP. Temporary external lighting report (15 May 2019) sighted – reference to standards and the positioning of lights. Design statement developed by LCI confirming the position of the lights.	Only nighttime lighting is associated with the site compound. No records of non-compliances observed.	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 DPIE dated 20 June 2019.	6 monthly compliance report has been prepared. Monthly internal compliance report and minutes are prepared. Weekly site meetings are undertaken. Compliance Tracking Program is in place.	Compliant
B47	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	Pre-construction compliance report (19 July 2019) Construction Compliance Report (18 February 2020) Construction Compliance Report (15 June 2020) Correspondence and submission to DPIE on 10 August 20	The first two (2) compliance reports were appropriate to the nature and stage of the project. The June Construction Compliance Report has been submitted to DPIE on the 10 August 2020	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.	Pre-construction compliance report (19 July 2019) Construction Compliance Report (18 February 2020) Construction Compliance Report (15 June 2020) Correspondence of notification to Certifying Authority on 11 May 2020	Pre-construction Compliance report has been posted online. The January Construction Compliance Report has been and posted online. DPIE were notified of the report being posted online within the appropriate timeframes. The June Construction Compliance Report has been submitted to DPIE. At the time of the audit, it had not been posted online. Recommendation It was noted in the audit that Certifying Authority was not notified that the January Construction Compliance Report was being published online. The requirement to notify the Certifying Authority (in addition to DPIE) within 7 days was missed for the previous Construction Compliance Report. It is recommended the internal process to track compliance for time sensitive requirements is reviewed	Compliant Recommendation

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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 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: 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 the Local Government Act is to include Hydraulic Engineering or On-site Sewerage Management Design, or b) Chemical closet.	Toilets are chemical closets / portable toilet – pumped out twice a week. Site designs sighted. Ausco Modular Hire Quotation including chemical closet quotation, sighted.	-	Compliant
PART C DURING CONSTRUCTION				
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): c) 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. d) is to satisfy all but not be limited to, the following requirements: 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; 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 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.	Site notice board sighted and in accordance with requirements. Complaints Register 31 July 2020.	Photo evidence provided of Site Notice Board which satisfies the Condition C2.	Compliant
Operation of Plant and Equipment				
C3	All plant and equipment used on site, or to monitor the performance of the development must be: a) maintained in a proper and efficient condition; and b) operated in a proper and efficient manner.	Mobile equipment tag procedure discussed Workplace plant register sighted – latest entry 11 August 2020. Mobile equipment tag example sighted. Pre-start checklist sighted for: - water truck (20 May 2020) - example - example Plant inspection checklists, sighted. (27/07/2020 Tracked Skid Steer, 28/07/2020 Crane Mobile, 20/05/2020 Water Truck)	Pre-start checklist for plant and equipment Plant on-boarding checklist • service records • qualified mechanic • plant checklist Pink sticker indicated checks have been performed on the vehicle. Plant register is kept and maintained. Verification of Competence (VOC) records kept on site.	Compliant
Demolition				
C4	Demolition works (including removal of any remaining slabs on the Site) must comply with Australian Standard AS 2601-2001 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	No demolition works on-site at time of audit.	-	Not triggered

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	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.	Letter from Lendlease to BM&G (11 July 2019) to confirm no demolition works to be undertaken. Response from BM&G received in crown certificate.		
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.	Hours of work are included within: On site notice board CEMP NVMP Site induction All deliveries undertaken within specified 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.	Out of Hours Protocol in place (HI) in the event out of hours works (OOHW) are required. Letter of OOHW approval from DPIE 10 December 2019	One (1) OOHW has been undertaken to date – no OOHW since the previous audit. The Project is aware of COVID-19 extension hours, however, this has not been implemented/	Compliant
C7	Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.	Community notification 11 December 2019	Notification issued to community before OOHW works occurred on 18 December 19 – no OOHW have occurred since previous audit	Compliant
C8	The construction hours must include respite periods and specific times for activities during the day (outside the sensitive times), as 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).	Respite periods outlined in the NVMP.	Respite periods have been implemented on site on one (1) occasion – no respite periods have been enacted since previous audit.	Compliant.
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.	The development is being carried out in accordance with the approved CEMP, BMP and associated sub-plans. Plans are in the process of being reviewed.	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) Site entrance viewpoint observed.	Site entrance has been designed to allow vehicles to pull off the road, without entering the compound. No off-site parking is included in the induction.	Compliant
Road Occupancy Licence				
C11	A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.	Section 138 (Application for Access) permits sighted. Notice No. DWY19/0126 (Entry A)	Section 138 permit obtained for Entry A and Entry B, however this is not currently required as the road is not occupied.	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Notice No. DWY19/0127 (Entry B – Round-a-bout) Notice No. DWY19/0128 (temporary entrance)		
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 August 2019). Observation report sighted – 10 September 19 Perimeter fence inspection, 26 November 2019, sighted. Mobile observation outlining locations shade cloth had fallen and subsequent actions, 9 September 2019, sighted.	-	Compliant
Hoarding Requirements				
C13	The following hoarding requirements must be complied with: <ul style="list-style-type: none"> a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; 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 c) the Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve. 	Daily fencing/ hoarding/ signage checklist – example sighted (11 May 2020) No graffiti or third-party advertising to date – included on daily checklist. No hoarding over council footways or road reserve. Security cameras in place to prevent graffiti etc.	Inspection checklists address hoarding requirements.	Compliant
No Obstruction of Public Way				
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 public way	No obstructions observed during the audit.	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.	Two (2) Noise and Vibration Impact Assessments were 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) Environmental Noise Assessment Report (March 2020)	Monthly noise monitoring data and reports are available on the project website. Respite periods have been implemented on site on one (1) occasion – during the previous audit period. One (1) exceedance occurred in March due to external consultants dismantling and removing noise monitors which were required to be removed to allow tree clearing activities to occur. No noise exceedances in April, May and June 2020	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Environmental Noise Assessment Report (April 2020) Environmental Noise Assessment Report (May 2020) Environmental Noise Assessment Report (June 2020) December 2019 Vibration Monitoring Assessment Report – 15 Jan 2020 Complaints Register 31 July 2020		
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 construction vehicle movements outside of standard hours have occurred to date.	Delivery times are written into the scope of work of each contractor's contract. Reiterated and included within the induction.	Compliant.
C17	The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.	Reversing alarms used – reversing squawkers fitted on some vehicles.	Plant checklist ensures audible movement alarms are maintained.	Compliant
C18	Any noise generated during construction of the development must not be offensive noise within the meaning of the Protection of the Environment Operations Act 1997 or exceed approved noise limits for the site.	Noise data and assessment reports sighted. Random resident check-ups Complaints Register 31 July 2020	No noise complaints have been received.	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.	Monthly noise monitoring reports have been prepared by ADE. Noise levels have been generally within with relevant guidelines. As outlined in the findings of conditions B28 and C15. Environmental Noise Assessment Reports for January and February 2020 were sent to DPIE on 26 May 2020 Environmental Noise Assessment Reports for March and April 2020 were sent to DPIE on 26 June 2020 Environmental Noise Assessment Reports for May and June have not been sent to DPIE. Recommendation Noise monitoring assessment reports to be issued to DPIE on a monthly basis	Compliant Recommendation
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	Consultation with the TAFE and High School regarding respite periods has been undertaken.	In person meetings have reduced due to COVID-19 restrictions, however, these have been replaced by phone conversations and updated in the Stakeholder Interaction Register, which was sighted as part of the audit.	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	respite periods due to agreement with the Kingscliff TAFE and Kingscliff High School, must be provided to the Department for information.	Stakeholder meeting minutes with Kingscliff TAFE and Kingscliff High School: <ul style="list-style-type: none"> 29 January 2020 13 February 2020 3 June 2020 Stakeholder Interaction Register	The project team remains considerate for the stakeholders for upcoming exam periods. It can be noted that the noisiest activities (piling and road construction) have ceased at the end of July.	
Vibration Criteria				
C21	Vibration caused by construction at any residence or structure outside the Site must be limited to: <ul style="list-style-type: none"> (a) for structural damage, the latest version of DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures (German Institute for Standardisation, 1999); and (b) for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: a technical guideline (DEC, 2006) (as may be updated or replaced from time to time). 	Reference included in the NVMP. Vibration data example sighted. Noise and Vibration Sub Plan Vibration Monitoring Assessment Report (April 2020) Vibration Monitoring Assessment Report (May 2020) Vibration Monitoring Assessment Report (June 2020)	The vibration levels recorded in May and June 2020 were below the threshold used assess the effects of short-term vibration on structures according to DIN 4150-3:2016 A minor exceedance was recorded in April, however this was due to the compactor being close proximity to the monitor and not at risk of cosmetic or structure damage to nearby sensitive receivers.	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. 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.	Vibration test results: <ul style="list-style-type: none"> Roller – 12 August 2019 Piling – 6 January 2020 	Prior to operation of each vibration generating activity, a vibration assessment of that equipment is carried out. No exceedances of the criteria have been recorded.	Compliant
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.	-	Noted.	Compliant
Tree Protection				
C25	For the duration of the construction works: <ul style="list-style-type: none"> (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; (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; (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; (d) all works within the specified tree protection zones or structural root zones of trees to retained on the site, must be carried out under the supervision of a qualified arborist; (e) during the course of works, alternative tree protection measures must be installed, as required; (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 	Tree protection plan sighted (18 October 2019). No removal of street trees. Arborist not engaged directly by LendLease – through packages instead. No works within tree protection zones have been required. Mobile observation outlining installation of TPZ signs, 17 March 2020, sighted.	Tree Protection Zones sighted. Fencing is adequate to demarcate the tree protection zones and maintained.	Compliant

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	(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.			
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.	Environmental Dust Assessment Report (June 2020) Environmental Dust Assessment Report (July 2020) Risk Assessment Correspondence to Certifier Mobile observation outlining sediment control exit, 21 July 2020, sighted Air Quality and Dust Management Plan, 14 July 2020, sighted.	Dust records and assessment report for June 2020 and July 2020 sighted Water carts used on site. One 22 July 2020, dust monitoring station on site reduced from seven (7) to three (3) after a risk assessment was undertaken with external consultants (ADE) to assess performance and recent monitoring results. The Air Quality and Dust Management Plan to be updated to reflect this change. No dust complaints during audit period.	Compliant
C27	During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering; (b) all trucks entering or leaving the site with loads have their loads sealed and covered; (c) trucks associated with the development do not track dirt onto the public road network; (d) public roads used by these trucks are kept clean; (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces; and (f) minimise air quality impacts of the project during adverse meteorological conditions.	Gatemen monitors trucks entering and leaving site. Wheel wash set-up and regular monitoring in the daily check. Full-time level 1 Geotech engineer – ensures stability. Online weather monitoring (BOM). Subscribers to Early Warning Network – get warning for weather events.	Truck wash-down set up on site to prevent sediment tracking on public roads. Progressive rehabilitation of exposed areas to mitigate risk of dust emissions. Daily briefing informs site personnel of weather changes.	Compliant
Air Quality Discharges				
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 monitored visually. Air quality monitors brought to site 9 September 19 – implemented during asbestos remediation works only. Dust monitoring equipment installed for continuous monitoring. Environmental Dust Assessment Report (June 2020) Environmental Dust Assessment Report (July 2020)	No dust complaints raised during audit period and no exceedances noted in assessment reports. AQMSP now reflects that continuous air quality monitoring from plant is not applicable as the site is in an enclosed environment. However, overt fugitive emissions are reported if they occur. Appropriate equipment installed on plant to minimise erroneous emissions.	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 – three (3) locations along the site boundary. Environmental Dust Assessment Report (June 2020)	Dust monitoring is undertaken on site. Real time data is available with alerts provided. Dust monitoring reporting is undertaken monthly by external consultants. Dust assessment reports are available on the project website.	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Environmental Dust Assessment Report (July 2020)		
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 required by condition B27 must be implemented throughout the duration of the Stage 1 construction works.	Sediment fences checked daily and any issues raised in daily inspections. Sediment basins are monitored if planned to discharge or uncontrolled discharge. All other monitoring done by visible monitoring. SWMP sighted.	Difficult to determine compliance with onsite ERSER controls during the remote/desktop audit, however discussions and photos provide demonstrate that: ERSER Plan is maintained. Surface stabilisation is occurring where practicable. Sediment fences are used as a secondary (not primary) control. Truck wash-down area and rumble grid for site egress.	Compliant
Imported Soil				
C31	The Applicant must: (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site; (b) keep accurate records of the volume and type of fill to be used; and (c) make these records available to the Certifying Authority upon request.	-	No imported soils.	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 Protection of the Environment Operations Act 1997.	-	Stormwater is only collected in sediment basins. Water is not pumped to street stormwater system.	Compliant
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. Enablon app – anything marked as risk, will send reminders if not closed out.	-	Compliant
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.	First report submitted on 30 July 2019 – via aconex	Latest report 14 January 2020	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.	No unexpected heritage finds. Unexpected finds protocol included in site induction.	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 continue in that area. Works may only recommence with the written approval of Heritage Division of the OEH.	Unexpected Finds Protocol sighted.	No unexpected heritage finds. Unexpected finds protocol included in site induction.	Compliant
Waste Storage and Processing				

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
C37	The construction waste must be managed and disposed in accordance with the CWMSP required by condition B29 of Schedule 3.	CWMSP sighted. 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 (LL Footprint). Waste Transport Certificate and Permit 10 September 2019	No VENM or unsuitable material taken off site. Forecast is slight excess at this current stage. Data provided on waste and material usage. Subcontractor provide monthly report LL use an online platform called Footprint for collating energy, water, waste.	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. Pro-Skips Waste Management Monthly Environmental Report until July 2020, sighted.	Waste is being secured and maintained within designated storage areas.	Compliant
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 be removed off-site). Report by Cavvanba sighted. Waste Classification Report 9 September 2019	Not a high amount of waste is being produced on site apart from contaminated soil that was removed previously. Waste tracking documentation included in Waste Management Report.	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 movements from the site. Implementation on site is in accordance with the LendLease (EHS) policy. No waste spoil leaves site. Wheel wash and rumble grid installed.	No uncovered vehicles observed on date of audit.	Compliant
C41	The Applicant must ensure that (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. (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 (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 installed.	Concrete washout is appropriately signposted. Concrete trucks return to contractors' facilities for wash-down. Designated concrete wash out bay and used on site and moves depending on the work front.	Compliant
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.	Two (2) stockpiles (locations identified) Site was tested for contaminated soil – identified area is kept away from the stockpiles.	Clean stockpiles separated. Contaminated material has been appropriately removed from site.	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.	Offsite disposal records of waste. No soil has been removed from site. Final quantities of waste soil material has been calculated, a small surplus at this stage.	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	No waste spoil material has left site to date.	Waste transport certificate sighted. Permit provided.	Compliant

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	able to accept those wastes and materials for re-use or recycling. Appropriate evidence must be maintained to demonstrate that waste is disposed of to premises that can legally accept the materials.	Permit sighted to dispose of the contaminated material. Addressed in RAP.		
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.		No waste asbestos since August 2019	Compliant
Community Engagement				
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 August 2019) Early Works Tactical Engagement and Community Plan sighted (May 2019) Construction Communication Management Plan (LendLease) sighted	Community consultation manager is full time. <ul style="list-style-type: none"> Key stakeholders (Kingscliff TAFE, Kingscliff high school and adjacent residents) Tweed / Byron Local aboriginal land council Wider community Two (2) websites <ul style="list-style-type: none"> Lend Lease HI Project website Lend Lease provides community notices, undertakes letter box drops and holds face to face monthly meetings. Day to day concerns of community: <ul style="list-style-type: none"> Visual impacts and planning condition requirements for next stage Weekly update is published to community and emailed to key stakeholders.	Compliant
Independent Environmental Audit				
C47	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.	-	SNC-Lavalin was approved as the Independent Auditors prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.	Compliant
C48	No later than four weeks before the date notified for the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	-	An Independent Audit Program has been prepared.	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
C49	Table 1 of the Independent Audit Post Approval Requirements (Department 2018) is amended so that the frequency of audits required in the construction phase is: (a) an initial construction Independent Audit must be undertaken within eight weeks of the notified commencement date of construction; and (b) a subsequent Independent Audit of construction must be undertaken no later than six months from the date of the initial construction Independent Audit. In all other respects Table 1 remains the same. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least four weeks' notice to the applicant of the date upon which the audit must be commenced.	-	Noted.	Compliant
C50	Independent Audits of the development must be carried out in accordance with: (a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C48 of this consent; and (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).	-	Noted. Independent Audits have and will be carried out in accordance with condition C50.	Compliant
C51	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: (a) review and respond to each Independent Audit Report prepared under condition C49 of this consent; (b) submit the response to the Department and the Certifying Authority; and (c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.	Submission to Certifier 12 Nov 2019 Report and response to report located on website.	-	Compliant
C52	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.	-	Noted.	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 reportable incidents have occurred to date. Incident management framework provides guides as to notifiable incidents and the appropriate triggers. E.g. nontrivial. The site team are aware of the process in place and when to notify in the event of an incident	Compliant
C54	Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix 1.	-	-	Not triggered
Non-Compliance Notification				

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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.	Condition Tracker Revision 2 Internal monthly reports	Condition tracker Revision 2 is reviewed monthly, to ensure submission of actions are done. Internal monthly reports are indicating compliance and actions required. The department was notified of the findings of the last Independent Audit in the appropriate timeframe.	Compliant
C56	The notification must identify the development and the application number for it, set out the condition of consent that the development is 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.	-	-	Not triggered
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: (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, 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.	-	Management plans have been reviewed in Dec/Jan. Management plans are currently under review.	Compliant
C59	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. 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.	-	The Air Quality and Dust Management Plan to be updated to reflect this change in numbers and locations of dust monitoring stations	Compliant
Discharge Limits				
C60	The development must comply with section 120 of the Protection of the Environment Operations Act, which prohibits the pollution of waters, except as expressly provided for in an Environment Protection Licence.	Consultation with EPA undertaken – advises that an EPL is not required. Discharge has not occurred to date. Captured in SWMP. Water Quality testing records.	Water reused <ul style="list-style-type: none"> water carts used for dust suppression water is reuse on site (orchard) Requirement to get rid of water within 5 days to prepare for more rain. Water quality experts are contracted to assess sediment basins after an event prior to reuse / discharge of water. Consultation process with EPA regarding licence and EPL was not required.	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 Geotechnical Investigation prepared by Morrison Geotechnics dated September 2018 and the addendum dated December 2018.	Piling works have commenced. Wet pours will be used to install the piles.	No dewatering has occurred.	Compliant
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.	No dewatering has occurred.	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 Storing and Handling of	Self-bunded storage cage observed. Observation 15/06/20	Chemicals are stored in a self-bunded storage cage which is covered and protected from rainfall.	Compliant

Approval (ID)	Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	Liquids: Environmental Protection – Participants Manual (Department of Environment and Climate Change, 2007).			
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 Traffic Impact Assessment Report prepared by Bitzios dated 18 October 2018) accessing the Site at this location.	-	Intersection upgrade works are complete however, are not in use and have not been handed back to council. Access is locked with steel barriers. Temporary area for construction site has been constructed and is appropriate for heavy vehicle access to site.	Compliant
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. The Applicant must obtain approval for the works under section 138 of the Roads Act 1993.	S138 (Application for Access) permit is in place. S138 (Application for Access) approval sighted.	Construction of Vehicular access points has finished however the sites have not been handed back to council. Therefore, the process of acquiring Council satisfaction has not begun.	Compliant
PART D POST COMPLETION OF STAGE 1 CONSTRUCTION WORKS				
Notification				
D1	The applicant must notify the Department that the Stage 1 construction works are complete within one week of completing the works.	-	-	Not triggered
Post-construction Dilapidation Report				
D2	Within one month of completion of the Stage 1 construction works, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is: (a) to ascertain whether the construction created any structural damage to adjoining buildings or infrastructure and the Kingscliff TAFE buildings. (b) to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure or the Kingscliff TAFE buildings that front on to Cudgen Road (northern-most row of the buildings), the Certifying Authority must: i. compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and ii. (ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads. (c) to be provided to Council for information.	-	-	Not triggered
Protection of Public Infrastructure				
D3	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: a. repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and b. relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development. Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by this consent (if any).	-	-	Not triggered
Roadworks and Access				
D4	All roadworks and access included in Stage 1 must be completed by the Applicant at their cost.	-	-	Not triggered
Road Damage				
D5	The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development is to be met in full by the Applicant prior to commencement of use of any stage of the development.	-	-	Not triggered



APPENDIX D – INDEPENDENT AUDIT DECLARATION FORM

Appendix E – Independent Audit Report Declaration Form Template

Independent Audit Report Declaration Fo

Project Name	New Tweed Valley Hospital
Consent Number	SSD-9575
Description of Project	Stage 1 Early works and enabling works
Project Addr	771 Cudgen Road, Cudgen (Lot 11 DP 1246853)
Proponent	Health Infrastructure
Title of Audit	Subsequent audit #2
Date	10 September 2020

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:

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2019)*;
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. 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;
- vi. 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,
- vii. 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
- viii. 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:

- a) 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
- b) 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 fine of 200 penalty units, or both).

Name of Auditor	
Signature	
Qualification	B Environmental Management & Science
Company	SNC Lavalin Atkins
Company Address	Level 17, 55 Clarence Street, Sydney NSW 2000