

**Proponent Response to
Independent Audit 2
Findings**

**Upgrades to Chatswood
Public School & Chatswood
High School**

State Significant Development (SSD) 9483

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Introduction

Project Name and Project Application Number

Upgrades to Chatswood Public School and Chatswood High School (SSD 9483)

Site Address

Title and Revision Number

Proponent Response to Independent Audit 2 Findings (Version 1)

Date

May 2022

Contact Details

Proponent	School Infrastructure NSW
Client Representative	Johnstaff Projects
Managing Contractor	Richard Crookes Constructions

Independent Audit Date

17 March 2022

Independent Auditor

WolfPeak

Proponent Response

Table 1 below details the Condition of Consent that was classified as “Non-compliant” during the Independent Environmental Audit 2 commenced on 17 March 2022. As required the proponent has provided a detailed action plan to be undertaken in response to this non-compliance, refer Table 1 on the next page.

Table 2 below details further observations and recommendations provided by the Independent Auditor in the Independent Audit Report 2. The proponent has provided responses and relevant actions to be undertaken, where required, in the table.

PROPONENT RESPONSE TO INDEPENDENT AUDIT FINDINGS UPGRADES TO CHATSWOOD PUBLIC SCHOOL & CHATSWOOD HIGH SCHOOL

Table 1 – Non-Compliances Identified in Independent Audit Report Rev 1.0 (22 October 2021)

Condition Number (ID)	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proponent's Proposed Action/Action taken/Response (as applicable)	Proposed Action Due Date
A29	<p>Within three months of:</p> <ul style="list-style-type: none"> a) the submission of a compliance report under condition A32; b) the submission of an incident report under condition A25; c) the submission of an Independent Audit under condition C41 or C42; 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, <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>The CEMP was first reviewed, updated and submitted to the Department on 29/11/21. However, notification and submission was not provided to the Certifier until 28/03/22 (after three months as is required by this condition).</p>	<p>Notification and submission was provided to the Certifier on 28/03/22.</p> <p>Closed</p>	<p>Future notification and submission to Certifier to be issued concurrently with DPE notification.</p> <p>Report this non-compliance in accordance with C0C A26/A27.</p>	<p>Ongoing</p> <p>Report to DPE on 4 May2022.</p>
A30	<p>If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans or programs under this consent must be revised, to the satisfaction of the Planning Secretary and Certifier, (where previously approved by the Certifier) where revisions are required, the revised document must be submitted to the Planning Secretary and Certifier for approval and information (where relevant) within six weeks of the review.</p>	<p>The CEMP was first review, updated and submitted to the Department on 29/11/21. However, submission was not provided to the Certifier until 28/03/22 (which is beyond 6 weeks of the review as required by this condition).</p>	<p>Submission was provided to the Certifier on 28/03/22.</p> <p>Closed</p>	<p>Future submissions to Certifier to be issued concurrently</p> <p>Report this non-compliance in accordance with C0C A26/A27</p>	<p>Ongoing</p> <p>Report to DPE on 4 May2022.</p>

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C10	All construction vehicles (excluding the site personnel vehicles) are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must wholly enter the site or an approved on-street work zone before stopping.	It is noted that a complaint received on 25/01/22 related to the parking of a truck in a no parking area on Centennial Ave (before 7am). Records indicate that the contractor had parked illegally on repeat occasions and was issued with a non-conformance under the RCC management system.	No complaints regarding this requirement have occurred since. Closed	Contractor has implemented additional and ongoing traffic management. Report this non-compliance in accordance with C0C A26/A27	Closed Report to DPE on 4 May2022.
C14	The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition C4.	Note this finding arises from the same issue as that identified in C4 and C10. It is noted that a complaint received on 25/01/22 related to the parking of a truck in a no parking area on Centennial Avenue (before 7am).	Training was delivered to the workforce on 31/01/22. A non-conformance report was issued to the sub-contractor responsible for parking their heavy vehicle prior to 7am. No complaints regarding this requirement have occurred since. Closed	Contractor has implemented additional and ongoing traffic management. Report this non-compliance in accordance with C0C A26/A27	Closed Report to DPE on 4 May2022
D1	At least one month before commencement of operation, the date of the commencement of operation of the development must be notified to the Planning Secretary in writing. If the operation of the development is to be staged, the Planning Secretary must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Operations commenced on 01/02/22 and prior notification was not provided to the Department. The Project notified a non-compliance with D1 on 09/02/22 in accordance with conditions A26/A27.	Notification of commencement and of the non-compliance was completed on 09/02/22. Closed.	The Department was notified on 14 March 2022 of the programmed dates for the commencement of operation of all future stages. Report this non-compliance in accordance with C0C A26/A27	Closed Report to DPE on 4 May2022

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Table 2 – Observations Identified in Independent Audit Rev 1.0 (22 October 2021)					
Condition Number (ID)	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proponent's Proposed Action/Action taken/Response (as applicable)	Proposed Action Due Date
A24	The Planning Secretary must be notified through the major projects portal 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.	Council alleged pollution of water incidents on three events (08/01/22, 04/02/22 (2)). Investigations were completed and the auditees state that the discharge was coming from the operational school and not from any Project assets. The latest correspondence from Council sighted by the Auditor indicates that the breach notices are on hold. The Auditor inspected the external boundary of the area of concern (internal area does not form part of the Project) during the audit, and cannot confirm whether the discharge would have arisen from Project works of the operational school (or both)	The Project has responded to the allegations and is awaiting Council's response. Actions to be taken by the team will depend on Council's position.	The Contractor is in discussion with Council to resolve the matter. Chatswood High School has not been notified however. it has requested all stormwater pits outside the construction site be cleaned out by the Asset Management Unit.	31 July 2022 30 June 2022
C4	Construction, including the delivery of materials to and from the site, may only be carried out between the following hours: a) between 7am and 6pm, Mondays to Fridays inclusive; and b) between 8am and 1pm, Saturdays. No work may be carried out on Sundays or public holidays.	It is noted that complaints regarding works before 7am were received on 19/11/21 and 25/01/22. These relate to contractors arriving to site prior to 7am and parking or heading to crib sheds etc. According to RCC, construction works were not being undertaken prior to 7am.	Training was delivered to the workforce on 31/01/22. A non-conformance report was issued to the contractor responsible for parking their heavy vehicle prior to 7am. No complaints regarding this requirement have occurred since.	Contractor has implemented additional and ongoing traffic management. No further action required.	Closed
C13	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be	According to the monthly Noise and Vibration Monitoring Reports, noise levels were persistently above the applicable Noise Management Level at each monitoring locations and regularly exceeded the 75dB(A) Highly Noise Affected Management Level at the Public School location 6. The reports suggest that this high noise spikes were related to plant/equipment operating in close proximity to the monitor and were short term in nature. In the	RCC responded in accordance with the CNVMSP to prevent ongoing noise disturbances above the Highly Affected Management Level by providing periods of respite.	No further action required.	Closed.

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C16	<p>identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan.</p> <p>Vibration caused by construction at any residence or structure outside the site must be limited to:</p> <ul style="list-style-type: none"> a) for structural damage, the latest version of DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures (German Institute for Standardisation, 1999); and b) for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: a technical guideline (DEC, 2006) (as may be updated or replaced from time to time). 	<p>reports the noise consultant states 'that RCC have responded in accordance with the PWNA Construction Noise Vibration Sub-Plan (CNVMSP) to prevent ongoing noise disturbances above the HNAL by providing periods of respite'.</p> <p>According to the Noise and Vibration Monitoring Reports there are numerous occasions whereby vibration exceeds the applicable DIN 4150-3 standard criteria. For each occasion the noise consultant states that the exceedances were either not attributable to construction (i.e.: the logger was knocked) of that 'measured vibration levels have exceeded the permitted levels as outlined in the German Standard DIN 4150-3. Immediately after the event occurred RCC have been alarmed of the exceedance and undertook an immediate action to stop the works and investigate any damage in accordance with the CNVMSP.</p> <p>The Auditor also observes C18, whereby exceedances are permissible where a management approach is outlined in the CNVMSP. Section 5.1.3 of the CNVMSP establishes actions to be implemented in the event of exceedances of the criteria in C16. It appears as though the exceedances were responded to in line with the CNVMSP.</p>	<p>Exceedances of vibration criteria appear to have been responded to in accordance with the CNVMSP.</p>	<p>No further action required.</p>	<p>Closed</p>
D2	<p>Prior to commencement of operation, the Applicant must provide the Certifier with documented evidence that the products and systems 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.</p>	<p>Note this finding relates to the same issues as that identified in D3, D5, D7 D8, D9. The Staging Report identified this condition as being triggered prior to Stage 1, however Stage 1 does not have any external walls and cladding and therefore this condition has not been addressed as yet.</p>	<p>The auditees advised that the Staging Report has been updated to accurately capture the triggering of this condition and that the Staging Report was submitted to the Department on 17/3/22. Approval of the updated Staging Report is pending.</p>	<p>Response to DPE RFI re the updated Staging Report to be issued to DPE.</p>	<p>16 May 2022.</p>
D3	<p>The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.</p>	<p>Note this finding relates to the same issues as that identified in D3, D5, D7 D8, D9. The Staging Report identified this condition as being triggered prior to Stage 1, however Stage 1 does not have any external walls and cladding and therefore this condition has not been addressed as yet.</p>	<p>The auditees advised that the Staging Report has been updated to accurately capture the triggering of this condition and that the Staging Report was submitted to the</p>	<p>Response to DPE RFI re the updated Staging Report to be issued to DPE.</p>	<p>16 May 2022.</p>

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D5	<p>The installation of warm water systems and water cooling systems (as defined under the Public Health Act 2010) must comply with the Public Health Act 2010, Public Health Regulation 2012 and Part 1 (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.</p>	<p>Note this finding relates to the same issues as that identified in D3, D5, D7 D8, D9. The Staging Report identified this condition as being triggered prior to Stage 1, however Stage 1 does not have water heating and cooling systems and therefore this condition has not been addressed as yet.</p>	<p>Department on 17/3/22. Approval of the updated Staging Report is pending.</p>	<p>Response to DPE RFI re the updated Staging Report to be issued to DPE.</p>	<p>16 May 2022.</p>
D7	<p>Prior to commencement of operation, the Applicant must provide evidence to the satisfaction of the Certifier that the installation and performance of the mechanical ventilation systems complies with:</p> <ul style="list-style-type: none"> a) AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings and other relevant codes; and b) any dispensation granted by Fire and Rescue NSW 	<p>Note this finding relates to the same issues as that identified in D3, D5, D7 D8, D9. The Staging Report identified this condition as being triggered prior to Stage 1, however Stage 1 does not have mechanical ventilation and therefore this condition has not been addressed as yet.</p>	<p>The auditees advised that the Staging Report has been updated to accurately capture the triggering of this condition and that the Staging Report was submitted to the Department on 17/3/22. Approval of the updated Staging Report is pending.</p>	<p>Response to DPE RFI re the updated Staging Report to be issued to DPE.</p>	<p>16 May 2022.</p>
D8	<p>Prior to the commencement of operation, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the assessment undertaken under condition B26 have been incorporated into the design of mechanical plant and equipment to ensure the development will not exceed the maximum permitted noise criteria as recommended in Table 15 of the Acoustic Assessment Report (Ref: 6698-1.1R Rev A) dated 10 March</p>	<p>Note this finding relates to the same issues as that identified in D3, D5, D7 D8, D9. The Staging Report identified this condition as being triggered prior to Stage 1, however Stage 1 does not have mechanical plant and equipment and therefore this condition has not been addressed as yet.</p>	<p>The auditees advised that the Staging Report has been updated to accurately capture the triggering of this condition and that the Staging Report was submitted to the Department on 17/3/22. Approval of the updated Staging Report is pending.</p>	<p>Response to DPE RFI re the updated Staging Report to be issued to DPE.</p>	<p>16 May 2022.</p>

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D9	<p>2020 and prepared by Day Design.</p> <p>Prior to commencement of occupation, a Fire Safety Certificate must 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 Council. The Fire Safety Certificate must be prominently displayed in the building.</p>	<p>Note this finding relates to the same issues as that identified in D3, D5, D7 D8, D9. The Staging Report identified this condition as being triggered prior to Stage 1, however Stage 1 does not have (nor, according to the Certifier, require) fire safety or protection measures and therefore this condition has not yet been addressed.</p>	<p>The auditees advised that the Staging Report has been updated to accurately capture the triggering of this condition and that the Staging Report was submitted to the Department on 17/3/22. Approval of the updated Staging Report is pending.</p>	<p>Response to DPE RFI re the updated Staging Report to be issued to DPE.</p>	<p>16 May 2022.</p>
D10	<p>Prior to the commencement of occupation of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the Certifier. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after:</p> <ul style="list-style-type: none"> a) the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s 	<p>The Certificate and final drawings were not submitted to the approval authority (the Department) and the Council until after the audit inspection. The Auditor notes that there is no timing specified for this.</p>	<p>The Certificate and final drawings were submitted to the approval authority the Department) and the Council on 01/04/22 and 30/03/22 respectively.</p>	<p>No further action required.</p>	<p>Closed</p>