# INDEPENDENT AUDIT REPORT

## KYEEMAGH PUBLIC SCHOOL – SSD 9391

MARCH 2021

wolfpeak.com.au

## Revision History

| Revision | Date | Prepared By | Reviewed By | Description |
|---|---|---|---|---|
| V0 | 17/03/2021 | DL | SF | For issue to client |
| V1 | 26/03/2021 | DL | SF | Final |
| | | | | |

## Authorisation

| | | | |
|---|---|---|---|
| **Author name** | Derek Low | **Reviewer / approver name** | Steve Fermio |
| **Author position** | Principal Auditor | **Review position** | Principal Auditor |
| **Author signature** | | **Reviewer / approver signature** | |
| **Date** | 26/03/2021 | **Date** | 26/03/2021 |


### Disclaimer

This disclaimer, together with any limitations specified in this report, apply to use of this report. This report was prepared in accordance with the contracted scope of works for the specific purpose stated in the contract and subject to the applicable cost, time and other constraints. In preparing this report, WolfPeak Pty Ltd (WolfPeak) relied on client/third party information which was not verified by WolfPeak except to the extent required by the scope of works, and WolfPeak does not accept responsibility for omissions or inaccuracies in the client/third party information; and information taken at or under the particular times and conditions specified, and WolfPeak does not accept responsibility for any subsequent changes. This report has been prepared solely for the use by, and is confidential to, the client and WolfPeak accepts no responsibility for its use by any other parties. This report does not constitute legal advice. This report is subject to copyright protection and the copyright owner reserves its rights.

# CONTENTS

**Executive Summary** ..... **1**

**1. Introduction** ..... **2**

1.1 Project overview ..... 2

1.2 Approval requirements ..... 3

1.3 The audit team ..... 4

1.4 The audit objectives ..... 4

1.5 Audit scope ..... 4

**2. Audit methodology** ..... **6**

2.1 Audit process overview ..... 6

2.2 Audit process detail ..... 7

2.2.1 Audit initiation and scope development ..... 7

2.2.2 Preparing audit activities ..... 7

2.2.3 Site personnel involvement ..... 8

2.2.4 Meetings ..... 8

2.2.5 Interviews ..... 8

2.2.6 Site inspection ..... 8

2.2.7 Document review ..... 8

2.2.8 Document review ..... 8

2.2.9 Compliance evaluation ..... 9

2.2.10 Evaluation of post approval documentation ..... 9

2.2.11 Completing the audit ..... 9

**3. Audit findings** ..... **10**

3.1 Approvals and documents audited and evidence sighted ..... 10

3.2 Non-compliances, Observations and Actions ..... 10

3.3 Adequacy of Environmental Management Plans, sub-plans and post approval documents 16

3.4 Summary of notices from agencies ..... 16

3.5 Other matters considered relevant by the Auditor or DPIE ..... 16

3.6 Complaints ..... 16

3.1 Incidents ..... 16

3.2 Actual versus predicted impacts ..... 17
**4. Conclusions ..... 20**
**5. Limitations ..... 21**
**Appendix A – SSD 9391 Conditions of consent ..... 22**
**Appendix B – CEMP & sub-plan mitigation measures ..... 57**
**Appendix C – Planning Secretary agreement of Independent Auditors ..... 62**
**Appendix D – Consultation records ..... 63**
**Appendix E – Meeting sign on sheet ..... 64**
**Appendix F – Site inspection photos ..... 65**
**Appendix G – Independent declaration forms ..... 71**

# EXECUTIVE SUMMARY

The NSW Department of Education – School Infrastructure NSW (SINSW) is responsible for delivering redevelopment of the Kyeemagh Public School. Consent for the Project was granted on 14 July 2020, State Significant Development (SSD) 9391, subject to a number of Conditions of Consent (CoC).

The objective of this Independent Audit is to satisfy SSD 9391 Schedule 2, CoC C36. It requires that Independent Audits of the development be carried out in accordance with the Independent Audit Program required under CoC C36 and the Independent Audit Post Approval Requirements.

The Independent Audit seeks to verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project. This Audit Report presents the findings from the second Independent Audit for the construction period, covering the period from October 2020 to March 2021. Works undertaken during audit period include the completion of remediation, foundations works, structures and commencement of high level services fit out.

The overall outcome of the Independent Audit was positive. All compliance records were organised and available at the time of the site inspection and interviews with Project personnel from SINSW, Root Partnerships and Taylor Constructions.

Relevant environmental and compliance monitoring records were being collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements.

Detailed findings are presented in Section 3, along with actions to address each of the findings. The findings are summarized as follows:

- There were 160 CoCs assessed.
- There three non-compliances identified against three CoCs. These related to the late notifications of an incident, a non-compliance and a document review.
- There were two observations identified in relation to commitments from the CEMP.
- Two previously open observations have now been closed.

The Auditor would like to thank the auditees from SINSW, Root Partnerships and Taylor Constructions for their high level of organisation, cooperation and assistance during the Independent Audit.

# 1. INTRODUCTION

## 1.1 Project overview

The NSW Department of Education – School Infrastructure is responsible for redeveloping the Kyeemagh Public School (the Project), located at the corner of Jacobson Avenue and Beehag Street in Kyeemagh NSW. The Project site is situated approximately 9.7km to the south of the Sydney CBD, and less than 500m from the south-western edge of Sydney Kingsford-Smith Airport. The site is a short distance from a number of watercourses, with Muddy Creek located approximately 340m to the west, Cooks River located 200m to the north and Botany Bay located approximately 250m to the east. The Project location is presented in Figure 1.

*Figure 1: Kyeemagh Public School (modified from SIX Maps 2020)*

The redevelopment of the school is aimed at addressing the future demand for student enrolments in the area, and the new school will incorporate future focused teaching spaces with excellent internal amenity. The Project incorporates best practice in public building design, is of a high standard of aesthetic finish and afforded the flexibility to accommodate the community use of school facilities outside of ordinary school operating hours.

The redevelopment of the school will be undertaken across three distinct construction stages. The staging arrangement is intended to minimise the interruption to the operations of the school, by maintaining continuous access to classrooms, outdoor play areas and administrative functions at each stage of construction.

The staged redevelopment of Kyeemagh Public School comprises the demolition of all existing structures on site and the construction of new school facilities to accommodate an increase in student numbers to 500 students. Further capacity is available within the proposed scheme to increase student numbers to 600 if required in the future. The school was recently reclassified from K-2 to K-6, and the expansion of the school will correlate with this reclassification.

The staged redevelopment includes the following:

- Demolition of all existing structures on-site (excluding the North Brighton Preschool);
- Construction of multiple buildings to a maximum height of two storeys which will contain:
  - Homebases
  - Practical learning spaces
  - Group workspaces
  - Library
  - Administrative spaces for teachers and staff; and
  - New school hall
- Outdoor play spaces including a games court and Covered Outdoor Learning Space (COLA)
- New landscaping works comprising hard paving, grassed areas, and planting
- Removal of 20 trees to accommodate the development, with the provision of 63 replacement plantings
- A twenty-space car park accessible from Beehag Street
- Ancillary site infrastructure and facilities inclusive of underground water storage and absorption trench
- Building identification signage and one digital advertisement; and
- Upgrades to vehicular crossing to staff carpark.

Consent for the Project was granted by the delegate for the Minister of Planning on 14 July 2020, State Significant Development (SSD) 9391, subject to a number of Conditions of Consent (CoC).

Root Partnerships have been appointed as the client representative on behalf of Schools Infrastructure NSW (SINSW). Taylor Construction Group Pty Ltd (Taylor Constructions) are the principal contractor. Construction works began 1 August 2020. Works undertaken since the previous audit include the completion of remediation, foundations works, structures and commencement of high level services fit out.

## 1.2 Approval requirements

CoC C35 – C40 of Schedule 2 of SSD 9391 set out the requirements for undertaking Independent Audits. The CoCs give effect to the Department of Planning Industry and Environment (the

Department) document entitled the *Independent Audit Guideline Post Approval Requirements* (IAPAR).

## 1.3 The audit team

In accordance with Schedule 2, CoC C35 and Section 3.1 of the IAPAR, Independent Auditors must be suitably qualified, experienced and independent of the Project, and appointed by the Planning Secretary.

The Audit Team comprises:

- Derek Low (Auditor Lead): Master of Environmental Engineering Management, Exemplar Global Certified Principal Environmental Auditor (Certificate No 114283)
- Steve Fermio (Auditor): Bachelor of Science (Hons), Exemplar Global Certified Principal Environmental Auditor (Certificate No 110498)

Approval of the Audit Team was provided by the Department on 25 August 2020. The letter is presented in Appendix C.

## 1.4 The audit objectives

The objective of this Independent Audit is to satisfy SSD 9391 Schedule 2, CoC C36. It states:

*Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements.*

The IAPAR sets out the scope, methodology and reporting requirements for IAs.

This Independent Audit seeks to fulfil the requirements of CoC C36, verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project.

## 1.5 Audit scope

This Independent Audit relates to the Project works from October 2020 to March 2021.

The scope of the Independent Audit comprises:

- an assessment of compliance with:
  - all conditions of consent applicable to the phase of the development that is being audited
  - all post approval and compliance documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans; and
  - all environmental licences and approvals applicable to the development excluding environment protection licences issued under the *Protection of the Environment Operations Act 1997.*
- a review of the environmental performance of the development, including but not necessarily limited to, an assessment of:

- actual impacts compared to predicted impacts documented in the environmental impact assessment
- the physical extent of the development in comparison with the approved boundary
- incidents, non-compliances and complaints that occurred or were made during the audit period
- the performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit; and
- feedback received from the Department, and other agencies and stakeholders, including the community or Community Consultative Committee, on the environmental performance of the project during the audit period

- the status of implementation of previous Independent Audit findings, recommendations and actions (if any)
- a high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and
- any other matters considered relevant by the auditor or the Department, taking into account relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices.

# 2. AUDIT METHODOLOGY

## 2.1 Audit process overview

The Independent Audit was conducted in a manner consistent with AS/NZS ISO 19011.2019 – Guidelines for Auditing Management Systems (AS/NZS ISO 19011) and the methodology set out in the Department's IAPAR. An overview of the audit activities, as specified in AS/NZS ISO 19011, is presented in Figure 2.

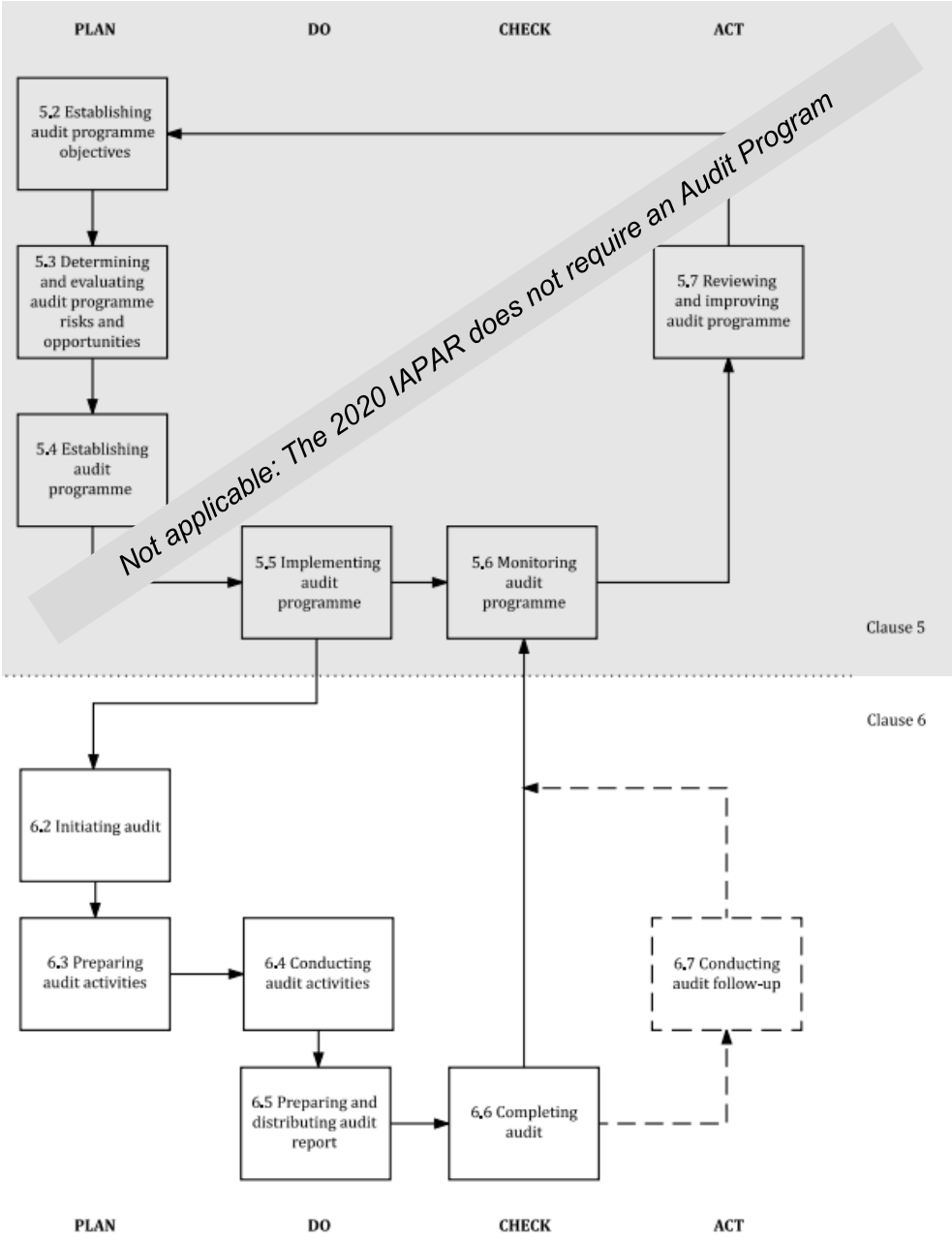



*Figure 2: Audit activities overview (modified from AS/NZS ISO 19011). Subclause numbering refers to the relevant subclauses in the Standard.*

## 2.2 Audit process detail

### 2.2.1 Audit initiation and scope development

Prior to the commencement of the audit the following tasks were completed:

- Establish initial contact with the auditee
- Confirm the audit team
- Confirm the audit purpose, scope and criteria.

On 23 February 2021 WolfPeak consulted with the Department to obtain its input into the scope of the Independent Audit in accordance with Section 3.2 of the IAPAR. The consultation records are presented in Appendix D. A summary of the key issues and areas of focus raised by the stakeholders is presented in Table 1.

*Table 1: Key issues and areas of focus raised during consultation*

| Stakeholder | Issues and Focus | How Addressed |
|---|---|---|
| Department of Planning, Industry and Environment | The Department requested that the audit is conducted in accordance with Condition C36 of Development Consent SSD 9391, which requires the audit to be carried out in accordance with the Independent Audit Post Approval Requirements (May, 2020).<br><br>The Department did not request WolfPeak to consult with other parties or agencies. | This audit has been conducted in accordance with the IAPAR. |

### 2.2.2 Preparing audit activities

Prior to the commencement of the audit the following tasks were completed:

The Auditor performed a document review, prepared an audit plan, and prepared work documents (audit checklists) and distributed to the Project team in preparation for the Independent Audit.

The primary documents reviewed prior to and after the site visit are as follows:

- *Environmental Impact Statement Redevelopment of Kyeemagh Public School*, Creative Planning Solutions, January 2018 (EIS)
- *Response to Submissions Redevelopment of Kyeemagh Public School*, Creative Planning Solutions, March 2020 (RtS)
- *Construction Environmental Management Plan*, Taylor Constructions, September 2020 (CEMP)
- *Construction Traffic and Pedestrian Management Sub-Plan*, Secure Traffic Solutions, September 2020 (CTPMSP)
- *Construction Noise and Vibration Management Sub-Plan*, White Noise Acoustics, Revisions July and September 2020 (CNVMSP)*Construction Waste Management Sub-Plan,* Taylor Constructions, September 2020 (CWMSP)

- *Construction Soil and Water Management Sub-Plan*, Birzulis Associates, September 2020 (CSWMSP)
- *Flood Emergency Response Plan*, Birzulis Associates, September 2020 (FERSP)
- *Community Communication Strategy*, Schools Infrastructure NSW, July 2020 (CCS).

### 2.2.3 Site personnel involvement

The on-site audit activities took place on 5 March 2021. The following personnel took part in the audit:

- Pete Krause – Project Director – Schools Infrastructure NSW
- Colm Carmody – Project Manager – Root Partnerships
- Abigail Cohen – Project Manager – Root Partnerships
- Steve Ziaziaris – Senior Project Manager – Taylor Constructions
- Derek Low – Auditor – WolfPeak.

### 2.2.4 Meetings

Opening and closing meetings were held with the Auditor and Project personnel. The attendance sheet can be found in Appendix E.

During the opening meeting the objectives and scope of the Independent Audit, the resources required and methodology to be applied were discussed. At the closing meeting, preliminary audit findings were presented, preliminary recommendations (as appropriate) were made, and any post-audit actions were confirmed.

### 2.2.5 Interviews

The Auditor conducted interviews during the site inspection with key personnel involved in Project delivery, including those with responsibility for environmental management, to assist with verifying the compliance status of the development. All other communication was conducted remotely, which included a detailed request for information and auditee responses to the request.

### 2.2.6 Site inspection

The on-site audit activities took place on 5 March 2021. The on-site audit activities included an inspection of the site and work activities. Photos are presented in Appendix F.

### 2.2.7 Document review

The Independent Audit included investigation and review of Project files, records and documentation that acts as evidence of compliance (or otherwise) with a compliance requirement. The documents sighted are included within Appendices A and B.

### 2.2.8 Document review

Independent Audit findings were based on verifiable evidence. The evidence included:

- relevant records, documents and reports

- interviews of relevant site personnel
- photographs
- figures and plans; and
- site inspections of relevant locations, activities and processes.

### 2.2.9 Compliance evaluation

The Auditor determined the compliance status of each compliance requirement in the Audit Table, using the descriptors from Table 2 of the IAPAR, being:

- **Compliant** – The Auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit
- **Non-compliant** – The Auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
- **Not triggered** – A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

Observations were also be made to provide context, identify opportunities for improvement or highlight positive initiatives.

### 2.2.10 Evaluation of post approval documentation

The Auditor assessed whether post approval documents:

- have been developed in accordance with the CoCs and all other environmental licences and approvals applicable to the Project (if any) and their content is adequate; and
- have been implemented in accordance with the CoCs and all other environmental licences and approvals applicable to the Project (if any).

The adequacy of post approval documents was determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the document; and
- whether there are any opportunities for improvement.

### 2.2.11 Completing the audit

The Independent Audit Report was distributed to the proponent to check factual matters and for input into actions in response to findings (where relevant). The Auditor retained the right to make findings or recommendations based on the facts presented.

# 3. AUDIT FINDINGS

## 3.1 Approvals and documents audited and evidence sighted

The documents audited comprised all the conditions from Schedule 2 of SSD 9477 applicable to the works being undertaken, and selected mitigation measures and commitments from the following plans:

- CEMP
- CTPMSP
- CNVMSP
- CWMSP
- CSWMSP
- FERSP
- CCS.

The evidence sighted against each requirement is detailed within Appendices A and B.

## 3.2 Non-compliances, Observations and Actions

This Section, including Table 2, presents the non-compliances and observations from the Independent Audit. Recommended actions in response to each of the findings are also presented. Detailed findings against each requirement are presented in Appendix A and B. In summary:

- There were 160 CoCs assessed.
- There three non-compliances identified against three CoCs. These related to the late notifications of an incident, a non-compliance and a document review.
- There were two observations identified in relation to commitments from the CEMP.
- Two previously open observations have now been closed.

*Table 2 Audit findings and actions*

| Item | Ref. | Type | Details of item | Proposed or completed action | By whom and by when | Status |
|---|---|---|---|---|---|---|
| **Actions previously open from the first Independent Audit** | | | | | | |
| 1 | CoC B15 | Observation | CoC B15 requires that the Construction Noise and Vibration Management Sub-Plan (CNVMSP) must address, but not be limited to, the following:<br><br>(a) be prepared by a suitably qualified and experienced noise expert;<br><br>(b) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009);<br><br>(c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;<br><br>(d) include strategies that have been developed with the community for managing high noise generating works;<br><br>(e) describe the community consultation undertaken to develop the strategies in condition B15(d);<br><br>(f) include a complaints management system that would be implemented for the duration of the construction; and<br><br>(g) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the management measures in accordance with condition B12(d).<br><br>**Whilst the CNVMSP has identified sound power levels from the likely plant used on site and has identified noise criteria and basic noise mitigation measures, the CNVMSP does not identify the predicted noise impacts on nearby receivers. This does not conform to the EPA's Interim Construction Noise Guidelines (ICNG) which requires a quantitative assessment of noise for major projects.**<br><br>**The CNVMSP has not identified vibration as an issue, yet it has not provided evidence of an assessment to support this position. It also states that vibration monitoring is not required. It is understood that compaction is required for the Project due to ground conditions and that these vibration intensive works will need to occur in close** | The CNVMSP has been updated to provide a quantitative assessment of noise impacts. The CNVMSP states that the noise impacts are predicted to be up to 75dB(A) (at receiver) and up to 45dB(A) (internal to the classroom) based on a cumulative sound power level of 122dB(A)$_{L10}$ for demolition and 120dB(A)$_{L10}$ for general construction. No % on time has been specified.<br><br>The Auditor makes the following findings in relation to this assessment:<br><br>• The ICNG refers to the use of the $L_{Aeq}$ indicator not the $L_{10}$ in undertaking an assessment and should assess the realistic worst case for the nearest receiver.<br><br>• The nearest residences are approximately 5m from the nearest work front and 15m from the nearest building to be demolished. On this basis, using the sound power levels specified, the predicted noise impacts at the nearest receiver are expected to be well above 75dB(A). | Taylor Constructions / Root Partnerships / SINSW<br><br>21/12/20 | CLOSED<br><br>The updated CNVMSP, dated 05/03/21, addresses each of the actions identified. |

| Item | Ref. | Type | Details of item | Proposed or completed action | By whom and by when | Status |
|---|---|---|---|---|---|---|
| | | | **proximity to surrounding residences and educational facilities. Refer to the responses to CoC C16 – C18.**<br><br>**The Auditor is of the opinion that the CNVMSP is not adequate in its current form on the basis that there are significant opportunities for improvement and non-compliances with the consent may result from the implementation of the document.** | • The classrooms are within 30m from the nearest work front. At this proximity, with the nominated sound power level adopted, the Auditor considers it unlikely that the building envelope would be capable of a noise reduction to <45dB(A) as stated in the CNVMSP.<br><br>• The assessment does not provide adequate information to confirm that a proper assessment has occurred in accordance with the ICNG.<br><br>The CNVMSP has been updated to a requirement that, in the event that vibration rolling or compacting of ground conditions is required within 10m of neighbouring buildings then attended vibration measurements during the use of this equipment should be undertaken to ensure vibration does not result in unreasonable levels of vibration impact on the neighbouring building structures. The Project has undertaken some preliminary monitoring (refer 6 below) and should continue this vibratory works in accordance with this recommendation.<br><br>The CNVMSP has also included a recommendation to conduct vibration rolling at times not sensitive to the | | |

| Item | Ref. | Type | Details of item | Proposed or completed action | By whom and by when | Status |
|---|---|---|---|---|---|---|
| | | | | operation of the school. This recommendation should be implemented. | | |
| 2 | CoC B25 | Observation | CoC B25 requires that prior to the installation of landscaping, the Applicant must prepare a revised Landscape Plan and details the requirements of this plan.<br><br>**The Landscape plan does not address all of the requirements a) – f) of this condition. Landscaping has yet to commence.** | The Landscape Plan, and associated Design Statement has been updated. It does still not contain requirement (e) from CoC B25, which states that the Plan must include: *the planting of trees with a pot container of 75 -100 litres, or greater for local native tree species which are commercially available. Other local native tree species which are not commercially available may be sourced as juvenile sized trees or pregrown from provenance seed.*<br><br>Prior to installation of landscaping, ensure that the Landscape Plan meets the requirements of CoC B25. | Taylor Constructions<br><br>Prior to commencement of landscaping | CLOSED<br><br>Sighted revised Landscape Plan 20/11/20. |
| **Findings for the March 2021 Independent Audit** | | | | | | |
| 3 | CoC A35 | Non-Compliance | CoC A35 requires that the Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au 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.<br><br>**1 x notifiable incident occurred. A worker struck his head, and this was reported to SafeWork, and therefore the Department was required to be notified as well. Notification of the incident did not occur immediately. The report was submitted to the Department 5 days later in accordance with CoC A36.** | The notification was provided after the deadline. | NA | CLOSED |
| 4 | CoC A37 | Non-Compliance | CoC A37 requires that the Planning Secretary 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 | The notification was provided after the deadline. | NA | CLOSED |

| Item | Ref. | Type | Details of item | Proposed or completed action | By whom and by when | Status |
|---|---|---|---|---|---|---|
| | | | Planning Secretary in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.<br><br>**The project notified the Department of the 2 x non-compliances identified in the previous audit more than 7 days after becoming aware their existence.** | | | |
| 5 | CoC A40 | Non-Compliance | CoC A40 requires that within three months of<br><br>(a) the submission of a compliance report under condition A32;<br><br>(b) the submission of an incident report under condition A36;<br><br>(c) the submission of an Independent Audit under condition C36;<br><br>(d) the approval of any modification of the conditions of this consent; or<br><br>(e) the issue of a direction of the Planning Secretary under condition A2 which requires a review,<br><br>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.<br><br>**An incident was notified on 17/11/20. A review of the strategies, plans and programs was not notified until 25/02/21 (more than 3 months after the incident notification).** | A review was notified after the deadline. | NA | CLOSED |
| 6 | CEMP, Section 11.3.8 | Observation | Section 11.3.8 of the CEMP states that the site manager will plan the works to minimise the potential for pollution. This includes providing appropriate storage; separation of incompatible materials and bunding; and ensuring that all activities that use or handle these substances are undertaken in an area that will not cause water pollution or land contamination.<br><br>**Fuels stored on site were not bunded.** | Taylor Constructions removed the chemical storage and vessels in question from site, (with photos taken as evidence) and alternative refueling arrangements have been made. | NA | CLOSED |

| Item | Ref. | Type | Details of item | Proposed or completed action | By whom and by when | Status |
|---|---|---|---|---|---|---|
| 7 | CEMP, Section 11.3.12 | Observation | Section 11.3.12 states that community complaints should be treated as 'incidents', they must be reported to the HSE manager, be thoroughly investigated and reported on SharePoint. Reference to these are also to be documented and included in site diary entries. The project or site manager should try to resolve the issues with the community member in a conciliatory manner.<br><br>**Whilst the report indicates that the one complaint during the audit period was addressed and resolved the complaint was not treated as an incident or reported in line with this commitment.**<br><br>**A response to this finding was provided by Taylor Constructions when drafting this Audit Report. The evidence provided does show escalation and reporting in line with this commitment, however the evidence relates to a complaint from the previous audit period, not the complaint in question which was received during the current audit period.** | Implement each of the commitments from the CEMP as written, or review and update the CEMP and Sub-plans to reflect current practice (whilst maintaining compliance with the CoC). | Taylor Constructions<br><br>30/04/21 | OPEN |

## 3.3 Adequacy of Environmental Management Plans, sub-plans and post approval documents

The adequacy of post approval documents must be determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the document; and
- whether there are any opportunities for improvement.

A review was conducted of the:

- CEMP
- CTPMSP
- CNVMSP
- CWMSP
- CSWMSP
- FERSP.

The auditor considers these documents to be adequate.

## 3.4 Summary of notices from agencies

To the Auditors knowledge no formal notices were issued by the Department during the audit period.

## 3.5 Other matters considered relevant by the Auditor or DPIE

Other than the observations and non-compliances identified (presented in Table 2 above) there were no other matters considered relevant by the Auditor. No issues were raised by the Department during the consultation in preparation for this Independent Audit.

## 3.6 Complaints

A complaints register is being maintained by the Project. The register is published on the Project website at:

https://www.schoolinfrastructure.nsw.gov.au/projects/k/kyeemagh-public-school.html#category-reports

One complaint was received by the Project during the audit period. The complaint related to the vibration impact of the project. The Project investigated the matter and determined that vibration impacts were not unacceptable. Refer response to CoC C16. The complaints register lists the complaint as closed.

## 3.1 Incidents

One notifiable incident occurred during the audit period. A worker struck his head and this was reported to SafeWork, and therefore the Department was also required to be notified. It is considered by the Project to be closed.

## 3.2 Actual versus predicted impacts

The audit considered the actual impacts arising from the carrying out of the Project (current works include establishment of environmental controls and site facilities, demolition and hazardous materials removal and vegetation removal) and whether they are consistent with the relevant impacts predicted in the EIS. A summary of the assessment is presented in Table 3.

*Table 3 Summary of predicted versus actual impacts*

| Aspect | Summary of predicted impacts | Summary of actual impacts observed during audit period | Consistent (Y/N) |
|---|---|---|---|
| Physical extent of the development in comparison with the approved boundary and any potential off-site impacts | The approved Project boundary is defined within the stamped plans listed under CoC A2. | The Project footprint is the same as that approved.<br>The Certifier has reviewed and approved the works through issue of the Crown Certificate. This verifies that the design is being implemented as planned. | Y |
| Construction traffic | The construction impact of the school is considered to be minor given that the operational traffic generation is expected to be higher than construction vehicles.<br>Higher order roads be used by construction vehicles when travelling to / from the school as well as implementation of exclusions zones and traffic management / controllers to protects students / pedestrians throughout the construction program. | No construction vehicles were observed to be parking outside of the project footprint during the on-site component of the audit.<br>No relevant complaints during the audit period. | Y |
| Noise and vibration | The most affected receivers are likely to be the residences to the north of the project in NCA03. The worst-case noise levels are predicted during the 'Construction' scenario, where relatively high exceedances of the daytime NML are predicted due to piling works at the boundary of the site.<br>The nearest receivers to the north are likely to be Highly Noise Affected at times during some of the highest noise impact works.<br>For most construction activities, it is expected that the construction noise levels would frequently be lower than predicted at the most exposed receivers, as the noise levels presented in this report are based on a realistic worst-case assessment. | Construction noise was not observed as an issue during the on-site component of the audit.<br>1 x vibration complaint received during the audit period. Refer response to CoC C16. | Y |
| Contamination (groundwater) | The potential risks from groundwater taken at the site was identified as being of low and acceptable risk. 'Chemicals of potential concern' identified were generally below the adopted criteria with the exception of | Based on information provided in the EIS, it is unlikely that works associated with the project will encounter groundwater. | Y |

| | | | |
|---|---|---|---|
| | copper within one of the monitoring wells. | Refer to response regarding bunding in Table 2. | |
| Contamination (asbestos) | Asbestos in the soil surface was identified at two locations and within shallow fill material. The risk level associated with the discovery is considered low as the material uncovered was bonded fibre cement material in fair condition with no further other materials encountered at soil surface.<br><br>It was noted that the soils will require remediation, management, or a further risk assessment as a result. | An in-situ waste classification report was prepared which classified all material to be excavated from Stage 1. It stated that all the material was classified as General Solid Waste and / or asbestos waste (Special Waste).<br><br>Asbestos air monitoring has been conducted on the Project. The monitoring reports state that the monitoring was conducted in accordance with the relevant SafeWork and NOHSC standards.<br><br>The asbestos clearance certificates indicate that the residual surface layer was free of asbestos.<br><br>Remediation works for Stage 1 completed. | Y |
| Contamination (acid sulfate soils) | Potential Acid Sulfate Soils (PASS) have been identified at depths of 7 mBGL and greater, associated with natural sands and clays. Disturbance may allow PASS to oxidise, posing an environmental risk to ecological receptors such as on-site vegetation and off-site receptors via groundwater. The acid generated also has the potential to degrade structures installed.<br><br>An Acid Sulfate Soils Management Plan (ASSMP) was recommended to manage the disturbance of these soils by activities such as excavation and piling, or by lowering of the water table. | An ASSMP is provided as Appendix A of the CSWMSP and will be implemented by the Project where necessary. | Y |
| Biodiversity | The site contains no native plant communities and limited fauna habitat. Therefore, impacts on local flora and fauna are likely to be limited and there are not likely to be any significant impacts on any threatened species, populations or ecological communities.<br><br>Nonetheless, there will be some potential impacts on local flora and fauna if the proposed development involves the removal of vegetation, the | Kingfisher was engaged prior to construction. The ecologist assisted with the relocation of nest boxes. The relocation works are complete for stage 1.<br><br>All trees identified for retention were observed to be appropriately marked and protected. | Y |

| | | | |
|---|---|---|---|
| | trees containing the nest boxes and/or the small pond area. | | |
| Landscaping | A total of 40 trees were identified within the site, with 20 trees recommended for removal and 20 recommended for retention. All trees to be retained are to be protected during construction, with 13 of the trees to be retained, requiring specific tree protection measures given potential impacts that may arise during construction. | Kingfisher was engaged prior to construction. The ecologist assisted with the relocation of nest boxes. The relocation works are complete for stage 1.<br><br>All trees identified for retention were observed to be appropriately marked and protected. | Y |
| Waste | A significant amount of construction waste going to landfill will be diverted. | Waste skips were observed on site. Waste was appropriately stored. No waste was observed off site. | Y |

# 4. CONCLUSIONS

This Audit Report is the second Independent Audit for the construction period, covering the period from October 2020 to March 2021.

The overall outcome of the Independent Audit was positive. All compliance records were organised and available at the time of the site inspection and interviews with Project personnel from SINSW, Root Partnerships and Taylor Constructions.

Relevant environmental and compliance monitoring records were being collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements.

Detailed findings are presented in Section 3, along with actions to address each of the findings. The findings are summarized as follows:

- There were 160 CoCs assessed.
- There three non-compliances identified against three CoCs. These related to the late notifications of an incident, a non-compliance and a document review.
- There were two observations identified in relation to commitments from the CEMP.
- Two previously opened observations have now been closed.

The Auditor would like to thank the auditees from SINSW, Root Partnerships and Taylor Constructions for their high level of organisation, cooperation and assistance during the Independent Audit.

# 5. LIMITATIONS

This Document has been provided by WolfPeak Pty Ltd (WolfPeak) to the Client and is subject to the following limitations:

This Document has been prepared for the particular purpose/s outlined in the WolfPeak proposal/contract/relevant terms of engagement, or as otherwise agreed, between WolfPeak and the Client.

In preparing this Document, WolfPeak has relied upon data, surveys, analyses, designs, plans and other information provided by the Client and other individuals and organisations (the information). Except as otherwise stated in the Document, WolfPeak has not verified the accuracy or completeness of the information. To the extent that the statements, opinions, facts, findings, conclusions and/or recommendations in this Document (conclusions) are based in whole or part on the information, those conclusions are contingent upon the accuracy and completeness of the information. WolfPeak will not be liable in relation to incorrect conclusions should any information be incomplete, incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to WolfPeak.

This Document has been prepared for the exclusive benefit of the Client and no other party. WolfPeak bears no responsibility for the use of this Document, in whole or in part, in other contexts or for any other purpose. WolfPeak bears no responsibility and will not be liable to any other person or organisation for or in relation to any matter dealt with in this Document, or for any loss or damage suffered by any other person or organisation arising from matters dealt with or conclusions expressed in this Document (including without limitation matters arising from any negligent act or omission of WolfPeak or for any loss or damage suffered by any other party relying upon the matters dealt with or conclusions expressed in this Document). Other parties should not rely upon this Document or the accuracy or completeness of any conclusions and should make their own inquiries and obtain independent advice in relation to such matters.

To the best of WolfPeak's knowledge, the facts and matters described in this Document reasonably represent the Client's intentions at the time of which WolfPeak issued the Document to the Client. However, the passage of time, the manifestation of latent conditions or the impact of future events (including a change in applicable law) may have resulted in a variation of the Document and its possible impact. WolfPeak will not be liable to update or revise the Document to take into account any events or emergent circumstances or facts occurring or becoming apparent after the date of issue of the Document.

# APPENDIX A – SSD 9391 CONDITIONS OF CONSENT

<table>
<tr><th>Unique ID</th><th>Compliance requirement</th><th>Evidence collected</th><th>Independent Audit findings and recommendations</th><th>Compliance Status</th></tr>
<tr><td colspan="5">Schedule 2</td></tr>
<tr><td colspan="5">PART A ADMINSTRITAVE</td></tr>
<tr><td colspan="5">Obligation to Minimise Harm to the Environment</td></tr>
<tr><td>A1</td><td>In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and, if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction and operation of the development.</td><td>Evidence referred to elsewhere ins this table<br><br>Appendix B</td><td>The Project has demonstrated that it is taking all reasonable and feasible measures to prevent or minimise harm on the environment.</td><td>C</td></tr>
<tr><td colspan="5">Terms of Consent</td></tr>
<tr><td>A2</td><td>The development may only be carried out:<br><br>(a) in compliance with the conditions of this consent;<br><br>(b) in accordance with all written directions of the Planning Secretary;<br><br>(c) generally in accordance with the EIS and Response to Submissions;<br><br>(d) in accordance with the approved plans in the table below:
<table>
<tr><td colspan="4">Architectural drawings prepared by dwp</td></tr>
<tr><td>Dwg No.</td><td>Rev</td><td>Name of Plan</td><td>Date</td></tr>
<tr><td>SK1201</td><td>C</td><td>Concept Ground Floor Plan</td><td>13.09.2019</td></tr>
<tr><td>SK1202</td><td>C</td><td>Concept First Floor Plan</td><td>13.09.2019</td></tr>
<tr><td>SK1203</td><td>C</td><td>Concept Roof / Site Plan</td><td>13.09.2019</td></tr>
<tr><td>SK1801</td><td>C</td><td>Concept RCP</td><td>13.09.2019</td></tr>
<tr><td>SK1802</td><td>C</td><td>Concept RCP</td><td>13.09.2019</td></tr>
<tr><td>SK2001</td><td>C</td><td>Concept Elevations</td><td>13.09.2019</td></tr>
<tr><td>SK2002</td><td>C</td><td>3D Views</td><td>13.09.2019</td></tr>
<tr><td>SK3001</td><td>C</td><td>Reference Plan</td><td>13.09.2019</td></tr>
<tr><td>SK3002</td><td>C</td><td>Concept Sections</td><td>13.09.2019</td></tr>
<tr><td>SK3003</td><td>C</td><td>Concept Sections</td><td>13.09.2019</td></tr>
<tr><td colspan="4">Landscape Plans prepared by Umbaco Landscape Architects</td></tr>
<tr><td>Dwg No.</td><td>Rev</td><td>Name of Plan</td><td>Date</td></tr>
<tr><td>SK01</td><td>E</td><td>Landscape Concept Plant</td><td>Sep 2019</td></tr>
<tr><td>SK03</td><td>E</td><td>Proposed Plant Species</td><td>Sep 2019</td></tr>
</table></td><td>Evidence referred to elsewhere in this table.<br><br>Environmental Impact Statement Redevelopment of Kyeemagh Public School, CPS January 2018<br><br>Response to Submissions Redevelopment of Kyeemagh Public School, March 2020<br><br>Stamped plans approved by Department of Planning, Industry and Environment (DPIE) 14/07/20<br><br>Taylor network drives showing approved drawings.<br><br>Interview with auditees 05/03/21</td><td>The project is being constructed in general accordance with the EIS and RtS.<br><br>The approved plans are the basis of the IFC drawings.<br><br>There have been no written directions from the Planning Secretary.<br><br>Whilst some non-compliances were identified, these were administrative and not substantial in nature, or significant in number. Other than these few events, compliance is being achieved in all other respects, and on this basis the Auditor does not consider it appropriate to assign a non-compliance with this condition.</td><td>C</td></tr>
<tr><td>A3</td><td>Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:<br><br>(a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary;<br><br>(b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and<br><br>(c) the implementation of any actions or measures contained in any such document referred to in (a) above.</td><td>Interview with auditees 05/03/21</td><td>No directions have been received.</td><td>NT</td></tr>
</table>

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| A4 | The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict. | Interview with auditees 05/03/21 | Noted. This Audit assesses compliance with the conditions of this consent and the most relevant versions of the documents listed. No conflicts identified. | NT |
| **Limits of Consent** | | | | |
| A5 | This consent lapses five years after the date of consent unless work is physically commenced. | Letter SINSW to DPIE, 27/07/20 | The Department was notified of a 01/08/20 start date on 27/07/20. | C |
| **Prescribed Conditions** | | | | |
| A6 | The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation. | Part 6, Division 8A of the EPAA<br>Site signage 05/03/21<br>Structural design certificate, Dunnings Engineers, 17/07/20<br>Crown Certificate P219_322_1, Design Confidence, 28/7/20. | Part 6, Division 8A of the EPAA relates to prescribed conditions for:<br>- compliance with the BCA (Crown Certificates received)<br>- erection of signs<br>- residential building work (not relevant)<br>- entertainment venues (not relevant)<br>- signage for max number of persons for venues (not relevant)<br>- shoring and adjoining properties (whilst properties are adjacent, none are adjoined to the Project). | C |
| **Planning Secretary as Moderator** | | | | |
| A7 | In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties. | Interview with auditees 05/03/21 | No disputes. | NT |
| **Evidence of Consultation** | | | | |
| A8 | Where conditions of this consent require consultation with an identified party, the Applicant must:<br>(a) consult with the relevant party prior to submitting the subject document for information or approval; and<br>(b) provide details of the consultation undertaken including:<br>(i) the outcome of that consultation, matters resolved and unresolved; and<br>(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved. | Refer to the evidence sighted in relation to CoCs B6, B14, B17, B26, B29, C24 | Evidence sighted demonstrates that consultation was completed, issues resolved and evidence retained for each of the conditions requiring consultation. | C |
| **Staging** | | | | |
| A9 | The project must be constructed and operated in stages in accordance with the Concept Design Report prepared by dwp dated 19 September 2019. | Site inspection 05/03/21<br>Interview with auditees 05/03/21<br>Concept Design Report, 19/09/19, DWP | The two stages are being implemented. First the new school is erected, then the old school is redeveloped. This is consistent with the Concept Design Report. No change. | C |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| A10 | Staging of the proposed development may be varied in accordance with a revised Staging Report (for either or both construction and operation as the case may be) submitted to and approved by the Planning Secretary. | Site inspection 05/03/21<br>Interview with auditees 05/03/21<br>Concept Design Report, 19/09/19, DWP | The two stages are being implemented. First the new school is erected, then the old school is redeveloped. This is consistent with the Concept Design Report. The staging has not been changed. | NT |
| A11 | Any revised Staging Report prepared in accordance with condition A10 must:<br>(a) if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;<br>(b) if staged operation is proposed, set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);<br>(c) specify how compliance with conditions will be achieved across and between each of the stages of the project; and<br>(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging. | Site inspection 05/03/21<br>Interview with auditees 05/03/21<br>Concept Design Report, 19/09/19, DWP | The two stages are being implemented. First the new school is erected, then the old school is redeveloped. This is consistent with the Concept Design Report. The staging has not been changed. | NT |
| A12 | Where a revised Staging Report is approved under condition A10, the project must be staged in accordance with the approved Staging Report. | Site inspection 05/03/21<br>Interview with auditees 05/03/21<br>Concept Design Report, 19/09/19, DWP | The two stages are being implemented. First the new school is erected, then the old school is redeveloped. This is consistent with the Concept Design Report. The staging has not been changed. | NT |
| A13 | The terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage set out in the Concept Design Report prepared by dwp dated 19 September 2019 or revised Staging Report approved under condition A10, must be complied with at the relevant time for that stage. | Site inspection 05/03/21<br>Interview with auditees 05/03/21<br>Concept Design Report, 19/09/19, DWP | The two stages are being implemented. First the new school is erected, then the old school is redeveloped. This is consistent with the Concept Design Report. The staging has not been changed. | NT |
| **Staging, Combining and Updating Strategies, Plans or Programs** | | | | |
| A14 | The Applicant may:<br>(a) prepare and submit any strategy, plan (including management plan, architectural or design plan) or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, relationship of the stage to any future stages and the trigger for updating the strategy, plan (including management plan, architectural or design plan) or program);<br>(b) combine any strategy, plan (including management plan, architectural or design plan), or program required by this consent (if a clear relationship is demonstrated between the strategies, plans (including management plan, architectural or design plan) or programs that are proposed to be combined); and<br>(c) update any strategy, plan (including management plan, architectural or design plan), or program required by this consent (to ensure the strategies, plans (including management plan, architectural or design plan), or programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development). | Construction Environmental Management Plan, Taylor Construction Group, September 2020 (CEMP)<br>Construction Traffic and Pedestrian Management Sub-Plan, Secure Traffic Solutions, 17 September 2020 (CTPMSP)<br>Construction Noise and Vibration Management Sub-Plan, White Noise Acoustics, 16 September 2020 (CNVMSP)<br>Construction Waste Management Sub-Plan, Taylor Construction Group, September 2020 (CWMSP)<br>Construction Soil and Water Management Plan, Birzulis Associates, 14 September 2020 (CSWMP)<br>Flood Emergency Response Plan, Birzulis Associates, 18 September 2020 (FERSP)<br>Community Communication Strategy Upgrade to Kyeemagh Public School, SINSW July 2020 (CCS) | The plans and strategies are full and complete for the works undertaken to date. | NT |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| A15 | Any strategy, plan or program prepared in accordance with condition A14, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary. | As above | As above | NT |
| A16 | If the Planning Secretary agrees, a strategy, plan (including management plan, architectural or design plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent. | As above | As above | NT |
| A17 | Updated strategies, plans (including management plan, architectural or design plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing. | As above | As above | NT |
| **Structural Adequacy** | | | | |
| A18 | All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.<br>*Note: Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.* | Structural design certificate, Dunnings Engineers, 17/07/20<br>Crown Certificate P219_322_1, Design Confidence, 28/07/20<br>Crown Certificate P219_322_2, Design Confidence, 23/10/20. | A structural engineer has prepared structural drawings along with a compliance statement. The Certifier has verified its compliance through issue of the Crown Certificate. | C |
| **External Walls and Cladding** | | | | |
| A19 | The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA. | Design Statement, DWP, 17/07/20<br>Crown Certificate P219_322_1, Design Confidence, 28/7/20<br>Crown Certificate P219_322_2, Design Confidence, 23/10/20. | The design statement verifies that the external walls comply with BCA. The Certifier has verified its compliance through issue of the Crown Certificate. | C |
| **Applicability of Guidelines** | | | | |
| A20 | References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent. | The documents referred to elsewhere in this Audit Table | The documents prepared under the consent appear to refer to the standards and guidelines that are applicable to the document to which they relate. | C |
| A21 | Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them. | Interview with auditees 05/03/21 | There have been no directions issued. | NT |
| **Monitoring and Environmental Audits** | | | | |
| A22 | 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.<br>*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* | Part 9, Div 9.4 of the EPAA | The relevant section of the EPAA relates to (among other things) the need to be accurate, true (not misleading), properly conducted (approved methodology, calibrated etc.) and with records retained.<br>No monitoring has been required, or completed, since the previous audit.<br>This Audit has been conducted in accordance with ISO19011 and the Department's Independent Audit Post Approval Requirements. | C |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | *information on compliance with the consent or the environmental management or impact of the development.* | | | |
| **Contamination** | | | | |
| A23 | The Applicant must engage a NSW EPA-accredited Site Auditor throughout the duration of works to ensure that any work required in relation to soil or groundwater contamination is appropriately managed. | Interim Audit Advice, Coffey, 17/07/20 | Dr Michael Dunbavan from Coffey's has been engaged as the Contaminated Sites Auditor. | C |
| A24 | Prior to commencing remediation at any stage, the Applicant must submit to the Planning Secretary, an Interim Audit Advice or a Section B Site Audit Statement that certifies that the Remediation Action Plan is appropriate and that the site can be made suitable for the proposed use. The Applicant must adhere to the management measures accepted by the Site Auditor. | Interim Audit Advice, Coffey, 17/07/20<br><br>Submission of Interim Audit Advice to DPIE, 29/07/20 | Interim Audit Advice was prepared by Coffey in July 2020. It endorsed the remediation approach set out in the RAP.<br><br>The Interim Audit Advice was submitted 3 days prior to remediation commencing.<br><br>Remediation for Stage 1 is complete. Remediation will commence on Stage 2 following opening of Stage 1 in July 2021. | C |
| A25 | Remediation approved as part of this development consent must be carried out in accordance with the recommendations contained in the Remediation Action Plan prepared by Cardno and dated 24 January 2019 or any variations to the Remediation Action Plan approved in accordance with condition A26. | Interim Audit Advice, Coffey, 17/07/20<br><br>Remediation Action Plan, Cardno, 24/01/19<br><br>Clearance certificates 24/08/20, 17/08/20, 31/08/20, 12/09/20<br><br>Interview with auditees 05/03/21 | The RAP allowed for an approach to remove potentially impacted fill and inspect the underlying layer to verify as clean. This was adopted by the Project. Interim Audit Advice was prepared by Coffey in July 2020. It endorsed the remediation approach set out in the RAP.<br><br>The asbestos clearance certificates indicate that the residual surface layer was free of asbestos.<br><br>Remediation for Stage 1 is complete. Remediation will commence on Stage 2 following opening of Stage 1 in July 2021. | C |
| A26 | Any variations to the Remediation Action Plan referenced in condition A25 must be approved in writing by the Site Auditor. | Interim Audit Advice, Coffey, 17/07/20<br><br>Remediation Action Plan, Cardno, 24/01/19 | The RAP allowed for an approach to remove potentially impacted fill and inspect the underlying layer to verify as clean. This was adopted by the Project.<br><br>Interim Audit Advice was prepared by Coffey in July 2020. It endorsed the remediation approach set out in the RAP. | NT |
| A27 | The Applicant must submit to the Planning Secretary any Interim Audit Advice/s issued by the Site Auditor to confirm satisfactory completion of each stage prior to the final stage of operation. | Interview with auditees 05/03/21 | It is understood remediation works were complete on 12/09/20. The Validation Report is pending. Once finalized Interim Audit Advice will be prepared for submission to the Department.<br><br>The final stage of operation has yet to commence. | NT |
| A28 | The Applicant must obtain a Section A1 Site Audit Statement, or a Section A2 Site Audit Statement accompanied by an Environmental Management Plan, from a Site Auditor and submit it to the Planning Secretary and Council for information no later than one month before the commencement of the final stage of operation. Contaminated land must not be used for the purpose approved under the terms of this approval until a Site Audit Statement determines the land is suitable for that purpose and any conditions on the Site Audit Statement have been complied with. | Site inspection 05/03/21 | The Project is in Stage 1 construction. | NT |
| **Access to Information** | | | | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| A29 | 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:<br>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:<br>(i) the documents referred to in condition A2 of this consent;<br>(ii) all current statutory approvals for the development;<br>(iii) all approved strategies, plans and programs required under the conditions of this consent;<br>(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;<br>(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;<br>(vi) a summary of the current stage and progress of the development;<br>(vii) contact details to enquire about the development or to make a complaint;<br>(viii) a complaints register, updated monthly;<br>(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;<br>(x) any other matter required by the Planning Secretary; and<br>(b) keep such information up to date, to the satisfaction of the Planning Secretary. | Project website:<br>https://www.schoolinfrastructure.nsw.gov.au/projects/k/kyeemagh-public-school.html | The project website contains:<br>(a)(i) the documents identified in Condition A2.<br>(a)(ii) the development consent<br>(a)(iii) the CEMP and sub-plans, Remediation Action Plan and Community Communication Strategy<br>(a)(iv) No Compliance Reports or Audit Reports which report on the environmental performance of the project were conducted during the audit period.<br>(a)(v) no monitoring is required by the CoCs or CEMP and sub-plans to be published.<br>(a)(vi) project updates<br>(a)(vii) contact details<br>(a)(viii) current complaints register<br>(a)(ix) the first Audit and the SINSW response.<br>(a)(x) the auditor is not aware of any additional requirements from the Planning Secretary.<br>The information has been kept up to date. | C |
| **Compliance** | | | | |
| A30 | The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development. | SE-F-1 site specific mandatory safety requirements<br>Taylor Tool Box Talk (TBT) records 03/02/20, 03/03/20<br>Weekly inspection records 09/02/20, 02/02/20 and Hammertech HSE inspection register (multiple entries)<br>Site notice board sighted 05/03/21<br>PF Civil signed scope of works | All staff and contractors are required to attend the site induction. The induction form covers off elements of the CoCs that are relevant to construction works. 51 persons have been inducted to date.<br>The TBT cover off work related risks and hazards (including hours of work, waste, dewatering, housekeeping),<br>Inspections are completed with issues raised and communicated to personnel. | C |
| **Compliance Reporting** | | | | |
| A31 | Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements. | Compliance Reporting Post Approval Requirements, Department 2020<br>Site inspection 05/03/21 | The Project is in construction.<br>Compliance Reporting is not required during construction under the 2020 PAR. | NT |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| A32 | Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements, unless otherwise agreed by the Planning Secretary. | Compliance Reporting Post Approval Requirements, Department 2020<br><br>Site inspection 05/03/21 | The Project is in construction.<br><br>Compliance Reporting is not required during construction under the 2020 PAR. | NT |
| A33 | The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary. | Compliance Reporting Post Approval Requirements, Department 2020<br><br>Site inspection 05/03/21 | The Project is in construction.<br><br>Compliance Reporting is not required during construction under the 2020 PAR. | NT |
| A34 | Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements, the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance. | Compliance Reporting Post Approval Requirements, Department 2020<br><br>Site inspection 05/03/21 | The Project is in construction. | NT |
| **Incident Notification, Reporting and Response** | | | | |
| A35 | The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au 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. | Taylor Incident register current to 05/03/21<br><br>Incident report 12/11/20<br><br>DPIE post approval lodgment 17/11/20. | 1 x notifiable incident occurred. A worker struck his head and this was reported to SafeWork, and therefore the Department was required to be notified.<br><br>**Non-compliance: Notification of the incident did not occur immediately. The report was submitted to the Department 5 days later in accordance with CoC A36.** | NC |
| A36 | Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1. | Taylor Incident register current to 05/03/21<br><br>Incident report 12/11/20<br><br>DPIE post approval lodgment 17/11/20. | 1 x notifiable incident occurred. A worker struck his head and this was reported to SafeWork, and therefore the Department was required to be notified. | C |
| **Non-Compliance Notification** | | | | |
| A37 | The Planning Secretary 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 Planning Secretary in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance. | Interview with auditees 05/03/21<br><br>DPIE post approval lodgment record 15/01/21<br><br>DPIE post approval lodgment record 15/10/20<br><br>DPIE post approval lodgment record 23/02/21 | **Non-compliance: The project notified the Department of the 2 x non-compliances identified in the previous audit more than 7 days after becoming aware their existence.** | NC |
| A38 | 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. | Interview with auditees 05/03/21<br><br>DPIE post approval lodgment record 15/01/21<br><br>DPIE post approval lodgment record 15/10/20 | The notifications included the relevant information. | C |
| A39 | A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance. | Interview with auditees 05/03/21<br><br>DPIE post approval lodgment record 15/01/21<br><br>DPIE post approval lodgment record 15/10/20Taylor Incident register current to 05/03/21<br><br>Incident report 12/11/20 | The non-compliances were not incidents | NT |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | | | | |
| **Revision of Strategies, Plans and Programs** | | | | |
| A40 | Within three months of<br>(a) the submission of a compliance report under condition A32;<br>(b) the submission of an incident report under condition A36;<br>(c) the submission of an Independent Audit under condition C36;<br>(d) the approval of any modification of the conditions of this consent; or<br>(e) the issue of a direction of the Planning Secretary under condition A2 which requires a review,<br>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. | Letter, SINSW to DPIE, 16/10/20<br>Incident report 12/11/20<br>DPIE post approval lodgment 17/11/20<br>DPIE post approval lodgment 25/02/21 | A review was notified on 16/10/20.<br>**Non-compliance: An incident was notified on 17/11/20. A review of the strategies, plans and programs was not notified until 25/02/21 (more than 3 months after the incident notification).** | NC |
| A41 | If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier (where previously approved by the Certifier). Where revisions are required, the revised document must be submitted to the Planning Secretary and / or Certifier for approval and / or information (where relevant) within six weeks of the review.<br>*Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.* | Letter, SINSW to DPIE, 16/10/20<br>Incident report 12/11/20<br>DPIE post approval lodgment 17/11/20<br>DPIE post approval lodgment 25/02/21 | A review was notified on 16/10/20 and 25/02/21. No updates to the documents were required. | NT |
| **PART B PRIOR TO COMMENCEMENT OF CONSTRUCTION** | | | | |
| **Notification of Commencement** | | | | |
| B1 | The Applicant must notify the Planning Secretary in writing of the dates of the intended commencement of construction and operation at least 48 hours before those dates. | Letter SINSW to DPIE, 27/07/20 | The Department was notified of a 01/08/20 start date on 27/07/20. | C |
| B2 | If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage. | Site inspection 05/03/21 | The project is in the first stage of construction. | NT |
| **Certified Drawings** | | | | |
| B3 | Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier structural drawings prepared and signed by a suitably qualified practicing Structural Engineer that demonstrates compliance with this development consent. | Structural design certificate, Dunnings Engineers, 17/07/20<br>Crown Certificate P219_322_1, Design Confidence, 28/7/20. | A structural engineer has prepared structural drawings along with a compliance. The Certifier has verified its compliance through issue of the Crown Certificate. | C |
| **Acoustic mitigation** | | | | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| B4 | Within three months of construction of stage one works, the Applicant must provide the Certifier with documented evidence that consultation with the property owner of 6 Beehag Street has been undertaken regarding the acoustic treatment of the south-east facing first floor glazing and openings of 6 Beehag Street as recommended in Noise Impact Assessment prepared by SLR dated 20 March 2020. If an agreement is reached, documented evidence of the agreement between the two parties must be provided to the Certifier. The evidence must include details regarding the Applicant being responsible for all financial payments in association with the construction and installation of the agreed treatment. If an agreement cannot be reached, all documented evidence of the consultation (including all correspondence, quotes and offers) must be provided to the Certifier and a copy provided to the Planning Secretary. | Consultation minutes 29/09/20<br>Email, Stakeholder to SINSW 18/02/21<br>Email chain, SINSW and Certifier, 30/10/20 | Consultation was completed in September 2020, within 3 months of commencement. This was submitted to the Certifier.<br>SINSW issued an instruction to the Contractor to undertake the double glazing works. The works were completed on 20/01/21. After the works were completed, the owners of 6 Beehag Street advised they were unhappy with the tint of the windows. The tint was replaced, and the owners confirmed they were happy with the works and new tint of the windows (email dated 18/02/21. | C |
| **External Walls and Cladding** | | | | |
| B5 | Prior to the commencement of construction of external walls and cladding, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or 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. 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. | Design Statement, DWP, 17/07/20<br>Crown Certificate P219_322_2, Design Confidence, 23/10/20. | The design statement verifies that the external walls comply with BCA. | C |
| **Protection of Public Infrastructure** | | | | |
| B6 | Prior to the commencement of construction, the Applicant must:<br>(a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;<br>(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and<br>(c) submit a copy of the dilapidation report to the Planning Secretary, Certifier and Council. | Dilapidation survey close out letter, Ausdilaps, 17/07/20<br>Dilapidation report, 49B Mutch Avenue, 6 Beehag St, Preschool, Public School, Council Assets (kerbs, gutters, road, footpaths).<br>Submission of Dilapidation reports to Council, 21/07/20<br>Submission of Dilapidation to DPIE, 29/07/20<br>Submission of Dilapidation to Certifier, 29/07/20 | Dilapidation surveys were undertaken and reported.<br>Records show that the dilapidation reports were submitted to the identified stakeholders prior to commencement of construction. | C |
| **Pre-Construction Dilapidation Report** | | | | |
| B7 | Prior to the commencement of construction, the Applicant must submit a pre-commencement dilapidation report to Council, and the Certifier. The report must provide an accurate record of the existing condition of adjoining private properties, and Council assets that are likely to be impacted by the proposed works. | Submission of Dilapidation reports to Council, 21/07/20 | Dilapidation surveys were undertaken and reported.<br>Records show that the dilapidation reports were submitted to the identified stakeholders prior to commencement of construction. | C |
| **Community Communication Strategy** | | | | |
| B8 | No later than 48 hours before the commencement of construction, a Community Communication Strategy must be submitted to the Planning Secretary for The Community Communication Strategy must provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction. | Submission record SINSW to DPIE, 29/07/20<br>Community Communication Strategy Upgrade to Kyeemagh Public School, SINSW July 2020 (CCS) | The CCS was prepared and submitted to the Department prior to commencement of construction<br>The CCS addresses the requirements under part (a) to (e) of this condition. A summary of how each requirement of the condition is satisfied is presented in Table 1 of the CCS. | C |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | The Community Communication Strategy must:<br>(a) identify people to be consulted during the design and construction phases;<br>(b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;<br>(c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;<br>(d) set out procedures and mechanisms:<br>(i) through which the community can discuss or provide feedback to the Applicant;<br>(ii) through which the Applicant will respond to enquiries or feedback from the community; and<br>(iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation.<br>(e) include any specific requirements around traffic, noise and vibration, visual impacts, amenity, flora and fauna, soil and water, contamination, heritage. | | | |
| **Ecologically Sustainable Development** | | | | |
| B9 | Prior to the commencement of construction, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by either:<br>(a) registering for a minimum 4 star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifier; or<br>(b) seeking approval from the Planning Secretary for an alternative certification process. | DPIE approval of extension 23/12/20<br>Green Star Registration 06/10/20<br>Letter DPIE to SINSW 20/01/21 | DPIE approved an extension to have an alternate certification process to 01/02/20. The certification was obtained 20/01/21. | C |
| **Outdoor Lighting** | | | | |
| B10 | Prior to commencement of lighting installation, evidence must be submitted to the satisfaction of the Certifier that all outdoor lighting within the site has been designed to comply with *AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements* and *AS 4282-2019 Control of the obtrusive effects of outdoor lighting*. | Design Statement, JHA, 16/07/20 | The electrical engineer has prepared a design statement confirming that lighting complies with the standard.<br>This will be further verified through issue of the second Crown Certificate once issued. | C |
| **Demolition** | | | | |
| B11 | Prior to the commencement of construction, demolition work plans required by *AS 2601-2001 The demolition of* structures (Standards Australia, 2001) must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifier and Planning Secretary. | Submission of demolition plan to Certifier 22/07/20<br>Contractor plant operator licenses<br>Demolition Licence AD212205<br>Asbestos removal Licence AD212210<br>Demolition Work Plan, PF Civil, Kyeemagh<br>Submission SINSW to DPIE 29/07/20 | The evidence provided demonstrates that this condition has been satisfied. | C |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| **Environmental Management Plan Requirements** | | | | |
| B12 | Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:<br>(a) detailed baseline data;<br>(b) details of:<br>(i) the relevant statutory requirements (including any relevant approval, Licence or lease conditions);<br>(ii) any relevant limits or performance measures and criteria; and<br>(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;<br>(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;<br>(d) a program to monitor and report on the:<br>(i) impacts and environmental performance of the development;<br>(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;<br>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;<br>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;<br>(g) a protocol for managing and reporting any:<br>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);<br>(ii) complaint;<br>(iii) failure to comply with statutory requirements; and<br>(h) a protocol for periodic review / update of the plan and any updates in response to incidents or matters of non-compliance.<br>*Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.* | Construction Environmental Management Plan, Taylor Construction Group, September 2020 (CEMP)<br>Construction Traffic and Pedestrian Management Sub-Plan, Secure Traffic Solutions, 17 September 2020 (CTPMSP)<br>Construction Noise and Vibration Management Sub-Plan, White Noise Acoustics,16 September 2020 (CNVMSP)<br>Construction Waste Management Sub-Plan, Taylor Construction Group, September 2020 (CWMSP)<br>Construction Soil and Water Management Plan, Birzulis Associates, 14 September 2020 (CSWMP)<br>Flood Emergency Response Plan, Birzulis Associates, 18 September 2020 (FERSP)<br>Community Communication Strategy Upgrade to Kyeemagh Public School, SINSW July 2020 (CCS) | The Construction Environmental Management Plan suite of documents address this requirement, which was assessed in the first audit. | C |
| **Construction Environmental Management Plan** | | | | |
| B13 | Prior to the commencement of construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and provide a copy to the Planning Secretary. The CEMP must include, but not be limited to, the following: | Construction Environmental Management Plan, Taylor Construction Group, Rev 03, September 2020 (CEMP)<br>CEMP submission to Certifier 24/07/20 (covering CoC B13 – B19)<br>CEMP submission to DPIE 31/07/20 (covering CoC B13 – B19). | The Construction Environmental Management Plan suite of documents addresses all the requirements of the condition. | C |
| | (a) Details of: | As above | CEMP Section 4.3 includes hours of work | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | (i) hours of work; | | | |
| | (ii) 24-hour contact details of site manager; | As above | CEMP Sections 1.1 includes project personnel contact details. | |
| | (iii) management of dust and odour to protect the amenity of the neighborhood; | As above | CEMP Section 11.3.7 includes measures for the management of dust and odour. | |
| | (iv) stormwater control and discharge; | As above | CEMP Sections 11.3.6 and Appendix 11 include management measures for stormwater control and discharge. | |
| | (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site; | As above | CEMP Sections 11.3.2, Appendix 6 and Appendix 11 include management measures to sediment tracking. . | |
| | (vi) groundwater management plan including measures to prevent groundwater contamination; | As above | A standalone groundwater management plan is not included in detail. Section 11.3.6 sets out why this is not required as groundwater will not be encountered. The Detailed Site Investigation (Cardno, 2019) encountered groundwater at depths of 3.8 – 4mbgl. The Project design does not require excavation to these depths.<br><br>The CEMP includes measures to prevent groundwater contamination in Section 11.3.6, Appendix 6 and Appendix 11. | |
| | (vii) external lighting in compliance with *AS 4282-2019 Control of the obtrusive effects of outdoor lighting*; | As above | CEMP Sections 11.3.14 addresses compliance with AS 4282-2019. | |
| | (viii) community consultation and complaints handling; | As above | CEMP Section 10.2 details community consultation and complaints handling. | |
| | (b) Construction Traffic and Pedestrian Management Sub-Plan (see condition B14); | Construction Traffic and Pedestrian Management Sub-Plan, Secure Traffic Solutions, 17 September 2020 (CTPMSP) | Sighted as Appendix 8 of the CEMP. | |
| | (c) Construction Noise and Vibration Management Sub-Plan (see condition B15); | Construction Noise and Vibration Management Sub-Plan, White Noise Acoustics, 16 September 2020 (CNVMSP) | Sighted as Appendix 9 of the CEMP. | |
| | (d) Construction Waste Management Sub-Plan (see condition B16); | Construction Waste Management Sub-Plan, Taylor Construction Group, September 2020 (CWMSP) | Sighted as Appendix 10 of the CEMP. | |
| | (f) Flood Emergency Response Sub-Plan (see condition B18); | Flood Emergency Response Plan, Birzulis Associates, 18 September 2020 (FERSP) | Sighted as Appendix 14 of the CEMP. | |
| | (e) Construction Soil and Water Management Sub-Plan (see condition B17); | Construction Soil and Water Management Plan, Birzulis Associates, 14 September 2020 (CSWMP)\ | Sighted as Appendix 11 of the CEMP. | |
| | (g) an unexpected finds protocol for contamination and associated communications procedure; | As above | CEMP Section 12.3 and Appendix 10 include an unexpected finds protocol for contamination. | |
| | (h) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; | As above | CEMP Section 11.3.13 includes an unexpected finds protocol for heritage items. | |
| | (i) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site; and | As above | CWMSP (Appendix 10 if the CEMP) contains measures for the classification and validation of materials. | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| B14 | A Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must be prepared to achieve the objective of ensuring safety and efficiency of the road network and address, but not be limited to, the following: | Construction Traffic and Pedestrian Management Sub-Plan, Secure Traffic Solutions, 17 September 2020 (CTPMSP) | CTPMSP generally addresses requirements of the condition. | C |
| | (a) be prepared by a suitably qualified and experienced person(s); | As above | Sighted the CTPMSP, this has been developed by Secure Traffic Solutions, the traffic control contractor for the Project. | |
| | (b) be prepared in consultation with Council and TfNSW; | As above | Consultation with TfNSW, Transit Systems and Bayside Council provided in CTPMSP Appendix D, E and F.<br>No response from TfNSW provided within the CTPMSP. | |
| | (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services; and | As above | Section 11 of the CTPMSP details mitigation measures and controls in consideration of traffic, cyclists and pedestrians and bus services. | |
| | (d) detail heavy vehicle routes, access and parking arrangements | As above | Sections 2.4 and 2.5 of the CTPMSP detail mitigation measures and controls in consideration of heavy vehicle routes, access and parking arrangements. | |
| B15 | The Construction Noise and Vibration Management Sub-Plan (CNSWMSP) must address, but not be limited to, the following: | Construction Noise and Vibration Management Sub-Plan, White Noise Acoustics, 16 September 2020 (CNVMSP)<br>Post approval consultation record 22/07/20 | The CNVMSP generally addresses each of the requirements of this condition. | C |
| | (a) be prepared by a suitably qualified and experienced noise expert; | As above | CV of suitably qualified and experienced noise expert appended to CNVMSP. | |
| | (b) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009); | As above | Section 4.4 details the mitigation measures to achieve the NMLs. | |
| | c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers; | As above | Section 4.4 details the measures to manage high noise generating works. | |
| | (d) include strategies that have been developed with the community for managing high noise generating works; | As above | Section 5 and Appendix C (Community Consultation Strategy) detail the development of high noise management strategies with the community. | |
| | (e) describe the community consultation undertaken to develop the strategies in condition B15(d); | As above | Appendix C describes the community consultation undertaken to develop the strategies in condition B15(d). | |
| | (f) include a complaints management system that would be implemented for the duration of the construction; and | As above | Section 8.5 and 5.2 detail processes to be followed in the event of noise complaints. | |
| | (g) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the management measures in accordance with condition B12(d). | As above | Section 4.6 details noise and vibration monitoring requirements. | |
| B16 | The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the following: | Construction Waste Management Sub-Plan, Taylor Construction Group, September 2020 (CWMSP)<br>Asbestos Management Plan, PClifton, 28/07/20<br>Tip dockets 29/08/20 | The CWSMP generally addresses requirements of condition. | C |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | (a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations; and | As above | Section 2.3 of the CWMSP contains detail of the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations. | |
| | (b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of construction. | As above | Section 4 and Appendix 1 of the CWMSP contains detail of the removal and management of hazardous materials. This is also addressed in the Asbestos Management Plan. | |
| B17 | The Applicant must prepare a Construction Soil and Water Management Plan (CSWMSP) and the plan must address, but not be limited to the following: | Construction Soil and Water Management Plan, Birzulis Associates, 14 September 2020 (CSWMP) | The CSWMSP generally addresses requirements of condition. | C |
| | (a) be prepared by a suitably qualified expert, in consultation with Council; | As above | CSWMSP – Appendix B includes CV of the suitably qualified expert who has prepared the report.<br>CSWMSP – Appendix C details evidence of consultation with Bayside Council. | C |
| | (b) describe all erosion and sediment controls to be implemented during construction; as a minimum, in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book'. | As above | CSWMSP Section 6 describes all erosion and sediment controls to be implemented and Appendix D provides erosion and sediment control design drawings. | |
| | (c) include an Acid Sulfate Soils Management Plan, if required, including measures for the management, handling, treatment and disposal of acid sulfate soils, including monitoring of water quality at acid sulfate soils treatment areas. | As above | Acid Sulfate Soils Management Plan provided as CSWMSP – Appendix A. The Acid Sulfate Soils Management Plan includes measures for the management, handling, treatment and disposal of acid sulfate soils. | |
| | (d) provide a plan of how all construction works will be managed in a wet-weather events (i.e. storage of equipment, stabilisation of the Site); | As above | CSWMSP Section 5.4 describes site management in a wet-weather events | |
| | (e) detail all off-Site flows from the Site; and | As above | CSWMSP Section 2.5 describes existing stormwater discharge from the site.<br>CSWMSP Appendix provides erosion and sediment control design drawings. | |
| | (f) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 5-year ARI and 1 in 100- year ARI). | As above | CSWMSP Section 5.3 describes flood management measures.<br>CSWMSP Appendix D provides erosion and sediment control design drawings. | |
| B18 | The Flood Emergency Response Sub-Plan (FERSP) must address, but not be limited to, the following:<br>(a) be prepared by a suitably qualified and experienced person(s); | Flood Emergency Response Plan, Birzulis Associates, 18 September 2020 (FERSP) | The FERSP generally addresses requirements of condition. | C |
| | (b) address the provisions of the Floodplain Risk Management Guidelines (EESG) | As above | FERSP Section 3.2 addresses the provisions of the Floodplain Risk Management Guidelines. | |
| | (c) include details of: | As above | FERSP Section 5.2 details construction phase flood emergency response. | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | (i) the flood emergency response for construction phase of the development; | | | |
| | (ii) predicted flood levels; | As above | FERSP Section 3.5 details the sites predicated flood levels. | |
| | (iii) flood warning time and flood notification; | As above | FERSP Section 4.1 and 4.3 details flood warning time and notification. | |
| | (iv) assembly points and evacuation routes; | As above | FERSP Section 5.1 and Appendix B details evacuation assembly points and evacuation routes. | |
| | (v) evacuation and refuge protocols; | As above | FERSP Section 5.2 details evacuation and refuge protocols. | |
| | (vi) awareness training for employees and contractors, and students. | As above | FERSP Section 7 details awareness training to be provided to employees and contractors | |
| B19 | A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following:<br>(a) minimise the impacts of earthworks and construction on the local and regional road network;<br>(b) minimise conflicts with other road users;<br>(c) minimise road traffic noise; and<br>(d) ensure truck drivers use specified routes. | Construction Traffic and Pedestrian Management Sub-Plan, Secure Traffic Solutions, 17 September 2020 (CTPMSP) | Section 3 of the CTPMSP outlines the Drivers Code of Conduct and addresses the requirements of the condition. | C |
| **Construction Worker Transportation Strategy** | | | | |
| B20 | Prior to the commencement of construction, the Applicant must submit a Construction Worker Transportation Strategy for the construction stages to the satisfaction of the Certifier. The Strategy must detail the provision of sufficient parking facilities or other travel arrangements for construction workers in order to minimise demand for parking in nearby public and residential streets or public parking facilities. A copy of the strategy must be submitted to the Planning Secretary for information. | Construction Traffic and Pedestrian Management Sub-Plan, Secure Traffic Solutions, 17 September 2020 (CTPMSP)<br>CEMP submission to Certifier 24/07/20<br>CEMP submission to DPIE 31/07/20 | A Construction Worker Transportation Strategy is included in the CTPMSP and addresses the requirements of the condition. | C |
| **Flood Management** | | | | |
| B21 | Prior to the commencement of construction, the Certifier must be satisfied that all floor levels must be no lower than the 1% Annual Exceedance Probability flood plus 500mm of freeboard. | Aconex correspondence DesCon-DA-000001 dated 21 September 2020. | Satisfaction of Certifier sighted in Aconex correspondence DesCon-DA-000001 | C |
| B22 | Prior to the commencement of construction, the Certifier must be satisfied that any structures below the 1% Annual Exceedance Probability plus 500mm of freeboard must be constructed from flood compatible building components. | Aconex correspondence DesCon-DA-000001 dated 21 September 2020. | Satisfaction of Certifier sighted in Aconex correspondence DesCon-DA-000001 | C |
| **Operational Noise – Design of Mechanical Plant and Equipment** | | | | |
| B23 | Prior to installation of mechanical plant and equipment, the Applicant must incorporate the noise mitigation recommendations in the Noise Impact Assessment prepared by SLR dated 20 March 2020. The Certifier must verify that all noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Noise Impact Assessment. | Site inspection 05/03/21 | The Project is in early construction. No mechanical plant and equipment installed. | NT |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| **Biodiversity** | | | | |
| B24 | Prior to the commencement of vegetation clearing, a suitably experienced ecologist must be engaged to relocate and/or replace nest boxes within the site at a suitable time during or after construction works have ceased. | Kyeemagh Ecology Report, Kingfisher, 22/07/20. | Kingfisher was engaged prior to construction. The ecologist assisted with the relocation of nest boxes. The relocation works are complete for stage 1. | C |
| **Landscaping** | | | | |
| B25 | Prior to the installation of landscaping, the Applicant must prepare a revised Landscape Plan to manage the revegetation and landscaping works on-site and submit it to the Certifier. The plan must:<br>(a) provide for the planting of 63 trees;<br>(b) detail the native vegetation community (or communities) that once occurred on the site or locality;<br>(c) include species (trees, shrubs and groundcovers) indigenous to the local area;<br>(d) detail the location, species, maturity and height at maturity of plants to be planted on-site and demonstrate that enough area/space is provided to allow trees to grow to full maturity;<br>(e) include the planting of trees with a pot container of 75 -100 litres, or greater for local native tree species which are commercially available. Other local native tree species which are not commercially available may be sourced as juvenile sized trees or pregrown from provenance seed; and<br>(f) include the provision of relocated or new replacement nest boxes as required under condition B24 suitable to native fauna likely to use the site. | Site inspection 05/03/21<br>Landscape works design statement, Group GSA 8/9/20 | The Landscape Plan addresses the requirements of this condition. Landscaping has yet to commence. | NT |
| **Operational Waste Storage and Processing** | | | | |
| B26 | Prior to the commencement of construction of the operational waste storage area, the Applicant must obtain agreement from Council for the design of the operational waste storage area (where waste removal will be undertaken by Council). Where waste removal will be undertaken by a third party, evidence must be provided to the Certifier that the design of the operational waste storage area:<br>(a) is constructed using solid non-combustible materials;<br>(b) is designed to ensure the door/gate to the waste storage area is vermin proof and can be openable from both inside and outside the storage area at all times;<br>(c) includes a hot and cold water supply with a hose through a centralised mixing valve;<br>(d) is naturally ventilated or an air handling exhaust system must be in place; and<br>(e) includes signage to clearly describe the types of materials that can be deposited into recycling bins and general garbage bins. | Site inspection 05/03/21<br>Operational Waste Management Plan 14/09/20, Taylor Group.<br>Council email to SINSW 21/09/20 | Council is satisfied with the Operational Waste Management Plan. Construction of the waste storage area has yet to commence. | C |
| **Construction Car Parking and Service Vehicle Layout** | | | | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| B27 | Prior to the commencement of construction, evidence of compliance of construction parking and access arrangements with the following requirements must be submitted to the Certifier:<br>(a) all vehicles must enter and leave the Site in a forward direction;<br>(b) the swept path of the longest construction vehicle entering and exiting the site in association with the new work, as well as maneuverability through the site, is in accordance with the latest version of AS 2890.2; and<br>(c) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, has been addressed. | Design certification, Stanbury, 17/07/20<br>Submission to Certifier 22/07/20 | The design certification shows forward in and forward out for construction vehicles, swept path and safety requirements. | C |
| **Operational Parking and Access Arrangements** | | | | |
| B28 | Prior to the commencement of construction of operational parking and access facilities, evidence of compliance of the design of operational parking and access arrangements with the following requirements must be submitted to the Certifier:<br>(a) all vehicles are able to enter and leave the site in a forward direction;<br>(b) a minimum of 19 on-site car parking spaces, including one accessible space, for use during operation of the development and designed in accordance with the latest versions of AS 2890.1 and AS 2890.6;<br>(c) the swept path of the longest service vehicle entering and exiting the site in association with the new work, as well as maneuverability through the site, must be in accordance with the latest version of AS 2890.2; and<br>(d) end-of-trip facilities are included for staff and students in accordance with the EIS and approved plans. | Design report, Stansbury, 24/08/20<br>Crown Certificate P219_322_2, Design Confidence, 23/10/20. | Operational parking construction has not commenced. The operational parking and access facilities plan was prepared and submitted to the certifier, who verified satisfaction through issue of Crown Certificate C2. | C |
| **Public Domain Works** | | | | |
| B29 | Prior to the commencement of any public domain works, the Applicant must consult with Council and TfNSW and demonstrate to the Certifier that the streetscape design and treatment meets the requirements of the relevant road authority, including addressing pedestrian management. The Applicant must submit documentation of approval where required from the relevant road authority to the Certifier. | Site inspection 05/03/21<br>Consultation record with Council, 08/12/20 – 17/02/21<br>Consultation records with TfNSW, 04/02/21<br>Bayside Council Section 139<br>Public Domain Works Plan, Birzulis, 12/02/21 | Public domain works have yet to commence. Design was developed in accordance with the Council and TfNSW design briefs / requirements.<br>The documentation will be sent to the Certifier prior to commencement. | NT |
| **PART C DURING CONSTRUCTION** | | | | |
| **Site Notice** | | | | |
| C1 | A site notice(s):<br>(a) must be prominently displayed at the boundaries of the site during construction for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifier and Structural Engineer is to satisfy the following requirements;<br>(b) minimum dimensions of the notice must measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size;<br>(c) the notice is to be durable and weatherproof and is to be displayed throughout the works period; | Site inspection 05/03/21 | A site notice was observed on site that meets the requirements of this condition with regards to content, format and positioning. | C |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | (d) the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice; and<br>(e) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorized entry to the site is not permitted. | | | |
| **Operation of Plant and Equipment** | | | | |
| C2 | All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner. | Hammertech plant onboarding and maintenance system | Onboarding and maintenance system is managed using Hammertech. Includes plant risk assessment, service history and compliance, O&M manual, logbook entry. Tickets for all operators listed. Hammertech provides a list of upcoming and overdue maintenance requirements. No overdue plant identified. No issues identified. | C |
| **Demolition** | | | | |
| C3 | Demolition work must comply with the demolition work plans required by *Australian Standard AS 2601-2001 The demolition of structures* (Standards Australia, 2001) and endorsed by a suitably qualified person as required by condition B11. | Submission of demolition plan to Certifier 22/07/20<br>Contractor licenses<br>Demolition Licence AD212205<br>Asbestos removal Licence AD212210<br>Demolition Work Plan, PF Civil, Kyeemagh<br>Submission SINSW to DPIE 29/07/20 | The evidence provided demonstrates that this condition has been satisfied. | C |
| **Construction Hours** | | | | |
| C4 | Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:<br>(a) between 7am and 6pm, Mondays to Fridays inclusive; and<br>(b) between 8am and 1pm, Saturdays.<br>No work may be carried out on Sundays or public holidays. | Construction Noise and Vibration Management Sub-Plan, White Noise Acoustics, 16 September 2020 (CNVMSP)<br>SE-F-1 site specific mandatory safety requirements, Taylor<br>Complaints register current to 17/02/21 | The permissible hours of work are within the CNVMSP and are communicated to the workforce through the induction.<br>There have been no complaints regarding works out of hours. | C |
| C5 | Soil remediation activities, may only be carried out between the following hours:<br>(a) between 7am and 6pm Mondays to Saturdays inclusive.<br>No soil remediation activities may be carried out on Sundays or public holidays. | Construction Noise and Vibration Management Sub-Plan, White Noise Acoustics, 16 September 2020 (CNVMSP)<br>SE-F-1 site specific mandatory safety requirements, Taylor<br>Complaints register current to 17/02/21 | The permissible hours of work are within the CNVMSP and are communicated to the workforce through the induction.<br>There have been no complaints regarding works out of hours.<br>No remediation works occurred during the audit period. | NT |
| C6 | Construction activities may be undertaken outside of the hours in condition C4 if required:<br>(a) by the Police or a public authority for the delivery of vehicles, plant or materials; or<br>(b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or | Interview with auditees 05/03/21<br>Complaints register current to 17/02/21 | No out of hours works required to date | NT |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | (c) where the works are inaudible at the nearest sensitive receivers; or<br>(d) where a variation is approved in advance in writing by the Planning Secretary or his nominee if appropriate justification is provided for the works. | | | |
| C7 | Notification of such construction activities as referenced in condition C5 must be given to affected residents before undertaking the activities or as soon as is practical afterwards. | Interview with auditees 05/03/21<br>Complaints register current to 17/02/21 | No out of hours works required to date | NT |
| C8 | Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:<br>(a) 9am to 12pm, Monday to Friday;<br>(b) 2pm to 5pm Monday to Friday; and<br>(c) 9am to 12pm, Saturday. | Site inspection 05/03/21<br>Interview with auditees 05/03/21 | The construction method does not require high impact noise activities. | NT |
| **Implementation of Management Plans** | | | | |
| C9 | The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans). | Evidence referred to elsewhere in this table.<br>Appendix B | The Project has provided evidence of implementation of the CEMP and sub-plans. | C |
| **Construction Traffic** | | | | |
| C10 | All construction vehicles are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site or an approved on-street work zone before stopping. | Construction Traffic and Pedestrian Management Sub-Plan, Secure Traffic Solutions, 17 September 2020 (CTPMSP)<br>Site inspection 05/03/21<br>Complaints register current to 17/02/21 | The site is set up to enable construction vehicles (other than worker light vehicles) within the site. | C |
| **Hoarding Requirements** | | | | |
| C11 | The following hoarding requirements must be complied with:<br>(a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; and<br>(b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application. | Site inspection 05/03/21<br>Complaints register current to 17/02/21 | No graffiti or advertising material was observed. | C |
| **No Obstruction of Public Way** | | | | |
| C12 | The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. | Site inspection 05/03/21<br>Complaints register current to 17/02/21 | The public way was not obstructed. | C |
| **Construction Noise Limits** | | | | |
| 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 | SE-F-1 site specific mandatory safety requirements, Taylor<br>Complaints register current to 17/02/21<br>Construction Noise and Vibration Management Sub-Plan, White Noise Acoustics, 16 September 2020 (CNVMSP) | Noise management measures from the CNVMSP are communicated to the workforce through the induction.<br>There have been no complaints regarding noise. | C |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan. | Site inspection 05/03/21 | | |
| C14 | The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding outside of the construction hours of work outlined under condition C4. | Construction Noise and Vibration Management Sub-Plan, White Noise Acoustics, 16 September 2020 (CNVMSP)<br>SE-F-1 site specific mandatory safety requirements, Taylor<br>Complaints register current to 17/02/21<br>Site inspection 05/03/21 | The permissible hours of work are set out within the CNVMSP and are communicated to the workforce through the induction.<br>There have been no complaints regarding works out of hours. | C |
| C15 | The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of 'quackers' to ensure noise impacts on surrounding noise sensitive receivers are minimised. | Interview with auditees 05/03/21<br>PF Civil scope of works<br>Site inspection 05/03/21 | The civil contractor scope of works specifies that only quackers are permitted. Mobile plant is limited to 1 x digger on site during the inspection. This was not operating at the time of the inspection. | C |
| **Vibration Criteria** | | | | |
| C16 | Vibration caused by construction at any residence or structure outside the site must be limited to:<br>(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<br>(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). | Site inspection 05/03/21<br>Complaints register current to 17/02/21<br>Construction Noise and Vibration Management Sub-Plan, White Noise Acoustics, 16 September 2020 (CNVMSP)<br>White Noise Vibration Assessment Letter Report, 05/11/20 | The CNVMSP does not identify vibration as issue. Refer to previous audit for findings relevant to the previous audit period.<br>1 x complaint was received during the audit period relating to vibration. This property is across the road from the site and unlikely to suffer from vibration above the permissible levels, and is well beyond the 30m buffer called up under C17. A report was prepared by the acoustic consultant confirming this. | C |
| 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. | Site inspection 05/03/21<br>Complaints register current to 17/02/21<br>Construction Noise and Vibration Management Sub-Plan, White Noise Acoustics, 16 September 2020 (CNVMSP) | No complaints received. No requirement to vibratory roll within 30 metres of residences within the current audit period. | NT |
| C18 | The limits in conditions C16 and C17 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B15 of this consent. | Construction Noise and Vibration Management Sub-Plan, White Noise Acoustics, 16 September 2020 (CNVMSP) | The updated CNVMSP addresses this requirement. | C |
| | **Tree Protection** | | | |
| C19 | For the duration of the construction works:<br>(a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;<br>(b) all street trees immediately adjacent to the approved disturbance area / property boundary/ies must be protected at all times during construction in accordance with Council's tree protection requirements. Any street tree, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council; | Site inspection 05/03/21 | No street trees have been trimmed or removed.<br>Tree Protection Zones are in place (fenced, signposted). No works within the Tree Protection Zones have been required. No issues identified. | C |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | (c) all trees on the site that are not approved for removal must be suitably protected during construction in accordance with Council's tree protection requirements; and<br><br>(d) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater. | | | |
| **Air Quality** | | | | |
| C20 | The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent. | Site inspection 05/03/21<br><br>Complaints register current to 17/02/21 | Polypipe erected around the perimeter to operate sprays on the boundary. Sprinklers are available for use as required.<br><br>The work site was clear of loose debris and well maintained.<br><br>The underlying material is predominantly sand with low potential for fugitive dust generation.<br><br>No complaints received | C |
| C21 | During construction, the Applicant must ensure that:<br><br>(a) exposed surfaces and stockpiles are suppressed by regular watering;<br><br>(b) all trucks entering or leaving the site with loads have their loads covered;<br><br>(c) trucks associated with the development do not track dirt onto the public road network;<br><br>(d) public roads used by these trucks are kept clean; and<br><br>(e) land stabilisation works are carried out progressively on site to minimise exposed surfaces. | Site inspection 05/03/21<br><br>Complaints register current to 17/02/21 | Polypipe erected around the perimeter to operate sprays on the boundary. Sprinklers are available for use as required.<br><br>The work site was clear of loose debris and well maintained.<br><br>The underlying material is predominantly sand with low potential for fugitive dust generation.<br><br>No complaints received.<br><br>Rumble grids are observed on site. No material tracking on public roads was observed.<br><br>There is no opportunity for land stabilization as the site is so small.<br><br>There is currently no material load out that would attract covering of loads. | C |
| **Erosion and Sediment Control** | | | | |
| C22 | All erosion and sediment control measures must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment. Erosion and sediment control techniques, as a minimum, are to be in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004) commonly referred to as the 'Blue Book'. | Site inspection 05/03/21<br><br>Erosion and sediment control plan stage 1, Taylor | The controls from the erosion and sediment control plan were observed on site. | C |
| **Imported Soil** | | | | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| C23 | The Applicant must:<br>(a) ensure that only VENM, ENM, or other material approved in writing by an EPA accredited site auditor is brought onto the site;<br>(b) keep accurate records of the volume and type of fill to be used; and<br>(c) make these records available to the Certifier upon request. | VENM certificate, Clifton and Assoc, 29/09/20 | An assessment was completed on imported soil and certified it as VENM | C |
| **Disposal of Seepage and Stormwater** | | | | |
| C24 | Adequate provisions must be made to collect and discharge stormwater drainage during construction of the building to the satisfaction of the principal Certifier. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter. | Site inspection 05/03/21<br>Email from Bayside to Taylor, 03/09/20<br>Burzulis, Design Certificate, 03/03/21 | The underground passive stormwater system on site is used to collect stormwater (as well as enable pumping to). Council accepted the design and it was installed following remediation works. Refer response to CoC C26. | C |
| **Emergency Management** | | | | |
| C25 | The Applicant must prepare and implement awareness training for employees and contractors, including locations of the assembly points and evacuation routes, for the duration of construction. | Site inspection 05/03/21<br>SE-F-1 site specific mandatory safety requirements, Taylor | Evacuation plans are posted around the site.<br>The induction addresses emergency evacuation and assembly. | C |
| **Stormwater Management System** | | | | |
| C26 | Within three months of the commencement of construction, the Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Certifier. The system must:<br>(a) be designed by a suitably qualified and experienced person(s);<br>(b) be generally in accordance with the conceptual design in the EIS;<br>(c) be designed in accordance with the Rockdale Technical Specification – Stormwater Management<br>(d) be in accordance with applicable Australian Standards; and<br>(e) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines; | Email from Bayside to Taylor, 03/09/20<br>Burzulis, Design Certificate, 03/03/21 | The stormwater management system was one of the first components installed. The system was designed by the civil engineer, in line with the conceptual design and Bayside's requirements, and in accordance with the Blue Book. | C |
| **Unexpected Finds Protocol – Aboriginal Heritage** | | | | |
| C27 | In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by EES Group and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and EES Group to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of EES Group. | Interview with auditees 05/03/21 | No unexpected finds to date | NT |
| **Unexpected Finds Protocol – Historic Heritage** | | | | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| C28 | If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the Heritage NSW contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of the Heritage NSW. | Interview with auditees 05/03/21 | No unexpected finds to date | NT |
| **Waste Storage and Processing** | | | | |
| C29 | 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 neighboring public or private properties. | Site inspection 05/03/21 | Waste skips were observed on site. Waste was appropriately stored. No waste was observed off site.<br><br>Site photos from remediation works show stockpiles suitably stabilized before loading out. | C |
| C30 | All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014). | In-situ Waste Classification Report, Cardno, 04/08/20<br><br>Site inspection 05/03/21 | Refer to previous audit report regarding classification of excavated material.<br><br>All other construction related wastes are pre-classified under the Guidelines and can be disposed of as GSW. | C |
| C31 | 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. | Interview with auditees 05/03/21<br><br>Site photos 13/11/20, 15/12/20 | Concrete is placed on plastic, cured, then disposed of with general waste. | C |
| C32 | The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction. | Provisional sum adjustment sheet<br><br>CWMSP<br><br>Bingo Monthly report current to Feb 21. | The Bingo waste reports identify all waste types being disposed of each month. The locations are identified in the CWMSP and remain unchanged. | C |
| C33 | The Applicant must ensure that the removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility is in accordance with the requirements of the relevant legislation, codes, standards and guidelines. | Interview with auditees 05/03/21 | Clearance occurred prior to current audit period. Refer to the previous audit report for details on this condition. | NT |
| **Outdoor Lighting** | | | | |
| C34 | The Applicant must ensure that all external lighting is constructed and maintained in in accordance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting. | Construction Environmental Management Plan, Taylor Construction Group, September 2020 (CEMP)<br><br>Complaints register current to 19/02/21 | The CEMP commits to managing light spill. No complaints received to date. | C |
| **Independent Environmental Audit** | | | | |
| C35 | Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the or commencement of an Independent Audit. | Letter DPIE to SINSW 25/08/20 | The independent auditors were approved prior to commencement of the audit. | C |
| C36 | Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements. | Independent Audit Report Kyeemagh Public School, SSD 9391 September 2020<br><br>Independent Audit Post Approval Requirements, Department 2020 | The first audit was completed in accordance with the IAPAR. The Department provided one comment on the counting of non-compliances. This was rectified.<br><br>This audit has been conducted in accordance with the IAPAR. | C |
| C37 | The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in condition C36, upon giving at | Interview with auditees 05/03/21 | There have been no different times specified by the Secretary. | NT |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | least four weeks' notice to the Applicant of the date upon which the audit must be commenced. | | | |
| C38 | In accordance with the specific requirements in the Independent Audit Post Approval Requirements, the Applicant must:<br>(a) review and respond to each Independent Audit Report prepared under condition C36 of this consent;<br>(b) submit the response to the Planning Secretary; and<br>(c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Planning Secretary. | DPIE post approval lodgment record 15/10/20<br>Letter SINSW to DPIE, 27/10/20<br>https://www.schoolinfrastructure.nsw.gov.au/projects/k/kyeemagh-public-school.html#category-reports | The report and the response to the findings was submitted on 27/10/20 and uploaded to the website on 18/11/20 | C |
| C39 | Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within two months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements unless otherwise agreed by the Planning Secretary. | Letter SINSW to DPIE, 27/10/20<br>https://www.schoolinfrastructure.nsw.gov.au/projects/k/kyeemagh-public-school.html#category-reports | The first IA report and the response to its findings was submitted on 27/10/20 | C |
| C40 | Notwithstanding the requirements of the Independent Audit Post Approval Requirements, the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance. | Site inspection 05/03/21 | The project is in early construction. Operations have not commenced. | NT |
| **PART D PRIOR TO OCCUPATION OR COMMENCEMENT OF USE – The Project is in construction** | | | | |
| **Notification of Occupation** | | | | |
| D1 | At least one month before commencement of operation, the date of commencement of the 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. | | | |
| **External Walls and Cladding** | | | | |
| D2 | 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. | | | |
| D3 | 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. | | | |
| **Post-construction Dilapidation Report** | | | | |
| D4 | Prior to commencement of operation, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is:<br>a) to ascertain whether the construction created any structural damage to adjoining buildings or infrastructure; | | | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | b) to be submitted to the Certifier. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifier must:<br>i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and<br>ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.<br>c) to be forwarded to Council. | | | |
| **Protection of Public Infrastructure** | | | | |
| D5 | Unless the Applicant and the applicable authority agree otherwise, the Applicant must:<br>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and<br>(b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.<br>*Note: This condition does not apply to any damage to roads caused as a result of general road usage* | | | |
| **Protection of Property** | | | | |
| D6 | Unless the Applicant and the applicable owner agree otherwise, the Applicant must repair, or pay the full costs associated with repairing any property that is damaged by carrying out the development | | | |
| **Utilities and Services** | | | | |
| D7 | Prior to commencement of operation, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*. | | | |
| **Works as Executed Plans** | | | | |
| D8 | Prior to the commencement of operation, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Certifier. | | | |
| **Green Travel Plan** | | | | |
| D9 | Prior to the commencement of operation, a Green Travel Plan (GTP), must be submitted to the satisfaction of the Planning Secretary to promote the use of active and sustainable transport modes. The plan must:<br>(a) be prepared by a suitably qualified traffic consultant in consultation with Bayside Council and Transport for NSW;<br>(b) identify current employee journey to work patterns including current mode share, trip origin and shift start/finish times. This can be informed by analysis of Australian Bureau of Statistics Census data and/or by conducting a staff travel survey. This information should be used to inform sustainable transport strategies in the GTP; | | | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | (c) include Travel Demand Management Strategies in the TDS that considers opportunities to spread or stagger network demand;<br>(d) in-class surveys (or online surveys such as survey monkey) to determine travel mode choice and targets;<br>(e) feedback register for carpooling groups; and<br>(f) feedback register for all other transport related items (whereby staff, students, parents and carers are able to provide suggestions on ways to promote sustainable transport choice).<br>(g) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;<br>(h) include specific tools and actions to help achieve the objectives and mode share targets;<br>(i) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and<br>(j) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviors of users of the development. | | | |
| **Pedestrian Infrastructure Upgrades** | | | | |
| D10 | Prior to the commencement of the first stage of operation, the Applicant must consult with Council regarding upgrades to pedestrian infrastructure along the frontages of the site required to accommodate the expansion of the school. | | | |
| D11 | Prior to the commencement of the final stage of operation, the upgrades to pedestrian infrastructure agreed under condition D10 must be completed. | | | |
| **School/Pedestrian Crossing Facilities** | | | | |
| D12 | Prior to commencement of operation, school/pedestrian crossings must be installed on surrounding roads where agreed in consultation with Council and TfNSW, with the works completed in accordance with the relevant design standards and warrants set down by TfNSW to the satisfaction of the relevant road authority. | | | |
| **Operational Transport and Access Management Plan (OTAMP)** | | | | |
| D13 | Prior to the commencement of operation, an OTAMP is to be prepared by a suitably qualified person, in consultation with Council and TfNSW, and submitted to the Certifier and a copy provided to the Planning Secretary. The OTAMP must address the following:<br>(a) detailed pedestrian analysis including the identification of safe route options – to identify the need for management measures such as staggered school start and finish times to ensure students and staff are able to access and leave the Site in a safe and efficient manner during school start and finish; | | | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | (b) the location of bicycle spaces and end of trip facilities for staff and students close to the entries from Beehag Street and Tancred Avenue and incorporating lighting and passive surveillance consistent with AS2890.3;<br><br>(c) the location of all car parking spaces on the school campuses and their allocation (i.e. staff, visitor, accessible, emergency, etc.);<br><br>(d) the location and operational management procedures of the pick-up and drop-off parking, including staff management/traffic controller arrangements;<br><br>(e) the location and operational management procedures for the pick-up and drop-off of students by buses and coaches for excursions and sporting activities, including staff management/traffic controller arrangements;<br><br>(f) delivery and services vehicle and bus access and management arrangements;<br><br>(g) management of approved access arrangements;<br><br>(h) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts, including measures to mitigate queuing impacts associated with<br><br>vehicles accessing pick-up and drop-off parking in Jacobson Avenue;<br><br>(i) car parking arrangements and management associated with the proposed use of school facilities by community members; and<br><br>(j) a monitoring and review program. | | | |
| **School Zones** | | | | |
| D14 | Prior to the commencement of operation, all required School Zone signage, speed management signage and associated pavement markings along Tancred Avenue must be installed, inspected by TfNSW (RMS) and handed over to TfNSW (RMS).<br><br>*Note: Any required approvals for altering public road speed limits, design and signage are required to be obtained from the relevant consent authority.* | | | |
| D15 | The Applicant must maintain records of all dates in relation to installing, altering and removing traffic control devices related to speed. | | | |
| **Mechanical Ventilation** | | | | |
| D16 | 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:<br><br>(a) AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings and other relevant codes; and<br><br>(b) any dispensation granted by Fire and Rescue NSW. | | | |
| **Operational Noise – Design of Mechanical Plant and Equipment** | | | | |
| D17 | Prior to the commencement of operation, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the Noise Impact Assessment prepared by SLR dated 20 March 2020 have been incorporated into the design to | | | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | ensure the development will not exceed the recommended operational noise levels identified in the Environmental Noise Assessment. | | | |
| **Car Parking Arrangements** | | | | |
| D18 | Prior to the commencement of operation or other timeframe agreed in writing by the Planning Secretary, evidence must be submitted to the satisfaction of the certifier that demonstrates that:<br>(a) works associated with the reconfiguration of the car park to create 19 car parking spaces have been completed;<br>(b) the layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) are be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2 – 2002 for heavy vehicle usage; and<br>(c) the swept path of the longest vehicle (including garbage trucks, building maintenance vehicles and removalists) entering and exiting the subject site, as well as maneuverability through the site, should be in accordance with Austroads. | | | |
| **Bicycle Parking and End-of-Trip Facilities** | | | | |
| D19 | Prior to occupation, compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the Certifier:<br>a) the provision of a minimum 50 bicycle parking spaces;<br>b) the layout, design and security of bicycle facilities must comply with the minimum requirements of the latest version of AS 2890.3:2015 Parking facilities - Bicycle parking, and be located in easy to access, well-lit areas that incorporate passive surveillance;<br>c) the provision of end-of-trip facilities for staff; and<br>d) appropriate pedestrian and cyclist advisory signs are to be provided.<br>All works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority. | | | |
| **Road Damage** | | | | |
| D20 | Prior to the commencement of operation, the cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development must be met in full by the Applicant. | | | |
| **Fire Safety Certification** | | | | |
| D21 | 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. | | | |
| D22 | Prior to the commencement of occupation of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate | | | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | must be submitted to the satisfaction of 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:<br>(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<br>(b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s. | | | |
| **Stormwater Quality Management Plan** | | | | |
| D23 | Prior to the commencement of operation, an Operation and Maintenance Plan (OMP) is to be submitted to the satisfaction of the Certifier along with evidence of compliance with the OMP. The OMP must ensure the proposed stormwater quality measures remain effective and contain the following:<br>(a) maintenance schedule of all stormwater quality treatment devices;<br>(b) record and reporting details;<br>(c) relevant contact information; and<br>(d) Work Health and Safety requirements. | | | |
| **Warm Water Systems and Cooling Systems** | | | | |
| D24 | 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. | | | |
| **Outdoor Lighting** | | | | |
| D25 | Prior to the commencement of operation, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and:<br>(a) complies with the latest version of AS 4282-2019 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and<br>(b) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network. | | | |
| **Signage** | | | | |
| D26 | Prior to the commencement of operation, way-finding signage and signage identifying the location of staff car parking must be installed | | | |
| D27 | Prior to the commencement of operation, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas. | | | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| **Operational Waste Management Plan** | | | | |
| D28 | Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifier. The Waste Management Plan must:<br>(a) detail the type and quantity of waste to be generated during operation of the development;<br>(b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (Department of Environment, Climate Change and Water, 2009);<br>(c) detail the materials to be reused or recycled, either on or off site; and<br>(d) include the Management and Mitigation Measures included in Waste Management Plan prepared by Turner & Townsend Thinc and dated 10 January 2019. | | | |
| **Landscaping** | | | | |
| D29 | Prior to the commencement of operation, the Applicant must prepare an Operational Landscape Management Plan to manage the revegetation and landscaping on-site, to the satisfaction of the Planning Secretary. The plan must describe the ongoing monitoring and maintenance measures to manage revegetation and landscaping. | | | |
| D30 | The Applicant must not commence operation until the Operational Landscape Management Plan is submitted to the Certifier. | | | |
| **Acoustic Barrier** | | | | |
| D31 | Prior to the commencement of operation of stage one, a 2.1 metre high acoustic barrier must be constructed along the north west boundary shared with adjoining residential dwellings generally in accordance with the recommendations of the Noise Impact Assessment prepared by SLR and dated 20 March 2020. | | | |
| **Operational Flood Emergency Management Plan** | | | | |
| D32 | Prior the commencement of the operation, a Flood Emergency Management Plan must be<br>submitted to the Certifier that:<br>(a) is be prepared by a suitably qualified and experienced person(s);<br>(b) addresses the provisions of the Floodplain Risk Management Guidelines (EESG);<br>(c) includes details of:<br>(i) the flood emergency responses for operational phase of the development;<br>(ii) predicted flood levels;<br>(iii) flood warning time and flood notification; | | | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | (iv) assembly points and evacuation routes;<br>(v) evacuation and refuge protocols; and<br>(vi) awareness training for employees and contractors, and students. | | | |
| **PART E POST OCCUPATION – The Project is in construction** | | | | |
| **Out of Hours Event Management Plan** | | | | |
| E1 | Prior to the commencement of the first out of hours events (school use) run by the school that involve 100 or more people, the Applicant is to prepare an Out of Hours Event Management Plan (School Use) and submit it to the Council and Planning Secretary in consultation with Council. The plan must include the following:<br>(a) the number of attendees, time and duration;<br>(b) arrival and departure times and modes of transport;<br>(c) where relevant, a schedule of all annual events;<br>(d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);<br>(e) details of the use of the multi-purpose hall, COLA and sports court where applicable, restricting use before 8am and after 10pm;<br>(f) measures to minimise localised traffic and parking impacts; and<br>(g) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan. | | | |
| E2 | The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified events or use. | | | |
| E3 | Prior to the commencement of out of hours events (community use) run by the external parties<br>that involve 100 or more people, the Applicant is to prepare an Out of Hours Event Management<br>Plan (Community Use) in consultation with Council and submit it to the Council and Planning<br>Secretary. The plan must include the following:<br>(a) the number of attendees, time and duration;<br>(b) arrival and departure times and modes of transport;<br>(c) where relevant, a schedule of all annual events;<br>(d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);<br>(e) details of the use of the multi-purpose hall, where applicable, restricting use before 7am and after 10pm Mondays to Saturdays and not at all on Sundays and public holidays; | | | |

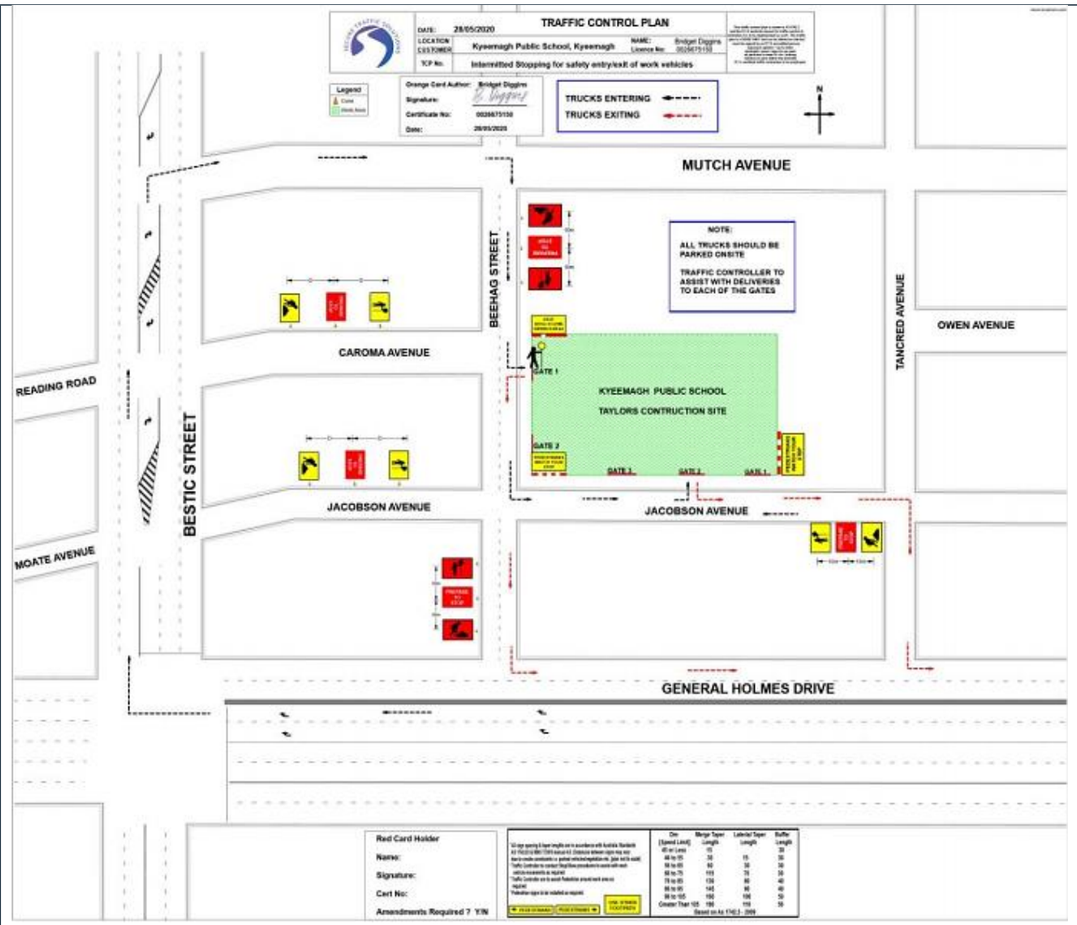
| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | (f) details of the use of the outdoor games/sports court, where applicable, restricting use before 12pm and after 6pm Mondays to Fridays, before 8am and after 6pm on Saturdays and not at all on Sundays and public holidays;<br>(g) measures to minimise localised traffic and parking impacts; and<br>(h) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan. | | | |
| E4 | The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified community event or use. | | | |
| **Operation of Plant and Equipment** | | | | |
| E5 | All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner. | | | |
| **Sign Illumination** | | | | |
| E6 | Any sign that is to be illuminated in accordance with the approved plans must not be illuminated between the hours of 10pm and 6am seven days a week. | | | |
| **Warm Water Systems and Cooling Systems** | | | | |
| E7 | The operation and maintenance 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 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. | | | |
| **Community Communication Strategy** | | | | |
| E8 | The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction. | | | |
| **Operational Transport and Access Management Plan (OTAMP)** | | | | |
| E9 | The OTAMP(s) approved under condition D13 (as revised from time to time) must be implemented by the Applicant for the life of the development. | | | |
| **Operational Noise Limits** | | | | |
| E10 | The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in the Noise Impact Assessment prepared by SLR and dated 20 March 2020. | | | |
| E11 | The Applicant must undertake short term noise monitoring in accordance with the Noise Policy for Industry where valid data is collected following the commencement of use of each stage of the development. The monitoring program must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within two months of commencement use of each stage of the development to verify that operational noise levels do not exceed the recommended | | | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| | noise levels for mechanical plant identified in the Noise Impact Assessment prepared by SLR and dated 20 March 2020. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the Applicant is required to implement appropriate noise attenuation measures so that operational noise levels do not exceed the recommended noise levels or provide attenuation measures at the affected noise sensitive receivers. | | | |
| **Unobstructed Driveways and Parking Areas** | | | | |
| E12 | 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. | | | |
| **Green Travel Plan** | | | | |
| E13 | The Green Travel Plan required by condition D9 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary. | | | |
| **Ecologically Sustainable Development** | | | | |
| E14 | Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 4 star Green Star Design & As Built rating. If required to be obtained, evidence of the certification must be provided to the Certifier and the Planning Secretary. If an alternative certification process has been agreed to by the Planning Secretary under condition B9, evidence of compliance of implementation must be provided to the Planning Secretary and Certifier. | | | |
| **Outdoor Lighting** | | | | |
| E15 | Notwithstanding condition B10, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level. | | | |
| **Landscaping** | | | | |
| E16 | The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Operational Landscape Management Plan required by condition D29 for the duration of occupation of the development. | | | |
| **Waste Collection** | | | | |
| E17 | Waste collection services must not be undertaken outside the hours of 7:30am to 6pm Monday to Friday. | | | |
| **Grounds Maintenance Using Powered Equipment** | | | | |

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| E18 | Grounds maintenance involving the use of powered equipment must not be undertaken outside the hours of 7:30am to 6pm Monday to Friday, and 8am to 1pm Saturday. | | | |

# APPENDIX B – CEMP & SUB-PLAN MITIGATION MEASURES

| Unique ID | Compliance requirement | Evidence collected | Independent Audit findings and recommendations | Compliance Status |
|---|---|---|---|---|
| **Construction Environmental Management Plan (CoC B13)** | | | | |
| Internal Communications, Section 10.1, pg 28 | Essential information relating to project environmental management will be communicated through toolbox talks and inductions.<br><br>Environmental alerts will be periodically prepared and sent to sites for posting on notice boards. | SE-F-1 site specific mandatory safety requirements<br><br>Taylor TBT records 03/02/20, 03/03/20<br><br>Weekly inspection records 09/02/20, 02/02/20 and Hammertech HSE inspection register (multiple entries) | All staff and contractors are required to attend the site induction. The induction form covers off elements of the CoCs that are relevant to construction works. 51 persons have been inducted to date.<br><br>The TBT cover off work related risks and hazards (including hours of work, waste, dewatering, housekeeping),<br><br>Inspections are completed with issues raised and communicated to personnel. | C |
| Safe Work Method Statements (SWMS), Section 11.2, pg 29 | While Safe Work Method Statements are primarily used in WHS to manage high-risk activities, any relevant or foreseen environmental risk must also be considered in preparation of the SWMS.<br><br>Taylor's site managers or their nominees responsible for ensuring that subcontractors include environmental issues in their task-specific SWMS by using SE-F-14. If environmental issues are not appropriately addressed, the subcontractor should be advised of the requirements. It is recommended that subcontractors are assisted with identifying environmental issues, particularly during the early implementation of Taylor's Environmental Management System and PEMP. | SWMS Reviews on Shamrock Electrical, Northwest Masonry Brick Block Cleaning, Connect Infrastructure | Evidence shows SWMS reviews are being completed. | C |
| Hazardous Substances, Chemicals, Oils and Other Contaminants, Section 11.3.8 | The site manager will use the assessment when planning the works to minimise the potential for pollution. This includes providing appropriate storage; separation of incompatible materials and bunding; and ensuring that all activities that use or handle these substances are undertaken in an area that will not cause water pollution or land contamination. | Site inspection 05/03/21 | **Observation: The storage of fuels was not bunded.** | C |
| Community Complaints, Section 11.3.12, pg 34 | Community complaints should be treated as 'incidents', they must be report to the HSE manager, be thoroughly investigated and reported on SharePoint. Reference to these are also to be documented and included in site diary entries. The project or site manager should try to resolve the issues with the community member in a concilatory manner. | Complaints register current to 17/02/21<br><br>White Noise Report, 05/11/20 | **Observation: Whilst the report indicates that the one complaint during the audit period was addressed and resolved the complaint was not treated as an incident or reported in line with this commitment.** | C |
| **Construction Traffic and Pedestrian Management Sub-Plan (CoC B14)** | | | | |
| Fencing, Barriers & Hoarding, Section 5 | A sign shall be displayed on the site indication the name of the person responsible for the site and a telephone number of which that person can be contacted during and outside normal working hours, or when the site is unattended. The sign must be erected in a predominant position shall display the following:<br>• Name, address, and telephone number of the principle certifying authority for the works<br>• Name of principle contractor (if applicable) for any building work and a telephone number on which that person may be contacted out of hours<br>• Unauthorised access to the work site is prohibited | Site inspection 05/03/21 | A site notice was observed on site that meets the requirements of this commitment including content, format and positioning. | C |
| Traffic controls plans, page 29 | Check to verify the controls are in place as per the traffic control plan | Interview with auditees 05/03/21<br><br>Site inspection 05/03/21 | The controls are put in place for deliveries. None were occurring during the audit. | C |

| | | | | |
|---|---|---|---|---|
| |  | | | |
| **Construction Noise and Vibration Management Sub-Plan (CoC B15)** | | | | |
| Construction Noise Management, Section 4.5, pg 17 | If required a noise level measurement of the offending plant item generating complaints is to be conducted and noise mitigations undertaken to reduce noise levels to within Noise Management levels in the event magnitude of noise levels is found to be above suitable levels. | Complaints register current to 17/02/21<br><br>White Noise Report, 05/11/20 | No noise monitoring has occurred, or been required, during the audit period | NT |
| Noise and Vibration Monitoring, Section 4.7, pg 18 | Noise – Attended noise level measurements of typical excavation and construction activities should be undertaken at site. A<br><br>Attended construction noise surveys of the site and surrounding impacts on neighbours should be undertaken during the following as a minimum:<br><br>a. Commencement of any rock breaking or sawing on the site.<br><br>b. In response to any ongoing complaints received from neighbours | Complaints register current to 17/02/21<br><br>White Noise Report, 05/11/20 | No noise monitoring has occurred, or been required, during the audit period | NT |
| **Construction Waste Management Sub-Plan (CoC B16)** | | | | |
| Introduction, Section 2.1, pg 5 | TCG will ensure that all waste service providers submit monthly reports on all equipment movements and weights of any waste and recycling products removed from the development. | Provisional sum adjustment sheet | The Bingo waste reports identify all waste types being disposed of each month. The locations | C |

| | | | | |
|---|---|---|---|---|
| | | Bingo Monthly report current to Feb 21. | are identified in the CWMSP and remain unchanged. | |
| Introduction, Section 2.1, pg 5 | The importance of appropriate waste management practices is to be included in the site induction | SE-F-1 site specific mandatory safety requirements | The induction includes information relating good environmental practice, disposal of materials and the like. | C |
| **Construction Soil and Water Management Plan (CoC B17)** | | | | |
| Erosion Control, Section 6.1, pg 15 | The above is achieved using the correct implementation of the Erosion and Sediment Control Plan shown on the engineering drawings and any other recommendations in this report.<br><br>To achieve the requirements of not concentrating water flows which can lead to transportation of sediment off site it is recommended the swales on the stormwater design drawings be constructed as soon as practicable to divert upstream water around the site. | Site inspection 05/03/21<br><br>Erosion and sediment control plan stage 1, Taylor | The controls from the erosion and sediment control plan were observed on site. | C |
| Stockpile stabilization, Section 6.3, pg 15 | As there is significant volumes of fill being proposed for the site it is foreseeable that material stockpiles will be required unless can be demonstrated as other by the Builder Taylor Constructions. Stockpiles within the site which will be in effect for more than 10 days should be stabilized. As per the Erosion and Sediment Control Plan all stockpiles are to have sediment fences on the downstream slopes and generally should be located a minimum of 5m from overland flow swales. If unused for 10 days then stockpiles shall also be stabilized in accordance with the below relative to the relevant material in the stockpile:<br>• Coarse grained stockpiles<br>◦ Downstream perimeter rock armouring.<br>• Less coarse grained stockpiles<br>◦ Polymer binder application<br>◦ Application of hydro-seed or hydromulch. | Site inspection 05/03/21<br><br>Erosion and sediment control plan stage 1, Taylor | The controls from the erosion and sediment control plan were observed on site.<br><br>No issues observed. | C |
| Maintenance Controls, Section 6.5.5, pg 17 | Erosion and sediment control measures should be inspected and maintained regularly, generally daily and within 24 hours of each rainfall event. The site supervisor should be responsible for this to be undertaken. It is recommended the daily inspection be recorded including the following relevant information:<br>• Condition of each element noted on the Erosion and Sediment Control Plan<br>• Any maintenance requirements of each element<br>• Volume of sediment removed and if the location of the element is appropriate.<br><br>Disposal method of site trapped sediment.<br>• Condition of site entry and gravel rip/rap<br>• Condition of stockpile protection if relevant<br>• Site stormwater disposal location conditions<br>• Drains checked to ensure adequate site runoff and for signs of erosion<br>• Any sediment erosion control linings<br>• Condition of revegetation works if relevant.<br><br>It is recommended these are sent to the Superintendent weekly. | Hammertech HSE inspection register (multiple entries)<br><br>Site inspection 05/03/21 | Routine inspections occur and are thoroughly documented. Daily and wet weather inspections occur daily by observation only. Controls sighted were adequately installed. | C |
| **Flood Emergency Response Management Sub-Plan (CoC B18)** | | | | |
| Emergency Assembly Drills, Section 9.1, pg 29 | Emergency assembly drills are designed to increase awareness of standard procedures during a major flood event. These drills are to be undertaken not less than annually to familiarise staff and appointments of the procedures when responding to a major flood event. | Emergency drill 20/11/20 | An emergency drill was conducted on a structural collapse event. The evacuation | C |

| | | | | |
|---|---|---|---|---|
| | It is also an opportunity to outline expected flood levels and the dangers of entering flood water. Lessons held after drills could be based on material designed by the SES available from https://www.ses.nsw.gov.au/resources-folder/school-resources/.<br><br>For students enrolling from other schools they should be made familiar of the emergency audible tone and the basic initial procedures. | | process and assembly point is the same as for a flood event. | |
| Flood Emergency Kit, Section 9.3, pg 33 | This kit should be checked every three months ensuring items are present and working adequately. This is the responsibility of the Chief Flood Warden and First Aid officer. | Photo of flood kit | The flood kit is on hand and is unopened. | C |

# APPENDIX C – PLANNING SECRETARY AGREEMENT OF INDEPENDENT AUDITORS

Planning, Industry & Environment

Gavin Ng
Principal Compliance Officer

NSW Department of Education
Level 8, 259 George Street
Sydney, NSW, 2000

25/08/2020

Dear Mr Ng

**Kyeemagh Public School (SSD 9391)**
**Agreement of Independent Environmental Auditors**

I refer to Terry O'Sullivan's submission dated 29 July 2020, seeking the agreement of the Secretary of the Department of Planning, Industry and Environment (the Department) of suitability qualified, experienced and independent auditors to undertake independent audits of Kyeemagh Public School.

In accordance with Condition C35 of SSD 9391 (Consent) and the *Independent Audit Post Approvals Requirements* (May 2020), the Secretary has agreed to the following auditors:

- Steve Fermio
- Derek Low
- Josephine Heltborg
- Ricardo Prieto-Curiel

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken and finalised in accordance with the Independent Audit Post Approval Requirements (May 2020). Failure to meet these requirements will require revision and resubmission.

The Department reserves the right to request an alternate auditor or audit team for future audits.

Notwithstanding the agreement for the above listed auditor for this Project, each respective project approval requires a request for the agreement to the auditor be submitted to the Department, for the consideration of the Secretary. Each request is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor will be considered.

If you wish to discuss the matter further, please contact Bronagh McGeown on 0499 688 913.

Yours sincerely

Rob Sherry
Team Leader Compliance - Government Projects
Compliance

As nominee of the Planning Secretary

# APPENDIX D – CONSULTATION RECORDS

**From:** Derek Low <dlow@wolfpeak.com.au>
**Sent:** Tuesday, 23 February 2021 8:37 AM
**To:** DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
**Subject:** Independent Audit of Kyeemagh Public School (SSD 9391)

Hi there.

I am one of the Department of Planning Industry and Environment (the Department) approved Independent Auditors on the Kyeemagh Public School – SSD 9391 (the Project).

I am currently preparing to undertake the second independent audit on the Project. The audit is required to be conducted in accordance with SSD 9391 Sch2 Condition C36 and the Department's 2020 *Independent Audits Post Approval Requirements* (or IAPAR).
The consent is available at the following link: https://www.planningportal.nsw.gov.au/major-projects/project/10691
The IAPAR is available at the following link: https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/Assess-and-regulate/About-Compliance/independent-audit-post-approval-requirements-2020-05-19.pdf

The on-site component of the audit is scheduled to occur on 5 March 2021 and pertains to post-approval requirements and compliance.

In accordance with Section 3.2 of the IAPAR, I am consulting with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant Condition of Consent along with all post approval documents prepared to satisfy the Conditions of Consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request Department confirm:
- if it any key issues it would like examined, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR; or
- if it recommends that other parties or agencies are to be consulted. If so we request that the Department identify those parties.

Any questions please let me know. I look forward to hearing from you.

Regards

**Derek Low**

Hi Derek,

Thank you for consulting with the Department of Planning, Industry and Environment (Department) on the scope of the audit. The Department does not request that you consult with other parties or agencies.

Please ensure the audit is conducted in accordance with Condition C36 of Development Consent SSD 9391, which requires the audit to be carried out in accordance with the Independent Audit Post Approval Requirements (May, 2020).

If you have any questions, please do not hesitate to contact me.

**Alex McGuirk**
**Senior Compliance Officer**
Planning & Assessment | Department of Planning, Industry and Environment
Locked Bag 5022 | PARRAMATTA NSW 2124
www.dpie.nsw.gov.au

# APPENDIX E – MEETING SIGN ON SHEET

## INDEPENDENT AUDIT MEETING ATTENDANCE RECORD

| | |
|---|---|
| PROJECT (NAME AND APPROVAL NUMBER) | KYEEMAGH SSD_9391 |
| DATE | 5/3/21 |
| LOCATION | KYEEMAGH |

**OPENING MEETING**

| NAME | POSITION / TITLE | ORGANISATION | SIGNATURE |
|---|---|---|---|
| DEREK LAW | AUDITOR | WOLFPEAK | |
| Colm Carmody | Project Manager | RP | |
| Abigail Cohen | Project Manager | RP | |
| Pete Krause | Project Director | SINSW | |
| Steve Ziaziaris | Snr Proj Manager | Taylor | |
| | | | |
| | | | |
| | | | |

**CLOSING MEETING**

| NAME | POSITION / TITLE | ORGANISATION | SIGNATURE |
|---|---|---|---|
| DEREK LAW | AUDITOR | WOLFPEAK | |
| Abigail Cohen | Project Manager | RP | |
| Colm Carmody | Project Manager | RP | |
| Steve Ziaziaris | Snr Proj. Mgr. | Taylor | |
| | | | |
| | | | |
| | | | |
| | | | |

# APPENDIX F – SITE INSPECTION PHOTOS

*Photo 1a and 1b: Un-bunded fuel storage (left) and removed from site (right)*

*Photo 2: Plaster washout area*

*Photo 3: Spill kit near plaster washout and fuel storage area.*

*Photo 4: Fitout underway.*

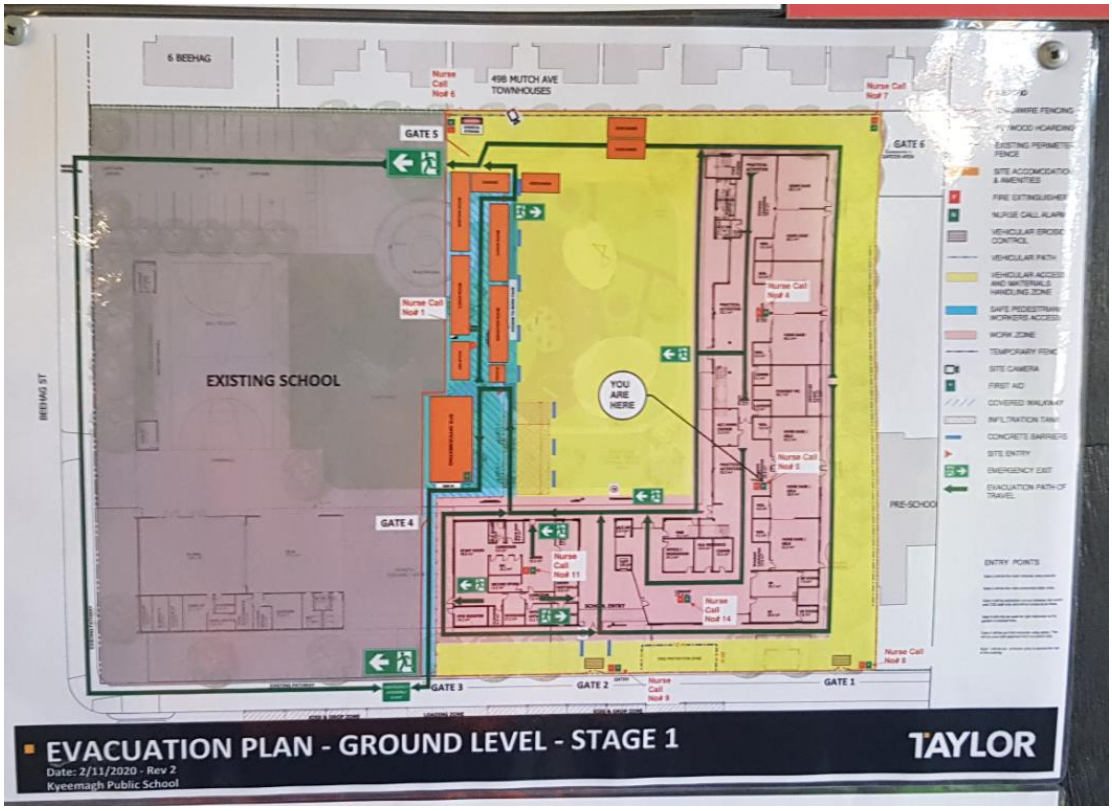



*Photo 5: Evacuation plan*

*Photo 6: Tree protection in place*

*Photo 7: Rumble grid and spill kit at access point*

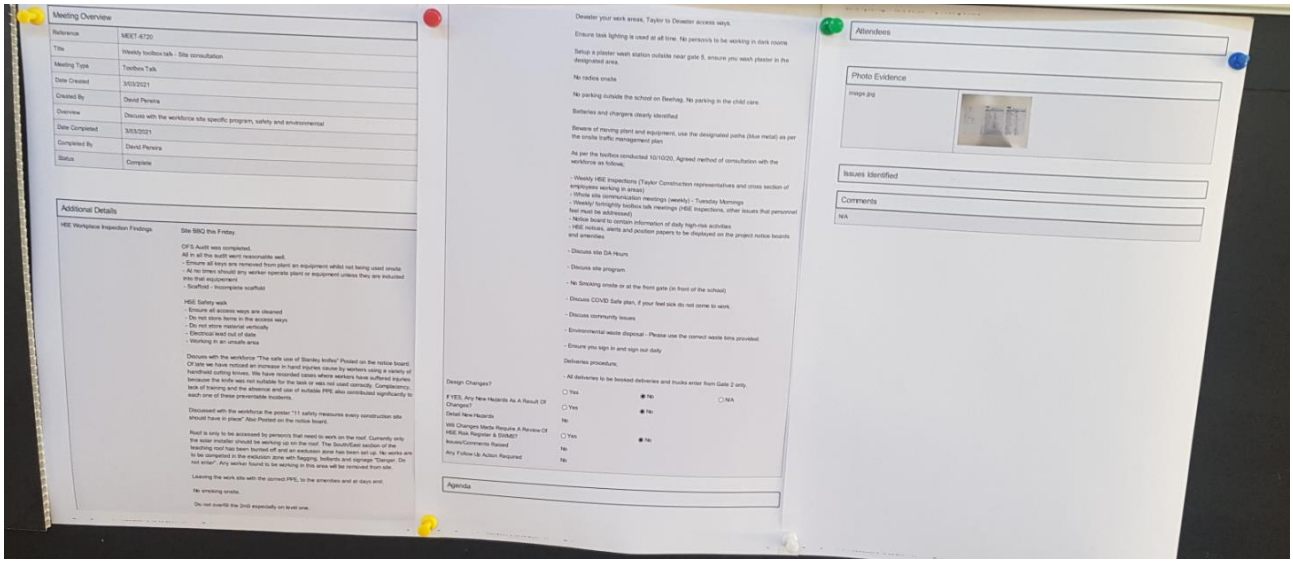



*Photo 8: Post toolbox talk*

*Photo 9: Location of filtration / OSD tank.*

# APPENDIX G – INDEPENDENT DECLARATION FORMS

## Independent Audit Report Declaration Form

| | |
|---|---|
| Project name | Kyeemagh Public School |
| Consent number | SSD 9391 |
| Description of Project | Construction and operation of a new school at Kyeemagh |
| Project address | Corner of Beehag Street and Jacobson Avenue, Lot 1 DD 120095 and Lot 1 DP 335734, Kyeemagh NSW |
| Proponent | Department of Education |
| Title of audit | Independent Audit |
| Date | 15/03/2021 |

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2019)*;
ii. the findings of the audit are reported truthfully, accurately and completely;
iii. I have exercised due diligence and professional judgement in conducting the audit;
iv. I have acted professionally, objectively and in an unbiased manner;
v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, $1 million and for an individual, $250,000; and
b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

| | |
|---|---|
| Name of Auditor | Derek Low |
| Signature | |
| Qualification | Master of Environmental Engineering Management<br>Exemplar Global Auditor Number 114283 |
| Company | WolfPeak Pty Ltd |
| Company address | Suite 2, Level 10, 189 Kent Street Sydney NSW 2000 |

## Independent Audit Report Declaration Form

| | |
|---|---|
| Project name | Kyeemagh Public School |
| Consent number | SSD 9391 |
| Description of Project | Construction and operation of a new school at Kyeemagh |
| Project address | Corner of Beehag Street and Jacobson Avenue, Lot 1 DD 120095 and Lot 1 DP 335734, Kyeemagh NSW |
| Proponent | Department of Education |
| Title of audit | Independent Audit |
| Date | 15/03/2021 |

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2019)*;
ii. the findings of the audit are reported truthfully, accurately and completely;
iii. I have exercised due diligence and professional judgement in conducting the audit;
iv. I have acted professionally, objectively and in an unbiased manner;
v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, $1 million and for an individual, $250,000; and
b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

| | |
|---|---|
| Name of Auditor | Steve Fermio |
| Signature | |
| Qualification | Bachelor of Science (Honours)<br>Exemplar Global Auditor Number 110498 |
| Company | WolfPeak Pty Ltd |
| Company address | Suite 2, Level 10, 189 Kent Street Sydney NSW 2000 |