

Attachment A – Response to Independent Audit non-compliances

Condition ID	Compliance Requirement	Audit finding	Audit Recommendation	Proponent's Proposed Action/Action Taken/Response	Evidence	Due Date/Status
A2	<p>Terms of Consent</p> <p>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) generally in accordance with the EIS and RtS; and (d) in accordance with the approved plans in the table below: - Architectural Drawings prepare by Perumal Pedavoli Architects (SD_00_001 to SD_00_003; SD_01_001 to SD_01_005; SD_01_101 to SD_01_106; SD_02_001 to SD_02_004; and SD_20_001 to SD_20_003) - Landscape Drawings prepared by Lorna Harrison Landscape Architects (00_02 to 00_05)</p>	<p>Non-Compliance:</p> <p>As numerous non-compliances were identified during this audit period, the majority administrative in nature, the Auditor considers it appropriate to assign a non-compliance against item (a) of this condition.</p>	<p>Proposed Action:</p> <p>Address the non-compliances identified in this report and prepare / review/ update the Operational Management Plans to ensure full compliance against the Operational conditions.</p>	<p>Refer below for responses to individual findings.</p> <p>Please refer to non compliance letter Gledswood Hills PS (Stage 1) - C37 Non compliance notification –submitted to DPHI on 14/02/24</p>		Open
A17	<p>Monitoring and Environmental Audits</p> <p>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, noncompliance notification, Site audit report and independent auditing.</p> <p>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.</p>	<p>Non-Compliance:</p> <p>It was noted that no monitoring has been undertaken since the school became operational (January 2020). For example: the short-term noise monitoring was required to be undertaken as per condition E5 and that has not been carried out. Additionally, no Operational Audit was conducted within 12 months of the Stage 1 development becoming operational in January 2020.</p>	<p>Proposed Action:</p> <p>Noise monitoring to be undertaken as per condition E5 requirements. Noted that Operational Independent Audit (this audit) has been carried out on the 14- 15 December 2023.</p>	<p>Proposed Action:</p> <p>Noise monitoring to be undertaken as per condition E5 requirements to be undertaken post completion of Stage 2. Construction works are currently in progress and construction noise would impact monitoring results for Stage 1 operations.</p> <p>Please refer to non compliance letter Gledswood Hills PS (Stage 1) - C37 Non compliance notification –submitted to DPHI on 14/02/24</p>		Open – post stage 2 operations
A18	<p>Access to Information</p> <p>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>	<p>Non-compliance:</p> <p>The complaints register for Stage 1 published on the project website was last updated in September 2019, no updates were made during October, November, December 2019 nor January 2020. Project was completed in January 2020.</p>	<p>Completed Action:</p> <p>Since Stage 1 works of the project were completed in January 2020, and the contractor (Hindmarsh) is no longer present on site, updating the complaints register is deemed</p>	<p>Response:</p> <p>Auditor considers this item closed. No further action required.</p> <p>Project team notes that the complaints register is up to date for Stage 2 Construction.</p>		Closed

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	<p>(a) make the following information and documents (as they are obtained or approved) available on its website:</p> <p>(i) the documents referred to in condition A2 of this consent;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>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;</p> <p>(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;</p> <p>(vi) a summary of the current stage and progress of the development;</p> <p>(vii) contact details to enquire about the development or to make a complaint;</p> <p>(viii) a complaints register, updated monthly;</p> <p>(ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;</p> <p>(x) any other matter required by the Planning Secretary; and</p> <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>		unnecessary. The auditor considers this issue closed.	Please refer to non compliance letter Gledswood Hills PS (Stage 1) - C37 Non compliance notification –submitted to DPHI on 14/02/24		
B32	<p>Compliance Reporting</p> <p>No later than two weeks before the date notified for the commencement of construction a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifier. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018). The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifier in writing at least seven days before this is done.</p>	<p>Non-Compliance:</p> <p>No Operational Compliance Reports have been prepared after the school started operations in January 2020. Noting that Operational Compliance Report is required at intervals no greater than 52 weeks from the commencement of operation (annually). A letter from the DPE dated 10 June 2020 was presented, indicating that the Compliance Reporting during construction has been removed, however it is noted that a Compliance Report for Operations and Decommissioning is still required.</p>	<p>Proposed Action:</p> <p>Prepare an Operational Compliance Report for publication in accordance with the Compliance Reporting Post Approval Requirements.</p>	<p>Proposed Action:</p> <p>Prepare an Operational Compliance Report for publication in accordance with the Compliance Reporting Post Approval Requirements following operation of Stage 2.</p> <p>Please refer to non compliance letter Gledswood Hills PS (Stage 1) - C37 Non compliance notification –submitted to DPHI on 14/02/24</p> <p>Proposed Sequence:</p> <ol style="list-style-type: none"> 1. Stage 2 operation June 2024 TBC 2. Stage 2 Operational IEA Report #1 at 26 weeks post operation submitted to DPHI (approx. end 2024) 		Open

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				3. Once IEAR response is submitted to DPHI (step 2 above) then prepare Compliance Report. This is required 52 weeks after operation. Compliance report will account for both Stages 1 & 2.		
B34	Independent Environmental Audit Independent Audits of the development must be carried out in accordance with: a) the Independent Audit Program submitted to the Department and the Certifier under condition B33 of this consent; and the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements. b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).	Non-Compliance: An Operational Independent Audit was not carried out within 12 months of Stage 1 of the development becoming operational in January 2020. A letter was submitted from the SINSW to the Planning Secretary on the 17 August 2023 (Ref. No. DOC23/1386313) requesting to amend the audit program for the Gledswood Hills Public School SSD-8378 and postpone the Operational Independent Audit of Stage 1 until Stage 2 is operational (indicative date December 2024). The Planning Secretary did not approve the request for an extension of the Operational Audit and requested SINSW to undertake the Audit of Stage 1 in conjunction with the timing of the Audit for the Stage 2 construction works (December 2023).	Completed Action: The Operational Independent Audit (this audit) was undertaken in accordance with the advice from the Planning Secretary and the Independent Audit Post Approval Requirements (IAPAR) on the 14-15 December 2023. Applicant to publish the Audit Report and Response to Audit Report in the project website.	Proposed Action Independent Audit Report and Response to Audit Report to be published on the project website and notification provided to the Certifier and Planning Secretary that the report and response has been published. Please refer to non compliance letter Gledswood Hills PS (Stage 1) - C37 Non compliance notification –submitted to DPHI on 14/02/24.		Closed
C37	Non-Compliance Notification 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 Certifier must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance. 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. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Non-Compliance: No notification was made to the Planning Secretary after the Applicant became aware of the non-compliance against condition B34 requirement of undertaking an Operational Independent Audit within 52 weeks of the commencement of operations. (IAPAR 2018)	Completed Action: Letter was submitted to the Planning Secretary on the 17 August 2023 requesting to amend the audit program for the Gledswood Hills Public School SSD-8378 and postpone the Operational Independent Audit of Stage 1 until Stage 2 is operational. Operational Independent Audit was carried out on the 14-15 of December 2023.	Proposed Action Please refer to non compliance letter Gledswood Hills PS (Stage 1) - C37 Non compliance notification –submitted to DPHI on 14/02/24. NB - The auditor's letter referenced is PA-19 submitted 22 August 2023 (not 17 August 2023).		Closed
D16	Fire Safety Certificate Prior to the final 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.	Non-compliance: The Fire Safety Certificate was prepared and was accepted by the Certifier in December 2019. However, no evidence was provided to demonstrate that prior to the final occupation, the Fire Safety Certificate was issued to Camden Council and relevant authority. The Applicant provided the following information in relation to the submission of the Certificate to Council: Gledswood Hills Public	Completed Action: Email dated 18 April 2023 from Camdem Council was provided indicating that Gledswood Hills Public School buildings are State owned buildings and therefore there is no requirement to submit a Certificate into Council.	Completed Action: Email dated 18 April 2023 from Camdem Council was provided indicating that Gledswood Hills Public School buildings are State owned buildings and therefore there is no requirement to submit a Certificate into Council.		Closed

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		School buildings are State owned buildings and therefore there is no requirement to submit a Certificate into Council. Council's do not issue the Construction Certificates or Complying Development Certificates or certify the construction of these buildings, nor issue an Occupation Certificate as they are Crown development. In addition, no post certificate work is submitted to Council for State owned buildings, nor are these documents uploaded onto the NSW Planning Portal, meaning if there is an enquiry about a building, Council has no records to refer to.		Camden Council and NSW Fire Service were emailed the Fire Safety Certificate documentation on 13 February 2024 to satisfy the condition requirements.		
D19	Stormwater Quality Management Plan Prior to occupation of the building, an Operation and Maintenance Plan (OMP) is to be prepared to ensure proposed stormwater quality measures remain effective. The OMP must contain the following: a) maintenance schedule of all stormwater quality treatment devices; b) record and reporting details; c) relevant contact information; and d) Work Health and Safety requirements.	Non-Compliance: Details for record and reporting and work health and safety requirements were not presented or referenced in the Stormwater Quality Management Plan	Proposed Action: Update the Stormwater Quality Management Plan to include all the details required under condition D19. The Applicant indicated the Plan will be revised as part of Stage 2 scope.	Proposed Action: Update the Stormwater Quality Management Plan to include all the details required under condition D19 as part of Stage 2 scope. Please refer to non compliance letter Gledswood Hills PS (Stage 1) - C37 Non compliance notification –submitted to DPHI on 14/02/24		Open
D33	Data for Transport for New South Wales Twelve months prior to commencement of school operations for Stages 1 and 2, The Applicant must notify TfNSW and the local bus operator of the intention to commence operations	Non-Compliance: Notification to the local bus operator (Bus About) of the intention to commence school operations was not provided twelve months prior commencement of school operations. It was noted that notification was sent on the 2 August 2019.	Completed Action: Notification to the local bus operator (Bus About) was made on the 2 August 2019. No further action is required on this issue, and it is considered closed.	Completed Action: Project team has record of notification being sent to TfNSW and the local bus operator on 31/01/2019. Please refer to non compliance letter Gledswood Hills PS (Stage 1) - C37 Non compliance notification –submitted to DPHI on 14/02/24		Closed
E3	Road Safety Evaluation A Road Safety Evaluation (RSE), (refer to NSW Centre for Road Safety Guidelines for Road Safety Audit Practices and Austroads Guide to Road Safety Part 6: Road Safety Audit) must be conducted on all relevant sections of road utilised for bus and private vehicle drop-off and pickup, within the first three months of commencement of operation of the Site. Appropriate road safety measures and/or traffic management measures shall be implemented based on the outcomes of the RSE in consultation with Council.	Non-Compliance: A Road Safety Evaluation (RSE) was not carried out within the first three months of commencement of operations. It was noted that a road safety evaluation quote has been requested on the 29 November 2023 and a consultant is in the process of been engaged to undertake this works. Approval process is with SINSW – 11 December 2023.	Proposed Action: Complete the Road Safety Evaluation (RSE) in accordance with NSW Centre for Road Safety Guidelines for Road Safety Audit Practices and Austroads Guide to Road Safety Part 6: Road Safety Audit. Implement all road safety measures as indicated by the outcome of the RSE in consultation with Council.	Proposed Action: Complete the Road Safety Evaluation (RSE) in accordance with NSW Centre for Road Safety Guidelines for Road Safety Audit Practices and Austroads Guide to Road Safety Part 6: Road Safety Audit post completion of Stage 2 works. Implement all road safety measures as indicated by the outcome of the RSE in consultation with Council. Please refer to non compliance letter Gledswood Hills PS (Stage 1) - C37 Non compliance notification –submitted to DPHI on 14/02/24		Open – post Stage 2

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E5	Operational Noise Limits and Management The Applicant must carry out a short-term noise monitoring program for the use of the school hall and playing fields during school-term and after-hours use of the hall. The noise monitoring must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within six months of commencement of operations in both Stage 1 and Stage 2 to verify that operational noise levels do not exceed the recommended noise levels identified in the Acoustic Assessment Report 6130-1.1R Rev E prepared by Day Design Pty Ltd dated 2 August 2018.	Non-Compliance: No short-term noise monitoring has been carried out to date by an appropriately qualified person. Consequently, no monitoring report was submitted to the Planning Secretary within six months of commencement of operations of Stage 1.	Proposed Action: Conduct short-term noise monitoring to verify that operational noise levels do not exceed the recommended noise levels identified in the Acoustic Assessment Report 6130-1 Revision E. Submit the noise monitoring report to the Planning Secretary. Applicant indicated that noise monitoring will be undertaken post completion of construction of Stage 2 as the construction noise may impact results.	Proposed Action: Conduct short-term noise monitoring post completion of Stage 2 works to verify that operational noise levels do not exceed the recommended noise levels identified in the Acoustic Assessment Report 6130-1 Revision E. Submit the noise monitoring report to the Planning Secretary. Please refer to non compliance letter Gledswood Hills PS (Stage 1) - C37 Non compliance notification –submitted to DPHI on 14/02/24		Open
E9	Out of Hours Event Management Plan The Applicant is to prepare an Out of Hours Event Management Plan (EMP), for out of hours events that involve 100 or more people for the Site, within 3 months of commencement of operation of the development. The plan must be prepared, in consultation with Council, and include the following: (a) the expected number of evening events during each year; (b) the maximum duration of each event; (c) expected arrival and departure times of attendees and modes of transport; (d) where relevant, a schedule of all annual events and availability of the on-site car-park for this purpose; (e) restricting the use of the multi-purpose hall within the Site and all associated activities to 10pm (latest); (f) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e., public transport); (g) measures to minimise localised traffic and parking impacts; and (h) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan (if needed).	Non-compliance: No Out of Hours Event Management Plan (OOHEMP) has been developed to date. The school has carried out events, such as movie night, parent/teachers' interviews, Christmas carols, KG information night, Out of Hours Kids club and all these events have involved 100 or more people.	Proposed Action: Prepare an Out of Hours Event Management Plan for out of hours events that involve 100 or more people for the site. Plan must be developed in consultation with Council and meet all the requirements of condition E9. Applicant indicated that OOHEMP proposed to be undertaken as a combined Stage 1 and 2 Plan as part of Stage 2 works.	Proposed Action: Prepare an Out of Hours Event Management Plan for out of hours events that involve 100 or more people for the site. Plan to be prepared within 3 months of commencement of Stage 2. Please refer to non compliance letter Gledswood Hills PS (Stage 1) - C37 Non compliance notification –submitted to DPHI on 14/02/24		Open
E12	Green Travel Plan The Green Travel Plan required by Condition D14 of this consent must be updated annually and implemented.	Non-Compliance: The Green Travel Plan (GTP), prepared by Woolacotts Consulting on the 25 October 2019 Revision E has not been updated since 2019. However, TSA issued a direction on the 24 November 2023 to the Contractor for Stage 2 (PBG) to engage a traffic consultant to assess the current GTP for the Gledswood Hills School.	Proposed Action: GTP to be reviewed and updated annually. GTP to be fully implemented during School Operations.	Proposed Action: Review and update of the GTP is being undertaken as part of the Stage 2 works. Project team to provide instruction to School and SINSW Asset Management Unit that GTP to is to be fully		Open - Stage 2

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				implemented during School Operations and updated annually. Please refer to non compliance letter Gledswood Hills PS (Stage 1) - C37 Non compliance notification –submitted to DPHI on 14/02/24		
E14	Fire Safety Certificate The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.	Non-compliance: The Annual Fire Safety Statements have not been submitted to Council every 12 months as required by this condition. Furthermore, the absence of the Annual Fire Safety Statements for 2021 and 2022 impeded the Auditor's ability to confirm that the annual fire safety tests have been carried out annually. The Applicant provided the following information before the finalisation of this audit report in relation to the submission of the AFSS to Council and AFSS for 2021 and 2022: The reason there are no AFSS records for 2021 or 2022 is due to issues that arose during and post COVID. At the time, the Asset Management Team was in constant communication with Camden Council and extensions of time were given during these 2 years until the Applicant was able to have the 2023 AFSS completed. Also, since April 2023, Camden Council have advised SINSW that they no longer require an AFSS to be submitted for the public schools in the LGA and the reason is that they are not involved in issuing Construction Certificates or Complying Development Certificates or certify the construction of these buildings, nor issue an Occupation Certificate as they are Crown development.	Completed Action: Camdem Council provided extensions of time during 2021 and 2022 until the Applicant was able to have the 2023 AFSS completed. Additionally, an email dated 18 April 2023 from Camdem Council was provided indicating that Gledswood Hills Public School buildings are State owned buildings and therefore there is no requirement to submit the AFSS to the Council.	Completed Action: Camdem Council provided extensions of time during 2021 and 2022 until the Applicant was able to have the 2023 AFSS completed. Additionally, an email dated 18 April 2023 from Camdem Council was provided indicating that Gledswood Hills Public School buildings are State owned buildings and therefore there is no requirement to submit the AFSS to the Council. Camden Council and NSW Fire Service were emailed the Fire Safety Certificate documentation on 13 February 2024 to satisfy the condition requirements. Please refer to non compliance letter Gledswood Hills PS (Stage 1) - C37 Non compliance notification –submitted to DPHI on 14/02/24		Closed.
E16	Operational Traffic and Access Management Plan The OTAMP required by Condition D31 of this consent must be updated annually and implemented.	Non-Compliance: The Operational Traffic and Access Management Plan (OTAMP) has not been updated annually as required by this condition.	Proposed Action: Update the OTAM Plan as required by Condition D31.	Proposed Action: Update the OTAMP as required by Condition D31 prior to completion of the Stage 2. Please refer to non compliance letter Gledswood Hills PS (Stage 1) - C37 Non compliance notification –submitted to DPHI on 14/02/24		Open – Stage 2

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	Due Date/Status
D23	Signage Bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas prior to occupation.	Observation: During the site inspection it was noted that the bicycle wayfinding signage was missing. The Applicant indicated that the signage installed at time of School commencement has been temporarily dismantled, signage identifies bike parking and will be reinstated once hoarding line is shifted.	Proposed Action: Re-instate bicycle way-finding signage to direct cyclists from footpaths to designated bicycle parking areas once hoarding line is shifted and Block F and G are completed	To be completed upon operation of Stage 2 commencing.	Open
E11	Unobstructed Driveways and Parking Areas All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.	Observation: A waste bin was found to be overflowing with rubbish and obstructing one of the carpark spaces. Waste Bin to be removed from the carpark near MC07.	Completed Action: Additional waste bin emptied and removed from site.	Bin removed as per auditor's comment.	Closed

