



Sydney Opera House

Concert Hall & Creative Learning Centre

SSD 8663

Construction Compliance Report 1

16 March 2020 to 16 September 2020

Revision 2.1

11 November 2020

Ian Cashen

Executive Director Building, Safety and Security

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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 2020 to 16 September 2020 |

1.5. Project activity summary

[Demolition and construction activities:

- Installation of fabric protection measures;
- Removal of Concert Hall seating and other fabric to secure storage;
- Installation of scaffolding in Concert Hall, including a “crash deck”, to provide construction access to the Concert Hall internal walls and ceiling;
- Installation of funicular hoists in Eastern and Western Foyers for materials access to ceiling zone;
- Demolition of Concert Hall stage and wing walls;
- Demolition of sub-structure of Eastern Foyer stairs for construction of passageway;
- Demolition in preparation for construction of Lift 30 shaft;
- New Concert Hall Stage concrete sub-structure erected;
- Demolition and strip out in preparation for Creative Learning Centre Construction;
- Erection of concrete jacket walls in Creative Learning Centre; and
- Installation of new services in Creative Learning Centre.]

1.6. Key project personnel

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

2. Action Status Table

Source	Condition of Consent	Action Proposed	Proposed Completion Date	Status	Action Completed
IEA1 Report	B6	Provide relevant documentation to Planning Secretary	26/05/2020	Complete	Documentation provided to Planning Secretary 26/05/2020
IEA1 Report	B7	Commence noise monitoring when heavy demolition works commence and upload reports to SOH website	17/06/2020	Complete	Monitoring commenced 17/06/2020 Reports uploaded to SOH website 15/09/2020
IEA1 Report	B8	Revise Pre-Construction Compliance Report (PCCR) to include commencement date and submit to DPIE and Certifying Authority	22/06/2020	Complete	Revised PCCR uploaded to Planning Portal 23/06/2020 and submitted to Certifying Authority 19/06/2020
IEA1 Report	B9	Revise Pre-Construction Compliance Report (PCCR) to include commencement date	22/06/2020	Complete	As above
IEA1 Report	C5	Commence monthly notification to residents of activities	1/09/2020	Complete	Letter to East Circular Quay residents monthly from 1/09/2020
IEA1 Report	C8	Commence noise monitoring when heavy demolition activities commence and upload monitoring reports to SOH website	17/06/2020	Complete	Monitoring commenced 17/06/2020 Monitoring reports uploaded to SOH website 15/09/2020

3. Compliance Status Summary

Condition	Independent Audit Finding (non-compliance)	Reported to	Enforcement action	SOH Response
<p>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.</p>	<p>At the time of the audit, documentation on external walls (i.e. glazing) had not been provided to the Planning Secretary within the timeframe specified by the condition.</p>	<p>DPIE with IEA1 Report</p>	<p>Recorded in DPIE system</p>	<p>The relevant documentation was provided to the Planning Secretary on 26/05/2020.</p>
<p>ACCESS TO INFORMATION 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> <ul style="list-style-type: none"> (a) make the following information and documents (as they are obtained or approved) publicly available on its website: <ul style="list-style-type: none"> (i) the documents referred to in condition A2 of this consent; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent; (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; (vi) a summary of the current stage and progress of the development; (vii) contact details to enquire about the development or to make a complaint; (viii) a complaints register, updated monthly; (ix) audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report; (x) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary. 	<p>While the proponent indicated no environmental monitoring has been required on the project to date, noise monitoring requirements are documented in the CNVMP for the Bennelong Apartments, and was a requirement during demolition. Noise monitoring had not commenced, and noise monitors had not been installed at the time of the audit.</p>	<p>DPIE with IEA1 Report</p>	<p>Recorded in DPIE system</p>	<p>Noise monitoring was commenced when heavy demolition works commenced on site in June 2020. Both unattended and attended noise monitoring has been undertaken. Monitoring reports were commenced to be uploaded to the SOH website commencing 15/05/2020.</p>

Condition	Independent Audit Finding (non-compliance)	Reported to	Enforcement action	SOH Response
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 compliance@planning.nsw.gov.au before the commencement of construction.	Although a PCCR, dated February 2020 was prepared, it was submitted to the Department on the date that construction commenced (26/2/20), and not before that date. The PCCR was also unable to have been submitted to the CA prior to 26/2/20.	DPIE with IEA1 Report	Recorded in DPIE system	<p>The SOH revised the PCCR to:</p> <ul style="list-style-type: none"> • include the commencement date of construction; • obtained CA approval of the revised PCCR 19/06/2020; • uploaded the revised PCCR to SOH website; and <p>uploaded the revised PCCR to DPIE on 23/06/2020</p>
B9. The Pre-Construction Compliance Report must include: (a) details of how the terms of this consent that must be addressed before the commencement of construction have been complied with; and (b) the expected commencement date for construction.	The PCCR did not document the expected commencement date for construction	DPIE with IEA1 Report	Recorded in DPIE system	PCCR revised as noted above.
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.	Only one letter of notification had been provided during the project (dated 29/1/19*), rather than monthly as required by CoC C5. However, it is noted that the Draft SSD 8663 CoCs did not specify the monthly notification requirement. *The date on the notification letter (2019) appears to be a typo and should read 2020.	DPIE with IEA1 Report	Recorded in DPIE system	The SOH has commenced issuing notification letters to the residents of East Circular Quay on a monthly basis from 1/09/2020

Condition	Independent Audit Finding (non-compliance)	Reported to	Enforcement action	SOH Response
<p>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 CEMP and CNVMP.</p>	<p>Section 6 of the CNVMP outlines the proposed noise monitoring program, and includes the installation of a noise logger on the external walls of Levels 4 and 9 of the Bennelong Apartments. An appropriate manager is to be designated to “interrogate the logger at the start of each change in work schedule likely to change the overall site emissions materially and weekly during the noisiest works. As a minimum, this should be at the commencement of and during demolition and concreting works.”</p> <p>The noise logger had not been mounted and was not in use at the time of the audit, when demolition works had commenced. The Auditees advised the noise logger would be mounted prior to scheduled heavy demolition of the concert hall (early June 2020).</p>	<p>DPIE with IEA1 Report</p>	<p>Recorded in DPIE system</p>	<p>Noise monitoring was commenced when heavy demolition works commenced on site 16/06/2020.</p> <p>Both unattended and attended noise monitoring has been undertaken.</p> <p>Monitoring reports were commenced to be uploaded to the SOH website commencing 15/09/2020.</p>

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, both unattended and attended acoustic monitoring was undertaken. Unattended acoustic monitoring commenced in June 2020, when heavy demolition works began.

Unattended acoustic monitoring determined a number of exceedances of the Noise Management Levels (NMLs) during the period covered by this report.

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.

It has been inferred from the attended acoustic monitoring, that exceedances of the NMLs detected during unattended monitoring may have been caused by any of the following:

- Vehicle movements on Macquarie Street;
- Vessel movements and horns on the harbour;
- Helicopter fly overs;
- Pavement cleaning scrubber operating in close proximity to the monitor; and
- General pedestrian activity.

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 first review of these plans was undertaken during the period 18-22 May 2020. This was within three months of the submission of the Pre-Construction Compliance Report as required by Condition A22 of the consent.

The review was undertaken by senior management of the SOH and the managing contractor, Taylor Construction Group. No revisions to these management plans were identified at this time.

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 2020 to 16 September 2020), Sydney Opera House received no complaints about the project. One complaint had been received prior to the commencement of construction.

The complaint register (as available at: <https://www.sydneyoperahouse.com/general/corporate-information/planning-approvals.html>) notes:

DATE	TIME	COMPLAINANT	ISSUE	ACTION
5 March	17:33	F&B patron	Complaint about the line of the hoarding on the Upper Podium cutting off the view north from the Bennelong Restaurant	SOH CEO responded directly to the patron explaining the operational necessity for the hoarding position

9. Compliance Table

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
A1.	OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	All phases	Compliance reporting	Compliant	Compliance reports
A2.	TERMS OF CONSENT 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	Compliance reports Independent Environmental Audits performed by WolfPeak Contractor Monthly Inspections Construction Environmental Management Plan
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 condition A2(c) . In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) , the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	All phases	Compliance reporting	Compliant	Compliance reports
A5.	LAPSING OF APPROVAL 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.	LIMITS ON CONSENT A6. This consent does not approve works to rehearsal rooms 1 and 2.	N/A	N/A	N/A	N/A
A7.	PRESCRIBED CONDITIONS A7. The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.	Operation	N/A	Not Triggered	N/A –these prescribed conditions only apply to an operating venue
A8.	LONG SERVICE LEVY 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	Receipt of payment
A9.	LEGAL NOTICES 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.	EVIDENCE OF CONSULTATION 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">Construction Environmental Management PlanConstruction Pedestrian and Traffic Management Sub-PlanConstruction Noise and Vibration Management Sub PlanConstruction Air Quality Management PlanConstruction Waste Management Plan
A11.	DEVELOPMENT EXPENSES 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.	APPLICABILITY OF GUIDELINES 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.	STRUCTURAL ADEQUACY 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. Notes: • 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 • Concert Hall • Creative Learning Centre
A15.	OPERATION OF PLANT AND EQUIPMENT 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.	MONITORING AND ENVIRONMENTAL AUDITS 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. Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.	All phases	Independent audits	Compliant	Independent audit program developed and provided to the Department of Planning • SOH IA Program Rev2.pdf • Acknowledgement of Submission of Independent Audit Program • Independent Audit 1 Report
A17.	INCIDENT NOTIFICATION, REPORTING AND RESPONSE A17. The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.	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.	NON-COMPLIANCE NOTIFICATION A19. The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.	All phases	Construction Environmental Management Plan (CEMP) Compliance Reports Monthly Site Inspections	Not compliant	Minor non-compliances reported in Independent Environmental Audit Report
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
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.	REVISION OF STRATEGIES, PLANS AND PROGRAMS A22. Within three months of: (a) the submission of a compliance report under condition B8 and B10 ; (b) the submission of an incident report under condition A19 ; (c) the submission of an Independent Audit under condition B12 ; (d) the approval of any modification of the conditions of this consent; or (e) the issue of a direction of the Planning Secretary under condition A2 which requires a review,	All phases	Construction Compliance Review 3 months post commencement	Not Triggered	First review undertaken 19-21 May 2020. Next review to be undertaken prior to 31 October 2020 (3 months after submission of independent audit).

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
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. Review following submission of Pre-Const Compliance report was due prior to 26/5/2020	All phases	Compliance reports/incident reports/independent audit reports	Compliant	Review undertaken on 19 May and 21 May.
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. 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.	All phases	Compliance reports/incident reports/independent audit reports/modification submissions/directions	Not Triggered	N/A
A25.	INTERPRETATION STRATEGY 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 (condition B24) 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	Not Triggered	N/A
PART B PRIOR TO THE COMMENCEMENT OF WORKS					
B1.	CROWN BUILDING WORK 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">Concert HallCreative Learning Centre (note still pending, construction has not commenced)
B2.	NOTIFICATION OF COMMENCEMENT 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	Notification of Commencement of Construction
B3.	Commencement of Operation 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.	EXTERNAL WALLS AND CLADDING 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">Concert HallCreative Learning Centre Architectural Design Certificates <ul style="list-style-type: none">Concert Hall Architectural Design CertificateCreative Learning Centre Architectural Design Certificate
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	Concert Hall Architectural Design Certificate
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

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
	ACCESS TO INFORMATION 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"> make the following information and documents (as they are obtained or approved) publicly available on its website: <ol style="list-style-type: none"> the documents referred to in condition A2 of this consent; all current statutory approvals for the development; all approved strategies, plans and programs required under the conditions of this consent; 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; 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; a summary of the current stage and progress of the development; contact details to enquire about the development or to make a complaint; a complaints register, updated monthly; 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; any other matter required by the Planning Secretary; and keep such information up to date, to the satisfaction of the Planning Secretary. 	Prior to commencement of construction	Pre Construction Compliance Report	Compliant	https://www.sydneyoperahouse.com/general/corporate-information/planning-approvals.html (Information made available on 24 February 2020)
B8.	COMPLIANCE REPORTING 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 compliance@planning.nsw.gov.au before the commencement of construction.	Prior to commencement of construction	Pre Construction Compliance Report	Compliant	Pre Construction Compliance Report
B9.	B9. The Pre-Construction Compliance Report must include: <ol style="list-style-type: none"> details of how the terms of this consent that must be addressed before the commencement of construction have been complied with; and the expected commencement date for construction. 	Prior to commencement of construction	Pre Construction Compliance Report	Compliant	Pre Construction Compliance Report
B10.	B10. Construction Compliance Reports must be submitted to the Department at compliance@planning.nsw.gov.au 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 1 September 2020 Report Due 1 March 2021 Report Due 1 September 2021	During construction	Construction Compliance Audits as per the following Frequency: 15 September 2020 15 March 2021 15 September 2021	Compliant This is first construction compliance report.	Construction Compliance Reports 1, 2 and 3
B11.	B11. The Construction Compliance Reports must include: <ol style="list-style-type: none"> a results summary and analysis of environmental monitoring; 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; 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; a register of any modifications undertaken and their status; results of any independent environmental audits and details of any actions taken in response to the recommendations of an audit; a summary of all incidents notified in accordance with this consent; and any other matter relating to compliance with the terms of this consent or requested by the Planning Secretary. 	During construction	Construction Compliance Reports as per the the following Frequency: 15 September 2020 15 March 2021 15 September 2021	Compliant	Construction Compliance Reports 1, 2 and 3
B12.	INDEPENDENT ENVIRONMENTAL AUDIT 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"> Independent Environmental Audit Programme Submitted to the Planning Secretary
B13.	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
B14.	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	Independent Environment Audit Programme Independent Environmental Audit 1 Report

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	Independent Environmental Audit 1 Report
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>Note: <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>Initial Audit due within 20 weeks of commencement of construction (ie before 20 June 2020)</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	Submissions of Audits to relevant Authorities DPIE Letter re Audit Report 1
B17.	<p>REQUIREMENTS FOR SECTION 60 APPROVAL UNDER HERITAGE ACT 1977</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"> Concert Hall Creative Learning Centre (note still pending, construction has not commenced) <p>Section 60 Approval</p> <ul style="list-style-type: none"> S60-letter-CH_CLC.pdf
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"> Concert Hall Creative Learning Centre <p>Section 60 Approval S60-letter-CH_CLC.pdf Design Documents as referenced within the Section 60 Approval</p> <ul style="list-style-type: none"> L:\SOH\Projects\Capital Works\00 Master Renewal\01 PLANNING\08 Development Applications\DA 3 (SSD8663)\09 Section 60\01 Application\

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
B19.	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"> 20200129 Acknowledgement of Submission of Section 60 Approval to DPIE.msg 20200129 Acknowledgement of Submission of Section 60 Additional Information to DPIE.msg RE Submissions to DEE re EPBC Approval 20177955 SECOFFICIAL.msg Submission of Section 60 to CCoS
B20.	BUILDING CODE OF AUSTRALIA (BCA) COMPLIANCE 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"> Concert Hall Creative Learning Centre
B21.	STRUCTURAL DETAILS 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"> Structural Details Submission to Heritage
B22.	COMPLIANCE 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)
B23.	COMPLAINTS AND ENQUIRIES PROCEDURE 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"> constructionfeedback@sydneyoperahouse.com 1300 382 692 Construction Feedback, Sydney Opera House, GPO Box 4274, Sydney NSW 2001 Letters and Correspondence issued to DPIE and Council
B24.	HERITAGE 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"> Heritage Consultant Appointment Letter Sub-Contractor Induction Records (Taylor) Site Inspection Records (Nominated Heritage Expert)

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
B25.	B25. Evidence and details of the engagement of a nominated heritage consultant in accordance with condition B24 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"> Acknowledgement of Heritage Consultant Nomination - Post Approval Document Received - (SSD-8663-PA-2).msg Heritage Consultant - notification to CoS - 20200108.msg HCNSW - SSD8663 - Sydney Opera House Concert Hall Creative Learning Centre - Nomination of Heritage Consultant.msg Submissions to DEE re EPBC Approval 20177955 SECOFFICIAL.msg
B26.	CONTAMINATION 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	Hazardous Materials Survey Hazardous Materials Management Plan Construction Environmental Management Plan
B27.	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	Construction Environmental Management Plan
B28.	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	Construction Environmental Management Plan Construction Waste Management Plan
B29.	ARCHIVAL RECORDING 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	Archival Photographic Heritage Report Submission to Planning Secretary Submission to Heritage Council
B30.	ECOLOGICALLY SUSTAINABLE DEVELOPMENT (ESD) 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	ESD Report ESD Compliance Certificate Crown Certificates <ul style="list-style-type: none"> Concert Hall Creative Learning Centre

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
B31.	<p>CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN</p> <p>B31. Prior to the commencement of works, the Applicant shall prepare and implement a Construction Environmental Management Plan (CEMP) for the development and be submitted to the Certifying Authority. The CEMP 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 Construction Air Quality Management Plan (CAQMP), 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 CEMP, the consent shall prevail. Prior to the commencement of works, a copy of the CEMP 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>Construction Environmental Management Plan Construction Air Quality Management Plan CEMP Submission to DPIE CEMP Submission to CCoS CAQMP Submission to DPIE CAQMP Submission to CCoS Crown Certificates</p> <ul style="list-style-type: none"> • Concert Hall • Creative Learning Centre
B32.	<p>WASTE MANAGEMENT PLAN</p> <p>B32. Prior to the certification of Crown Building Works, a Waste Management Plan (WMP) 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>Waste Management Plan</p>

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
B33.	<p>CONSTRUCTION PEDESTRIAN AND TRAFFIC MANAGEMENT SUB-PLAN</p> <p>B33. Prior to the commencement of works, a Construction Pedestrian and Traffic Management Sub-Plan (CPTMP) prepared by a suitably qualified person shall be submitted to the Certifying Authority. The CPTMP 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 CPTMP shall address, but not be limited to, the following matters:</p> <ul style="list-style-type: none"> (a) location of the proposed work zone(s); (b) location of any crane(s); (c) haulage routes; (d) construction vehicle access arrangements; (e) proposed construction hours; (f) estimated number of construction vehicle movements and detail of vehicle types, noting vehicle movements are to be minimised during peak periods; (g) details of construction activities and timing of these activities; (h) consultation strategy for liaison with surrounding stakeholders; (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; (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 CPTMP to ensure coordination of work activities are managed to minimise impacts on the road network; and (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 CPTMP. <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 CPTMP, 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>Construction Pedestrian & Traffic Management Plan CPTMP Submission to DPIE</p>
B34.	<p>CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN</p> <p>B34. Prior to the commencement of work, a Construction Noise and Vibration Management Plan (CNVMP) prepared by a suitably qualified person shall be submitted to the Certifying Authority. The CNVMP shall address (but not be limited to):</p> <ul style="list-style-type: none"> (a) the EPA's <i>Interim Construction Noise Guideline</i>; (b) identify nearby sensitive receivers and land uses; (c) identify the noise management levels for the project; (d) identify the construction methodology and equipment to be used and the key sources of noise and vibration; (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; (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; (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 (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. <p>Prior to the commencement of works, a copy of the CNVMP 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>Construction Noise and Vibration Management Plan CNVMP Submission to DPIE</p> <p>CNVMP Submission to CCoS</p>

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
B35.	ACCESS FOR PEOPLE WITH DISABILITIES 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"> <u>Concert Hall</u> <u>Creative Learning Centre</u>
B36.	MECHANICAL VENTILATION 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"> <u>Concert Hall</u> <u>Creative Learning Centre</u>
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"> <u>Concert Hall</u> <u>Creative Learning Centre</u>
B38.	MECHANICAL PLANT NOISE MITIGATION 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"> <u>Concert Hall</u> <u>Creative Learning Centre</u>
B39.	SANITARY FACILITIES FOR DISABLED PERSONS 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"> <u>Concert Hall</u> <u>Creative Learning Centre</u>
PART C DURING CONSTRUCTION					
C1.	DEMOLITION 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.	HOURS OF CONSTRUCTION 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>
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>

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 condition C4(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. Independent Environmental Audit 1 Report
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. Independent Environmental Audit 1 Report
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.	IMPLEMENTATION OF MANAGEMENT PLANS 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	Independent Environmental Audit 1 Report
C8.	CONSTRUCTION NOISE AND VIBRATION MANAGEMENT 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 CEMP and CNVMP .	During construction	Automated and recorded noise monitors as per Construction Noise and Vibration Management Sub Plan	Compliant	Reports of unattended and attended noise monitoring. Independent Environmental Audit 1 Report
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	Independent Environmental Audit 1 Report
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 CNVMP .	During construction	Vibration external to the Sydney Opera House has not been predicted.	Not Triggered	As noted in the Independent Environmental Audit 1 Report : 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".

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
C14.	SITE PROTECTION AND WORKS 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	Independent Environmental Audit 1 Report
C15.	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	Independent Environmental Audit 1 Report
C16.	SALVAGE OF SIGNIFICANT BUILDING FABRIC 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	Independent Environmental Audit 1 Report
C17.	RE-USE OF EXISTING SEATING 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	
C18.	WASTE CLASSIFICATION 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	Independent Environmental Audit 1 Report
C19.	ASBESTOS AND HAZARDOUS WASTE REMOVAL 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	Independent Environmental Audit 1 Report
C20.	ACOUSTIC DESIGN 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	
C21.	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	
C22.	SAFework NSW REQUIREMENTS 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. Independent Environmental Audit 1 Report
C23.	GROUNDWATER 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.
C24.	HOARDING/FENCING REQUIREMENTS 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	Independent Environmental Audit 1 Report
C25.	COVERING OF LOADS 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	Independent Environmental Audit 1 Report
C26.	VEHICLE CLEANSING 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	Independent Environmental Audit 1 Report

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
C27.	WASTE MANAGEMENT C27. Notwithstanding the Waste Management Plan referred to in Condition B32 , the Applicant must ensure that: (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> ; (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; (c) waste (including litter, debris or other matter) is not caused or permitted to enter the waters of Sydney Harbour; (d) any vehicle used to transport waste or excavation spoil from the site is covered before leaving the premises; (e) the wheels of any vehicle, trailer or mobilised plant leaving the site and cleaned of debris prior to leaving the premises; and (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.	During construction	In line with the CWMP Weekly Site Inspections	Compliant	Independent Environmental Audit 1 Report
C28.	STOCKPILE MANAGEMENT C28. The Applicant must ensure that: (a) stockpiles do not exceed 4 metres in height; (b) stockpiles are constructed and maintained to prevent cross contamination; and (c) suitable erosion and sediment controls are in place for stockpiles.	During Construction	N/A	Not Triggered	
C29.	DUST CONTROL MEASURES 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: (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; (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; (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; (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; (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; (f) all equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive-through washing bays; (g) gates shall be closed between vehicle movements and shall be fitted with shade cloth; and (h) cleaning of footpaths and roadways shall be carried out regularly.	During construction	In Accordance with the CEMP. Weekly Site Inspections to review adequacy of dust protection measures.	Compliant	Independent Environmental Audit 1 Report
C30.	NO OBSTRUCTION OF THE PUBLIC WAY 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.	During construction	In accordance with the CPTMP. Weekly Site Inspections to check condition of public thorough fair.	Compliant	Independent Environmental Audit 1 Report
C31.	DAMAGE TO THE PUBLIC WAY 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.	During construction	Weekly Site Inspections	Compliant	Independent Environmental Audit 1 Report
C32.	CONTACT TELEPHONE NUMBER 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.	During construction	Weekly Site Inspections	Compliant	Telephone numbers are displayed on external hoarding, and on the Sydney Opera House website. Independent Environmental Audit 1 Report
C33.	WATER QUALITY 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: (a) NSW Water Quality Objectives; and (b) The Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2000) for the environmental values under the ANZECC guidelines.	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. Independent Environmental Audit 1 Report
C34.	APPROVED PLANS TO BE ON-SITE 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.	During construction	Construction Compliance Reports	Compliant	Available in TCG office and via Aconex Independent Environmental Audit 1 Report

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
C35.	<p>SITE NOTICE 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:</p> <p>(a) the notice is to be able to be read by the general public;</p> <p>(b) the notice is to be rigid, durable and weatherproof and is to be displayed throughout the works period;</p> <p>(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</p> <p>(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.</p>	During construction	Weekly Site Inspections Construction Compliance Reporting	Compliant	Sign is available on external hoarding. Independent Environmental Audit 1 Report
C36.	<p>BUNDING C36. The Applicant shall store all chemicals, fuels and oils used on-site in appropriately banded 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>.</p>	During construction	In accordance with the CEMP. Weekly Site Inspections Contractor SWMS	Compliant	Independent Environmental Audit 1 Report
C37.	<p>SELECTION OF APPROPRIATE TRADESPEOPLE 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.</p>	During construction	In accordance with Quality Management Plan, contractor ITP's, contractor SWMS and relevant qualifications.	Compliant	Independent Environmental Audit 1 Report
C38.	<p>NOMINATED HERITAGE CONSULTANT 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.</p>	During construction	In line with heritage consultant appointment	Compliant	Regular inspections by Alan Croker – nominated heritage consultant.
C39.	<p>SITE CONTAMINATION ISSUES DURING CONSTRUCTION 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.</p>	During construction	In line with Unexpected find protocol contained within the CEMP.	Compliant	Independent Environmental Audit 1 Report
PART D PRIOR TO OCCUPATION OR COMMENCEMENT OF USE					
D1.	<p>PROTECTION OF PUBLIC INFRASTRUCTURE D1. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and</p> <p>(b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.</p>	Prior to occupation		Not Triggered	
D2.	<p>FIRE SAFETY CERTIFICATION D2. Prior to occupation or commencement of the use, a Fire Safety Certificate 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.</p>	Prior to occupation		Not Triggered	
D3.	<p>STRUCTURAL INSPECTION CERTIFICATE D3. A Structural Inspection Certificate or a Compliance Certificate 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:</p> <p>(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</p> <p>(b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.</p>	Prior to occupation		Not Triggered	
D4.	<p>NOMINATED HERITAGE CONSULTANT 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 condition A2.</p>	Prior to occupation		Not Triggered	

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
D5.	ECOLOGICALLY SUSTAINABLE DEVELOPMENT 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 condition B30).	Prior to occupation		Not Triggered	
D6.	SANITARY FACILITIES FOR DISABLED PERSONS 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 condition B39 .	Prior to occupation		Not Triggered	
D7.	WASTE AND RECYCLING COLLECTION 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.	ACOUSTIC COMPLIANCE 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 condition B38 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.	MECHANICAL VENTILATION 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	
PART E POST OCCUPATION OR DURING USE					
E1.	ANNUAL FIRE SAFETY CERTIFICATE 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.	CREATIVE LEARNING CENTRE – USE 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.	CREATIVE LEARNING CENTRE – HOURS OF OPERATION 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.	CREATIVE LEARNING CENTRE – MAXIMUM PATRON CAPACITY 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.	WASTE MANAGEMENT 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.	CONSERVATION MANAGEMENT PLAN 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.	ACOUSTIC COMPLIANCE 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.	NOISE MONITORING E9. If directed by the Planning Secretary as per condition A3 , 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	
ADVISORY NOTES					
AN1.	APPEALS 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.	OTHER APPROVALS AND PERMITS 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.	RESPONSIBILITY FOR OTHER CONSENTS / AGREEMENTS 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.	REQUIREMENTS OF PUBLIC AUTHORITIES 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.	TEMPORARY STRUCTURES 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.	DISABILITY DISCRIMINATION ACT 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.	USE OF MOBILE CRANES 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	

Consent Condition	Compliance Requirement	Development Phase	Monitoring Methodology	Compliance Status	Evidence and Comments
AN9.	ROADS ACT 1993 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
AN10.	COMMONWEALTH ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999 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	EPBC Decision Letter EPBC Decision Notice
AN11.	BUILDING PLAN APPROVAL 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	Sydney Water Building Plan Approval
AN12.	WORKS AND SIGNPOSTING 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
AN13.	ASBESTOS REMOVAL 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	Pure Contracting Licence AD210803ASA
	END OF ADVISORY NOTES				

Appendices

Appendix A – Photos



Plate 1: Main Site Entry (showing hoarding)



Plate 2: Site Notice (Condition C35)



Plate 3: Hoarding around lifting zone, showing interpretation material

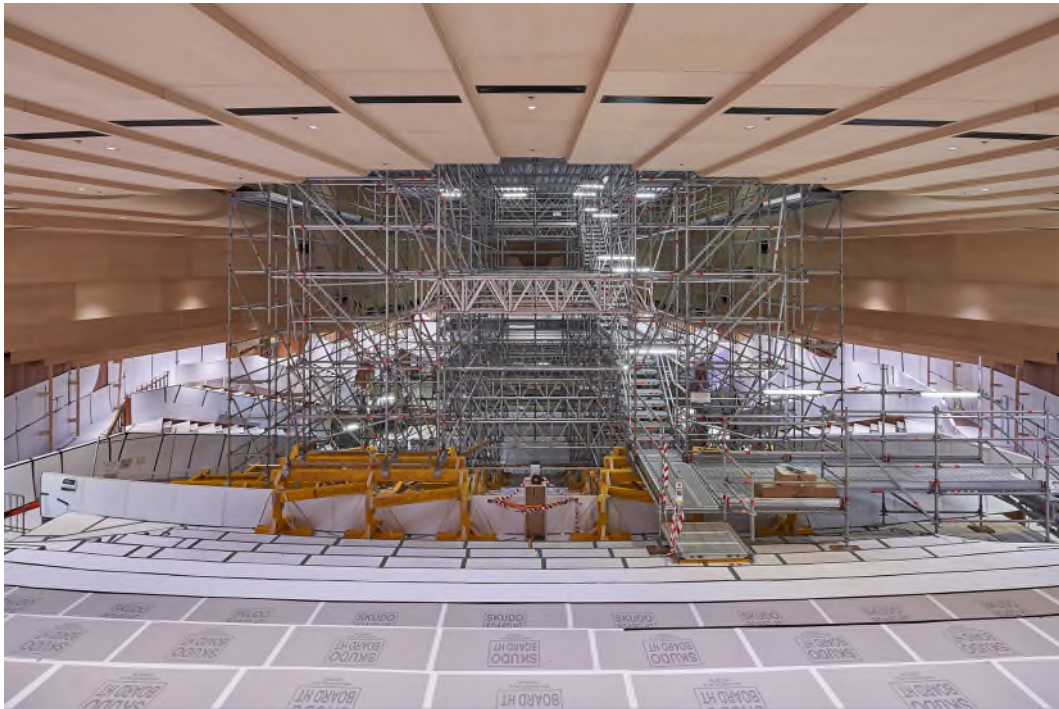


Plate 4: Concert Hall Interior showing scaffold and fabric protection May 2020

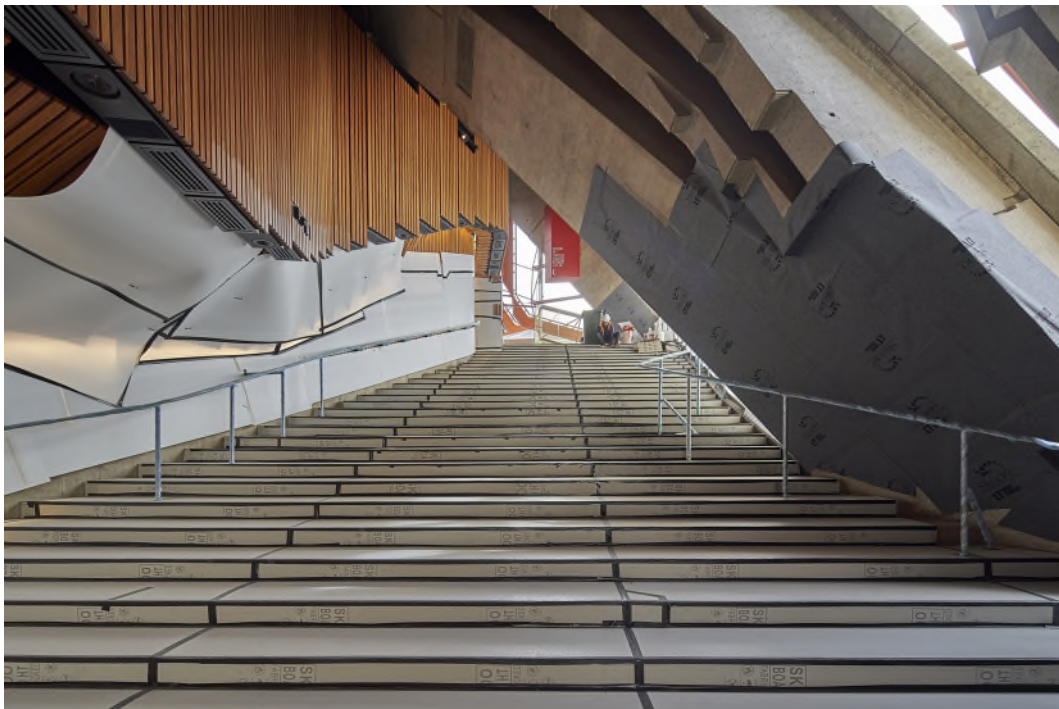


Plate 5: Eastern Foyer showing fabric protection May 2020



Plate 6: Eastern Foyer stair demolition for passageway May 2020

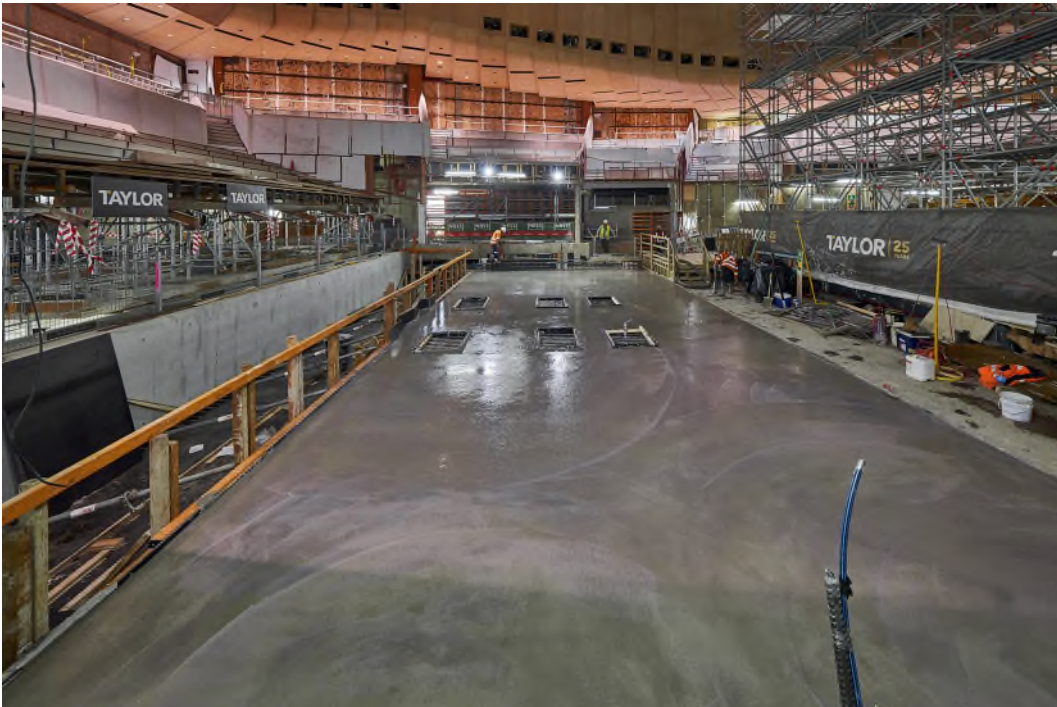


Plate 7: Newly poured concrete sub-stage in the Concert Hall 19 August 2020

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 1 (Revision 2.1)
Date	10 November 2020

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

