

Kiersten Fishburn  
Planning Secretary  
Department of Planning and Environment  
Locked Bag 5022  
Parramatta NSW 2124

Attn: Rob Sherry,

5 October 2023

Dear Ms Fishburn,

**Kingscliff High School (SSD 8744305): Submission of Independent Audit Report and response in accordance with Condition C39 and C40**

I refer to SSD Application 8744305, Upgrades to Kingscliff High School, approved on 3 November 2021.

In accordance, with condition C39 of the Development Consent, the following document has been submitted to the Planning Secretary for information:

- *Independent Audit No. 4 – Audit Report, Kingscliff High School Upgrade – SSD 8744305, Steve Fermio, 26 September 2023, Version 1.0.*

As per the requirements of condition C40 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
- Attachment C – B17 KHS Construction Noise and Vibration Management Sub Plan (Rev 8 October 2023)

In accordance with Condition A27(a)(ix) and C39(c) the project will publish and make publicly available, the independent audit report and response to the recommendations within 60 days of this letter.

Yours Sincerely,



Martyn Charlett  
**Senior 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
Nil	Nil	Nil	Nil	Nil	Nil



## Attachment B – Response to Independent Audit observations

ID	Condition	Compliance Requirement	Audit findings	Audit Recommendations	Department of Education Actions	Evidence of actions
IA2_03	C13	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009) (ICNG). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan (CNVMP).	<p><b>IA3 response:</b></p> <p>RCC current construction methodology looks to incorporate the following actions interfaced with KHS and the construction zones.</p> <ul style="list-style-type: none"> <li>• The shifting of teaching activities away from the buildings directly adjacent to the works.</li> <li>• The utilisation of one piece of machinery at a time in sensitive zones (although not guaranteed to reduce noise emissions below the thresholds).</li> <li>• Scheduling of construction activities causing significant noise to periods where the community are less sensitive to noise (such as before, during lunchbreak and after school).</li> <li>• In the event of highly noise affected threshold being exceeded, ie: rock breaking. RCC will look to incorporate 5 min respite periods every 10 minutes to help receive recorded levels and provide respite to sensitive stakeholders.</li> </ul> <p>The above will be incorporated into REV 6 of the CVMP.</p> <p>Additionally, RCC undertook further noise monitoring at KHS during November – December 2022 to re-establish base line levels against the following construction activities - detailed excavation, concrete and concrete structure works. See attached.</p> <p><b>IA4 update:</b> The proposed response above has not been actioned or addressed in Rev 7 of the CNVMP.</p>	<p>The CNVMP requires review with regard to detailing the management response to the outcomes of any exceedances of NMLs. <b>IA3 Update:</b> This is not specifically addressed in Rev 5 of the CNVMP.</p> <p><b>IA3 Response:</b> CNVMP to be revised (Rev 6) to include the following actions:</p> <ul style="list-style-type: none"> <li>• The shifting of teaching activities away from the buildings directly adjacent to the works.</li> <li>• The utilisation of one piece of machinery at a time in sensitive zones (although not guaranteed to reduce noise emissions below the thresholds).</li> <li>• Scheduling of construction activities causing significant noise to periods where the community are less sensitive to noise (such as before, during lunchbreak and after school).</li> <li>• In the event of highly noise affected threshold being exceeded, ie: rock breaking. RCC will look to incorporate 5 min respite periods every 10 minutes to help receive recorded levels and provide respite to sensitive stakeholders.</li> </ul> <p><b>IA4 update:</b> The proposed response above has not been actioned or addressed in Rev 7 of the CNVMP.</p>	<p>Meeting was held with project team including Wolfpeak and ENV to resolve ongoing observations against condition C13.</p> <p>Following this meeting, the CNVMSP has been revised, in accordance with Condition A13c to incorporate additional measures or amendments to improve the environmental performance of the development.</p>	<p>Please refer Attachment C clean and tracked changes versions of the CNVMSP Rev 8.</p>
IA3_01	C13	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009) (ICNG). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels	<p>Future noise monitoring should include an assessment of compliance against the NML in Table 9 of the CNVMP applicable to 'Classrooms', given that these are likely to be among the most noise affected receivers on the project. If future noise monitoring indicates that the NMLs in the CNVMP are exceeded, consideration of any additional</p>	<p>Noise monitoring was undertaken in Nov – Dec 2022 adjacent to close neighbours and current work front of Building O CAPA.</p> <p>Noise monitoring of demolition works to building A and close to classrooms undertaken separately.</p>	<p>As above.</p>	<p>As above.</p>

ID	Condition	Compliance Requirement	Audit findings	Audit Recommendations	Department of Education Actions	Evidence of actions
		must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan (CNVMP).	reasonable and feasible mitigation measures should be included in the monitoring report or a record of management's response to this  <b>IA4 update:</b> Monitoring undertaken in Feb – March 2023 does not address this finding adequately. See observation against C13 below.			
IA4_01	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 identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan.	Noise monitoring was undertaken in Feb – March 2023. The noise monitoring report (ENV Solutions 30 May 2023) has not assessed compliance against the relevant NML but only applied the highly noise affected level of 75dB(A) as the criteria to assess compliance. This means that all reasonable and feasible mitigation measures may have not been considered or identified by the project to achieve compliant with the relevant NMLs (e.g., those in Table 5-1 and Table 9, which are much lower).  Notwithstanding the above it is noted that noise impacts are managed through weekly liaison meetings between RCC and the School (e.g., limiting high noise activities during examination periods) and that no complaints regarding noise have been received from the community.  The Applicant has provided information indicating that community consultation and noise monitoring with highly noise affected SMS warning are effective management methods for the demolition and construction works	If any future noise monitoring is conducted on the project, it should assess compliance with the relevant NMLs in section 5.3 of the CNVMP. It is the auditor's opinion that the highly noise affected level of 75dBA is not the appropriate NML to apply in this circumstance.  If any exceedances with the relevant NMLs are identified the project team should consider if any additional feasible and reasonable noise mitigation measures could be adopted in an effort to achieve compliance with the relevant NMLs (noting that compliance with the relevant NMLs in Tables 5-1 and 9 at all times may not be possible under the circumstances).	As above.	As above.
IA4_02	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 identified and managed in accordance with the management and	It was noted during the site inspection that a radio being used by site personnel was very audible (this was turned down during the course of the inspection).	Nil.	Specific toolboxes were undertaken after the audit targeting minimizing nuisance noise through measures such as turning radios down or off, increased awareness of school learning activities nearby.	CLOSED

ID	Condition	Compliance Requirement	Audit findings	Audit Recommendations	Department of Education Actions	Evidence of actions
		mitigation measures identified in the approved Construction Noise and Vibration Management Plan				
IA4_03	N/A	N/A	It was noted during the site inspection that two Indigenous related memorial obelisk stones (not artefacts) were stored in a manner that could potentially be impacted by construction activities (Appendix D).	Ensure the protection of the two memorial stones (e.g. temporary protective fencing or relocation away from the active construction zone etc) from potential construction impacts until such time as a decision is made regarding the future of these stones.	Memorial stones were relocated away from the active construction zone and temporary fencing was installed.	CLOSED

