

ATTACHMENT 1: Proponent Responses to Non Compliances under SSD-7308

Non Compliance #	Condition	Audit finding and recommendations	Proponent Response
NC 1	<p>A30 Revision of plans and strategies Within three months of:</p> <p>d) the approval of any modification of the conditions of this consent; ...</p> <p>the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.</p>	<p>MOD 2 was approved on the 21 September 2020. The audit noted that notification to the planning secretary and the certifier did not occur by the 21 December 2020 as required by this condition.</p> <p>A review of the plans and strategies is currently underway to accommodate all 4 modifications. The DPIE has been notified as evidenced by email dated 18 January 2021, however this notification is not within the three month period of MOD 2.</p>	<p>Resolved.</p> <p>Notification of a review of plans and strategies was issued on 18 January 2021 and updated plans and strategy documents were submitted to DPIE on 2 February 2021, which were updated to include updates from MOD 1 (approved 29 January 2021).</p> <p>The intention was to submit an updated set of documents that addressed all amendments approved under MOD 1, MOD 2, MOD 3 and MOD 4. This was to minimise the number of updates and avoid submission of several versions of the same document within a short timeframe. It is note that it was envisaged that MOD 1 (the most recently approved modification) would be approved in December 2020.</p>
NC2	<p>B16A Within one month of the approval of SSD-7308-MOD-3, the Construction Soil and Water Management Sub-Plan (CSWMSP) referred to in condition B16 is to be updated to the satisfaction of the Certifier to include any changes required to address the amendments to the development as modified by SSD-7308- MOD-3.</p>	<p>The soil and water management plan was not updated within one month of the approval of SSD-7308 MOD 3.</p> <p>The audit notes that this has now been done and updated plans have been sent to DPIE to accommodate the changes required for all three modifications</p>	<p>Resolved.</p> <p>The intention was to submit the CSWMSP as a complete updated set of documents that addressed all amendments approved under MOD 1, MOD 2, MOD 3 and MOD 4. This was to minimise the number of updates and avoid submission of several versions of the same document within a short timeframe. It is note that it was envisaged that MOD 1 (the most recently approved modification) would be approved in December 2020.</p>
NC3	<p>B29 Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of condition B28 must be provided to the Planning Secretary prior to vegetation clearing.</p>	<p>Evidence regarding the retirement of credits and payment was provided to the DPIE for the first set of retirement of credits was undertaken prior to clearing. A second retirement of credits has also occurred, but this had not been provided to the DPIE prior to clearing of vegetation. The audit noted that this evidence was provided to DPIE during the preparation of this audit.</p>	<p>Resolved.</p> <p>Section 6.33 Certificate (BCF157) issued by BCT was submitted to DPIE on 18 January 2021.</p>
NC4	<p>B32 Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of condition B31 must be provided to the Planning Secretary prior to vegetation clearing.</p>	<p>Evidence regarding the retirement of credits and payment was provided to the DPIE for the first set of retirement of credits was undertaken prior to clearing. A second retirement of credits has also occurred, but this had not been provided to the DPIE prior to clearing of vegetation. The audit noted that this evidence was provided to DPIE during the preparation of this audit.</p>	<p>Resolved.</p> <p>Section 6.33 Certificate (BCF157) issued by BCT was submitted to DPIE on 18 January 2021.</p>
NC5	<p>B33A Within one month of the approval of SSD-7308-MOD-3, the Vegetation Management Plan referred to in condition B33(g) is to be updated to the satisfaction of the Planning Secretary to incorporate appropriate measures to manage rehabilitation of the temporary stockpile site referred to under SSD- 7308-MOD-3, after use of that site.</p>	<p>The VMP was not submitted with one month of the approval of the MOD -3.</p>	<p>Resolved.</p> <p>The updated VMP was submitted to DPIE on 23 December 2020.</p>
NC6	<p>C1 – site notice</p> <p>d) the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice; and</p>	<p>The Audit noted that the hours of work were not included on the site notice.</p> <p>The site notice should be updated to comply with the requirements of this condition.</p>	<p>Resolved.</p> <p>The hours of works has been placed on signage at front gate.</p>