

Michael Cassel
Planning Secretary
Department of Planning and Environment
Locked Bag 5022
Parramatta NSW 2150

Attn: Rob Sherry

23 February 2021

Dear Mr Cassel

Darlington Public School (SSD 9914): Submission of Independent Audit Report and response in accordance with Condition C45 and C46

I refer to Darlington School Redevelopment approved on the 30 November 2020.

In accordance, with condition C46 of the Development Consent, the following document has been submitted to the Planning Secretary for information:

- Independent Environmental Audit, Darlington Public School Redevelopment, SNC-Lavalin Atkins, 25 February 2022, Rev.2

This report has been amended to reflect the feedback from the Department of Planning and Environment.

As per the requirements of condition C45 and C46 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 recommendations

Yours sincerely



Jacqueline Sellen
**Assistant Project Director
Schools Infrastructure NSW**

Attachment A – Response to Independent Audit non-compliances

| Condition ID | Compliance Requirement | Audit findings | Audit Recommendations | Department of Education Actions | Evidence of Actions |
|--------------|--|---|---|--|---|
| A26 | The Planning Secretary must be notified through the major projects portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the major projects portal within seven days after they identify any non-compliance. | DPS 02 NC01 Unapproved out of hours work (OOHW) was undertaken in July 2021 and was not reported to DPIE until 5/8/21. This work related to finishing concrete after hours until 9:45pm. This was reported to Mace a few days after the unapproved OOHW and then investigated. Noncompliance self-reported by DoE. Identified 21/7 and notified to DPIE 5/8. | Actions taken were noted and matter considered closed. | No further action | Notification record and issued to Planning Secretary 5 August 2021, Ref SSD-9914-PA-13 |
| C4 | Construction, including the delivery of materials to and from the site, may only be carried out between the following hours: (a) 7am and 6pm, Mondays to Fridays inclusive; and (b) 8am and 1pm, Saturdays. No work may be carried out on Sundays or public holidays. | DPS 02 NC 02 Non-compliance for unapproved out-of-hours work (OOHW) associated with finishing concrete on 13 July 2021 (due to late delivery and poor weather) until 9.45pm. This work was unapproved and outside the construction hours indicated in C4. | Actions taken were noted. Actions required to address the non-compliance include reporting the non-compliance to DPIE. A toolbox or other training should also be provided to project staff and contractors to inform them on approved working hours and consent obligations to seek approval for OOHW and notify the community if advance of works. | Noncompliance notice to be issued. Toolbox talk to be conducted to reinforce working hours, noise requirements and complaints process to capture formal and informal | Notification record and submission evidence. Toolbox talk record. |
| C7 | Notification of such construction activities as referenced in condition C6 must be given to affected residents before undertaking the activities or as soon as is practical afterwards. | DPS 02 NC03 non-compliance associated with finishing concrete after hours in July 2021. The Contractor did not inform affected residents prior to or asap afterwards, as required by condition C7. Noncompliance self-reported by DoE to DPIE 5/8. | Actions taken were noted. Outstanding actions required to address the non-compliance include recording the community discussions regarding the OOHW works as a complaint on the project complaints register (post audit). | In accordance with DPE direction of 11/02/22 the Department of Education will record the informal enquiry made by a neighbour as a Complaint and will update the Community Consultation Strategy to ensure any future similar interactions are captured in the same way. | Notification record and issue to Planning Secretary 5 August 2021, Ref SSD-9914-PA-13 Updated Complaint register. Updated CCS and record of submission to Planning Secretary. |



Attachment B – Response to Independent Audit recommendations

| Condition ID | Compliance Requirement | Audit findings | Audit Recommendations | Department of Education Actions | Evidence of actions |
|--------------|--|---|--|---|---|
| B11 | Management plans required under this consent must be prepared having regard to the relevant guidelines, including but not limited to the Environmental Management Plan Guideline: Guideline for Infrastructure Projects (DPIE April 2020). | During audit period, minor revisions made to the Project Plan (CEMP is part of the PMP), such as updates to covid requirements, distribution list and procedures. Rev G of the PMP has not yet been issued to Mace. | PMP should be sent to PCA and DPIE for information and added to website. | Updated PMP to be issued to the Planning Secretary for information Updated PMP to be made publicly available. | Evidence of submission and upload to project website |
| B14(b) | The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following: (b) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009) | CNVMP could be revised to include general noise mitigation measures. | Consider revising CNVMP to include general noise mitigation measures, including reasonable and feasible noise management measures. Suggestions included in Appendix E of audit report. | Contractor to review the strategies, plans or programs in accordance with condition A29 to see whether general noise mitigation measures are covered to close out general noise mitigation measures. Any revision to a strategy, plan or program to be issued in accordance with condition A30 | Evidence of review of strategy, plans and programs. Evidence of approvals and submissions in accordance with condition A30 |
| B17 | A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers. | Some changes to Driver Code of Conduct due to changes in site conditions. Covid, access changes, QR code sign in. | Ensure changes to the Driver Code of Conduct (CoC) have these been included in the version included in Appendix D of the CTPMSP and is uploaded to the SINSW project website. | Updated Driver CoC and CTPMSP to be issued to the Planning Secretary for information. Updated CTPMSP to be made publicly available. | Evidence of submission and upload to project website |
| C9 | The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans). | Noted onsite simultaneous use of several radios by numerous work crews. NVMP Section 9.7.4 details the formulation of work practices to reduce noise generation. Project update (March 2021) included in NVMP detailed avoiding the use of radios or stereos outdoors where neighbours can be affected. | Toolbox radio use onsite and formulate work force practices to minimise noise impacts on community. | Contractor to review practices and carry out Toolbox talk to minimise onsite radio use. Site specific induction to be reviewed. | Evidence of toolbox talks and any updates to induction procedure. |
| C17 | Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C16. | Residential receivers likely further than 30m, but couldn't confirm. | Update CNVMSP for Stage 2, with maps indicating proximity to nearby residential receivers (including 30m potential impact zone), prior to the commencement of Stage 2. | The Department of Education had reviewed the recommendations of the May 2021 audit and found no action was necessary for Stage 1 works. DoE now acknowledges that updates to the CNVMSP would be beneficial ahead of Stage 2 commencement and will therefore adopt the recommendations of the auditor. Updated CNVMSP to be issued to the Planning Secretary for information. Updated CNVMSP to be made publicly available. | Evidence of submission and upload to project website. |

| Condition ID | Compliance Requirement | Audit findings | Audit Recommendations | Department of Education Actions | Evidence of actions |
|--------------|---|--|---|---|---|
| C32 | All waste generated during construction must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties. | Some minor site housekeeping issues observed with a few bottles, discarded waste and broken cement bags within and around building, but otherwise well managed. Noted in checklist and housekeeping monitored regularly. | A thorough site clean-up be undertaken prior to Xmas shutdown and toolbox talk held with crew to reinforce need for good housekeeping practices within work zones. | Contractor to carry out site clean prior to Christmas and continue to monitor / reinforce through tool box talks. | Record of Weekly toolbox talk dated 20/12/2021 covering issue of housekeeping especially for Christmas shutdown |
| C34 | The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse. | Brick mortar mixing observed onsite during inspection. Various portable mixers onsite to facilitate brickwork. Hand tool washout tubs used to wash tools. | During upcoming brick washing, ensure acidic wash mix is contained and managed onsite and not discharged or allowed to runoff offsite. | Brick washing to be monitored on site and ensure that no discharge or runoff is created. | Monitoring records |
| D1 – D33 | PART D – Prior to the commencement of operation. | Due to the staged nature of the works, staged operation will occur and several of the Part D conditions will be relevant prior to the commencement of Stage 2. | The application of each condition is reviewed to ensure sufficient notice is provided and approval sought as per the specific condition obligations in Part D conditions. | DoE / Contractor to review Part D conditions and ensure satisfaction prior to occupation. | Evidence of compliance with all pre-occupation conditions. |

