

Jim Betts
Planning Secretary
Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2124

Attn: Rob Sherry

24 September 2021

Dear Mr Betts

Armidale High School Redevelopment - SSD 9095: Submission of Independent Audit Report and response in accordance with Condition C41 and C42.

I refer to Armidale High School Redevelopment – SSD9095 approved on the 29 May 2019.

In accordance, with condition C41 of the Development Consent, the following document has been submitted to the Planning Secretary for information:

- Armidale High OpA1_SINSW_V2_FINAL

As per the requirements of condition **C42(a)** and **C42(b)**, the Department must be issued with a response from the proponent to the Independent Audit Report, therefore the following attachments are provided for your information:

- Attachment A - Response to Independent Audit non-compliances
- Attachment B - Response to Independent Audit observations

In accordance with condition **C42(c)**, School Infrastructure NSW notifies the Department in writing that this Independent Environmental Audit Report and Response will be made publicly available 7 days from this letter.

Yours sincerely



Robert Crestani
Senior Project Director
Schools Infrastructure NSW

Attachment A – Response to Independent Audit non-compliances

Condition ID	Compliance Requirement	Audit finding	Audit Recommendation	Proponent's Proposed Action/Action Taken/Response	Evidence of Action	Due Date/Status
CoC C33	All waste generated during construction must be assessed, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).	<p>There was insufficient evidence provided demonstrating that the main spoil stockpile located near the basketball courts (northwest of the Agriculture Building) had been classified for anything other than onsite reuse. However, we were advised at the site interview that this material is being disposed of offsite. No information regarding any sampling or classification of the material to determine its suitability for offsite disposal was provided.</p> <p>After the finalisation of the July 2020 audit the auditor was provided with 2 separate waste classification letters, both dated 06/04/20 (prepared by SERS), that indicate the stockpile material is classified as ENM (in one letter) and as VENM (in the second letter). The letters state that the waste is suitable for offsite disposal and reuse as fill onsite respectively. These letters appear to be mutually contradictory, particularly as they were issued on the same day and refer to the same stockpile.</p>	<p>Investigate the classification of the waste material that was sent offsite to confirm whether the disposal was compliant with (or in contravention of) the Protection of Environment Operations Act 1997 and Protection of the Environment Waste Regulation 2014.</p> <p>Verify the suitability of material retained on site in accordance with the National Environment Protection Measure 2013.</p>	RCC has confirmed the material classified as virgin excavated natural material was reused on site as detailed in SERS letter dated 06.04.20 stating "This material will be primarily be used on site to fill a section of site where earthworks require additional fill, with the stockpile being distributed accordingly".	Email from RCC dated 17/08/21 on file.	CLOSED
CoC C33	CoC C33 requires that all waste generated during construction must be assessed, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).	During the site inspection conducted 29 July 2021, building rubble was observed to be present in the ground surface and landscaping in the vicinity of the Agriculture Building. On a nearby footpath leading to the Agriculture Building (Stage 4), a fragment of bonded asbestos containing material (ACM, confirmed by lab analysis on 05/07/2021) was also found at the ground surface during the audit site inspection.	<p>This audit recommends that the affected area/s near the Agriculture Facility be managed in accordance with the NSW Department of Education's – Asbestos Management Plan (October 2020), particularly section 5 of those Guidelines. In accordance with the Guidelines a competent person / asbestos assessor should be engaged to assess the risks posed and to recommend appropriate management techniques to be employed which may include one or more of the following or as otherwise required by the asbestos assessor:</p> <ul style="list-style-type: none"> - removal of all visible asbestos containing materials at the surface - enclosure of area to restrict access to students and visitors - containment of fill materials by means of applying a demarcation barrier such as geo-fabric and/or by applying a surface layer such as mulch or topsoil above contaminated soils - re-turfing of exposed soils 	<p>The proponent notes that as this area had been confirmed as remediated through the validation reports submitted to DPIE in accordance with CoC D31, this finding is not considered to be have resulted from building rubble. As such this is not considered to be a non compliance against CoC C33.</p> <p>Whilst noting the above, following the removal of the ACM material, the contractor engaged EnviroScience Solutions Pty Ltd to confirm that the asbestos containing materials had been successfully removed and remediated from the areas.</p> <p>The inspection was carried out on 18th August 2021, by Benjamin Croxon (NSW Licenced Asbestos Assessor# LAA 001453).</p> <p>It was found that the visible asbestos contamination had been satisfactorily remediated from the above areas.</p>	This was confirmed in their clearance report dated 18th August 2021. Report on file.	CLOSED

Condition ID	Compliance Requirement	Audit finding	Audit Recommendation	Proponent's Proposed Action/Action Taken/Response	Evidence of Action	Due Date/Status
			<ul style="list-style-type: none"> - encapsulation of fill materials by means of applying a permanent covering such as concrete - removal of asbestos contaminated soil 			
CoC C42	CoC C42 requires that in accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant/Proponent must, among other things, make each Independent Audit Report and response to it publicly available within 60 days after submission to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.	No evidence was provided demonstrating that the 3rd Independent Audit Report was provided to the Certifier or that the Certifier was notified of the intention to make the report publicly available within 7 days.	Notify the Certifier of the publication of the third Independent Audit Report and the response to the findings.	The Contractor retrospectively issued the required notification to the Certifying Authority on 5/08/21.	Email to Certifying Authority in file.	CLOSED
CoC D25	CoC D25 requires the installation, operation and maintenance of warm water systems and water cooling systems to be compliant with the Public Health Act 2010, Public Health Regulation 2012 and Parts 1 and 2 (or Part 3 if a Performance-based water cooling system) of AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires' Disease.	No evidence was provided that confirms the installation, operation and maintenance of warm water systems and water cooling systems as part of the development are compliant with these requirements.	RCC is seeking a confirmation statement from its hydraulic subcontractor and Council to confirm these requirements have been met	The Contractor obtained the required statement from their hydraulic contractor confirming compliance with condition D25 on 4/08/21.	Letter from subcontractor on file	CLOSED
CoC D31	CoC D31 requires a Validation Report for remediation works undertaken under the Review of Environmental Factors issued on 21 December 2018 must be submitted to the EPA, Planning Secretary and Certifying Authority for information prior to commencement of operation.	Evidence of submission of the Validation Report to the Department and the Certifier was sighted, however there was no evidence provided demonstrating that the report had been submitted to the EPA.	Submit the Validation Report to the EPA	The Contractor retrospectively issued to the validation report to the EPA on 4/08/21.	Response provided from EPA on 10/08/21 stating that they had no further comment or requirement relating to this matter.	CLOSED
CoC E21	CoC E21 requires that landscaping and vegetation	At the site inspection on 29 June 2021, it was observed that several areas showed signs of poor	This audit recommends that rectification works are undertaken in	The Contractor will remediate the areas on the completion of winter.	Action pending as noted.	OPEN

Condition ID	Compliance Requirement	Audit finding	Audit Recommendation	Proponent's Proposed Action/Action Taken/Response	Evidence of Action	Due Date/Status
	on the site must be maintained in accordance with the Landscape Management Plan required by condition C51 for the duration of occupation of the development.	grass cover, very limited topsoil, and rill erosion. This included a batter slope near the new Agriculture Facility, slopes to the north of the Science & General Learning Neighbourhood, and slopes to the east of Block B (noting that not all landscaped areas at the School were inspected during the audit). The condition of these areas was such that it is clear the original landscaping was deficient or maintenance elements of the Plan are either not being implemented or are ineffective.	areas where landscaping has failed, as this presents an erosion and sedimentation risk. Processes for ongoing maintenance of landscaping are to be reviewed and updated as required. It is also recommended that the Landscape Management Plan be revised to provide more operational guidance to the School on how to manage and maintain the landscaped elements that have been installed.	All identified areas will be raked free of exposed material, areas levelled, dressed with topsoil and sprayed with spray seed. The landscaping and vegetation will be maintained in accordance with the Landscape Management Plan and the plan will be updated if required.		September - October 2021



Attachment B – Response to Independent Audit observations

Condition ID	Compliance Requirement	Audit Observation/Opportunity for Improvement	Proponent's Proposed or Completed Action or reason for not implementing measures/changes	Evidence of Action	Due Date/Status
CoC D30	CoC D30 requires the preparation of a Waste Management Plan for the development, which is to be submitted to the Department and Certifier prior to commencement of operation.	It was noted that wood waste was being stored outside of the dedicated waste enclosure and that the enclosure itself was being used to store non waste items such as a trailer and boat	It is recommended that the Waste and Recycling Management Plan (which largely focusses on construction waste management), be reviewed and revised to ensure it is more focussed on operational waste management requirements, facilities and practices and provides more practical guidance to the School community.	The Waste and Recycling Management Plan will be reviewed and updated if required prior to the occupation of the Multi Purpose Hall about to begin construction as per the Modification of Consent approved 15 March 2021.	OPEN April 2022
CoC D33	CoC D33 requires that, unless otherwise agreed by the Planning Secretary, a Green Star certification to be obtained within six months of commencement of operation, achieving a minimum 4-star Green Star As Built rating. If required to be obtained, evidence of the certification must be provided to the Certifying Authority and the Planning Secretary.	A letter from the Department dated 20/01/2021 agrees to adopting the alternative evaluation method using the 'Sustainable Schools Certification', as proposed by SINSW. It is noted that this certification needs to be achieved by 27/07/2021, which is outside the date of this audit.	Obtain verification from independent ESD consultant that the project has achieved sufficient credits to achieve alternate ESD certification (Sustainable Schools Certification). Evidence of certification to be provided to the Certifying Authority and Planning Secretary once obtained.	Verification is still pending.	Date to be confirmed. Open
CoC E14	As per CoC D33, CoC E14 also requires that, unless otherwise agreed by the Planning Secretary, a Green Star certification to be obtained within six months of commencement of operation, achieving a minimum 4-star Green Star As Built rating. If required to be obtained, evidence of the certification must be provided to the Certifying Authority and the Planning Secretary.	A letter from the Department dated 20/01/2021 agrees to adopting the alternative evaluation method using the 'Sustainable Schools Certification', as proposed by SINSW. It is noted that this certification needs to be achieved by 27/07/2021, which is outside the date of this audit	Obtain verification from independent ESD consultant that the project has achieved sufficient credits to achieve alternate ESD certification (Sustainable Schools Certification). Evidence of certification to be provided to the Certifying Authority and Planning Secretary once obtained.	Verification is still pending.	Date to be confirmed. Open