



***Sydney Opera House***

***Concert Hall & Creative Learning Centre***

***SSD 8663***

Construction Compliance Report 3

16 March 2021 to 16 September 2021

Revision 1.0

22 October 2021

**Ian Cashen**

**Executive Director Building, Safety and Security**

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0.1	22/10/2021	Peter Doyle	Draft
1.0	22/10/2021	Ian Cashen	Final

# 1. Introduction

## 1.1. Project name and project application number

Sydney Opera House

Concert Hall & Creative Learning Centre

SSD 8663

## 1.2. Project address

Sydney Opera House, Bennelong Point, Sydney, NSW, 2000

## 1.3. Project phase

[Construction |

## 1.4. Compliance reporting period

[16 March 2021 to 16 September 2021 |

## 1.5. Project activity summary

[Major demolition and construction activities:

- Completion of Creative Learning Centre fitout
- Structural steel installation in ceiling and cannon ports
- Fitout of technical zone and Plant Room 21
- Installation of stage machinery
- Installation of stage flooring
- Installation of diffusion wall panels and box fronts
- Fitout of Ante Room and Assembly Room
- Electrical and communications fitout
- Fitout of Eastern passageway
- Cladding of Lift 30 structure
- Façade installation above Lift 30
- Installation of Lift 30
- Banner drawer installations in side walls
- Sprinkler installation in technical zone and cannon ports
- Ductwork to cannon port diffusers |

## 1.6. Key project personnel

<b>Name</b>	<b>Organisation</b>	<b>Position</b>	<b>Contact</b>
Ian Cashen	Sydney Opera House	Executive Director, Building, Safety & Security	<a href="mailto:icashen@sydneyoperahouse.com">icashen@sydneyoperahouse.com</a>
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Yvonne Hockey	Sydney Opera House	Construction Community Liaison Officer	<a href="mailto:yhockey@sydneyoperahouse.com">yhockey@sydneyoperahouse.com</a>
Shane Berry	Group DLA	Principal Certifying Authority	<a href="mailto:sberry@groupdla.com">sberry@groupdla.com</a>
Alan Croker	Design 5 Architects	Heritage Consultant	<a href="mailto:alancroker@design5.com.au">alancroker@design5.com.au</a>
Mark Reynolds	Taylor Construction Group	Project Director	<a href="mailto:markr@taylorau.com.au">markr@taylorau.com.au</a>
Damian Fisher	Taylor Construction Group	Site Manager	<a href="mailto:damianf@taylorau.com.au">damianf@taylorau.com.au</a>

## 2. Action Status Table

An Independent Environmental Audit (IEA) was conducted in May 2021. The following actions were identified during the IEA.

There are no outstanding actions from the prior Construction Compliance Report.

Source	Condition of Consent	Observation	Action Proposed	Proposed Completion Date	Status	Action Completed/Comments
IEA2	B24	<p>Condition B24 required that the nominated heritage consultant must inspect the demolition and removal of material to ensure there is no unapproved removal of significant fabric or elements, provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.</p> <p><b>Design 5 have been retained and are continuing to undertake inspections during the audit period. The evidence provided does not indicate that Design 5 are verifying that all work is being carried out in accordance with the conditions of this consent (as required by this condition). The inspections appear to be limited to checking that there is no unapproved removal of elements, significant fabric is not damaged (which are requirements of the consent). The Inspection Notes identify actions and areas of improvement. Taylor provided email responses to the items raised in the inspections. The auditor observes that the Inspection Notes and Taylor's responses do not enable clear reconciliation of the significance of the deficiencies, the recommended actions and timing by which each should be addressed, nor the actions taken to resolve identified deficiencies and the dates by which the actions were completed.</b></p>	<p>The Sydney Opera House Trust will work with Design 5 to refine the process of recording Design 5's inspection observations, and tracking how the Project has responded to the observation (where necessary).</p> <p>The Auditor noted that compliance with the consent is reported through the Construction Compliance Reports and this Independent Audit.</p>	31/07/2021	OPEN	Due to COVID-19 pandemic restrictions, the heritage inspections were on hold from July to September 2021. Inspections have resumed in October 2021 and SOH will ensure that tracking of the heritage consultants observations is improved and maintained..
IEA2		<p>Condition C38 requires that the Nominated Heritage Consultant is to regularly inspect the site and provide ongoing advice to the contractor representative undertaking the works for the duration of construction to ensure that there is no unapproved removal of elements, significant fabric is not damaged and that all work is being carried out in accordance with the conditions of this consent.</p> <p><b>Note that this observation relates to the same issue as that identified for CoC B24.</b></p> <p><b>Design 5 have been retained and are continuing to undertake inspections during the audit period. The evidence provided does not indicate that Design 5 are verifying that all work is being carried out in accordance with the conditions of this consent (as required by this condition). The inspections appear to be limited to checking that there is no unapproved removal of elements, significant fabric is not damaged (which are requirements of the consent). The Inspection Notes identify actions and areas of improvement. Taylor provided email responses to the items raised in the inspections. The auditor observes that the Inspection Notes and Taylor's responses do not enable clear reconciliation of the significance of the deficiencies, the recommended actions and timing by which each should be addressed, nor the actions taken to resolve identified deficiencies and the dates by which the actions were completed.</b></p>	<p>The Sydney Opera House Trust will work with Design 5 to refine the process of recording Design 5's inspection observations, and tracking how the Project has responded to the observation (where necessary).</p> <p>The Auditor noted that compliance with the consent is reported through the Construction Compliance Reports and this Independent Audit.</p>	31/07/2021	OPEN	Due to COVID-19 pandemic restrictions, the heritage inspections were on hold from July to September 2021. Inspections have resumed in October 2021 and SOH will ensure that tracking of the heritage consultants observations is improved and maintained.

### 3. Compliance Status Summary

Four administrative non-compliances were identified during the reporting period, as part of IEA2. |

Condition	Independent Audit Finding (non-compliance)	Reported to	Enforcement action	SOH Response
<p><b>ACCESS TO INFORMATION</b>            B7. At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <p>(i) the documents referred to in condition A2 of this consent;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(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;</p> <p>(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;</p> <p>(vi) a summary of the current stage and progress of the development;</p> <p>(vii) contact details to enquire about the development or to make a complaint;</p> <p>(viii) a complaints register, updated monthly;</p> <p>(ix) audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report;</p> <p>(x) any other matter required by the Planning Secretary; and</p> <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>	<p>Condition B7 (a) required that all approved strategies, plans and programs must be made publicly available on its website and that this information be kept up to date. The current CEMP and CNVMP (updated in late 2020) were not made publicly available until after the on-site component of the Independent Audit.</p>	DPIE 31 May 2021	Recorded in DPIE system	Due to an administrative oversight, these revised management plans were not made available on the SOH website until this was pointed out by the auditor. The management plans now available on the SOH website are current.
<p>B10. Construction Compliance Reports must be submitted to the Department at <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> for information every six months from the date of the commencement of construction, for the duration of construction. The Construction Compliance Reports must provide details on the compliance performance of the development for the preceding six months and must be submitted within one month following the end of each six-month period for the duration of construction of the development, or such other timeframe as required by the Planning Secretary.</p>	<p>Condition B10 requires Construction Compliance Reports to be submitted to the Department every six months from the date of the commencement of construction, for the duration of construction. They must be submitted one month following the end of each six month period for the duration of construction of the development, or other timeframe as required by the Planning Secretary. Construction Compliance Report 2 was not submitted within one month following the end of the applicable six-month period.</p>	DPIE 31 May 2021	Recorded in DPIE system	The Construction Compliance Report was submitted 4 days overdue. Construction Compliance Report 2 (16 September 2020 to 16 March 2021), dated 20/04/21 and DPIE post approval portal lodgement 20/04/21.
<p>B11. The Construction Compliance Reports must include:</p> <p>(a) a results summary and analysis of environmental monitoring;</p> <p>(b) the number of any complaints received, including a summary of main areas of complaint, action taken, response given and proposed strategies for reducing the recurrence of such complaints;</p> <p>(c) details of any review of the CEMP and the Environmental Management Strategy and associated sub-plans as a result of construction carried out during the reporting period;</p> <p>(d) a register of any modifications undertaken and their status;</p> <p>(e) results of any independent environmental audits and details of any actions taken in response to the recommendations of an audit;</p> <p>(f) a summary of all incidents notified in accordance with this consent; and</p> <p>(g) any other matter relating to compliance with the terms of this consent or requested by the Planning Secretary.</p>	<p>Condition B11 requires that the Construction Compliance Reports must include:</p> <p>(a) a results summary and analysis of environmental monitoring;</p> <p>(b) the number of any complaints received, including a summary of main areas of complaint, action taken, response given and proposed strategies for reducing the recurrence of such complaints;</p> <p>(c) details of any review of the CEMP and the Environmental Management Strategy and associated sub-plans as a result of construction carried out during the reporting period;</p> <p>(d) a register of any modifications undertaken and their status;</p> <p>(e) results of any independent environmental audits and details of any actions taken in response to the recommendations of an audit;</p> <p>(f) a summary of all incidents notified in accordance with this consent; and</p> <p>(g) any other matter relating to compliance with the terms of this consent or requested by the Planning Secretary.</p>	DPIE 31 May 2021	Recorded in DPIE system	The Department reviewed Construction Compliance Report 1, and determined that it did not address CoC B11(a), (c), (d) of this condition. Construction Compliance Report 1 was resubmitted on 11/11/20 and satisfied the requirements of this condition.

Condition	Independent Audit Finding (non-compliance)	Reported to	Enforcement action	SOH Response
B16. Within three months of commencing an Independent Environmental Audit, or within another timeframe agreed by the Planning Secretary, a copy of the audit report must be submitted to the Planning Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.	Condition B16 requires that within three months of commencing an Independent Environmental Audit, or within another timeframe agreed by the Planning Secretary, a copy of the audit report must be submitted to the Planning Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.	DPIE 31 May 2021	Recorded in DPIE system	A response was provided to the IEA findings in the Construction Compliance Report 1. In future SOH will submit a separate response document with the IEA report. A separate response was lodged with DPIE following IEA2.

## 4. Environmental Monitoring

Acoustic monitoring is the only environmental monitoring required by the management plans under the consent for the project.

During the period covered by this compliance report, attended acoustic monitoring was undertaken on 12 May 2021, 25 June 2021, and 2 July 2021.

Attended acoustic monitoring, undertaken when potentially noisy activities occur outside the building envelope (eg concrete deliveries and pumping) did not detect any exceedances of the NMLs.

The acoustic monitoring reports are available at <https://www.sydneyoperahouse.com/general/corporate-information/planning-approvals.html>.

## 5. Review of Strategies, Plans & Programs

The consent requires the following management plans:

- Construction Environmental Management Plan;
- Construction Noise & Vibration Management Sub Plan;
- Construction Air Quality Management Plan;
- Waste Management Plan; and
- Construction Pedestrian & Traffic Management Sub Plan.

The third review of these plans was undertaken during the period on 17 June 2021. This was within three months of the submission of the prior Construction Compliance Report (20 April 2021), and within three months of the submission of the Independent Environment Audit (15 June 2021) as required by Condition A22 of the consent. This review was notified to the Planning Secretary on 15 June 2021 (Condition A23).

The review was undertaken by senior management of the SOH and the managing contractor, Taylor Construction Group.

The review did not identify any necessary revisions to the management plans.

## 6. Register of Modifications

	Modification	Status
1.	No modifications as of the date of this report.	

## 7. Incidents

[Nil.]



## 8. Complaints

During the period covered by this report (16 March 2021 to 16 September 2021), Sydney Opera House received one complaint about the project.

The complaint register (as at 30 September 2021), and available at:

<https://www.sydneyoperahouse.com/general/corporate-information/planning-approvals.html>) notes:

DATE	TIME	COMPLAINANT	ISSUE	ACTION
2 June 2021	17:00	Bennelong Apartment Building Management	A subcontractor from the Concert Hall building site was witnessed urinating on the Bennelong Apartment building	The culprit was identified with CCTV footage and the subcontractor management notified. The worker was dismissed from site and the subcontractor manager contacted Bennelong Apartments to personally apologise.

## 9. Compliance Table

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
A1.	<b>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</b> 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, and any rehabilitation required under this consent.	All phases	Compliance reporting	Compliant	<a href="#">Compliance reports</a>
A2.	<b>TERMS OF CONSENT</b> A2. The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) in accordance with the EIS, Response to Submissions, Revised Response to Submissions and Supplementary Revised Response to Submissions; (d) in accordance with the management and mitigation measures.	All phases	Compliance reporting	Compliant	<a href="#">Compliance reports</a> Independent Environmental Audits performed by WolfPeak Contractor Monthly Inspections <a href="#">Construction Environmental Management Plan</a>
A3.	A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).	All phases	Compliance reporting	Not Triggered	No directions have been issued.
A4.	A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in <b>condition A2(c)</b> . In the event of an inconsistency, ambiguity or conflict between any of the documents listed in <b>condition A2(c)</b> , the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	All phases	Compliance reporting	Compliant	<a href="#">Compliance reports</a>
A5.	<b>LAPSING OF APPROVAL</b> A5. This consent will lapse five years from the date of the consent unless the works associated with the development have physically commenced.	N/A	N/A	N/A	N/A
A6.	<b>LIMITS ON CONSENT</b> A6. This consent does not approve works to rehearsal rooms 1 and 2.	N/A	N/A	N/A	N/A
A7.	<b>PRESCRIBED CONDITIONS</b> A7. The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.	Operation	N/A	Not Triggered	N/A –these prescribed conditions only apply to an operating venue
A8.	<b>LONG SERVICE LEVY</b> A8. For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.	Pre-construction	Compliance Report	Compliant	<a href="#">Receipt of payment</a>
A9.	<b>LEGAL NOTICES</b> A9. Any advice or notice to the consent authority must be served on the Planning Secretary.	All phases	N/A	Not Triggered	N/A
A10.	<b>EVIDENCE OF CONSULTATION</b> A10. Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and (b) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	All phases	Compliance reports	Compliant	Consultation documented where necessary in management plans <ul style="list-style-type: none"><li><a href="#">Construction Environmental Management Plan</a></li><li><a href="#">Construction Pedestrian and Traffic Management Sub-Plan</a></li><li><a href="#">Construction Noise and Vibration Management Sub Plan</a></li><li><a href="#">Construction Air Quality Management Plan</a></li><li><a href="#">Construction Waste Management Plan</a></li></ul>
A11.	<b>DEVELOPMENT EXPENSES</b> A11. It is the responsibility of the Applicant to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this approval.	All phases	N/A	N/A	N/A

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
A12.	<b>APPLICABILITY OF GUIDELINES</b> A12. 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.	All phases	N/A	Compliant	All works to be carried out in accordance to guidelines, protocols, Standards or policies in the form they are in as at the date of this consent
A13.	A13. However, 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.	All phases	N/A	Not Triggered	No directions issued.
A14.	<b>STRUCTURAL ADEQUACY</b> A14. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA. <b>Notes:</b> • Under Part 6 of the EP&A Act, the Applicant is required to obtain construction certificates for the proposed building works. • Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.	Pre-construction	Issue of Section 6.28 Certificate	Compliant	Crown Certificate <ul style="list-style-type: none"><li>• <a href="#">Concert Hall</a></li><li>• <a href="#">Creative Learning Centre</a></li></ul>
A15.	<b>OPERATION OF PLANT AND EQUIPMENT</b> A15. 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.	All phases	TCG equipment inspections	Compliant	TCG equipment inspections sighted during independent audit.
A16.	<b>MONITORING AND ENVIRONMENTAL AUDITS</b> A16. 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 and independent environmental auditing. <b>Note:</b> 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.	All phases	Independent audits	Compliant	Independent audit program developed and provided to the Department of Planning <ul style="list-style-type: none"><li>• <a href="#">SOH IA Program Rev2.pdf</a></li><li>• <a href="#">Acknowledgement of Submission of Independent Audit Program</a></li><li>• <a href="#">Independent Audit 1 Report</a></li><li>• <a href="#">Independent Audit 2 Report</a></li></ul>
A17.	<b>INCIDENT NOTIFICATION, REPORTING AND RESPONSE</b> A17. The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> 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.	All phases	Construction Environmental Management Plan (CEMP) Compliance Reports Monthly Site Inspections	Not Triggered	Nil incidents to report
A18.	A18. Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1.	All phases	Construction Environmental Management Plan (CEMP) Compliance Reports Monthly Site Inspections	Not Triggered	Nil incidents to report
A19.	<b>NON-COMPLIANCE NOTIFICATION</b> A19. The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within seven days after they identify any non-compliance.	All phases	Construction Environmental Management Plan (CEMP) Compliance Reports Monthly Site Inspections	Compliant	Previous minor non-compliances reported in Independent Environmental Audit Report have been addressed and corrected. See Construction Compliance Report 1 and 2. See Section 3 of this report <a href="#">.Notification to DPIE</a>
A20.	A20. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	All phases	Construction Environmental Management Plan (CEMP) Compliance Reports Monthly Site Inspections	Compliant	Minor non-compliances reported in Independent Environmental Audit Report 1 <a href="#">.Notification to DPIE</a>
A21.	A21. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	All phases	N/A	N/A	N/A
A22.	<b>REVISION OF STRATEGIES, PLANS AND PROGRAMS</b> A22. Within three months of: (a) the submission of a compliance report under <b>condition B8 and B10</b> ; (b) the submission of an incident report under <b>condition A19</b> ; (c) the submission of an Independent Audit under <b>condition B12</b> ; (d) the approval of any modification of the conditions of this consent; or (e) the issue of a direction of the Planning Secretary under <b>condition A2</b> which requires a review,	All phases	Construction Compliance Review 3 months post commencement	Compliant	First review undertaken 19-21 May 2020. Second review undertaken prior 19 October 2020 (3 months after submission of independent audit which was also within 3 months of the submission of the construction compliance report 1). Third review to be undertaken 17 June 2021.

<b>Consent Condition</b>	<b>Compliance Requirement</b>	<b>Development Phase</b>	<b>Monitoring Methodology</b>	<b>Compliance Status</b>	<b>Evidence and Comments</b>
A23.	A23. the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out. <b>Review following submission of Pre-Const Compliance report was due prior to 26/5/2020</b> <b>Review following submission of the Construction Compliance Report 1 was due prior to 16 January 2021.</b>	All phases	Compliance reports/incident reports/independent audit reports	Compliant	Review undertaken on 19 May and 21 May 2020. Review undertaken 19 October 2020. Planning Secretary notified by letter 16 October 2020. Review undertaken 17 June 2021. Planning Secretary notified by letter 15 June 2021. Next review will be due before 16 January 2022.
A24.	A24. 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 Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review. <b>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.</b>	All phases	Compliance reports/incident reports/independent audit reports/modification submissions/directions	Compliant	Revised CNVMSP submitted to DPIE via Portal 30 November 2020 (PA-25)
A25.	<b>INTERPRETATION STRATEGY</b> A25. Within 12 months of the commencement of the works, the Applicant shall submit to the Department a new Interpretation Strategy for the works approved as part of this consent. The Interpretation Strategy shall be prepared in consultation with the nominated heritage consultant ( <b>condition B24</b> ) and Heritage Council (or delegate), and shall address the areas to be modified by the proposed works and the alterations that have occurred. A copy must be submitted to the Secretary and Certifying Authority. The works outlined in the Heritage Interpretation Strategy must be completed within one year of the completion of works.	Within 12 months of the commencement of construction	Submission of new Interpretation Strategy	Compliant	New interpretation strategy submitted to DPIE on 22 January 2021 (PA – 26)
<b>PART B PRIOR TO THE COMMENCEMENT OF WORKS</b>					
B1.	<b>CROWN BUILDING WORK</b> B1. Crown building work cannot be commenced unless the Crown Building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws in force as at: (a) the date of the invitation for tenders to carry out Crown building work; or (b) in the absence of tenders, the date on which the Crown building work commences.	Prior to commencement of construction	Issue of Section 6.28 Certificate	Compliant	Crown Certificates <ul style="list-style-type: none"><li>• <a href="#">Concert Hall</a></li><li>• Creative Learning Centre (note still pending, construction has not commenced)</li></ul>
B2.	<b>NOTIFICATION OF COMMENCEMENT</b> B2. The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.	Prior to commencement of construction	Pre-Construction Compliance Report	Compliant	<a href="#">Notification of Commencement of Construction</a>
B3.	<b>Commencement of Operation</b> B3. If the construction or operation of the development is 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.	All Phases	Compliance Reporting Independent Environmental Auditing (WolfPeak)	Not Triggered	N/A
B4.	<b>EXTERNAL WALLS AND CLADDING</b> B4. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Prior to commencement of construction	Issue of Section 6.28 Certificate	Compliant	Crown Certificates <ul style="list-style-type: none"><li>• <a href="#">Concert Hall</a></li><li>• <a href="#">Creative Learning Centre</a></li></ul> Architectural Design Certificates <ul style="list-style-type: none"><li>• <a href="#">Concert Hall Architectural Design Certificate</a></li><li>• <a href="#">Creative Learning Centre Architectural Design Certificate</a></li></ul>
B5.	B5. Before the commencement of works and occupation or commencement of the use, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.	Prior to commencement of construction	Issue of Section 6.28 Certificate	Compliant	<a href="#">Concert Hall Architectural Design Certificate</a>
B6.	B6. The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.	Prior to commencement of construction	Issue of Section 6.28 Certificate and provision of information to DPIE	Compliant	Submission receipt from DPIE Website

<b>Consent Condition</b>	<b>Compliance Requirement</b>	<b>Development Phase</b>	<b>Monitoring Methodology</b>	<b>Compliance Status</b>	<b>Evidence and Comments</b>
	<b>ACCESS TO INFORMATION</b> B7. 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: <ol style="list-style-type: none"> <li>make the following information and documents (as they are obtained or approved) publicly available on its website:               <ol style="list-style-type: none"> <li>the documents referred to in condition A2 of this consent;</li> <li>all current statutory approvals for the development;</li> <li>all approved strategies, plans and programs required under the conditions of this consent;</li> <li>regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;</li> <li>a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</li> <li>a summary of the current stage and progress of the development;</li> <li>contact details to enquire about the development or to make a complaint;</li> <li>a complaints register, updated monthly;</li> <li>audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report;</li> <li>any other matter required by the Planning Secretary; and</li> <li>keep such information up to date, to the satisfaction of the Planning Secretary.</li> </ol> </li> </ol>	Prior to commencement of construction	Pre Construction Compliance Report	Compliant	<a href="https://www.sydneyoperahouse.com/general/corporate-information/planning-approvals.html">https://www.sydneyoperahouse.com/general/corporate-information/planning-approvals.html</a> (Information made available on 24 February 2020)
<b>B8.</b>	<b>COMPLIANCE REPORTING</b> B8. A Pre-Construction Compliance Report must be prepared for the development, and submitted to the Certifying Authority for approval before the commencement of construction. A copy of the endorsed compliance report must be provided to the Department at <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> before the commencement of construction.	Prior to commencement of construction	Pre Construction Compliance Report	Compliant	Pre Construction Compliance Report
<b>B9.</b>	B9. The Pre-Construction Compliance Report must include: <ol style="list-style-type: none"> <li>details of how the terms of this consent that must be addressed before the commencement of construction have been complied with; and</li> <li>the expected commencement date for construction.</li> </ol>	Prior to commencement of construction	Pre Construction Compliance Report	Compliant	Pre Construction Compliance Report
<b>B10.</b>	B10. Construction Compliance Reports must be submitted to the Department at <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> for information every six months from the date of the commencement of construction, for the duration of construction. The Construction Compliance Reports must provide details on the compliance performance of the development for the preceding six months and must be submitted within one month following the end of each six-month period for the duration of construction of the development, or such other timeframe as required by the Planning Secretary. Report Due 16 October 2020 Report Due 16 April 2021 Report Due 16 October 2021	During construction	Construction Compliance Reports as per the following Frequency: 16 September 2020 16 March 2021 16 September 2021	Compliant This is third construction compliance report.	Construction Compliance Reports 1, 2 and 3
<b>B11.</b>	B11. The Construction Compliance Reports must include: <ol style="list-style-type: none"> <li>a results summary and analysis of environmental monitoring;</li> <li>the number of any complaints received, including a summary of main areas of complaint, action taken, response given and proposed strategies for reducing the recurrence of such complaints;</li> <li>details of any review of the CEMP and the Environmental Management Strategy and associated sub-plans as a result of construction carried out during the reporting period;</li> <li>a register of any modifications undertaken and their status;</li> <li>results of any independent environmental audits and details of any actions taken in response to the recommendations of an audit;</li> <li>a summary of all incidents notified in accordance with this consent; and</li> <li>any other matter relating to compliance with the terms of this consent or requested by the Planning Secretary.</li> </ol>	During construction	Construction Compliance Reports as per the the following Frequency: 16 September 2020 16 March 2021 16 September 2021	Compliant	Construction Compliance Reports 1, 2 and 3
<b>B12.</b>	<b>INDEPENDENT ENVIRONMENTAL AUDIT</b> B12. No later than one month before the commencement of construction or within another timeframe agreed with the Planning Secretary, a program of independent environmental audits must be prepared for the development in accordance with <i>AS/NZS ISO 19011-2014: Guidelines for Auditing Management Systems</i> (Standards Australia, 2014) and submitted to the Planning Secretary for information.	Prior to commencement of construction	Independent Environmental Audit Programme	Compliant	<ul style="list-style-type: none"> <li>Independent Environmental Audit Programme</li> <li>Submitted to the Planning Secretary</li> </ul>
<b>B13.</b>	B13. The scope of each audit must be defined in the program. The program must ensure that environmental performance of the development in relation to each compliance requirement that forms the audit scope is assessed at least once in each audit cycle.	Prior to commencement of construction	Independent Environmental Audit Programme	Compliant	Independent Environment Audit Programme
<b>B14.</b>	B14. The environmental audit program prepared and submitted to the Planning Secretary in accordance with conditions B12 and B13 above must be implemented and complied with for the duration of the development.	All phases	Independent Environmental Audit Programme	Compliant	<a href="#">Independent Environment Audit Programme</a> <a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
B15.	<p>B15. All independent environmental audits of the development must be conducted by a suitably qualified, experienced and independent team of experts and be documented in an audit report which:</p> <p>(a) assesses the environmental performance of the development, and its effects on the surrounding environment including the community;</p> <p>(b) assesses whether the development is complying with the terms of this consent;</p> <p>(c) reviews the adequacy of any document required under this consent; and</p> <p>(d) recommends measures or actions to improve the environmental performance of the development, and improvements to any document required under this consent.</p>	All phases	Independent Environmental Audit	Compliant	<p><a href="#">Independent Environmental Audit 1 Report</a></p> <p><a href="#">Independent Environmental Audit 2 Report</a></p>
B16.	<p>B16. Within three months of commencing an Independent Environmental Audit, or within another timeframe agreed by the Planning Secretary, a copy of the audit report must be submitted to the Planning Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.</p> <p><b>Note:</b> <i>The audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Planning Secretary.</i></p> <p><b>Initial Audit due within 20 weeks of commencement of construction (ie before 20 June 2020)</b></p> <p>Second Audit within 52 weeks of first audit</p> <p>Post completion audit within 52 weeks of Second Audit</p>	During construction	Construction Compliance Reporting	Compliant	<p>Submissions of Audits to relevant Authorities</p> <p><a href="#">DPIE Letter re Audit Report 1</a></p> <p><a href="#">DPIE Letter re Audit Report 2</a></p>
B17.	<p><b>REQUIREMENTS FOR SECTION 60 APPROVAL UNDER HERITAGE ACT 1977</b></p> <p>B17. Prior to the commencement of any works, an application under section 60 of the <i>Heritage Act 1977</i> must be submitted to and approved by the Heritage Council of NSW or its delegate.</p>	Prior to commencement of construction	Issue of S6.28 Certificate Pre Construction Compliance Report	Compliant	<p>Crown Certificates</p> <ul style="list-style-type: none"> <li><a href="#">Concert Hall</a></li> <li>Creative Learning Centre (note still pending, construction has not commenced)</li> </ul> <p>Section 60 Approval</p> <ul style="list-style-type: none"> <li><a href="#">S60-letter-CH_CLC.pdf</a></li> </ul>
B18.	<p>B18. As part of the Section 60 application under the <i>Heritage Act 1977</i>, the Applicant is to further resolve the design of the following:</p> <p>(a) the final finishes for the passageway and south wall of the Caves area;</p> <p>(b) northern foyer lift, including the detail of the extension of the two cranked beams connecting to the new lift;</p> <p>(c) handrails and the 'kit of parts';</p> <p>(d) the final colour and design of the over-stage reflectors, to be prototyped in situ in the Concert Hall and approved by the Opera House's Conservation Council, Design Advisory Panel, and heritage architect;</p> <p>(e) clarification of the extent of removal of box fronts including the rear wall of side boxes, rear wall of stalls and upper and lower circles to understand whether samples of 1973 box fronts can be retained in situ and if new panels can overlay original materials and forms, and clarification of the final detail design of the laminated brushbox panels;</p> <p>(f) clarification on the extent of the original bronze guard rail proposed to be removed to make way for accessible seating and retention of this, where possible;</p> <p>(g) details of the construction methodology for the sidewall reflector panels and acoustic drape mechanisms;</p> <p>(h) details of the final speaker system;</p> <p>(i) air conditioning cannon port openings, including a full-sized mock-up to be assembled before the works commence;</p> <p>(j) details of the penetrations in the Concert Hall ceiling;</p> <p>(k) reconfiguration of the side foyers;</p> <p>(l) final finishes to be used in the anteroom and orchestra assembly room;</p> <p>(m) the Creative Learning Centre ramp and doors at the entry from the western broadwalk;</p> <p>(n) concrete finishes throughout the various areas of the proposal, subject to the endorsement of the Heritage Architect, in consultation with the Design Advisory Panel (DAP), Conservation Council (CC) and Heritage Council delegate;</p> <p>(o) significance assessments of equipment proposed to be removed to determine what pieces will be retained in the Sydney Opera House's collections;</p> <p>(p) fixtures and fittings in dressing room facilities to determine retention, reuse and incorporation of significant elements into new areas.</p>	Prior to commencement of construction	Issue of S6.28 Certificate Pre Construction Compliance Report	Compliant	<p>Crown Certificates</p> <ul style="list-style-type: none"> <li><a href="#">Concert Hall</a></li> <li><a href="#">Creative Learning Centre</a></li> <li></li> </ul> <p>Section 60 Approval</p> <p><a href="#">S60-letter-CH_CLC.pdf</a></p> <p>Design Documents as referenced within the Section 60 Approval</p> <ul style="list-style-type: none"> <li><a href="#">L:\SOH\Projects\Capital Works\00 Master Renewal\01 PLANNING\08 Development Applications\DA 3 (SSD8663)\09 Section 60\01 Application\</a></li> </ul>

<b>Consent Condition</b>	<b>Compliance Requirement</b>	<b>Development Phase</b>	<b>Monitoring Methodology</b>	<b>Compliance Status</b>	<b>Evidence and Comments</b>
<b>B19.</b>	B19. A copy of the Heritage Council's approval and additional information required above must be submitted to the Planning Secretary and Council for information.	Prior to commencement of construction	Pre Construction Compliance Report	Compliant	Correspondence detailing the submission of the approval to the Planning Secretary and Council <ul style="list-style-type: none"> <li><a href="#">20200129 Acknowledgement of Submission of Section 60 Approval to DPIE.msg</a></li> <li><a href="#">20200129 Acknowledgement of Submission of Section 60 Additional Information to DPIE.msg</a></li> <li><a href="#">RE Submissions to DEE re EPBC Approval 20177955 SECOFFICIAL.msg</a></li> <li><a href="#">Submission of Section 60 to CCoS</a></li> </ul>
<b>B20.</b>	<b>BUILDING CODE OF AUSTRALIA (BCA) COMPLIANCE</b> B20. The proposed works must comply with the applicable performance requirements of the BCA to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by: (a) complying with the deemed to satisfy provisions; or (b) formulating an alternative solution which: (i) complies with the performance requirements; or (ii) is shown to be at least equivalent to the deemed to satisfy provision; or (iii) a combination of (a) and (b).	Prior to commencement of construction	Issue of Section 6.28 Certificate	Compliant	Crown Certificates <ul style="list-style-type: none"> <li><a href="#">Concert Hall</a></li> <li><a href="#">Creative Learning Centre</a></li> </ul>
<b>B21.</b>	<b>STRUCTURAL DETAILS</b> B21. Prior to the commencement of works, the Applicant must submit to the Certifying Authority and Heritage Council, the relevant structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with: (a) the relevant clauses of the BCA; and (b) the development consent.	Prior to commencement of construction	Issue of S6.28 Certificate Pre Construction Compliance Report	Compliant	<ul style="list-style-type: none"> <li><a href="#">Structural Details</a></li> <li><a href="#">Submission to Heritage</a></li> </ul>
<b>B22.</b>	<b>COMPLIANCE</b> B22. 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.	Prior to commencement of construction	Pre Construction Compliance Report	Compliant	Sydney Opera House Site Specific Induction (Taylor), Site induction records, Pre Start Meeting Minutes (Taylor) Main Contract and Sub Contract Arrangements (SOH & Taylor)
<b>B23.</b>	<b>COMPLAINTS AND ENQUIRIES PROCEDURE</b> B23. Prior to the commencement of construction works, or as otherwise agreed by the Planning Secretary, the following must be made available for community enquiries and complaints for the duration of construction: (a) a 1300 24-hour telephone number(s) on which complaints and enquiries about the carrying out of any works may be registered; (b) a postal address to which written complaints and enquiries may be sent; and (c) an email address to which electronic complaints and enquiries may be transmitted. The Applicant shall forward to Council and the Department a 24-hour telephone number to be operated for the duration of the construction works.	Prior to commencement of construction	Pre Construction Compliance Report	Compliant	<ul style="list-style-type: none"> <li><a href="mailto:constructionfeedback@sydneyoperahouse.com">constructionfeedback@sydneyoperahouse.com</a></li> <li>1300 382 692</li> <li>Construction Feedback, Sydney Opera House, GPO Box 4274, Sydney NSW 2001</li> <li><a href="#">Letters and Correspondence issued to DPIE and Council</a></li> </ul>
<b>B24.</b>	<b>HERITAGE</b> B24. Prior to the commencement of works, a suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must inspect the demolition and removal of material to ensure there is no unapproved removal of significant fabric or elements, provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons, and must be satisfied that all work has been carried out in accordance with the conditions of this consent.	Pre Construction & Construction	Pre Construction Compliance Report Construction Compliance Reports Independent Environmental Audits	Compliant	<ul style="list-style-type: none"> <li><a href="#">Heritage Consultant Appointment Letter</a></li> <li>Sub-Contractor Induction Records (Taylor)</li> <li>Site Inspection Records (Nominated Heritage Expert)</li> </ul>

<b>Consent Condition</b>	<b>Compliance Requirement</b>	<b>Development Phase</b>	<b>Monitoring Methodology</b>	<b>Compliance Status</b>	<b>Evidence and Comments</b>
<b>B25.</b>	B25. Evidence and details of the engagement of a nominated heritage consultant in accordance with <b>condition B24</b> shall be submitted to the Planning Secretary and Council, prior to the certification of Crown Building Works.	Prior to commencement of construction	Pre Construction Compliance Report	Compliant	Correspondence and letters to Planning Secretary and Council <ul style="list-style-type: none"> <li><a href="#">Acknowledgement of Heritage Consultant Nomination - Post Approval Document Received - (SSD-8663-PA-2).msg</a></li> <li><a href="#">Heritage Consultant - notification to CoS - 20200108.msg</a></li> <li><a href="#">HCNSW - SSD8663 - Sydney Opera House Concert Hall Creative Learning Centre - Nomination of Heritage Consultant.msg</a></li> <li><a href="#">Submissions to DEE re EPBC Approval 20177955 SECOFFICIAL.msg</a></li> </ul>
<b>B26.</b>	<b>CONTAMINATION</b> B26. Prior to the commencement of any works (including demolition), a hazardous material survey must be undertaken. The survey must provide an Unexpected Contamination Finds Protocol (UFP), prepared by a suitably qualified and experienced expert, shall be submitted to the satisfaction of the Certifying Authority.	Prior to commencement of construction	Pre Construction Compliance Report	Compliant	<a href="#">Hazardous Materials Survey</a> <a href="#">Hazardous Materials Management Plan</a> <a href="#">Construction Environmental Management Plan</a>
<b>B27.</b>	B27. The Applicant shall prepare and implement appropriate project specific procedures for identifying and dealing with unexpected finds of site contamination (including asbestos and lead-based paint materials). This shall include any notification requirements to SafeWork NSW concerning the handling and removal of any asbestos.	Prior to commencement of construction	Pre Construction Compliance Report	Compliant	<a href="#">Construction Environmental Management Plan</a>
<b>B28.</b>	B28. Prior to the commencement of any work, the Applicant is required to satisfy the requirements of the <i>Protection of the Environment Operations (Waste) Regulation 2014</i> with particular reference to Part 7 'asbestos wastes'.	Prior to commencement of construction	Pre Construction Compliance Report	Compliant	<a href="#">Construction Environmental Management Plan</a> <a href="#">Construction Waste Management Plan</a>
<b>B29.</b>	<b>ARCHIVAL RECORDING</b> B29. Prior to the certification of Crown Building Works, a photographic archival record of all areas undergoing works, including the removal of theatre machinery equipment, air conditioning cannon port openings and plant, and existing acoustic reflectors, and identification of any significant pieces for interpretation, must be prepared in accordance with the document <i>How to Prepare Archival Records</i> by the Heritage Council of NSW, and submitted to the Heritage Council and the Department.	Prior to commencement of construction	Issue of S6.28 Certificate Pre Construction Compliance Report	Compliant	<a href="#">Archival Photographic Heritage Report</a> <a href="#">Submission to Planning Secretary</a> <a href="#">Submission to Heritage Council</a>
<b>B30.</b>	<b>ECOLOGICALLY SUSTAINABLE DEVELOPMENT (ESD)</b> B30. The building must incorporate all design, operation and construction measures as identified in the Sustainable Design Report – Building Renewal Projects – Concert Hall and Creative Learning Centre (SSD 8663), prepared by Cundall, dated 24 April 2018. Details demonstrating compliance are to be submitted to the Certifying Authority prior to the commencement of works.	Prior to commencement of construction	Issue of S6.28 Certificate	Compliant	<a href="#">ESD Report</a> <a href="#">ESD Compliance Certificate</a> Crown Certificates <ul style="list-style-type: none"> <li><a href="#">Concert Hall</a></li> <li><a href="#">Creative Learning Centre</a></li> </ul>



Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
B31.	<p><b>CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN</b></p> <p>B31. Prior to the commencement of works, the Applicant shall prepare and implement a <b>Construction Environmental Management Plan (CEMP)</b> for the development and be submitted to the Certifying Authority. The <b>CEMP</b> must:</p> <p>(a) describe the relevant stages and phases of construction including work program outlining relevant timeframes for each stage/phase;</p> <p>(b) describe all activities to be undertaken on the site during site establishment and construction of the development;</p> <p>(c) clearly outline the stages/phases of construction that require ongoing environmental management monitoring and reporting;</p> <p>(d) detail statutory and other obligations that the Applicant is required to fulfil during site establishment and construction, including approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;</p> <p>(e) be prepared in consultation with the Council, EPA, TfNSW and TfNSW (RMS) and include specific consideration of measures to address any requirements of these agencies during site establishment and construction;</p> <p>(f) describe the roles and responsibilities for all relevant employees involved in the site establishment and construction of the works;</p> <p>(g) detail how the environmental performance of the site preparation and construction works will be monitored, and what actions will be taken to address identified potential environmental impacts, including but not limited to noise, traffic and air impacts;</p> <p>(h) document and incorporate all relevant environmental management plans, control plans, studies and monitoring programs required under this part of the consent;</p> <p>(i) include arrangements for community consultation and complaints handling procedures during construction;</p> <p>(j) address air quality management through the preparation of a <b>Construction Air Quality Management Plan (CAQMP)</b>, prepared by a suitable qualified person, which includes the monitoring and management of air quality and dust (including dust emissions on the site and dust emissions from the site) to protect the amenity of the neighbourhood;</p> <p>(k) address the management of water quality, including, where relevant, mitigation measures such as 'wet- vacuuming';</p> <p>(l) address the management of erosion and sediment control to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site; and</p> <p>(m) address the management of construction waste.</p> <p>In the event of any inconsistency between the consent and the <b>CEMP</b>, the consent shall prevail. Prior to the commencement of works, a copy of the <b>CEMP</b> must be submitted to Council and the Planning Secretary.</p>	Prior to commencement of construction	Issue of S6.28 Certificate Pre Construction Compliance Report	Compliant	<p><a href="#">Construction Environmental Management Plan</a>  <a href="#">Construction Air Quality Management Plan</a>  <a href="#">CEMP Submission to DPIE</a>  <a href="#">CEMP Submission to CCoS</a>  <a href="#">CAQMP Submission to DPIE</a>  <a href="#">CAQMP Submission to CCoS</a>  Crown Certificates</p> <ul style="list-style-type: none"> <li>• <a href="#">Concert Hall</a></li> <li>• <a href="#">Creative Learning Centre</a></li> </ul>
B32.	<p><b>WASTE MANAGEMENT PLAN</b></p> <p>B32. Prior to the certification of Crown Building Works, a <b>Waste Management Plan (WMP)</b> shall be prepared and submitted to the Certifying Authority. The WMP shall:</p> <p>(a) demonstrate that an appropriate area will be provided within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by the works;</p> <p>(b) provide details demonstrating compliance with the relevant legislation, the SOH Asbestos Risk Management Plan and the SOH Hazardous Materials Action Plan, particularly with regard to the removal of asbestos and hazardous waste, the method of containment and control of emission of fibres to the air;</p> <p>(c) require that all waste generated during the project is assessed, classified and managed in accordance with the EPA's brochure entitled "Know your responsibilities: managing waste from construction sites" and the EPA's "Waste Classification Guidelines Part 1: Classifying Waste";</p> <p>(d) require that the body of any vehicle or trailer used to transport waste or excavation spoil from the Subject Site, is covered before leaving the Subject Site to prevent any spill, or escape of any dust, waste, or spoil from the vehicle or trailer; and</p> <p>(e) require that 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 Subject Site, is removed before the vehicle, trailer or motorised plant leaves the Subject Site.</p> <p>(f) require that concrete waste and rinse water are not disposed on the site and are prevented from entering Sydney Harbour.</p>	Prior to commencement of construction	Issue of S6.28 Certificate Pre Construction Compliance Report	Compliant	<p><a href="#">Waste Management Plan</a></p>

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
B33.	<p><b>CONSTRUCTION PEDESTRIAN AND TRAFFIC MANAGEMENT SUB-PLAN</b></p> <p>B33. Prior to the commencement of works, a <b>Construction Pedestrian and Traffic Management Sub-Plan (CPTMP)</b> prepared by a suitably qualified person shall be submitted to the Certifying Authority. The <b>CPTMP</b> should be prepared in consultation with the CBD Coordination Office, TfNSW, TfNSW (RMS) and Council.</p> <p>The Sub-Plan must include a Green Travel Plan for workers and detailed measures that would be implemented to minimise the impact of the development on the safety and capacity of the surrounding road network, minimise truck movements to and from the site as far as practicable during the peak periods of this consent. In addition, the <b>CPTMP</b> shall address, but not be limited to, the following matters:</p> <ul style="list-style-type: none"> <li>(a) location of the proposed work zone(s);</li> <li>(b) location of any crane(s);</li> <li>(c) haulage routes;</li> <li>(d) construction vehicle access arrangements;</li> <li>(e) proposed construction hours;</li> <li>(f) estimated number of construction vehicle movements and detail of vehicle types, noting vehicle movements are to be minimised during peak periods;</li> <li>(g) details of construction activities and timing of these activities;</li> <li>(h) consultation strategy for liaison with surrounding stakeholders;</li> <li>(i) any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction works;</li> <li>(j) cumulative construction impacts of projects including Sydney Light Rail Project, Sydney Metro City and Southwest and surrounding developments. Existing CPTMPs for developments within or around the development site should be referenced in the <b>CPTMP</b> to ensure coordination of work activities are managed to minimise impacts on the road network; and</li> <li>(k) should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts must be clearly identified and included in the <b>CPTMP</b>.</li> </ul> <p>The Applicant shall provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and the Transport Management Centre and Sydney Coordination Office within TfNSW to resolve issues relating to traffic, freight, servicing and pedestrian access during construction in real time. The Applicant is responsible for ensuring the builder's direct contact number is current during any stage of construction.</p> <p>A copy of the final <b>CPTMP</b>, to be endorsed by the CBD Coordination Office, TfNSW, TfNSW (RMS) and Council prior to the commencement of works, is to be provided to the Planning Secretary.</p>	Prior to commencement of construction	Issue of S6.28 Certificate Pre Construction Compliance Report	Compliant	<p><u>Construction Pedestrian &amp; Traffic Management Plan CPTMP Submission to DPIE</u></p>
B34.	<p><b>CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN</b></p> <p>B34. Prior to the commencement of work, a <b>Construction Noise and Vibration Management Plan (CNVMP)</b> prepared by a suitably qualified person shall be submitted to the Certifying Authority. The <b>CNVMP</b> shall address (but not be limited to):</p> <ul style="list-style-type: none"> <li>(a) the EPA's <i>Interim Construction Noise Guideline</i>;</li> <li>(b) identify nearby sensitive receivers and land uses;</li> <li>(c) identify the noise management levels for the project;</li> <li>(d) identify the construction methodology and equipment to be used and the key sources of noise and vibration;</li> <li>(e) details of all reasonable and feasible management and mitigation measures to be implemented to minimise construction noise and vibration, including consideration of the practicability of the use of audible movement alarms of a type that would minimise noise impacts on surrounding sensitive receivers, without compromising safety;</li> <li>(f) be consistent with and incorporate all relevant recommendations and noise and vibration mitigation measures outlined in the 'Noise Impact Assessment' Rev B, prepared by Arup, dated 20 December 2018 and 'Draft Construction Management Plan – Sydney Opera House Concert Hall and Creative Learning Centre DA3 – SSD8663' Version 3.1 prepared by the Sydney Opera House Trust, dated August 2018;</li> <li>(g) ensure all potentially impacted sensitive receivers are informed by letterbox drops prior to the commencement of construction of the nature of works to be carried out, the expected noise levels and duration, as well as contact details for a construction community liaison officer; and</li> <li>(h) include a suitable proactive construction noise and vibration monitoring program which aims to ensure the construction noise and vibration criteria in this consent are not exceeded.</li> </ul> <p>Prior to the commencement of works, a copy of the <b>CNVMP</b> must be submitted to Council and the Planning Secretary.</p>	Prior to commencement of construction	Issue of S6.28 Certificate Pre Construction Compliance Report	Compliant	<p><u>Construction Noise and Vibration Management Plan CNVMP Submission to DPIE</u>  <u>CNVMP Submission to CCoS</u></p>

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
B35.	<b>ACCESS FOR PEOPLE WITH DISABILITIES</b> B35. Access and facilities for people with disabilities must be designed in accordance with the BCA. Prior to the commencement of works, a certificate certifying compliance with this condition from an appropriately qualified person must be provided to the Certifying Authority.	Prior to commencement of construction	Issue of S6.28 Certificate	Compliant	<u>Concert Hall Access Design Statement</u> <u>Creative Learning Centre Access Design Statement</u> Crown Certificates <ul style="list-style-type: none"> <li><a href="#">Concert Hall</a></li> <li><a href="#">Creative Learning Centre</a></li> </ul>
B36.	<b>MECHANICAL VENTILATION</b> B36. The premises must be ventilated in accordance with the BCA and AS1668.1 and AS1668.2.	Prior to commencement of construction	Issue of S6.28 Certificate	Compliant	<u>Concert Hall Mechanical Services Design Compliance</u> <u>Creative Learning Centre Mechanical Services Design Compliance</u> Crown Certificates <ul style="list-style-type: none"> <li><a href="#">Concert Hall</a></li> <li><a href="#">Creative Learning Centre</a></li> </ul>
B37.	B37. Details of any mechanical ventilation and/or air conditioning system complying with AS1668.1, AS1668.2, the BCA and relevant Australian Standards must be prepared by a suitably qualified person certified and certified in accordance with Clause A2.2(a)(iii) of the BCA, to the Certifying Authority prior to the commencement of the relevant works.	Prior to commencement of construction	Issue of S6.28 Certificate	Compliant	<u>Concert Hall Mechanical Services Design Compliance</u> <u>Creative Learning Centre Mechanical Services Design Compliance</u> Crown Certificates <ul style="list-style-type: none"> <li><a href="#">Concert Hall</a></li> <li><a href="#">Creative Learning Centre</a></li> </ul>
B38.	<b>MECHANICAL PLANT NOISE MITIGATION</b> B38. Details of noise mitigation measures for all mechanical plant are to be detailed on the construction drawings. Certification from an appropriately qualified acoustic engineer that the proposed measures will achieve compliance with the requirements of the NSW Noise Policy for Industry is required to be submitted to the Certifying Authority prior to the commencement of works.	Prior to commencement of construction	Issue of S6.28 Certificate	Compliant	<u>Acoustic Engineer Design Certificate</u> Crown Certificates <ul style="list-style-type: none"> <li><a href="#">Concert Hall</a></li> <li><a href="#">Creative Learning Centre</a></li> </ul>
B39.	<b>SANITARY FACILITIES FOR DISABLED PERSONS</b> B39. The Applicant shall ensure that the provision of sanitary facilities for disabled persons complies with Section F2.4 of the BCA. Prior to the commencement of works, a certificate certifying compliance with this condition from an appropriately qualified person must be provided to the Certifying Authority.	Prior to commencement of construction	Issue of S6.28 Certificate	Compliant	<u>Concert Hall Access Design Statement</u> <u>Creative Learning Centre Access Design Statement</u> Crown Certificates <ul style="list-style-type: none"> <li><a href="#">Concert Hall</a></li> <li><a href="#">Creative Learning Centre</a></li> </ul>
<b>PART C DURING CONSTRUCTION</b>					
C1.	<b>DEMOLITION</b> C1. Demolition work must comply with <i>Australian Standard AS 2601-2001</i> The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.	Prior to commencement of Demolition works	Taylor Demolition Management Plan	Compliant	<u>Demolition Management Plan</u> <u>Demolition Statement</u> <u>Independent Environmental Audit 1 Report</u>
C2.	<b>HOURS OF CONSTRUCTION</b> C2. Construction, including the delivery of materials to and from the site, may only be carried out between the following hours: (a) between 7.00 am and 6.00 pm, Mondays to Fridays inclusive; and (b) between 8.00 am and 1.00 pm, Saturdays.	During construction	Weekly Site Inspections	Compliant	NB. Works are generally undertaken in accordance with Condition C4, outside of the standard construction hours. <u>Independent Environmental Audit 1 Report</u> <u>Independent Environmental Audit 2 Report</u>
C3.	C3. No work may be carried out on Sundays or public holidays.	During construction	As Above	Compliant	NB. Works are generally undertaken in accordance with Condition C4, outside of the standard construction hours. <u>Independent Environmental Audit 1 Report</u> <u>Independent Environmental Audit 2 Report</u>

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
C4.	C4. Activities may be undertaken outside of these hours where: (a) the works are internal and undertaken within the wholly enclosed building; or (b) the delivery and removal of vehicles, plant or materials is via the underground loading dock within the Subject Site (in which case it may be undertaken on a 24-hours-a-day, 7-days-a-week basis during the construction of the development); or (c) the delivery and removal of vehicles, plant or materials (not via the underground loading dock under <b>condition C4(b)</b> ) is required outside these hours by the Police or other public authorities, or it is determined that it would be hazardous to the general public (i.e. tourists, patrons or events in the forecourt/boardwalks), provided it is undertaken outside scheduled performance times at the Sydney Opera House (including not within 30 minutes before or after scheduled performances); or (d) required in an emergency to avoid the loss of life, damage to property or to prevent environmental harm.	During construction	As Above	Compliant	NB. Works are generally undertaken in accordance with Condition C4, outside of the standard construction hours. <a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
C5.	C5. Monthly notification of activities identified in condition C4 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.	During construction	As Required	Compliant	Letters to residents of East Circular Quay before construction commenced, and since September 2020, on a monthly basis. <a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
C6.	C6. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours: (a) 9.00 am to 12.00 pm, Monday to Friday; (b) 2.00 pm to 5.00 pm Monday to Friday; and (c) 9.00 am to 12.00 pm, Saturday.	Not applicable, no such works required	N/A	Not Triggered	
C7.	<b>IMPLEMENTATION OF MANAGEMENT PLANS</b> C7. The Applicant shall ensure that the requirements of all environmental management sub-plans required by Part B of this consent are implemented during construction.	During construction	Weekly Site Inspections Construction Compliance Reporting	Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
C8.	<b>CONSTRUCTION NOISE AND VIBRATION MANAGEMENT</b> C8. The development must be constructed with the aim of achieving the construction noise management levels detailed in the <i>Interim Construction Noise Guideline</i> (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the <b>CEMP</b> and <b>CNVMP</b> .	During construction	Automated and recorded noise monitors as per Construction Noise and Vibration Management Sub Plan	Compliant	<a href="#">Reports of unattended and attended noise monitoring.</a> <a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
C9.	C9. Any noise generated during the construction of the development must not be offensive noise within the meaning of the <i>Protection of the Environment Operations Act, 1997</i> or exceed approved noise limits for the Subject Site.	During construction	As Above	Not Triggered	
C10.	C10. Heavy vehicles and oversized vehicles must not que or idle on Macquarie Street awaiting access to the Subject Site.	During construction	Weekly Site Inspections Construction Compliance Reports	Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
C11.	C11. The Applicant must schedule intra-day 'respite periods' for construction activities predicted to result in noise levels in excess of the "highly noise affected" levels, including the addition of 5 dB to the predicted levels for those activities identified in the Interim Construction Noise Guideline as being particularly annoying to noise sensitive receivers.	During construction	As Required	Not Triggered	
C12.	C12. If the noise from a construction activity is substantially tonal or impulsive in nature (as described in the NSW Noise Policy for Industry), 5 dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels	During construction	Weekly Site Inspections Construction Compliance Reports	Not Triggered	
C13.	C13. Vibration caused by construction at any residence or structure outside the subject site must be limited to: (a) for structural damage vibration to buildings (excluding heritage buildings), <i>British Standard BS 7385 Part 2- 1993 Evaluation and Measurement for Vibration in Buildings</i> ; (b) for structural damage vibration to heritage buildings, <i>German Standard DIN 4150 Part 3 Structural Vibration in Buildings Effects on Structure</i> ; and (c) for human exposure to vibration, the evaluation criteria presented in <i>British Standard BS 6472-Guide to Evaluate Human Exposure to Vibration in Buildings</i> (1Hz to 80 Hz) for low probability of adverse comment. These limits apply unless otherwise outlined in the <b>CNVMP</b> .	During construction	Vibration external to the Sydney Opera House has not been predicted.	Not Triggered	As noted in the <a href="#">Independent Environmental Audit 1 Report</a> : Further information on offsite vibration impacts was provided by the acoustics consultant, ARUP, dated 28/5/20. The notes states: "Details of the proposed construction methodology are given in the CNVMP. This document lists various items of equipment that are used for internal demolition, including handheld breakers and nibblers. The equipment is used for localised demolition works and would be operated in such a way that they would not cause any vibration damage to areas outside the immediate location where the tools are used. The works do not include any piling activities, or any other works expected to generate high levels of vibration. Arup have reviewed the CNVMP and concur with the conclusion in the plan that the levels of vibration generated during the works will have no adverse vibration impact on locations outside the site".

<b>Consent Condition</b>	<b>Compliance Requirement</b>	<b>Development Phase</b>	<b>Monitoring Methodology</b>	<b>Compliance Status</b>	<b>Evidence and Comments</b>
<b>C14.</b>	<b>SITE PROTECTION AND WORKS</b> C14. Significant building fabric and building elements are to be protected during the works from potential damage. Protection systems must ensure historic fabric is not damaged or removed.	During construction	Construction Compliance Reports Weekly Site Inspections	Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C15.</b>	C15. The installation of new services shall be carried out in such a manner as to minimise damage to, or removal of, significant fabric.	During construction		Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C16.</b>	<b>SALVAGE OF SIGNIFICANT BUILDING FABRIC</b> C16. Significant building fabric and elements approved to be removed are to be carefully removed, catalogued, safely stored and able to be readily reinstated.	During construction		Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C17.</b>	<b>RE-USE OF EXISTING SEATING</b> C17. To avoid unnecessary wastage, as much of the removed seating as possible is to be used in the new position.	During construction	Final Inspection and Handover Reviews	Not Triggered	
<b>C18.</b>	<b>WASTE CLASSIFICATION</b> C18. The Applicant must ensure that all waste generated by the development is classified in accordance with the EPA's <i>Waste Classification Guidelines 2009</i> and disposed of at a facility that may lawfully accept that waste.	During construction	Segregation of Waste onsite in accordance with CWMS. Construction Compliance Reporting	Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C19.</b>	<b>ASBESTOS AND HAZARDOUS WASTE REMOVAL</b> C19. Hazardous and/or industrial waste arising from the demolition activities must be removed and/or transported in accordance with the requirements of SafeWork NSW.	During construction	Inspection of SWMS, Construction Environmental Management Plan.	Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C20.</b>	<b>ACOUSTIC DESIGN</b> C20. The proposed alterations must not affect the existing acoustic integrity of the building in relation to the control of noise emissions from the premises.	During construction		Not Triggered	
<b>C21.</b>	C21. No additional equipment may be installed or changes made to the acoustic design unless certified by a suitably qualified acoustic consultant that the equipment will not increase noise emissions from building.	During construction		Not Triggered	
<b>C22.</b>	<b>SAFework NSW REQUIREMENTS</b> C22. To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant SafeWork NSW requirements.	During construction	Weekly Site Inspections	Compliant	All work areas are barricaded, and locked to prevent unauthorised access. <a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C23.</b>	<b>GROUNDWATER</b> C23. The Applicant is required to ensure untreated groundwater is not discharged to Sydney Harbour as a result of any excavation for the project, including any excavation into the bedrock associated with the new lift core.	During construction	As per requirements of the Construction Environmental Management Plan As per contractor SWMS for works associated with the lift shaft excavation Weekly Site Inspections	Not Triggered	There is no excavation proposed as part of this project.
<b>C24.</b>	<b>HOARDING/FENCING REQUIREMENTS</b> C24. The following hoarding requirements must be complied with: (a) no third-party advertising is permitted to be displayed on the subject hoarding/fencing; and (b) the removal of all graffiti from any construction hoarding/fencing or the like within the construction area within 48 hours of its application.	During construction	Weekly Site Inspections	Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C25.</b>	<b>COVERING OF LOADS</b> C25. All vehicles involved in the excavation and/or demolition process and departing from the property with materials, spoil or loose matter must have their loads fully covered before entering the public roadway.	During construction	In line with CEMP, Inspections of vehicles at control post to southern boardwalk	Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C26.</b>	<b>VEHICLE CLEANSING</b> C26. Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.	During construction	In line with CEMP, Inspections of vehicles at control post to southern boardwalk	Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>

<b>Consent Condition</b>	<b>Compliance Requirement</b>	<b>Development Phase</b>	<b>Monitoring Methodology</b>	<b>Compliance Status</b>	<b>Evidence and Comments</b>
<b>C27.</b>	<p><b>WASTE MANAGEMENT</b> C27. Notwithstanding the <b>Waste Management Plan</b> referred to in <b>Condition B32</b>, the Applicant must ensure that:</p> <p>(a) construction waste should be managed generally in accordance with the EPA's brochure entitled "Know your responsibilities: managing waste from construction sites" and the EPA's <i>Waste Classification Guidelines Part 1: Classifying Waste 2009</i>;</p> <p>(b) all waste generated by the development is treated and/or disposed of at a facility that has sufficient capacity to and may lawfully accept that waste;</p> <p>(c) waste (including litter, debris or other matter) is not caused or permitted to enter the waters of Sydney Harbour;</p> <p>(d) any vehicle used to transport waste or excavation spoil from the site is covered before leaving the premises;</p> <p>(e) the wheels of any vehicle, trailer or mobilised plant leaving the site and cleaned of debris prior to leaving the premises; and</p> <p>(f) concrete waste and rinse water are not disposed of on the site and are not caused or permitted to enter the waters of Sydney Harbour.</p>	During construction	In line with the CWMP Weekly Site Inspections	Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C28.</b>	<p><b>STOCKPILE MANAGEMENT</b> C28. The Applicant must ensure that:</p> <p>(a) stockpiles do not exceed 4 metres in height;</p> <p>(b) stockpiles are constructed and maintained to prevent cross contamination; and</p> <p>(c) suitable erosion and sediment controls are in place for stockpiles.</p>	During Construction	N/A	Not Triggered	
<b>C29.</b>	<p><b>DUST CONTROL MEASURES</b> C29. Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures should be adopted:</p> <p>(a) physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from generating dust emissions;</p> <p>(b) earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed;</p> <p>(c) all materials shall be stored or stockpiled at suitable locations and stockpiles shall be maintained at manageable sizes which allow them to be covered, if necessary, to control emissions of dust and/or VOCs/odour;</p> <p>(d) the surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs;</p> <p>(e) all vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material;</p> <p>(f) all equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive-through washing bays;</p> <p>(g) gates shall be closed between vehicle movements and shall be fitted with shade cloth; and</p> <p>(h) cleaning of footpaths and roadways shall be carried out regularly.</p>	During construction	In Accordance with the CEMP. Weekly Site Inspections to review adequacy of dust protection measures.	Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C30.</b>	<p><b>NO OBSTRUCTION OF THE PUBLIC WAY</b> C30. The public way must not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the Planning Secretary to stop all work on site.</p>	During construction	In accordance with the CPTMP. Weekly Site Inspections to check condition of public thorough fair.	Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C31.</b>	<p><b>DAMAGE TO THE PUBLIC WAY</b> C31. Any damage to the public way, including trees, footpaths, kerbs, gutters, road carriageway and the like, must immediately be made safe and functional by the Applicant.</p>	During construction	Weekly Site Inspections	Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C32.</b>	<p><b>CONTACT TELEPHONE NUMBER</b> C32. The Applicant shall ensure that the 24-hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.</p>	During construction	Weekly Site Inspections	Compliant	Telephone numbers are displayed on external hoarding, and on the Sydney Opera House website. <a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C33.</b>	<p><b>WATER QUALITY</b> C33. All works should be undertaken in a manner that ensures the protection of the water quality objectives and environmental values for Sydney Harbour estuarine waters in accordance with the following guideline documents:</p> <p>(a) NSW Water Quality Objectives; and</p> <p>(b) The Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2000) for the environmental values under the ANZECC guidelines.</p>	During construction	As per requirements of the Construction Environmental Management Plan As per contractor SWMS for works associated with the lift shaft excavation Weekly Site Inspections	Not Triggered	No water is discharged offsite from the works. <a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C34.</b>	<p><b>APPROVED PLANS TO BE ON-SITE</b> C34. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Site at all times and shall be readily available to any officer of the Department, Council or the Certifying Authority.</p>	During construction	Construction Compliance Reports	Compliant	Available in TCG office and via Aconex <a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>

<b>Consent Condition</b>	<b>Compliance Requirement</b>	<b>Development Phase</b>	<b>Monitoring Methodology</b>	<b>Compliance Status</b>	<b>Evidence and Comments</b>
<b>C35.</b>	<b>SITE NOTICE</b> C35. A site notice(s) shall 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. The notice(s) is to satisfy all but not be limited to, the following requirements: (a) the notice is to be able to be read by the general public; (b) the notice is to be rigid, durable and weatherproof and is to be displayed throughout the works period; (c) 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 are to be displayed on the site notice; and (d) 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.	During construction	Weekly Site Inspections Construction Compliance Reporting	Compliant	Sign is available on external hoarding. <a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C36.</b>	<b>BUNDING</b> C36. The Applicant shall store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, EPL requirements (if active) and/or EPA's <i>Storing and Handling Liquids: Environmental Protection – Participants Handbook</i> .	During construction	In accordance with the CEMP. Weekly Site Inspections Contractor SWMS	Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C37.</b>	<b>SELECTION OF APPROPRIATE TRADESPEOPLE</b> C37. All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in construction, conservation, and restoration of similar heritage structures, materials and construction methods.	During construction	In accordance with Quality Management Plan, contractor ITP's, contractor SWMS and relevant qualifications.	Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>C38.</b>	<b>NOMINATED HERITAGE CONSULTANT</b> C38. The Nominated Heritage Consultant is to regularly inspect the site and provide ongoing advice to the contractor representative undertaking the works for the duration of construction to ensure that there is no unapproved removal of elements, significant fabric is not damaged and that all work is being carried out in accordance with the conditions of this consent.	During construction	In line with heritage consultant appointment	Compliant	Regular inspections by Alan Croker – nominated heritage consultant.
<b>C39.</b>	<b>SITE CONTAMINATION ISSUES DURING CONSTRUCTION</b> C39. Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination then the Applicant must be immediately notified and works must cease. Works must not recommence on site until the consultation is made with the Department.	During construction	In line with Unexpected find protocol contained within the CEMP.	Compliant	<a href="#">Independent Environmental Audit 1 Report</a> <a href="#">Independent Environmental Audit 2 Report</a>
<b>PART D PRIOR TO OCCUPATION OR COMMENCEMENT OF USE</b>					
<b>D1.</b>	<b>PROTECTION OF PUBLIC INFRASTRUCTURE</b> D1. 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.	Prior to occupation		Not Triggered	
<b>D2.</b>	<b>FIRE SAFETY CERTIFICATION</b> D2. Prior to occupation or commencement of the use, a <b>Fire Safety Certificate</b> shall be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and be prominently displayed in the building.	Prior to occupation		Not Triggered	
<b>D3.</b>	<b>STRUCTURAL INSPECTION CERTIFICATE</b> D3. A <b>Structural Inspection Certificate</b> or a <b>Compliance Certificate</b> must be submitted to the satisfaction of the Certifying Authority prior to the occupation or commencement of the use. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the approval authority and the Council after: (a) the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and (b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.	Prior to occupation		Not Triggered	
<b>D4.</b>	<b>NOMINATED HERITAGE CONSULTANT</b> D4. Prior to occupation or commencement of use, the Applicant shall provide a report to the Planning Secretary and the Heritage Council prepared by the Nominated Heritage Consultant certifying all heritage works have been carried out in accordance with the relevant terms of this consent outlined in <b>condition A2</b> .	Prior to occupation		Not Triggered	

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
D5.	<b>ECOLOGICALLY SUSTAINABLE DEVELOPMENT</b> D5. Prior to the occupation or commencement of the use, evidence shall be submitted to the Certifying Authority demonstrating compliance with the recommendations and principles highlighted within the Sustainable Design Report – Building Renewal Projects – Concert Hall and Creative Learning Centre (SSD 8663), prepared by Cundall, dated 24 April 2018 (see <b>condition B30</b> ).	Prior to occupation		Not Triggered	
D6.	<b>SANITARY FACILITIES FOR DISABLED PERSONS</b> D6. Prior to the occupation or commencement of the use, details must be provided to the Certifying Authority demonstrating that the provision of sanitary facilities for disabled persons within the premises complies with Section F2.4 of the BCA and <b>condition B39</b> .	Prior to occupation		Not Triggered	
D7.	<b>WASTE AND RECYCLING COLLECTION</b> D7. Prior to the occupation or commencement of the use, the building owner must ensure that there is a contract with a licensed contractor for the removal of all trade waste. No garbage is to be placed on the public way e.g. the roadways, footpaths, plazas, and reserves at any time.	Prior to occupation		Not Triggered	
D8.	<b>ACOUSTIC COMPLIANCE</b> D8. Prior to the occupation or commencement of the use, evidence shall be submitted to the Certifying Authority demonstrating compliance with all noise mitigation measures required under <b>condition B38</b> and to ensure the development achieves compliance with the requirements of the NSW Noise Policy for Industry and other guidelines applicable to the development.	Prior to occupation		Not Triggered	
D9.	<b>MECHANICAL VENTILATION</b> D9. Following completion, installation and testing of all the mechanical ventilation systems, the Applicant shall provide evidence to the satisfaction of the Certifying Authority, prior to the occupation or commencement of the use, that the installation and performance of the mechanical systems complies with: (a) the BCA; (b) Australian Standard AS1668 and other relevant codes; (c) the development consent and any relevant modifications; and, (d) any dispensation granted by the New South Wales Fire Brigade.	Prior to occupation		Not Triggered	
<b>PART E POST OCCUPATION OR DURING USE</b>					
E1.	<b>ANNUAL FIRE SAFETY CERTIFICATE</b> E1. The owner of the building shall certify to Council or the relevant authority every year that the essential services installed in the building for the purposes of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard. This purpose of this condition is to ensure that there is adequate safety of persons in the building in the event of fire and for the prevention of fire, the suppression of fire and the prevention of spread of fire.	During use		Not Triggered	
E2.	<b>CREATIVE LEARNING CENTRE – USE</b> E2. The Creative Learning Centre is not to be used for private events or functions, unless associated with performances and events in the Opera House venues. When the Creative Learning Centre is in use for performances and events associated with Opera House venues, the doors must remain closed after 8 pm.	During use		Not Triggered	
E3.	<b>CREATIVE LEARNING CENTRE – HOURS OF OPERATION</b> E3. The hours of operation of the Creative Learning Centre are as follows: (a) 7.00 am to 1.30 am seven-days-a-week for use relating to performances and events associated with Opera House venues; and (b) 24-hours-a-day, 7-days-a-week for use relating to the Children, Families and Creative Learning Program.	During use		Not Triggered	
E4.	<b>CREATIVE LEARNING CENTRE – MAXIMUM PATRON CAPACITY</b> E4. The maximum number of persons (including staff, patrons and performers) permitted in the Creative Learning Centre at any one time is 150 persons.	During use		Not Triggered	
E5.	E5. Management is responsible for ensuring the number of patrons in the premises does not exceed the approved capacity.	During use		Not Triggered	
E6.	<b>WASTE MANAGEMENT</b> E6. The Applicant is required to identify and implement feasible and reasonable opportunities for the re-use and recycling of waste, including food waste.	During use		Not Triggered	
E7.	<b>CONSERVATION MANAGEMENT PLAN</b> E7. Within one year from the completion of works, the Applicant shall submit to the Heritage Council for approval an updated Conservation Management Plan for the Opera House, which is to address, inter alia, the “at rest” mode developed for the Concert Hall. A copy shall be provided to the Planning Secretary.	Within one year of the completion of works		Not Triggered	



Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
E8.	<b>ACOUSTIC COMPLIANCE</b> E8. The Applicant shall ensure the use of the premises is consistent with and incorporates all relevant recommendations and noise and vibration mitigation measures outlined in the 'Noise Impact Assessment' Rev B, prepared by Arup, dated 20 December 2018.	During use		Not Triggered	
E9.	<b>NOISE MONITORING</b> E9. If directed by the Planning Secretary as per <b>condition A3</b> , the Proponent shall undertake noise monitoring to determine impacts on receivers. At the discretion of the Planning Secretary, suitable attenuation measures may be required to be implemented to minimise impacts.	As required		Not Triggered	
<b>ADVISORY NOTES</b>					
AN1.	<b>APPEALS</b> AN1. The Applicant has the right to appeal to the Land and Environment Court in the manner set out in the EP&A Act and the EP&A Regulation.	N/A	N/A	N/A	N/A
AN2.	<b>OTHER APPROVALS AND PERMITS</b> AN2. The Applicant shall apply to Council or the relevant authority for all necessary permits including temporary structures, crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the <i>Local Government Act 1993</i> or Section 138 of the <i>Roads Act, 1993</i> .	None required	N/A	N/A	N/A
AN3.	<b>RESPONSIBILITY FOR OTHER CONSENTS / AGREEMENTS</b> AN3. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.	None required	N/A	N/A	N/A
AN4.	<b>REQUIREMENTS OF PUBLIC AUTHORITIES</b> AN4. Public authorities (e.g. Ausgrid, Sydney Water, Telstra Australia, AGL, etc.) may have requirements in regard to the connection to, relocation or adjustment of services affected by the construction of the development.	None required	N/A	N/A	N/A
AN5.	<b>TEMPORARY STRUCTURES</b> AN5. An approval under State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007 must be obtained from the Authority for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the BCA.	None required	N/A	N/A	N/A
AN6.	AN6. Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Authority with the application under State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007 to certify the structural adequacy of the design of the temporary structures.	None required	N/A	N/A	N/A
AN7.	<b>DISABILITY DISCRIMINATION ACT</b> AN7. This application has been assessed in accordance with the EP&A Act. No guarantee is given that the proposal complies with the <i>Disability Discrimination Act 1992</i> . The Applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The <i>Disability Discrimination Act 1992</i> covers disabilities not catered for in the minimum standards called up in the BCA which references <i>AS 1428.1 - Design for Access and Mobility</i> . AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the <i>Disability Discrimination Act 1992</i> currently available in Australia.	N/A	N/A	N/A	N/A
AN8.	<b>USE OF MOBILE CRANES</b> AN8. The Applicant shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied with to the satisfaction of the Certifying Authority: (a) (For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on-site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council: (i) at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions; and (ii) at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions. (b) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7 am without the prior approval of the relevant authority.			N/A	

<b>Consent Condition</b>	<b>Compliance Requirement</b>	<b>Development Phase</b>	<b>Monitoring Methodology</b>	<b>Compliance Status</b>	<b>Evidence and Comments</b>
<b>AN9.</b>	<b>ROADS ACT 1993</b> AN9. A separate approval under Section 138 of the <i>Roads Act 1993</i> is required to undertake any of the following: (a) erect a structure or carry out a work in, on or over a public road; (b) dig up or disturb the surface of a public road; (c) remove or interfere with a structure, work or tree on a public road; (d) pump water into a public road from any land adjoining the road; or (e) connect a road (whether public or private) to a classified road.	Not required	N/A	N/A	N/A
<b>AN10.</b>	<b>COMMONWEALTH ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999</b> AN10. On 17 July 2017, the Commonwealth Department of Environment and Energy determined that the proposed works are a controlled action. Consequently, approval of the works under the <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i> is required and must be sought from the Commonwealth Department of Environment and Energy.	Prior to commencement of construction		Compliant	<a href="#">EPBC Decision Letter</a> <a href="#">EPBC Decision Notice</a>
<b>AN11.</b>	<b>BUILDING PLAN APPROVAL</b> AN11. You must have your building plans stamped and approved before any construction is commenced. Approval is needed because construction/building works may affect Sydney Water's assets (e.g. water, sewer and stormwater mains). <i>For further assistance please telephone 13 20 92 or refer to the Building over or next to assets page on the Sydney Water website (see plumbing, building and developing then building over or next to assets).</i>	Prior to commencement of construction		Compliant	<a href="#">Sydney Water Building Plan Approval</a>
<b>AN12.</b>	<b>WORKS AND SIGNPOSTING</b> AN12. All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.	None required	N/A	N/A	N/A
<b>AN13.</b>	<b>ASBESTOS REMOVAL</b> AN13. All excavation works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current SafeWork NSW Asbestos or "Demolition Licence" and a current SafeWork "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: "Code of Practice for the Safe Removal of Asbestos".	During construction		Compliant	<a href="#">Pure Contracting Licence AD210803ASA</a>
	<b>END OF ADVISORY NOTES</b>				

# Appendices

## Appendix A – Photos



Plate 1: Main Site Entry (showing hoarding)



Plate 2: Site Notice (Condition C35)

Sydney Opera House  
Bennelong Point  
GPO Box 4274  
Sydney NSW 2001

T +61 2 9250 7111  
F +61 2 9250 7666  
ABN 69 712 101 035  
sydneyoperahouse.com



**Plate 3: Hoarding around lifting zone, showing interpretation material**



**Plate 4: Lift 30 Structure**



**Plate 5: Construction of Eastern Passageway**



**Plate 6: Diffusion Panel Installation**



**Plate 7: Technical Zone: Winch Installations**

## Appendix B – Compliance Report Declaration Form

### Compliance Report Declaration Form

Project Name	Sydney Opera House Concert Hall & Creative Learning Centre
Project Application Number	SSD 8663
Description of Project	Acoustic, accessibility and technical upgrade of the Concert Hall, repurposing of existing office space to provide a new Creative Learning Centre
Project Address	Sydney Opera House, Bennelong Point, SYDNEY, NSW, 2000
Proponent	Sydney Opera House Trust
Title of Compliance Report	Construction Compliance Report 3 (Revision 1.0)
Date	22 October 2021

I declare that I have reviewed relevant evidence and the contents of the attached Compliance Report and to the best of my knowledge:

- the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- the Compliance Report has been prepared in accordance with the Compliance Reporting Post Approval Requirements;
- the findings of the Compliance Report are reported truthfully, accurately and completely;
- due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- the Compliance Report is an accurate summary of the compliance status of the development.

Notes:

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

Name of Authorised Reporting Officer	Ian Cashen
Title	Executive Director Building, Safety and Security
Signature	
Qualification	Bachelor of Engineering (Civil)
Company	Sydney Opera House Trust
Company Address	Sydney Opera House, Bennelong Point, SYDNEY, NSW, 2000