



INDEPENDENT AUDIT NO. 2 – AUDIT REPORT

MULGOA RISE PUBLIC SCHOOL - SSD-11070211

OCTOBER 2022

Authorisation

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EXECUTIVE SUMMARY

This Independent Environmental Audit has been prepared by WolfPeak who was engaged by Schools Infrastructure (SINSW) to conduct the second Independent Environmental Audit for the advanced construction phase of the Mulgoa Rise Public School, SSD-11070211. Colliers have been engaged as the Project Managers on the Project and as the representatives for SINSW. Richard Crookes is the principal contractor undertaking the works. The construction of Mulgoa Rise Public School commenced on 22 April 2022 and the first independent environmental audit for the initial construction phase was conducted on 8 June 2022.

The scope of this audit includes all Conditions of Consent triggered at the time of the audit as well as any commitments required under the CEMP/sub-plans and overall environmental performance. This audit was completed to fulfill the requirements of CoC C37 and to verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project.

The on-site audit inspection was conducted on 19 October 2022 and resulted in the finding of two non-compliances and two observations that were related to:

- Administrative non-compliances with respect to A2;
- Technical non-compliance with respect to C8;
- No sediment traps and/or poor maintenance of sediment traps on lower end of site adjacent public domain works;
- No proper storage and bunding of fuel cans; and
- Boundary fencing open and shade cloth removed on lower end of site.

In conclusion, the overall findings of the audit demonstrate a generally high level of compliance with the construction phase conditions of consent and the CEMP/sub-plans. There were no environmental impacts noted that were deemed to be very serious and material that would warrant regulatory intervention. Further follow up with the Contractor on the implementation of identified areas for improvement should be conducted by SINSW and a concerted effort made to support the Contractor in addressing the required corrective actions and recommendations.

The auditees were cooperative and helpful throughout the audit and were committed to implementing the necessary corrective actions immediately following the audit, and to making improvements in line with noted observations and recommendations.

1. INTRODUCTION

1.1 Project overview

The proposed development involves the construction and operation of a new primary school at Glenmore Park (Mulgoa Rise) and will initially accommodate 414 students, with the ability to be expanded to 1000 students when demand requires, which would be subject to a separate planning approval process.

The development approval will facilitate a Core 21 school with 18 learning spaces (LS), plus 2 support classes. The development will also include a school hall, library, staff facilities, and administrative areas built to core 35, allowing capacity for future expansion. A large assembly area, games court, shared sensory play area and playground will also form part of the development.

The Project is located at 1-23 Forestwood Drive, Glenmore Park, NSW. The land is described as Lot 1663 DP1166869 within the Local Government Area (LGA) of Penrith and is previously cleared vacant land. The development site is shown in Figure 1 and is located within an urban release area in Glenmore Park (Mulgoa Rise), approximately 200 metres east of the Mulgoa Nature Reserve and has an area of approximately three (3) hectares. The site is located approximately 54.6 km west from the Sydney CBD. The closest town centre is Glenmore Park, which is located approximately 2.2km north-west of the site.

Figure 1: Construction site for Mulgoa Rise Public School (Source, Project EIS).



An application to construct and operate the Project (State Significant Development 11070211) was approved by the Department of Planning and Environment (the Department, or DPE) on 18 March 2022

Colliers have been engaged as the Project Managers on the Project and as the representatives for SINSW. Richard Crookes is the principal contractor undertaking the works. Construction of commenced on 22 April 2022.

1.2 Approval requirements

Conditions of Consent (CoC) C36 – C41 of Schedule 2 of SSD 11070211 set out the requirements for undertaking Independent Audits. The CoCs give effect to the (now) Department of Planning and Environment's (the Department) 2020 document entitled *Independent Audit Post Approval Requirements* (IAPAR).

1.3 The audit team

In accordance with Schedule 2, CoC C36 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:

- Ibrahim Awad (Lead Auditor): BSc, MEngSc, MEnvLaw, Exemplar Global Certified Lead Environmental Auditor (Certificate No 110720).

Approval of the Audit Team was provided by the Department on 25 May 2022. The approval is presented in Appendix C.

1.4 The audit objectives

The objective of this Independent Audit is to satisfy SSD 11070211 CoC C37. CoC C37 states that:

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

The IAPAR sets out the scope, methodology and reporting requirements for each Independent Audit.

This Independent Audit seeks to fulfill the requirements of CoC C37, verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project using the scope, methodology and reporting requirements from the IAPAR.

1.5 Audit scope

This second construction phase Independent Audit relates to the Project works between the completion of the first audit on 8 June 2022 and the completion of this second audit with site inspection on 19 October 2022 (the audit period).

The scope of the Independent Audit comprises:

- an assessment of compliance with:

- all conditions of consent applicable to the early construction phase of the development that is being audited which include: Schedule 2 Part A – Administrative Conditions, Part C – During Construction, and Part D Prior to Commencement of Construction.
- 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.
- a review of the status of implementation of any 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

The Independent Audit was conducted in a manner consistent with AS/NZS ISO 19011.2019 – Guidelines for Auditing Management Systems 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 22.

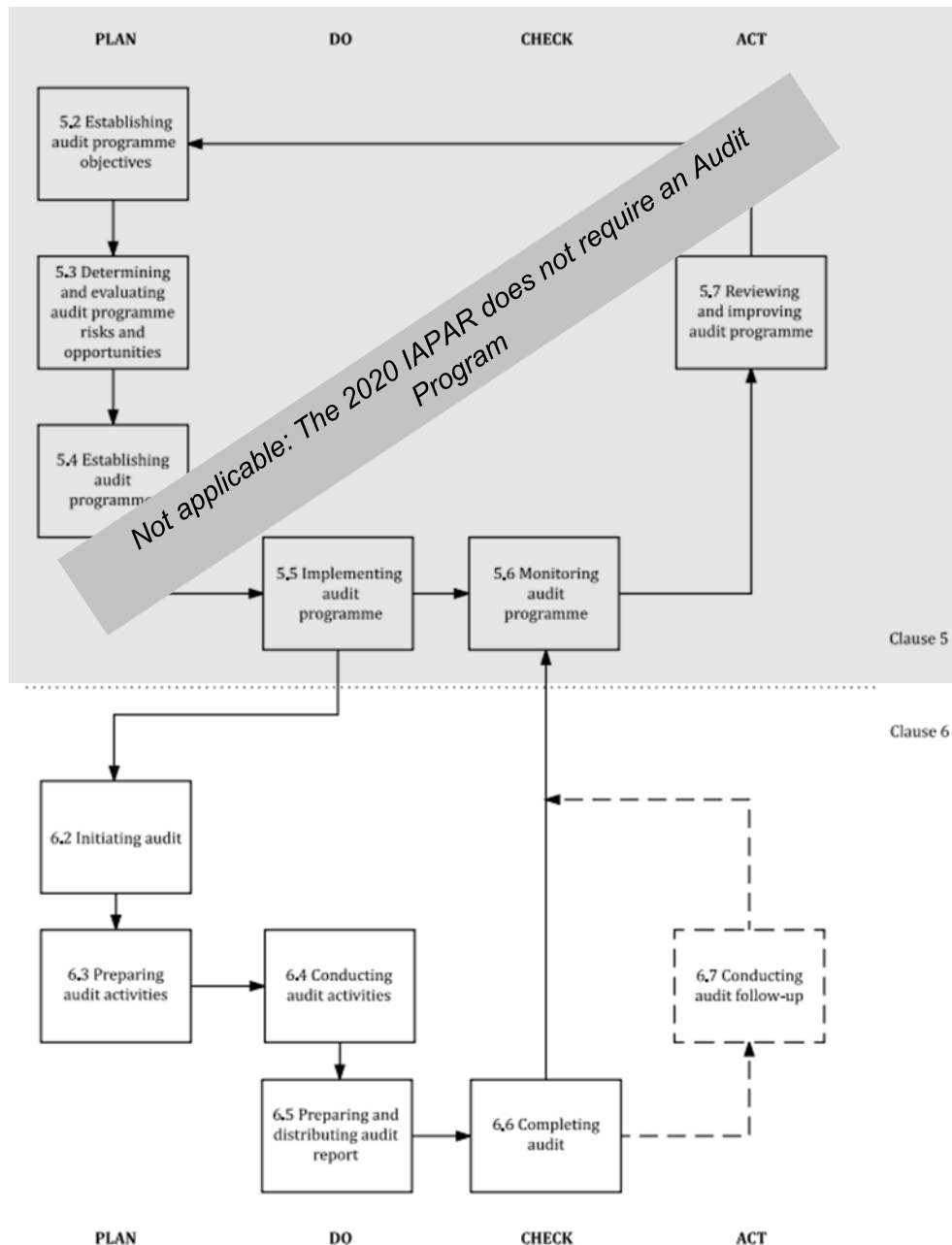


Figure 2: Audit activities overview (modified from AS/NZS ISO 19011). Subclause numbering refers to the relevant subclauses in the Standard.

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.

2.2.2 Preparing audit activities

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.

2.2.3 Consultation

On 20 October 2022, WolfPeak consulted with the Department to obtain their input into the scope of the Independent Audit in accordance with Section 3.2 of the IAPAR. Refer to Section 3.5 of this report the response to the Department's comments and consultation records are presented in Appendix C.

2.2.4 Meetings

Opening and closing meetings were held with the Auditor and Project personnel.

During the opening meeting, held at the start of the 19 October 2022 audit session, the objectives and scope of the Independent Audit, the resources required and methodology to be applied were discussed.

At the closing meeting, held on 19 October 2022, the preliminary audit findings were presented, additional information required was outlined, preliminary recommendations (as appropriate) were made, and post-audit corrective 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 detailed request for information and auditee responses to the request. Interviews were conducted on 19 October 2022 with the following people:

- Sam Noyes, Project Manager – Richard Crooks Construction
- David Moir, Site Manager – Richard Crooks Construction
- Jon Hickey - Project Engineer, Richard Crooks Construction.
- Lee Schultz, HSE Manager – Richard Crooks Construction

Additionally, phone and/ or email contact and discussions with respect to the findings of the audit and the provision of relevant documentation have been held with:

- Alex Andrews - Senior Project Manager, Colliers
- Mathew Metlege, Director SI Education NSW.

2.2.6 Site inspection

An onsite inspection of the project was conducted by the auditor on 19 October 2022 and included a visual inspection and interviews with key staff/stakeholders on the following areas:

- Site entry, access, and crossroads
- Pedestrian pathways and surrounding roads
- Wash down area and grid
- Waste storage and collection areas and bins
- Plant and equipment facilities
- Chemical / fuel storage rooms and procedures
- Silt traps and erosion controls
- Stockpiles
- Dust suppression
- Completed piling work
- Internal drainage pits and on-site detention basin
- Stormwater discharge point to Council stormwater system
- Tree protection areas.
- External building structures and facades

Photos are presented in Appendix D.

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 Generating audit findings

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 using the descriptors from Table 2 of the IAPAR. These are replicated in Table 1 below.

Table 1 Compliance status descriptors

Status	Description
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 and notes may 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.
- 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 primary documents reviewed prior to and after the site visit are as follows:

- *Environmental Impact Statement- The New Primary School in Mulgoa Rise (SSD-11070211)*
- *Development consent SSD 11070211, 9th March 2022*
- *Construction environmental management plan- The New Primary School in Mulgoa Rise (SSD-11070211), 23 March 2022*
- *Construction Traffic and pedestrian management sub-plan, The New Primary School in Mulgoa Rise (SSD-11070211), 22 February 2022*
- *Construction Noise and Vibration Management Sub-plan, ver R5.1, 25th March 2022*
- *Construction Waste Management Sub-plan, ver 1.2, 25th August 2021*
- *Integrated Water Management Plan, Rev C, 12th August 2021.*

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

3.2 Summary of Compliance

The status of findings and observation from the first independent audit was addressed and considered closed by the Auditor in this audit (see IA_1 finding in Table 3).

With respect to this second independent audit, this Section, including Table 2, presents the non-compliances and observations from the Independent Audit. 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:

- a total of 107 conditions were assessed; and
- Two (2) non-compliances and two (2) observations were identified. These relate to the site having:
 - Administrative non-compliance with respect to A2.
 - Technical non-compliance with respect to C8.
 - Removal of and/ or poorly maintained sediment traps on the lower-level slopes with exposed earth facing public domain works
 - Inadequate storage and bunding of fuel jerry cans
 - Open boundary fencing on lower end with shade cloth removed.

The auditor notes that at the time of finalising this report on 9 December 2022 the auditee had closed out all of the non-compliances - see Table 3.

Table 2 Audit findings and actions

Item ID	Ref.	Compliance Descriptor	Condition Requirements	Finding and Recommendation	Applicant Response	Status
IA2_1	CoC A1	Observation	Requirement: 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.	<p>Finding:</p> <p>The auditor notes that reasonable efforts were being made by the auditee to avoid and minimize harm to the environment and ensure good environmental performance.</p> <p>However, there are some exceptions where the potential for environmental harm was observed, and the resulting non-compliances and observations noted throughout this Appendix will need to be addressed immediately to achieve the expected environmental performance requirements.</p> <p>Recommendation:</p> <p>The Applicant to addressing the recommended corrective actions relevant to each finding below to be able to fully comply with this requirement.</p>	The auditor notes that the applicant has at the time of completing this final report closed out the recommended corrective actions.	CLOSED
IA2_2	CoC A2	Non-compliance	Requirement: <i>The development may only be carried out:</i> <i>(a) in compliance with the conditions of this consent;</i> <i>(b) in accordance with all written directions of the Planning Secretary;</i> <i>(c) generally, in accordance with the EIS and Response to Submissions;</i> <i>(d) in accordance with the approved plans in the table below:</i>	<p>Finding:</p> <p>The auditor notes that there was two (2) non-compliances (A2, C8) and two (2) observations (C34, A1). These are not considered to be serious in nature and at the time of the audit, these were not leading to any serious environmental harm. However, as they do have the potential to lead to environmental harm under different weather and/ or operational conditions, they are required to be immediately addressed.</p> <p>These include a non-compliance with the requirements of CEMP s4.7, p9, relating to the improper storage and unbundled fuel cans; observation with respect to CEMP, Dust, s4.4, p8 relating to the boundary fencing and shade cloth being removed on the lower end of the site adjacent to public domain works; and CEMP s4.6, p9 Stormwater Erosion and Sediment Control relating to the removal or damage of silt fences on the lower slopes / end of the site adjacent to Public Domain Works.</p> <p>Recommendation:</p> <p>The Contractor must implement all the mitigation measures set out in the CEMP i.e., proper handling of chemicals and fuels, boundary screening and fencing, and erosion and sedimentation controls.</p>	The auditor notes that the applicant has at the time of completing this final report closed out the recommended corrective actions and provided photo evidence of the same – see Appendix E.	CLOSED
IA2_3	CoC C8	Non-compliance	Requirement: The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans).	<p>Finding:</p> <p>The auditor notes that there are a few non-compliances with the CEMP/CSWMP as noted in Appendix B. These related to improper storage and bunding of fuel cans, removal of boundary fencing and shade cloth, and absence and/ or damaged silt fences on the lower end and slopes of the site adjacent public domain works.</p> <p>Recommendation:</p>	The auditor notes that the applicant has at the time of completing this final audit report closed out the recommended corrective actions and provided photo evidence of the same – see Appendix E.	CLOSED

Item ID	Ref.	Compliance Descriptor	Condition Requirements	Finding and Recommendation	Applicant Response	Status
				The auditor recommends the immediate reinstallation of boundary fencing and shade cloth, and proper storage and bunding of fuel cans.		
IA2_4	CoC C34	Observation	Requirement: <i>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.</i>	<p>Finding:</p> <p>The Auditor was unable to find a protocol or procedure within the CWMP covering the management of hazardous materials from the site.</p> <p>The Auditor notes that RCC has provided a copy of the Asbestos Management Plan as part of the CEMP (to the Auditor by email on 2/8/22) which details the protocol / procedure for the management of asbestos.</p> <p>The auditor notes that there may be other hazardous materials (chemicals, oils etc.) that will be used on site, and which will need to be disposed.</p> <p>Recommendation:</p> <p>The auditor recommends the CWMP be updated to include provisions for the management of these other hazardous materials.</p>	The auditor notes that the CEMP has been updated to include provisions for the identification and management of hazardous materials – refer to s6.6 Unexpected Finds Protocol – UXO and Contamination rev. 2.	CLOSED

Table 3 Previous Audit Findings IA1- 8 June 2022

Item ID	Ref.	Compliance Descriptor	Condition Requirements	Finding and Recommendation	Applicant Response	Status
IA1_1	CoC A1	Non-compliant	Requirement: <i>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.</i>	<p>Non-compliant:</p> <p>The auditor notes that reasonable efforts were being made by the auditee to avoid and minimize harm to the environment and ensure good environmental performance.</p> <p>However, there are some exceptions where the potential for environmental harm was observed, and the resulting non-compliances and observations noted throughout this Appendix will need to be addressed immediately to achieve the expected environmental performance requirements.</p>	<p>Richard Crookes Construction</p> <p>As specified for each finding below.</p> <p>The auditor notes that the applicant has at the time of completing this final report closed out all corrective actions for identified non-compliances and observations.</p>	CLOSED
IA1_2	CoC A2	Non-compliant	<p>Requirement: <i>The development may only be carried out:</i></p> <p><i>(a) in compliance with the conditions of this consent;</i></p> <p><i>(b) in accordance with all written directions of the Planning Secretary;</i></p> <p><i>(c) generally, in accordance with the EIS and Response to Submissions;</i></p>	<p>Non-compliant:</p> <p>The auditor notes that there were 12 non-compliances and 2 observations. These are not considered to be serious in nature and at the time of the audit, these were not leading to any serious environmental harm. However, as they do have the potential to lead to environmental harm under different weather and/ or operational conditions, they are required to be immediately addressed.</p>	<p>Richard Crookes Construction</p> <p>As specified for each finding below.</p> <p>The auditor notes that the applicant has at the time of completing this final report closed out all corrective actions for identified non-compliances and observations.</p>	CLOSED

Item ID	Ref.	Compliance Descriptor	Condition Requirements	Finding and Recommendation	Applicant Response	Status
			(d) in accordance with the approved plans in the table below:	Address the recommended corrective actions relevant to each finding below.		
IA1_3	CoC B17	Observation	<p>Requirement: <i>The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the procedures for the management of waste including the following:</i></p> <p>(a) <i>the recording of quantities, classification (for materials to be removed) and validation (for materials to remain) of each type of waste generated during construction and proposed use;</i></p> <p>(b) <i>information regarding the recycling and disposal locations; and</i></p> <p>(c) <i>confirmation of the contamination status of the development areas of the site based on the validation results.</i></p>	<p>Observation:</p> <p>JBS&G Contamination study report still outstanding.</p> <p>The auditor has requested a copy of the JBS&G Report for verification on contamination results.</p>	<p>Colliers/SINSW</p> <p>Within 3 months of submission of this Audit Report.</p> <p>The auditor notes that RCC has provided a copy of the relevant Validation Assessment Report prepared by JK Environments on 2/12/21.</p>	CLOSED
IA1_4	CoC B18	Non-compliant	<p>Requirement: <i>The Applicant must prepare a Construction Soil and Water Management Sub-Plan (CSWMSP) and the plan must address, but not be limited to the following:</i></p> <p>(a) <i>be prepared by a suitably qualified expert, in consultation with Council;</i></p> <p>(b) <i>measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;</i></p> <p>(c) <i>describe all erosion and sediment controls to be implemented during construction, including as a minimum, measures in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book';</i></p> <p>(d) <i>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);</i></p> <p>(e) <i>detail all off site flows from the site; and</i></p> <p>(f) <i>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.</i></p>	<p>Non-compliant:</p> <p>The auditor notes that the Integrated Water Management Report does not address requirements (c) – (e) of this condition as the Auditor has noted some significant issues with respect to erosion and sediment control during the site inspection.</p> <p>The Auditor recommends that the Auditee and their Consultant provide greater detail on erosion and sediment control measures and controls in an expanded CSWMSP.</p>	<p>Richard Crookes Construction</p> <p>Within 3 months of submission of this Audit Report.</p> <p>The auditor notes that RCC have had their consultant update the CSWMSP to include the required details with respect to erosion and sediment control – detailed in Appendix A 'Soil & Water Management Plan' in the Integrated Water Management Report prepared by Woolacotts 30/8/22.</p>	CLOSED
IA1_5	CoC B18	Non-compliant	Requirement: <i>The Applicant must prepare a Construction Soil and Water Management Sub-Plan</i>	Non-compliant:	Richard Crookes Construction	CLOSED

Item ID	Ref.	Compliance Descriptor	Condition Requirements	Finding and Recommendation	Applicant Response	Status
			<p>(CSWMSP) and the plan must address, but not be limited to the following:</p> <p>(a) be prepared by a suitably qualified expert, in consultation with Council;</p> <p>(b) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;</p> <p>(c) describe all erosion and sediment controls to be implemented during construction, including as a minimum, measures in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book';</p> <p>(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);</p> <p>(e) detail all off site flows from the site; and</p> <p>(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.</p>	<p>The auditor notes that the Integrated Water Management Report does not address c-e and as the Auditor has noted some significant issues with respect to erosion and sediment control during the site inspection.</p> <p>The Auditor recommends that the Auditee and their Consultant provide greater detail on erosion and sediment control measures and controls in an expanded CSWMSP.</p>	<p>Within 3 months of submission of this Audit Report.</p> <p>The auditor notes that RCC have had their consultant update the CSWMP to include the required details with respect to erosion and sediment control – detailed in Appendix A 'Soil & Water Management Plan' in the Integrated Water Management Report prepared by Woolacotts 30/8/22.</p>	
IA1_6	CoC B24	Observation	<p>Requirement: Prior to the commencement of construction, the Applicant must prepare a Supplementary Asbestos Investigation Report, prepared, or reviewed, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP (SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme. The Report must be submitted to both the Planning Secretary upon request and the Certifier for information. The Certifier must be satisfied any remaining unexpected asbestos containing material (ACM) has been removed prior to the commencement of construction. The Report must include:</p> <p>(a) a copy of the asbestos clearance certificate;</p> <p>(b) results of the asbestos quantification sampling; and</p> <p>(c) management measures to address any further risk of ACM being identified on the site.</p>	<p>The Supplementary Asbestos Investigation Report provides a validation assessment to show that the soil and scattered fibre cement fragments (FCF) found on site have been cleaned up and asbestos clearance certificate provided. The Report notes that further FCF risks remain low.</p> <p>The Report recommends that a Fill Import Protocol be developed as part of the CEMP and that the potential for asbestos must be considered in waste classification for any surplus excavated materials proposed for beneficial use.</p> <p>The auditor notes that the CEMP contains a fill protocol in section 6.15.5 'Verifying Imported Material' and s6.15.6 'Materials Delivered to Site.' The protocols allow for DGB material to be brought to site if it is covered under an exemption order (pre-approved by the EPA).</p> <p>The auditor recommends that the auditee review these protocols to bring into compliance with the requirements of this consent.</p> <p>The also requests that the auditee verify if any surplus excavated material being included in waste.</p>	<p>Richard Crookes Construction</p> <p>Within 3 months of submission of this Audit Report.</p> <p>The auditor notes that the auditee has updated the CEMP to include a Fill Import Protocol in s61.5 and sub-sections 6.15.5 'Verifying Imported Material' and s6.15.6 'Materials delivered to site.' that address the recommended corrective action.</p>	CLOSED

Item ID	Ref.	Compliance Descriptor	Condition Requirements	Finding and Recommendation	Applicant Response	Status
IA1_7	CoC C21	Non-compliant	Requirement: <i>The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.</i>	<p>Non-compliant:</p> <p>Whilst dust levels were good at the time because weather conditions (i.e., no wind and still damp soil), there were no water carts on site and there was a stockpile of DGB material with fines (approx. 2m in height that was not protected).</p> <p>The auditor notes that the auditee (RCC) has partially flattened the stockpile (photo evidence sighted – see Appendix E) but recommends further water spraying and evidence of use of water cart.</p>	<p>Richard Crookes Construction – within 3 months of submission of this report.</p> <p>The auditor notes that the stockpiles have been flattened and a water cart brought onto site and the requires access made for spraying stockpile / other exposed earth areas.</p>	CLOSED
IA1_8	CoC C22	Non-compliant	<p>Requirement: <i>During construction, the Applicant must ensure that:</i></p> <p><i>(a) activities are carried out in a manner that minimises dust including emission of windblown, or traffic generated dust;</i></p> <p><i>(b) all trucks entering or leaving the site with loads have their loads covered;</i></p> <p><i>(c) trucks associated with the development do not track dirt onto the public road network;</i></p> <p><i>(d) public roads used by these trucks are kept clean; and</i></p> <p><i>(e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.</i></p>	<p>Non-compliant:</p> <p>The auditor notes that there was a stockpile of DGB with fines above 2m in height that was not stabilized or protected from wind erosion, nor sprayed with water.</p> <p>The auditor notes that the auditee (RCC) has partially flattened the stockpile (photo evidence sighted – see Appendix E) but recommends further water spraying and evidence of use of water cart.</p>	<p>Richard Crookes Construction – within 3 months of submission of this audit report.</p> <p>The auditor notes that the stockpiles have been flattened and a water cart brought onto site and the requires access made for spraying stockpile / other exposed earth mounds/areas.</p>	CLOSED
IA1_9	CoC C23	Non-compliant	<p>Requirements: <i>The Applicant must:</i></p> <p><i>(a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;</i></p> <p><i>(b) keep accurate records of the volume and type of fill to be used; and</i></p> <p><i>(c) make these records available to the Certifier and/or Planning Secretary upon request.</i></p>	<p>Non-compliant:</p> <p>The auditor deems that the stockpiled DGB material is not permissible unless otherwise the auditee has an exemption from the EPA to use this material as fill.</p>	The auditor notes that RCC has provided a copy of the exemption certification No. C1022AGG01 by H Hi Quality dated 24/1/22.	CLOSED
IA1_10	CoC C26	Non-compliant	<p>Requirement: <i>The Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Certifier, within three months of the commencement of construction. The system must:</i></p> <p><i>(a) be designed by a suitably qualified and experienced person(s);</i></p> <p><i>(b) be generally in accordance with the conceptual design in the EIS and within the plans specified in condition A2; NSW Government 20 Mulgoa Rise</i></p>	<p>Non-compliant:</p> <p>An Operational Stormwater Management Plan has not been submitted to the Certifier for approval within 3 months of commencement of construction.</p>	The auditor notes that RCC has provided evidence (copy of email) of submission of Operational Stormwater Management System to the Certifier dated 27/6/22.	CLOSED

Item ID	Ref.	Compliance Descriptor	Condition Requirements	Finding and Recommendation	Applicant Response	Status
			<p>Public School Department of Planning and Environment (SSD-11070211)</p> <p>(c) be in accordance with applicable Australian Standards; and</p> <p>(d) 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.</p>			
IA1_11	CoC C34	Non-compliant	<p>Requirement: <i>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.</i></p>	<p>Non-compliant:</p> <p>The Auditor was unable to find a protocol or procedure within the CWMP covering the management of hazardous materials from the site.</p> <p>The Auditor notes that RCC has provided a copy of the Asbestos Management Plan as part of the CEMP (to the Auditor by email on 2/8/22) which details the protocol / procedure for the management of asbestos.</p> <p>The auditor notes that there may be other hazardous materials (chemicals, oils etc.) that will be used on site, and which will need to be disposed.</p> <p>The auditor recommends the CWMP include provisions for the management of these other hazardous materials.</p>	<p>Richard Crookes Construction</p> <p>Within 3 months of the submission of this audit report.</p> <p>The auditor notes that the CEMP has been updated to include provisions for the identification and management of hazardous materials – refer to s6.6 Unexpected Finds Protocol – UXO and Contamination rev. 2.</p>	CLOSED
IA1_12	CEMP section 4.4 – Dust	Non-compliant	<p>Requirement: <i>IWMP- section 5.2 requires Erosion and Sediment Control measures to be implemented.</i></p>	<p>Non-compliance:</p> <p>No water cart on site for dust suppression through water spraying and damage or non-existent silt traps.</p> <p>The auditor recommends that the auditee provide a water cart for immediate and ready use when required for dust suppression</p>	<p>Richard Crookes Construction</p> <p>Within 3 months of submission of this Audit Report.</p> <p>The auditor notes that the auditee now has a water cart on site and made it available and accessible for spaying stockpiles and exposed earth mounds/areas.</p>	CLOSED
IA1_13	CEMP – s4.6 and 5.2, p9 -Stormwater, Erosion and Sediment Control	Non-compliant	<p>Requirement: <i>During construction, erosion and sediment control measures will be provided in accordance with the requirements of “Managing Urban Stormwater Soils and Construction, 4th Edition (Blue Book)”. These measures will include silt fences on the low side of the site, silt traps at stormwater pits. Dust control measures will also be provided.</i></p> <p><i>Other measures include:</i></p> <ul style="list-style-type: none"> - construction exits for all vehicles leaving the site, and - revegetation of the site as soon as practicable. 	<p>Non-compliant:</p> <p>Silt traps and stormwater pits fabric damaged and/or not maintained at lower end, and silt traps not installed on upper levels of site.</p>	<p>The auditor notes that the auditee has installed silt fences on the upper level of the site and repaired silt fences and stormwater pits in the other areas identified. Photo evidence provided by auditee to auditor by email on 2/8/22 – see Appendix E.</p>	CLOSED

Item ID	Ref.	Compliance Descriptor	Condition Requirements	Finding and Recommendation	Applicant Response	Status
			<i>Erosion control measures must be inspected and maintained after each rain event and at intervals not exceeding two weeks.</i>			
IA1_14	CEMP- section 4.7 – Hazardous Materials Management	Non-compliant	Requirement: Dangerous goods (such as petrol, diesel, oxy-ac lockable enclosure with sufficient ventilation, in standards. Material safety data sheets on all flamm provided by the Head Contractor undertaking th	Non-compliant: Fuel jerry cans not stored in an enclosure with sufficient ventilation.	The auditor notes that the auditor has removed the fuel jerry cans and placed in lockable enclosure (storage cabinet). Photo evidence provided to the auditor by the auditee in email dated 2/8/22 – see Appendix E.	CLOSED

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.
- whether there are any opportunities for improvement.

A review was conducted of the:

- *Construction management plan- The New Primary School in Mulgoa Rise (SSD-11070211), 23 March 2022*
- *Construction Traffic and pedestrian management sub-plan, The New Primary School in Mulgoa Rise (SSD-11070211), 22 February 2022*
- *Construction Noise and Vibration Management Sub-plan, ver R5.1, 25th March 2022*
- *Construction Waste Management Sub-plan, ver 1.2, 25th August 2021*
- *Integrated Water Management Plan, Rev C, 12th August 2021*

The non-compliances identified resulted from the Construction Environmental Management plan and the Integrated Water Management plan not being properly implemented. Non compliances can be resolved by correct implementation of these plans.

The plans are of a high quality and are certainly adequate for the works being undertaken.

3.4 Summary of notices from agencies

To the Auditors knowledge no formal notices were issued by the Department during the audit period in relation to the non-compliances.

3.5 Consultation and other matters considered relevant by the Auditor or DPIE

DPE's Compliance Team (Sydney Region) were consulted on the 20th of October 2022 to obtain their input into the scope of this second construction phase Independent Audit in accordance with Section 3.2 of the IAPAR and a response was received by DPE on 21 October 2022 stating the issues requested to be addressed in the audit. The consultation records are presented in Appendix F. A summary of the key issues and areas of focus raised by DPE are presented in Table 1.

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

Stakeholder	Issues and Focus	How Addressed
Department of Planning and Environment. Ref. No.	The Department requested that the audit be conducted in accordance with conditions of Development Consent SSD-10431 (Consent). In addition, the Department requested that the audit examines the following:	These matters were assessed as part of the Independent Audit and the below comments made in respect to the findings on these issues.

Stakeholder	Issues and Focus	How Addressed
1	<p>The Department requests that you continue to implement the scope of the first Independent Audit and report on the additional requests made by the Department in my email below, dated 7 June 2022. It is also requested that you consult with Penrith City Council for the upcoming Independent Audit.</p> <p>Note that the reported non-compliances in the Independent Audit No.1 Report, dated 2 August 2022 (IA No. 1), are being investigated by the Department. It is requested that the upcoming audit report includes a summary on any ongoing issues with respect to the non-compliances reported in IA No. 1.</p> <p>The Independent Audit must be prepared, undertaken and finalised in accordance with the requirements of Schedule D, Condition C37 of the Consent. Failure to meet these requirements will require revision and resubmission.</p>	<p>The auditor has written to Penrith Council to request any issues for consideration in this audit and/ or any comments with respect to any issues, complaints or incidents relating to this development.</p> <p>The auditor has reviewed and closed out any previous findings from the Audit Report No. 1 and provided a summary of any ongoing issues in Table 3.</p> <p>The audit has been conducted in accordance with C37.</p>
2	A detailed look at how the Construction Traffic and Pedestrian Management sub-plan is being implemented and whether there are any improvement opportunities.	A review of procedures and activities on site showed good implementation of traffic control measures. A traffic controller was onsite at the time of the audit and operates between 7am to 5pm.
3	If piles are observed on-site during your inspection, please report whether works are being carried out in accordance with Condition C18.	All piling work had been completed at the time of the audit and no piling works / activity was observed.
4	Please provide details on how construction noise is being managed.	Construction noise is being managed well and there were no complaints lodged.
5	Whether the project is maintaining appropriate records for imported fill on site, if any, and whether stockpile management is satisfactory.	Earth stockpiles from site works were observed at the upper end of the site and these were being satisfactorily controlled for dust by a water cart. There was no evidence of sediment runoff or tracking of dirt on the street on the upper end of the site.
6	Comment on adequacy of controls around dust, ERSED and water management.	<p>Dust conditions at the time of the audit were good and onsite drainage pits and stormwater detention basin were installed and well maintained.</p> <p>However public domain works were under construction to build the footpaths / other infrastructure on the lower end of the site and the silt fences had been removed. The conditions were dry and there was no sight of erosion or runoff, but the risk remained of such remained there in case of a high rainfall event. The auditee was advised to erect the silt fences on the</p>

Stakeholder	Issues and Focus	How Addressed
		<p>exposed earth slopes adjacent to the works as soon as was practical. immediately.</p> <p>Additionally, the boundary fence was open to allow construction vehicles access for public domain works on the lower end of the site and the shade cloth had been removed off the fence. The auditor requested the shade cloth be reinstalled on the fence.</p> <p>The auditor has requested the above corrective actions be immediately addressed.</p>
7	A review of the project's complaints registers to ensure that all complaints are recorded, and appropriate responses are/were provided in a timely manner.	The auditor has reviewed the one additional complaint received during this audit period relating to noise (workers speaking loudly) and is satisfied this complaint has been addressed.

3.6 Complaints

A total of four (4) complaints have been received for the development since construction works commenced on 22 April 2022. These first three (3) complaints identified in the first independent audit and related to the street sweeper working outside of approved hours and dirt tracking on the road. The Contractor had at that time provided evidence to the auditor that these complaints related to other construction sites in nearby areas, and this has been confirmed in the consultation with Penrith City Council and email correspondence with Calob O'Reilly dated 27 June 2022.

There has been one (1) additional noise related complaint received since then relating to workers speaking too loudly and this complaint has since been resolved by raising the issue in toolbox talks and by placing signs to keep the noise down. The complaint has since been closed by SINSW and the auditee.

3.7 Incidents

The Project has not identified any reportable incidents as defined by the consent during the reporting period.

3.8 Actual versus predicted impacts

The auditor notes that the actual environmental impacts observed during the audit have already been anticipated in the EIS and are not deemed to be above and beyond those already predicted. The auditor notes that the EIS states that traffic, noise & vibration, flooding, erosion & sediment control, and tree protection as posing the greatest environmental risks and it has proposed various mitigation measures which have been incorporated into the CEMP-sub-plans.

As noted in Appendix A and B and the summary of non-compliances above, the auditor has noted that there are some non-compliances that related to these predicted high-risk impacts, including erosion & sediment and dust control and fuel storage and the auditor has made recommendations with regards addressing these impacts.

The auditor is of the view, that at the time of the audit, all other predicted impacts with respect the above high-risk issues were being adequately managed and mitigated.

4. LIMITATIONS

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With respect to conditions relating to compliance with the design, Building Codes of Australia (BCA) or satisfaction of the Independent Verifier / Certifier / Certifying Authority, the Independent Audits relied on confirmation from the Independent Verifier / Certifier / Certifying Authority that this is the case. The Independent Audits do not extend to an assessment of the works against the design or BCA requirements themselves, nor did they examine the steps the Independent Verifier / Certifier / Certifying Authority has taken to verify that the design is compliant.

The assessment of actual impacts and those predicted in the Environmental Impact Assessment(s) was a high-level assessment qualitative assessment only. The Environmental Impact Assessment(s) include a voluminous number of studies and predictions that relied on observation, measurement and modelling of the existing environments and potential outcomes arising from the Project (including mitigation measures). Full assessment of the accuracy of these predictions would also require a significant number of studies involving measurement and modelling using actual data points as inputs. Other than the requirements specified in the, to the Auditor's knowledge there are no requirements to undertake such studies and doing so does not form part of this Independent Audit.

Audits of all post approval documents prepared to satisfy the conditions, including an assessment of the implementation of Environmental Management Plans and Sub-plans, adopts a Judgement Based Sampling approach. Judgement Based Sampling is the process of selecting a sample of commitments and evidence from within the total available data set (population) to obtain and evaluate evidence about some characteristic of that population, in order to form a conclusion concerning the population.

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APPENDIX A – SSD 11070211 CONDITIONS OF CONSENT

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
SCHEDULE 2				
PART A – ADMINISTRATIVE CONDITIONS				
Obligation to Minimise Harm to the Environment				
A1	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.	<p>The auditor conducted a visual inspection of the construction site and activities and the auditees efforts to minimize material harm to the environment and compared this against relevant performance measures and criteria in this consent.</p> <p>Evidence of where environmental harm may occur and/or where efforts to avoid environmental harm are summarized throughout this report.</p>	<p>The auditor notes that reasonable efforts were being made by the auditee to avoid and minimize harm to the environment and ensure good environmental performance.</p> <p>However, there are some exceptions where the potential for environmental harm was observed, and the resulting non-compliances and observations noted throughout this Appendix will need to be addressed immediately to achieve the expected environmental performance requirements.</p> <p>Observation: It is recommended that the auditee address non-compliances/observations by implementing corrective actions.</p>	Observation
Terms of Consent				
A2	<p>The development may only be carried out:</p> <p>(a) in compliance with the conditions of this consent;</p> <p>(b) in accordance with all written directions of the Planning Secretary;</p> <p>(c) generally, in accordance with the EIS and Response to Submissions;</p> <p>(d) in accordance with the approved plans in the table below:</p>	<p>The auditor has assessed compliance against the:</p> <ul style="list-style-type: none"> • Conditions of this Consent • Any written directions from the Planning Secretary • EIS and Response to Submissions • Approved CEMP/sub-plans and other relevant reports. <p>The auditor also conducted a visual inspection of the construction site and review of all relevant documentation and evidence to establish compliance with CoA.</p>	<p>The auditor notes that there was one non-compliances and four observations. These are not considered to be serious in nature and at the time of the audit, these were not leading to any serious environmental harm. However, as they do have the potential to lead to environmental harm under different weather and/ or operational conditions, they are required to be immediately addressed.</p> <p>Otherwise, the auditor deems that the development is being carried out in accordance with the consent, EIS, RtS and other relevant management plans.</p> <p>Additionally, the Certifier has verified that the works to date are consistent with the approved design.</p> <p>Observation: It is recommended that the auditee address non-compliances/observations by implementing corrective actions.</p>	Observation

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status																																																																																																												
	<table><tr><th colspan="4">Architectural Plans prepared by NBRS Architecture</th></tr><tr><th>Dwg No.</th><th>Rev</th><th>Name of Plan</th><th>Date</th></tr><tr><td>20415-NBRS-DR-A-SSDA-0110</td><td>11</td><td>Site Plan</td><td>12.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-0113</td><td>08</td><td>Site Access and Security Plan</td><td>12.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-0115</td><td>05</td><td>Site Sections</td><td>11.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-0120</td><td>02</td><td>Public Domain Scope of Works</td><td>12.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-0999</td><td>04</td><td>Car Park Plan</td><td>11.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-1000</td><td>10</td><td>Overall Ground Floor Plan</td><td>12.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-1001</td><td>09</td><td>Overall L1 Plan</td><td>11.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-1002</td><td>08</td><td>Overall Roof Plan</td><td>11.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-1011</td><td>05</td><td>Block A – GF Plan</td><td>11.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-1012</td><td>06</td><td>Block B3 – GF Plan</td><td>11.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-1013</td><td>05</td><td>Block B2 – GF Plan</td><td>11.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-1014</td><td>05</td><td>Block C – GF Plan</td><td>11./11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-1021</td><td>05</td><td>Block A – Level 1 Plan</td><td>11.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-1022</td><td>05</td><td>Block B3 – Level 1 Plan</td><td>11.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-1023</td><td>05</td><td>Block B2 – Level 1 Plan</td><td>11.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-3010</td><td>07</td><td>Site Elevations</td><td>15.11.21</td></tr></table> <table><tr><td>20415-NBRS-DR-A-SSDA-3011</td><td>07</td><td>Building A Elevations</td><td>15.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-3012</td><td>07</td><td>Building B3 Elevations</td><td>15.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-3013</td><td>07</td><td>Building B2 Elevations</td><td>15.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-3014</td><td>07</td><td>Building C Elevations</td><td>15.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-4001</td><td>05</td><td>Building A - Sections</td><td>11.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-4002</td><td>05</td><td>Building - Sections</td><td>11.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-4003</td><td>05</td><td>Building – Detail Sections</td><td>11.11.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-7010</td><td>02</td><td>Signage</td><td>06.08.21</td></tr><tr><td>20415-NBRS-DR-A-SSDA-8001</td><td>05</td><td>External Finishes</td><td>11.11.21</td></tr></table>	Architectural Plans prepared by NBRS Architecture				Dwg No.	Rev	Name of Plan	Date	20415-NBRS-DR-A-SSDA-0110	11	Site Plan	12.11.21	20415-NBRS-DR-A-SSDA-0113	08	Site Access and Security Plan	12.11.21	20415-NBRS-DR-A-SSDA-0115	05	Site Sections	11.11.21	20415-NBRS-DR-A-SSDA-0120	02	Public Domain Scope of Works	12.11.21	20415-NBRS-DR-A-SSDA-0999	04	Car Park Plan	11.11.21	20415-NBRS-DR-A-SSDA-1000	10	Overall Ground Floor Plan	12.11.21	20415-NBRS-DR-A-SSDA-1001	09	Overall L1 Plan	11.11.21	20415-NBRS-DR-A-SSDA-1002	08	Overall Roof Plan	11.11.21	20415-NBRS-DR-A-SSDA-1011	05	Block A – GF Plan	11.11.21	20415-NBRS-DR-A-SSDA-1012	06	Block B3 – GF Plan	11.11.21	20415-NBRS-DR-A-SSDA-1013	05	Block B2 – GF Plan	11.11.21	20415-NBRS-DR-A-SSDA-1014	05	Block C – GF Plan	11./11.21	20415-NBRS-DR-A-SSDA-1021	05	Block A – Level 1 Plan	11.11.21	20415-NBRS-DR-A-SSDA-1022	05	Block B3 – Level 1 Plan	11.11.21	20415-NBRS-DR-A-SSDA-1023	05	Block B2 – Level 1 Plan	11.11.21	20415-NBRS-DR-A-SSDA-3010	07	Site Elevations	15.11.21	20415-NBRS-DR-A-SSDA-3011	07	Building A Elevations	15.11.21	20415-NBRS-DR-A-SSDA-3012	07	Building B3 Elevations	15.11.21	20415-NBRS-DR-A-SSDA-3013	07	Building B2 Elevations	15.11.21	20415-NBRS-DR-A-SSDA-3014	07	Building C Elevations	15.11.21	20415-NBRS-DR-A-SSDA-4001	05	Building A - Sections	11.11.21	20415-NBRS-DR-A-SSDA-4002	05	Building - Sections	11.11.21	20415-NBRS-DR-A-SSDA-4003	05	Building – Detail Sections	11.11.21	20415-NBRS-DR-A-SSDA-7010	02	Signage	06.08.21	20415-NBRS-DR-A-SSDA-8001	05	External Finishes	11.11.21			
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20415-NBRS-DR-A-SSDA-0113	08	Site Access and Security Plan	12.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-0115	05	Site Sections	11.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-0120	02	Public Domain Scope of Works	12.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-0999	04	Car Park Plan	11.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-1000	10	Overall Ground Floor Plan	12.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-1001	09	Overall L1 Plan	11.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-1002	08	Overall Roof Plan	11.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-1011	05	Block A – GF Plan	11.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-1012	06	Block B3 – GF Plan	11.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-1013	05	Block B2 – GF Plan	11.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-1014	05	Block C – GF Plan	11./11.21																																																																																																													
20415-NBRS-DR-A-SSDA-1021	05	Block A – Level 1 Plan	11.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-1022	05	Block B3 – Level 1 Plan	11.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-1023	05	Block B2 – Level 1 Plan	11.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-3010	07	Site Elevations	15.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-3011	07	Building A Elevations	15.11.21																																																																																																													
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20415-NBRS-DR-A-SSDA-4001	05	Building A - Sections	11.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-4002	05	Building - Sections	11.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-4003	05	Building – Detail Sections	11.11.21																																																																																																													
20415-NBRS-DR-A-SSDA-7010	02	Signage	06.08.21																																																																																																													
20415-NBRS-DR-A-SSDA-8001	05	External Finishes	11.11.21																																																																																																													

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A3	<p>Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:</p> <p>(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;</p> <p>(b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and</p> <p>(c) the implementation of any actions or measures contained in any such document referred to in (a) above.</p>	<p>The auditor has interviewed the auditee on 19/10/22 and jointly reviewed all relevant documents and established that there were no written directions from the Planning Secretary with respect to any:</p> <p>a. Strategy, study, system, plan, review or report</p> <p>b. Reports, review or audit</p> <p>c. Actions or measures relating to the above.</p>	<p>The auditee deems that there are no requirements of the auditee with respect to this condition.</p>	Not triggered																																																																																				
Limits of Consent																																																																																								
A5	<p>This consent lapses five years after the date of consent unless work is physically commenced.</p>	<p>Interview with auditee on 19/10/22.</p> <p>Letter dated 22 March 2022 notifying DPE of commencement of construction from Justin Barrett from SI to Planning Secretary.</p> <p>The auditor has reviewed the timeframes of consent and works programs, and the works are well within the said timeframe.</p>	<p>Not triggered.</p> <p>The auditor has established that this condition has not been triggered.</p>	Not triggered.																																																																																				

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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.	<p>Interview with auditee and visual inspection on 8/6/22.</p> <p>The auditor has reviewed the requirements of Part 6, Div 8A of the EP&A Regulation and Penrith City Council, the LGA in which this development is located, is not covered in the table of LGAs within this clause.</p>	<p>Not triggered</p> <p>The auditor deems that this condition has not been triggered.</p>	Not triggered
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.	<p>Interview with auditee on 19/10/22.</p> <p>The auditor has reviewed all relevant documentation to establish any disputes between applicant and public authorities.</p>	<p>Not triggered.</p> <p>The auditor has not established that there are any disputes and therefore this condition has not been triggered.</p>	Not triggered
Evidence of Consultation				
A8	<p>Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <p>(a) consult with the relevant party prior to submitting the subject document for information or approval; and</p> <p>(b) provide details of the consultation undertaken including:</p> <p>(i) the outcome of that consultation, matters resolved and unresolved; and</p> <p>(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.</p>	<p>Interview with auditee on 19/10/22.</p> <p>The auditor has reviewed email chains and communications between Crooks Construction and Penrith Council.</p> <p>The auditor notes that S138 Public Domain work consultation with TfNSW and Council has been completed and required approvals granted.</p> <p>This includes:</p> <p>Review of s138 public domain and intersection works notifications and documents submitted to Penrith City Council in email dated 27 June 2022, including:</p> <ul style="list-style-type: none"> Public Domain Civil Works Program Combined line marking and signage Public domain budget breakdown <p>The auditor notes that there are no unresolved matters or disagreement identified.</p>	<p>Compliant.</p> <p>The auditor deem that the auditee has complied with this condition.</p>	Compliant
Staging				
A9	The project may be constructed and operated in stages. Where compliance with conditions is required to be staged due to staged construction or operation, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the satisfaction of the Planning Secretary. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).	<p>Interview with auditee on 19/10/22.</p> <p>The auditor has reviewed all relevant documentation, plans or actions taken to stage project and has noted that no staging has been determined or instigated.</p>	<p>Not triggered.</p> <p>The auditor deems that this condition has not been triggered.</p>	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
A10	<p>A Staging Report prepared in accordance with condition A9 must:</p> <p>(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;</p> <p>(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);</p> <p>(c) specify how compliance with conditions will be achieved across and between each of the stages of the project; and</p> <p>(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.</p>	<p>Interview with auditee on 19/10/22.</p> <p>The auditor has reviewed all relevant documentation and there are no plans or actions taken to stage project.</p>	<p>Not triggered.</p> <p>The auditor deems that this condition has not been triggered.</p>	Not triggered
A11	Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.	<p>Interview with auditee on 19/10/22.</p> <p>The auditor has reviewed all relevant documentation and there are no plans or actions taken to stage project.</p>	<p>Not triggered.</p> <p>The auditor deems that this condition has not been triggered.</p>	Not triggered
A12	Where construction or operation is being staged in accordance with a Staging Report, the terms of this consent that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage as identified in the Staging Report.	<p>Interview with auditee on 19/10/22.</p> <p>The auditor has reviewed all relevant documentation and there are no plans or actions taken to stage project.</p>	<p>Not triggered.</p> <p>The auditor deems that this condition has not been triggered.</p>	Not triggered
Staging, Combining and Updating Strategies, Plans or Programs				
A13	<p>The Applicant may:</p> <p>(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, plan (including management plan, architectural or design plan) or program applies, the 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);</p> <p>(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</p> <p>(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).</p>	<p>Interview with auditee on 19/10/22.</p> <p>The auditor has reviewed all relevant documentation and any staging, combining and updating strategy, plans or program works and/ or activities.</p> <p>The auditor has established that there is no proposed staging of this project or any strategies, plans or designs.</p>	<p>Not triggered.</p> <p>The auditor deems that this condition has not been triggered.</p>	Not triggered
A14	Any strategy, plan or program prepared in accordance with condition A13, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.	<p>Interview with auditee on 19/10/22.</p> <p>The auditor has reviewed relevant documentation and established that there is no staging, combining and updating strategy, plans or program works and/ or activities.</p>	<p>Not triggered.</p> <p>The auditor deems that this condition has not been triggered.</p>	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
A15	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.	Interview with auditee on 19/10/22. The auditor has reviewed relevant documentation and established that there is no staging, combining and updating strategy, plans or program works and/ or activities.	Not triggered. The auditor deems that this condition has not been triggered.	Not triggered
A16	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.	Interview with auditee on 19/10/22. The auditor has reviewed relevant documentation and established that there is no staging, combining and updating strategy, plans or program works and/ or activities.	Not triggered. The auditor deems that this condition has not been triggered.	Not triggered
Structural Adequacy				
A17	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. <i>Notes:</i> • <i>Part 8 of the EP&A (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.</i>	Interview with auditee and site inspection on 19/10/22. The auditor has sighted the Structural Certificate from Woolacotts Consulting Engineers dated 23 March 2022.	Not triggered. The auditor notes that at the time of the audit, construction works for the buildings and structure were still ongoing and not yet completed. The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once completion certificate has been issued by the certifier.	Not triggered
External Walls and Cladding				
A18	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Interview with auditee and site inspection on 19/10/22. The auditor has sighted the Structural Certificate from Woolacotts Consulting Engineers dated 23 March 2022 showing compliance of the proposed designs. The auditor has also sighted the NBR Design compliance statement provided dated 22 March 2022. The design was certified /verified by the CA as per the Construction Certificate etc. (as applicable).	Not triggered. The auditor notes that at the time of the audit, construction works for the buildings and structure were still ongoing and not yet completed. The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once completion certificate has been issued by the certifier.	Not triggered
External Materials				
A19	The external colours, materials and finishes of the buildings must be consistent with the approved plans referenced in Condition A2. Any minor changes to the colour and finish of approved external materials may be approved by the Certifier provided: (a) the alternative colour/material is of a similar tone/shade and finish to the approved external colours/building materials; (b) the quality and durability of any alternative material is the same standard as the approved external building materials; and	Interview with auditee and site inspection on 19/10/22. The auditor has sighted the Structural Certificate from Woolacotts Consulting Engineers dated 23 March 2022 showing compliance of the proposed designs. The auditor has also sighted the NBR Design compliance statement provided dated 22 March 2022.	Not triggered. The auditor notes that at the time of the audit, construction works for the buildings and structure were still ongoing and not yet completed. The auditor recommends an assessment of compliance against this condition be carried out during the operational /	Not triggered

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	(c) a copy of any approved changes to the external colours and/or building materials is provided to the Planning Secretary for information.		post occupation phase once completion certificate has been issued by the certifier.	
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.	<p>Interview with auditee on 19/10/22.</p> <p>PWNA Vibration Monitoring Report dated 26 April 2022.</p> <p>The auditor has reviewed any references of these conditions against any guidelines, protocols or standards used and referenced in this consent and verified that as per the Construction Certificate as certified by the Certifying Authority the Project is compliant with protocols and standards.</p>	<p>Compliant</p> <p>The only monitoring required of the CEMP was for vibration under the CNVMP.</p> <p>The auditor can confirm that the vibration monitoring was conducted by PWNA, and the results presented in report dated 26 April 2022. The monitoring was conducted in accordance with the below standards as per DPE's requirements:</p> <p>DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures (German Institute for Standardisation, 1999); and for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: a technical guideline (DEC 2006)</p> <p>This Independent Audit has been conducted in accordance with the Department's IAPAR and ISO 19011.</p> <p>The auditor deems the auditee is compliant with this condition.</p>	Compliant
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.	<p>Interview with auditee on 19/10/22.</p> <p>The auditor has reviewed relevant documentation and no directions have been issued by the Planning Secretary with respect to ongoing monitoring or management and reference to updated standards.</p>	<p>Not triggered.</p> <p>The auditor deems that this condition has not been triggered.</p>	Not triggered
Monitoring and Environmental Audits				
A22	<p>Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, noncompliance notification, Site Audit Report and independent auditing.</p> <p><i>Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i></p>	<p>Interview with auditee on 19/10/22.</p> <p>The auditor has reviewed relevant documentation to establish that any monitoring or audits are in accordance with Div 9.4 of Part 9 of the EP&A Act.</p> <p>Evidence of environmental weekly environmental inspection reports provided to auditor.</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant
Access to Information				
A23	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:	Interview with auditee on 19/10/22.	Compliant.	Compliant

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	<p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ul style="list-style-type: none"> (i) the documents referred to in condition A2 of this consent; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (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; (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; (vi) a summary of the current stage and progress of the development; (vii) contact details to enquire about the development or to make a complaint; (viii) a complaints register, updated monthly; (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; (x) any other matter required by the Planning Secretary; and <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary and publicly available for 12 months after the commencement of operations.</p>	<p>The auditor has reviewed the relevant communications with respect to commencement of construction and provision of details on the website as required in A23.</p> <p>This information has been displayed on the planning portal and SI complaints register and project website on https://www.schoolinfrastructure.nsw.gov.au/projects/n/new-primary-school-in-mulgoa-rise-glenmore-park.html</p>	<p>The auditor deems that the auditee is compliant with this condition.</p>	
Compliance				
A24	<p>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.</p>	<p>Interview with auditee on 19/10/22.</p> <p>The auditor reviewed the auditees presentations on staff, contractor / visitor induction and their training material.</p> <p>The auditor verified that site induction briefing to employees, contractors and visitors is provided and included in tender documentation.</p> <p>Auditor was also shown induction presentation covering HSE and compliance issues.</p> <p>Driver code of conduct leaflet issued.</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant
Incident Notification, Reporting and Response				
A25	<p>The Planning Secretary must be notified through the major projects portal immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.</p>	<p>Interview with auditee on 19/10/22.</p> <p>The auditor reviewed the following documentation:</p> <ul style="list-style-type: none"> • Applicant's incident notification system/forms. • Subcontractor Pre-qualification Questionnaire.' 	<p>The auditor notes that there have been no incidents for the audit period and deems that the auditee has not triggered this condition.</p>	Not Triggered

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		<ul style="list-style-type: none"> 43.07b Subcontractor/ supplier Interview form – Richard Crooks Constructions. <p>The auditor notes that there is a process in place for recording and reporting incidents but that no incidents had occurred leading up to the audit.</p>		
A26	Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix 2 .	<p>Interview with auditee on 19/10/22.</p> <p>The auditor reviewed relevant information and documentation with respect to any notifications.</p> <p>No incidents reported for audit period and therefore no further notification was required.</p>	<p>Not triggered.</p> <p>The auditor deems that this condition has not been triggered.</p>	Not triggered
Non-Compliance Notification				
A27	The Planning Secretary must be notified through the major project's portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the major project's portal within seven days after they identify any non-compliance.	<p>Interview with auditee on 19/10/22.</p> <p>The auditor has verified that the auditee has been conducting the weekly compliance and environmental inspections but that they had not identified and/ or documented any non-compliances.</p> <p>Email copy from SINSW dated 11/11/22 detailing the outcomes of non-compliances reported to Planning Secretary from the first audit.</p>	<p>Compliant.</p> <p>The auditor notes that the auditee has informed the Planning Secretary of the findings and non-compliances detailed in the previous audit report.</p> <p>The auditor notes that DPE have assessed the reported non-compliances in accordance with the Department's Compliance Policy and determined to record the breach against consent condition A16 for failing to implement the CEMP and more specifically, on 8 June 2022:</p> <p>) Adequate dust suppression measures on a stockpile classified as containing DGB material;</p> <p>2) adequate maintenance of erosion and sediment controls around stormwater pits and silt traps; and</p> <p>3) fuel jerry cans are stored in an enclosure with sufficient ventilation.</p> <p>The auditor notes in the SINSW email correspondence that DPE have considered actions taken by Richard Crookes Constructions to rectify the non-compliances and have determined to take no further actions for the other non-compliances reported in the audit report.</p> <p>The auditor has noted that SINSW have communication the above to RCC and its management and noted with them that a "record of breach" is an informal action taken where a breach has been established and NSW Planning has determined that no formal enforcement action is warranted in the circumstances but that does not preclude DPE taking further action, if warranted, in future.</p>	Compliant
A28	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.	<p>Interview with auditee on 19/10/22.</p> <p>The auditor has verified that the auditee has been conducting the weekly compliance and environmental</p>	<p>Not triggered.</p> <p>The auditor deems that this condition has not been triggered.</p>	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>inspections but that they had not identified and/ or documented any non-compliances.</p> <p>As the auditee had not identified any non-compliances, no reporting was instigated.</p>		
A29	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	<p>Interview with auditee on 19/10/22.</p> <p>As the auditee had not identified any non-compliances, no reporting was instigated.</p>	<p>Not triggered.</p> <p>The auditor deems that this condition has not been triggered.</p>	Not triggered
Revision of Strategies, Plans and Programs				
A30	<p>Within three months of:</p> <p>(a) the submission of an incident report under condition A25;</p> <p>(b) the submission of an Independent Audit under condition C37 or C38;</p> <p>(c) the approval of any modification of the conditions of this consent; or</p> <p>(d) the issue of a direction of the Planning Secretary under condition A2 which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.</p>	<p>Interview with auditee on 19/10/22.</p> <p>The auditor has reviewed all relevant documentation with respect to any incidents, independent audits, modifications or directions.</p> <p>None of the above were recorded or triggered in the time proceeding the audit.</p>	<p>Observation</p> <p>The auditor notes that the CSWMP was required to be updated as per the findings and recommendation of the previous audit.</p> <p>The auditor requests evidence that this plan has been updated.</p>	Observation
A31	<p>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.</p> <p><i>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.</i></p>	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>The auditor has reviewed all relevant documentation with respect to any incidents, independent audits, modifications or directions.</p> <p>None of the above were recorded or triggered in the time proceeding the audit.</p>	<p>Not triggered.</p> <p>The auditor deems that this condition has not been triggered in the time leading to the audit, but that the auditee may seek to make changes to management plans as a result of this audit and its findings and that any such changes should be submitted to the Planning Secretary and Certifier for approval.</p>	Not triggered
PART C – DURING CONSTRUCTION				
Site Notice				
C1	<p>A site notice(s) must be prominently displayed at the boundaries of the site during construction for the purpose of informing the public of project details and must satisfy the following requirements:</p> <p>(a) minimum dimensions of the site notice(s) must measure 841 mm x 594 mm (A1) with any text on the site notice(s) to be a minimum of 30-point type size;</p> <p>(b) the site notice(s) must be durable and weatherproof and must be displayed throughout the works period;</p> <p>(c) the approved hours of work, the name of the builder, Certifier, structural engineer, 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(s); and</p>	<p>Interview with auditee and visual inspection of site notice on 19/10/22.</p> <p>(a) Sign was compliant with this dimension – refer to photos in Appendix D.</p> <p>(b) Sign is made of durable and weatherproof material – refer to photos in Appendix D.</p> <p>(c) These details are included on signage at entry of building site – refer to photos in Appendix D.</p> <p>(d) The notice is at eye level and states no unauthorized entry – refer to photos in Appendix D.</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	(d) the site notice(s) must be mounted at eye level on the perimeter hoardings/fencing and must state that unauthorised 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.	<p>Interview with auditee and visual inspection of plant and equipment on 19/10/22.</p> <p>The auditor notes that no plants were present at the time of the audit.</p> <p>The auditor also notes that equipment on site appear to be maintained in good order and operated responsibility.</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant
Construction Hours				
C3	<p>Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:</p> <p>(a) between 7am and 6pm, Mondays to Fridays inclusive; and</p> <p>(b) between 8am and 1pm, Saturdays.</p> <p>No work may be carried out on Sundays or public holidays.</p>	<p>Interview with auditee and visual inspection on 19/10/22.</p> <p>The auditor confirmed with the Project Manager and Site Engineer that all work is constructed within (a). There was not work carried out on Saturdays (b) or Sunday or public holidays.</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant
C4	<p>Notwithstanding condition C3, provided noise levels do not exceed the existing background noise level plus 5dB, works may also be undertaken during the following hours:</p> <p>(a) between 6pm and 7pm, Mondays to Fridays inclusive; and</p> <p>(b) between 1pm and 4pm, Saturdays.</p>	<p>Interview with auditee and visual inspection on 19/10/22.</p> <p>Review of any changes to above work hours in C3.</p> <p>The auditor notes that there was no deviation from hours in C3.</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant
C5	<p>Construction activities may be undertaken outside of the hours in condition C3 and C4 if required:</p> <p>(a) by the Police or a public authority for the delivery of vehicles, plant or materials; or</p> <p>(b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or</p> <p>(c) where the works are inaudible at the nearest sensitive receivers; or</p> <p>(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.</p>	<p>Interview with auditee and visual inspection on 19/10/22.</p> <p>The auditor has reviewed any changes to above work hours and there is no deviation from hours in C3 and C4 and no items in a-d have been triggered.</p>	<p>Not triggered no out of hours work conducted.</p>	Not triggered
C6	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.	<p>Interview with auditee on 19/10/22.</p> <p>The auditor notes that there were no changes to work hours and C5 has not been triggered and therefore this condition has also not been triggered.</p>	<p>Not triggered no out of hours work conducted.</p>	Not triggered
C7	<p>Rock breaking, rock hammering, sheet piling, pile driving, and similar activities may only be carried out between the following hours:</p> <p>(a) 9am to 12pm, Monday to Friday;</p>	<p>Interview with auditee and visual inspection on 19/10/22.</p> <p>The auditor discussed the current works program / construction activities with Project Manager and Site</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	(b) 2pm to 5pm Monday to Friday; and (c) 9am to 12pm, Saturday.	Engineer and a visual inspection of construction works / activities and timing during site inspection. The auditor notes that all piling works had been completed at time of audit. Further the auditor notes that there were no complaints received / recorded with respect to any of these activities in the period proceeding the audit.		
Implementation of Management Plans				
C8	The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans).	Interview with auditee and visual inspection on 19/10/22. CEMP by RCC dated 23/3/22. CTPMP by PTC dated 22/3/22 CNVMP by PTC dated 16/12/21 CWMP by EcCell dated 15/8/21 CSWMP by Woolacotts dated 12/8/21/ The auditor has conducted a review of CEMP and construction works / program and most up to date CEMP/sub-plans. The auditor notes that the auditee conducts weekly environmental inspections and ongoing compliance monitoring. With the exception of the non-compliances and observations noted within this report, the auditor is of the view that the auditee is carrying out the development in accordance with the CEMP/sub-plans. Further evidence on compliance with the sub-plans is detailed in the CEMP/sub-plan related implementation related conditions below.	Refer to Appendix B for the non-compliance and observations raised against the implementation of mitigation measures as required by the CEMP and subplans.	Non-Compliant
Construction Traffic				
C9	All construction vehicles (excluding site personnel 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.	Interview with auditee and visual inspection of construction vehicles across the site on 19/10/22. The auditor observed that all construction vehicles were contained within the site.	Compliant. The auditor deems that the auditee is compliant with this condition.	Compliant
Hoarding Requirements				
C10	The following hoarding requirements must be complied with: (a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; and	Visual inspection of site on 19/10/22.	Compliant. The auditor deems that the auditee is compliant with this condition.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	(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.	The auditor conducted a walk around the perimeter of the site and did not see evidence of (a) advertising or (b) any graffiti.		
No Obstruction of Public Way				
C11	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.	Visual inspection of site on 19/10/22. Visual inspection of public way around the site. S138 – Roads Act Council approval for Public Domain Works – Penrith Council, 9/9/22	The auditor noted that barriers had been erected partway across the footpath on the lower end of the site to complete the construction of the permanent boundary fencing / infrastructure partly restricting access on the pedestrian footpath. The auditee noted that Council had given approval for these barriers and temporary works. The auditor deems that the auditee is compliant with this condition.	Compliant
Construction Noise Limits				
C12	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan.	Interview with auditee and site inspection on 19/10/22. The auditor has reviewed the complaints register last updated on October 2022 on the SI website (under Complaints Register September and October) and any noise complaints / related incidents. Additionally, the auditor conducted a visual inspection around site to establish any very noisy activities and compared against the NVMP noise predictions.	Compliant. The auditor notes that there was one noise complaint received since the last audit with respect to workers speaking too loudly and that this has been managed appropriately through toolbox talks and signs erected to keep the noise down. The complaint was logged on 17 August 2022. The auditor notes that at the time of the inspection was very acceptable and unlikely to be exceeding noise limits. Additionally, there were no activities that would be deemed to be a high noise generating activity at the time of the audit.	Compliant
C13	The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition C3.	Interview with auditee and visual inspection on 19/10/22. The auditor has confirmed through the interview, review of the CTMP and visual inspection that all construction vehicles are operating within the set hours.	Compliant. The auditor deems the auditee is compliant with this condition.	Compliant
C14	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 auditee and visual inspection on 19/10/22. The auditor has reviewed valid noise complaints / related incidents and conducted a visual inspection around site to establish general noise levels and required of the CNVMP. There is currently no identified requirement for the use of quackers.	Compliant The auditor deems the auditee is compliant with this condition.	Compliant
Vibration Criteria				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
C15	<p>Vibration caused by construction at any residence or structure outside the site must be limited to:</p> <p>(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</p> <p>(b) for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: a technical guideline (DEC 2006) (as may be updated or replaced from time to time).</p>	<p>Interview with auditee and visual inspection on 19/10/22.</p> <p>CNVMP by PWNA dated 25 March 2022.</p> <p>Attended Vibration Survey by PWNA dated 26 April 2022.</p> <p>The auditor notes that the CNVMP identifies vibration related to piling works and vibration roller works to be of greatest concern and recommended monitoring during those activities.</p> <p>The auditor notes at the time of the audit that all piling works had been completed and there were no vibration rollers at the time.</p> <p>The auditor also notes that the auditee had conducted a survey to establish the risks of structural damage to nearby residential buildings and human exposure to nearby residential occupants during piling and roller vibration works.</p> <p>The results are detailed in Tables 1 and 2 of the PWNA Attended Vibration Survey 26 April 2022.</p> <p>The results of the survey show that for:</p> <ul style="list-style-type: none"> (a) No structural damage to residential buildings is expected. (b) There is a low probability of disturbance to residential occupants. <p>Additionally, the auditor notes that no complaints have been received with respect to vibration to date.</p>	<p>Compliant.</p> <p>The auditor deems the auditee is compliant with this condition.</p>	Compliant
C16	<p>Vibratory compactors must not be used closer than 30m from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C15.</p>	<p>Interview with auditee and visual inspection on 19/10/22.</p> <p>CNVMP by PWNA dated 25 March 2022.</p> <p>Attended Vibration Survey by PWNA dated 26 April 2022.</p> <p>The auditor has reviewed the above documentation and confirmed that the PWNA survey has factored in vibration rollers operating within 20m of the residences and confirmed that at that distance it will still be compliant with the vibration criteria in C15.</p> <p>All vibration compactor work had been completed at the time of the audit.</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant
C17	<p>The limits in conditions C15 and C16 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B16 of this consent.</p>	<p>Interview with auditee and visual inspection on 19/10/22.</p> <p>CNVMP by PWNA dated 25 March 2022.</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Attended Vibration Survey by PWNA dated 26 April 2022.</p> <p>The auditor has reviewed the above documentation, any relevant complaints and conducted a visual inspection of construction activities and deems that the auditee is operating in accordance with the approved CEMP.</p>		
Geotechnical Monitoring				
C18	The installation of the structural foundations (including ensuring piles are socketed into bedrock) must be undertaken in accordance with the Geotechnical Report required by condition B5 and be verified by a qualified geotechnical engineer.	<p>Interview with auditee and visual inspection on 19/10/22.</p> <p>Foundation Pile as Built Logs report prepared by CF Group and dated 9 June 2022.</p> <p>The auditor has reviewed the above report and confirms that the Geotechnical Engineer is in the process of preparing the required report.</p>	<p>Compliant</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant
C19	A Report must be prepared by a qualified geotechnical engineer which confirms that all piles have been constructed as per the geotechnical design. The Report must also confirm that all piles have been socketed into the bedrock. The Report must be submitted to the Planning Secretary for information within 3 months of the completion of foundation works.	<p>Interview with auditee and visual inspection on 19/10/22.</p> <p>Review of piling testing results in the Foundation Pile As Built Logs report prepared by CF Group and dated 9 June 2022.</p>	<p>Compliant.</p> <p>The auditor has reviewed the piling date reports / results and the auditee notes that the geotechnical monitoring report is still underway and that they are due to submit within 3 months after completion of piling. Piling was completed about 1 month ago and this report will be required to be submitted to Council before the end of August 2022.</p>	Compliant
Tree Protection				
C20	<p>(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;</p> <p>(b) all street trees immediately adjacent to the property boundary must be protected at all times during construction as per the Arboricultural Impact Assessment Report prepared by Sturt Noble Arboriculture, dated 18th August 2021 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 within six months of the removal, to the satisfaction of Council; (</p> <p>c) 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.</p>	<p>Interview with auditee and visual inspection on 19/10/22 of tree protection measures.</p> <p>Arboricultural Report by Stuart Noble 18/8/21.</p> <p>(a) The auditor can verify that street trees have not been trimmed or removed.</p> <p>(b) The auditor can verify that the street trees are all protected as per the Arboricultural Report and that no trees have been damaged.</p> <p>(c) No access has been required through any tree protective barriers.</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant
Air Quality				
C21	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	Interview with auditee and visual inspection of dust control measures and dust levels at time of inspection on 19/10/22.	Compliant	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		The auditor has also reviewed all complaints and/ or incidents with respect to dust generation.	The auditor notes that a water cart was onsite and being used to spray and keep dust down in areas of exposed earth / stockpiles. The auditor deems that the auditee is compliant with this condition.	
C22	During construction, the Applicant must ensure that: (a) activities are carried out in a manner that minimises dust including emission of windblown, or traffic generated dust; (b) all trucks entering or leaving the site with loads have their loads covered; (c) trucks associated with the development do not track dirt onto the public road network; (d) public roads used by these trucks are kept clean; and (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.	Interview with auditee and visual site inspection on 19/10/22. (a) The auditor notes that there was no water cart to suppress potential dust on site. (b) The auditor notes that there were no uncovered trucks leaving during the time of the audit. (c) The auditor notes that there was a cattle grid and wash bay in place and that there were no signs of dirt tracked onto exit street or any nearby streets. (d) The auditor notes that all public roads surrounding the site were clean. (e) The auditor notes that there were no land stabilisation works being carried out at the time of the audit.	Compliant The auditor deems that the auditee is compliant with this condition.	Compliant
Imported Fill				
C23	The Applicant must: (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site; (b) keep accurate records of the volume and type of fill to be used; and (c) make these records available to the Certifier and/or Planning Secretary upon request.	Interview with auditee and site inspection on 19/10/22. Boral test report – 24 March 2022 – unbound road base. HIBBS test report for asbestos in recycled aggregate dated 6 April 2022. The auditor conducted a visual inspection of any fill / stockpiles of material and review of the above fill test results/reports.	Compliant The auditor deems that the auditee is compliant with this condition.	Compliant
Disposal of Seepage and Stormwater				
C24	Adequate provisions must be made to collect and discharge stormwater drainage during construction to the satisfaction of 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.	Interview with auditee and site inspection on 19/10/22. Water quality testing results from detention basin by ALS Environmental dated 9/6/22. Approval email to discharge to stormwater from Penrith Council dated 16/6/22. The auditor visually inspected the site drainage design/layout and infrastructure, drainage pits and on-site detention basin and has reviewed the written approval of Council to discharge from the on-site	Compliant. The auditor deems that the auditee is compliant with this condition.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>detention basin to the Council stormwater discharge point as well as the water quality testing results.</p> <p>The auditor is satisfied with the stormwater drainage and collection system.</p> <p>The auditor notes the OSD basin is no longer required and has been removed.</p>		
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.	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Section 4.12 'Emergency Preparedness' and s4.4 'Training & Awareness' in CEMP dated 23/2/22.</p> <p>The auditor was shown the training presentation for employees and contractors and has reviewed the procedure on emergency management in the CEMP and is satisfied with the on-site infrastructure and procedure/training around assembly points and evacuation routes.</p>	<p>Compliant</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant
Stormwater Management System				
C26	<p>The Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Certifier, within three months of the commencement of construction. The system must:</p> <p>(a) be designed by a suitably qualified and experienced person(s);</p> <p>(b) be generally in accordance with the conceptual design in the EIS and within the plans specified in condition A2; NSW Government 20 Mulgoa Rise Public School Department of Planning and Environment (SSD-11070211)</p> <p>(c) be in accordance with applicable Australian Standards; and</p> <p>(d) 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.</p>	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Civil certificate by Woolacotts dated 31/1/22 covering (2) Stormwater Drainage Specifications.</p> <p>Crown Certification by BCA Logic and submission letter to Planning on 22 March 2022.</p> <p>BCA Logic certification of Operational Stormwater Management Systems (C26) on 25/8/22.</p> <p>Stormwater Design Drawings – Woolacotts</p> <p>Stormwater Tank Design – NDY – 16/3/21.</p>	<p>Compliant</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant
Aboriginal Cultural Heritage				
C27	Construction must be undertaken in accordance with the recommendations of the Aboriginal Cultural Heritage Assessment Report prepared by Comber Consultants dated 13 August 2021.	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Aboriginal Cultural Heritage Assessment Report prepared by Comber Consultants dated 13 August 2021.</p> <p>The auditor has reviewed the recommendations of the above report and the auditee is not required to undertake any further assessment, testing, salvage, or monitoring.</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		The auditee is required to notify the consultant if any Aboriginal object is identified however the auditor notes to date this has not occurred.		
Unexpected Finds Protocol – Aboriginal Heritage				
C28	<p>In the event that surface disturbance identifies a new Aboriginal object:</p> <p>(a) all works must halt in the immediate area to prevent any further impacts to the object(s);</p> <p>(b) a suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects;</p> <p>(c) the site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by Heritage NSW under Department of Premier and Cabinet and the management outcome for the site included in the information provided to AHIMS;</p> <p>(d) the Applicant must consult with the Aboriginal community representatives, the archaeologists and Heritage NSW to develop and implement management strategies for all objects/sites; and</p> <p>(e) works may only recommence with the written approval of the Planning Secretary.</p>	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Aboriginal Cultural Heritage Assessment Report prepared by Comber Consultants dated 13 August 2021.</p> <p>The auditor notes that the Consultant has noted any such findings are unlikely.</p> <p>The auditee is required to notify the Consultant if any Aboriginal object is identified however the auditor notes to date this has not occurred.</p>	<p>Not triggered.</p> <p>The auditor deems that this condition has not been triggered.</p>	Not triggered
Unexpected Finds Protocol – Historic Heritage				
C29	<p>If any unexpected archaeological relics are uncovered during the work, then:</p> <p>(a) all works must cease immediately in that area and notice is to be given to Heritage NSW and the Planning Secretary;</p> <p>(b) 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 as determined in consultation with Heritage NSW; and</p> <p>(c) works may only recommence with the written approval of the Planning Secretary.</p>	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Aboriginal Cultural Heritage Assessment Report prepared by Comber Consultants dated 13 August 2021.</p> <p>The auditor notes that the Consultant has noted any such findings are unlikely.</p> <p>The auditee is required to notify the Consultant if any Aboriginal object is identified however the auditor notes to date this has not occurred.</p>	<p>Not triggered.</p> <p>The auditor deems that this condition has not been triggered.</p>	Not triggered
Waste Storage and Processing				
C30	All waste generated during construction must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>CWMP by EcCell dated 10/3/22.</p> <p>Visual inspection of waste storage area, bin, activities and condition of the bin/site.</p>	<p>Compliant</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant
C31	All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>CWMP by EcCell dated 10/3/22.</p> <p>The auditor has confirmed that Bingo has been contracted to carry out this task in accordance with the EPA standards and this currently been done.</p>	<p>Compliant</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant
C32	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 auditee and site inspection on 19/10/22.	Compliant	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>CWMP by EcCell dated 10/3/22.</p> <p>The auditor conducted a visual inspection of the site and construction activities and there was no concrete waste and rinse water being disposed of into the onsite drainage system or outside areas.</p>	The auditor deems that the auditee is compliant with this condition.	
C33	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.	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>CWMP by EcCell dated 10/3/22.</p> <p>The auditor has confirmed that Bingo has been contracted to carry out this work and that this is being done. The Bingo Waste Management & Recycling Plan is detailed in Appendix B of the CWMP.</p> <p>The auditee notes that recycling rates are at 95% which is higher than the target of 92%.</p>	<p>Compliant</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant
C34	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.	<p>Interview with auditee and site inspection on 8/6/22.</p> <p>CWMP by EcCell dated 10/3/22.</p> <p>Bingo Waste Management & Recycling Plan is detailed in Appendix B of the CWMP.</p> <p>The CWMP and Bingo Plan do not cover procedures for removal of hazardous materials.</p>	<p>Observation</p> <p>Observation: A protocol for the management of hazardous wastes on site has not been developed as part of the CWMP.</p> <p>The auditor recommends that the auditee seek further assistance from its consultant on the development of proper procedures for the identification and management of hazardous wastes during the construction phase.</p>	Compliant
Outdoor Lighting				
C35	The Applicant must ensure that all external lighting is constructed and maintained in accordance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting.	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>The auditor has reviewed the Crown Certificate approving the outdoor lighting design.</p>	<p>Not triggered</p> <p>The auditor notes that at the time of the audit the construction of outdoor lighting had not been completed and recommends that an assessment of compliance against this condition be completed during the operation / post occupational stage.</p>	Not triggered
Independent Environmental Audit				
C36	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	Planning approval of auditor in Appendix C.	<p>Compliant</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant
C37	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements.	This audit and audit report have been carried out in accordance with the PAR. See section 1.5 of this report.	Compliant	Compliant
C38	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those agreed to above, upon giving at least 4 weeks' notice to the Applicant of the date or timing upon which the audit must be commenced.	<p>Review of any directions from Planning.</p> <p>No directions from Planning have been received with respect to this audit at the completing this audit report.</p>	Not triggered.	Not triggered
C39	In accordance with the specific requirements in the Independent Audit Post Approval Requirements, the Applicant must:	Post approval form detailing submission of SINSW response to Planning Secretary	Compliant	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>(a) review and respond to each Independent Audit Report prepared under condition C37 of this consent, or condition C38 where notice is given;</p> <p>(b) submit the response to the Planning Secretary; and</p> <p>(c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Planning Secretary.</p>	Letter dated 6/10/22 from SINSW to Planning Secretary detailing response.	<p>The auditor notes that the following work has been completed by the auditee in accordance with these requirements:</p> <p>a. the auditee has reviewed and responded to the first audit</p> <p>b. the auditee has responded to the audit findings in a letter addressed to the Planning Secretary by SINSW dated 6/10/22.</p> <p>c. the auditee has made the first Audit Report publicly available on the website within 60 days</p>	
C40	Independent Audit Reports and the applicant/proponent's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements unless otherwise agreed by the Planning Secretary.	The auditor notes that the first audit report was submitted to the Planning Secretary within 2 months of the site inspection.	Not triggered.	Compliant
C41	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.	No such requests had been made at the time of the completion of this audit.	Not triggered.	Not triggered
Operational Readiness Work				
C42	<p>Operational readiness work must not commence on site until the following details have been submitted to the Certifier:</p> <p>(a) a plan and description of the area(s) of the site to be used for operational readiness work (including pedestrian access) and areas still under construction (including construction access);</p> <p>(b) the maximum number of staff to be involved in operational readiness work on site at any one time;</p> <p>(c) arrangements to ensure the safety of school staff on the site, including how:</p> <p>(i) areas to be used for operational readiness work will be clearly and securely separated from the areas of the site still under construction;</p> <p>(ii) pedestrian access to and within the site will be managed to ensure no conflict with construction vehicle movements; and</p> <p>(d) access and parking arrangements to minimise impacts on the surrounding street network having regard to number of staff involved in operational readiness work on site at any one time and parking arrangements for construction workers on site.</p>	N/A – this requirement will need to be audited at the pre-operational stage of this development (currently scheduled for January of 2023).	Not triggered.	Not triggered
C43	<p>Operational readiness work must only be undertaken in accordance with the details submitted under condition C42 and the following requirements:</p> <p>(a) no more than 27 staff are involved in operational readiness work on site at any one time;</p> <p>(b) no students or parents are permitted on the site; and</p> <p>(c) the Applicant has implemented appropriate arrangements to ensure the safety of school staff on the site.</p>	N/A – this requirement will need to be audited at the pre-operational stage of this development (schedule for January 2023).	Not triggered.	Not triggered

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PART D – PRIOR TO COMMENCEMENT OF OPERATION				
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.	Interview with auditee and site inspection on 19/10/22. This audit was conducted in October 2022 and the auditee has advised that the planned commencement of the development will be in January 2023 and therefore the auditor advised that Planning be notified of the planned commencement at least one month prior to that date.	Not triggered.	Not triggered
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.	Interview with auditee and site inspection on 19/10/22.	Not triggered. The auditor notes that at the time of the audit, construction works on the external walls and cladding were still ongoing and not yet completed. The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.	Not triggered.
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.	Interview with auditee and site inspection on 19/10/22.	Not triggered. The auditor notes that at the time of the audit, construction works on the external walls and cladding were still ongoing and not yet completed. The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.	Not triggered.
Works as Executed Plans				
D4.	Prior to the commencement of operation, works-as-executed plans 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.	Interview with auditee and site inspection on 19/10/22.	Not triggered. The auditor notes that at the time of the audit, construction works on the stormwater drainage and finished grounds were still ongoing and not yet completed. The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.	Not triggered
Warm Water Systems and Cooling Systems				
D5.	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	Interview with auditee and site inspection on 19/10/22.	Not triggered.	Not triggered.

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	handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires' Disease.		<p>The auditor notes that at the time of the audit, construction works on the warm water and cooling systems were still ongoing and not yet completed.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	
Outdoor Lighting				
D6.	<p>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:</p> <p>(a) complies with the latest version of AS 4282-2019 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and</p> <p>(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</p>	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works on the outdoor lighting were still ongoing and not yet completed.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not triggered.
Mechanical Ventilation				
D7.	<p>Prior to commencement of operation, the Applicant must provide evidence to the satisfaction of the Certifier that the installation and performance of the mechanical ventilation systems complies with:</p> <p>(a) AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings and other relevant codes; and</p> <p>(b) any dispensation granted by Fire and Rescue NSW.</p>	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works on the mechanical ventilation were still ongoing and not yet completed.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not triggered.
Operational Noise – Design of Mechanical Plant and Equipment				
D8.	Prior to the commencement of operation, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the assessment undertaken under condition B23 have been incorporated into the design of mechanical plant and equipment to ensure the development will not exceed the operational project noise trigger levels identified in the updated New Primary School in Mulgoa Rise, Review of Environmental Factors – Noise & Vibration Assessment Report prepared by Pulse White Noise Acoustics dated 2 November 2021.	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works on the mechanical plant and equipment were still ongoing and not yet completed.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not triggered.
D9.	The Applicant must select, install, and operate mechanical plant and equipment which does not result in a noise impact greater than 5dBA above the background level when operated (either individual or cumulatively).	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works on the mechanical plant and equipment were still ongoing and not yet completed.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational /</p>	Not triggered.

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			post occupation phase once all construction works have been completed.	
Fire Safety Certification				
D10.	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.	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works on the fire safety system were still ongoing and not yet completed.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not triggered.
Structural Inspection Certificate				
D11.	<p>Prior to the commencement of occupation of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the Certifier. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the Planning Secretary and the Council after:</p> <p>(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</p> <p>(b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.</p>	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works were still ongoing and not yet completed.</p> <p>The auditor recommends the auditee organize for a structural inspection certificate or compliance certificate prior to the commencement of occupation planned for January 2023.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not triggered.
Compliance with Food Code				
D12.	Prior to the commencement of operation, the Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the AS 4674 Design, construction and fit-out of food premises and provide evidence of receipt of the certificate to the satisfaction of the Certifier.	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works on the kitchen, food storage and preparation areas were still ongoing and not yet completed.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not triggered.
Post-construction Dilapidation Report – Protection of Public Infrastructure				
D13.	<p>Prior to the commencement of operation, the Applicant must engage a suitably qualified and experienced expert to prepare a Post-Construction Dilapidation Report. This Report must:</p> <p>(a) ascertain whether the construction works created any structural damage to public infrastructure by comparing the results of the Post-Construction Dilapidation Report with the Pre-Construction Dilapidation Report required by condition B6 of this consent;</p>	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works were still ongoing and not yet completed.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not triggered.

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	<p>(b) have, if it is decided that there is no structural damage to public infrastructure, the written confirmation from the relevant public authority that there is no adverse structural damage to their infrastructure (including roads).</p> <p>(c) be submitted to the Certifier;</p> <p>(d) be forwarded to Council for information; and</p> <p>(e) be provided to the Planning Secretary when requested.</p>			
Repair of Public Infrastructure				
D14.	<p>Unless the Applicant and the relevant public authority agree otherwise, the Applicant must:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the construction works; and/or</p> <p>(b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development; and/or</p> <p>(c) pay compensation for the damage as agreed with the owner of the public infrastructure.</p> <p>Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions of this consent.</p>	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works were still ongoing and not yet completed.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not triggered.
Road Damage				
D15.	<p>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</p>	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works were still ongoing and not yet completed.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not triggered.
Post-Construction Survey – Adjoining Properties				
D16	<p>Where a pre-construction survey has been undertaken in accordance with condition B7, prior to the commencement of operation the Applicant must engage a suitably qualified and experienced expert to undertake a post-construction survey and prepare a Post-Construction Survey Report. This Report must:</p> <p>(a) document the results of the post-construction survey and compare it with the pre-construction survey to ascertain whether the construction works caused any damage to buildings surveyed in accordance with condition B7;</p> <p>(b) be provided to the owner of the relevant buildings surveyed;</p> <p>(c) be provided to the Certifier; and</p> <p>(d) be provided to the Planning Secretary when requested.</p>	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works were still ongoing and not yet completed.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not triggered.
D17.	<p>Where the Post-Construction Survey Report determines that damage to the identified property occurred as a result of the construction works, the Applicant must repair, or pay the full costs associated with repairing the damaged buildings, within an agreed timeline between the owner</p>	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works were still ongoing and not yet completed.</p>	Not triggered.

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	of the identified property. Alternatively, the Applicant may pay compensation for the damage as agreed with the property owner.		The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.	
Roadworks				
D18.	Prior to the commencement of operation, the Applicant must complete the works identified in condition B27 to the satisfaction of the relevant road's authority.	Interview with auditee and site inspection on 19/10/22. Roads Act Approval from Penrith Council dated 9/9/22. S138 Approval for Public Domain Works from Penrith Council dated 9/9/22. Stamped Approval for Civil Plans by Penrith Council.	Not triggered. The auditor notes that at the time of the audit, construction works were still ongoing and not yet completed. The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.	Not Triggered
Bicycle Parking and End-of-Trip Facilities				
D19.	Prior to the commencement of operation, compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the Certifier: (a) the provision of a minimum six (6) staff and 64 student bicycle and 80 student scooter parking spaces; (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; (c) the provision of end-of-trip facilities for staff; and (d) appropriate pedestrian and cyclist advisory signs are to be provided. Note: All works/regulatory signposting associated with the proposed development shall be at no cost to the relevant road's authority.	Interview with auditee and site inspection on 19/10/22.	Not triggered. The auditor notes that at the time of the audit construction works for bicycle parking and end-of-trip facilities were still ongoing and not yet completed. The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.	Not triggered.
School/Pedestrian Crossing Facilities				
D20.	Prior to commencement of operation, school/pedestrian crossings (as identified in condition B27) must be installed on surrounding roads in accordance with the relevant design standards and warrants to the satisfaction of the relevant road authority.	Interview with auditee and site inspection on 19/10/22.	Not triggered. The auditor notes that at the time of the audit, construction works on the school/pedestrian crossing were still ongoing and not yet completed. The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.	Not triggered.
School Zones				
D21.	Prior to the commencement of operation, all required School Zone signage, speed management signage and associated pavement markings must be installed, inspected by TfNSW and Council, and handed over to the relevant road authority.	Interview with auditee and site inspection on 19/10/22.	Not triggered. The auditor notes that at the time of the audit, construction works were still ongoing and school signage work had not yet been completed.	Not triggered.

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	Note: Any required approvals for altering public road speed limits, design and signage are required to be obtained from the relevant consent authority.		The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.	
D22.	The Applicant must maintain records of all dates in relation to installing, altering and removing traffic control devices related to speed.	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works were still ongoing and school signage work had not yet been completed.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not triggered.
Crossing Supervisor				
D23.	Prior to the commencement of operation, the Applicant is to apply to TfNSW and secure official Crossing Supervisors for crossings at Darug Avenue and Deerubbin Drive.	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Submission to Certifier BCA Logic on 18/10/22 showing application for crossing supervisor.</p>	<p>Compliant</p> <p>The auditor notes the auditee has submitted an application for a crossing supervisor.</p>	Compliant
School Transport Plan				
D24	<p>Prior to the commencement of operation, a School Transport Plan (STP), must be submitted to, and approved by the Planning Secretary. The plan must:</p> <p>(a) be prepared by a suitably qualified consultant in consultation with Council and TfNSW;</p> <p>(b) include arrangements to promote the use of active and sustainable transport modes, including:</p> <p>(i) objectives and mode share targets (i.e., Site and land use specific, measurable and achievable and timeframes for implementation);</p> <p>(ii) specific tools and actions to help achieve the objectives and mode share targets;</p> <p>(iii) details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.</p> <p>(c) include operational transport access management arrangements, including:</p> <p>(i) 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;</p> <p>(ii) the location of all car parking spaces on the school campus and their allocation (i.e., staff, visitor, accessible, emergency, etc.);</p> <p>(iii) the location and operational management procedures of the drop-off and pick-up parking, including staff management/traffic controller arrangements;</p>	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>School Transport Plan (STP), PTC, 20/8/22.</p> <p>a. PTC is a suitably qualified consultant - yet to provide evidence of consultation</p> <p>b. STP s2.2, s3, s4.4, s7</p> <p>c. STP s TTA, s3.2.1, s7, s3.1, s4.2.4, s4.2.2, s4.2.5</p> <p>d. s4.4, s5</p> <p>e. s6, s7</p>	<p>Not triggered</p> <p>The auditor notes that at the time of the audit, construction works had not yet been completed.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not Triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>(iv) the location and operational management procedures for the drop-off and pick-up of students by buses and coaches including staff management/traffic controller arrangements;</p> <p>(v) delivery and services vehicle and bus access and management arrangements;</p> <p>(vi) management of approved access arrangements;</p> <p>(vii) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts, including measures to mitigate queuing impacts associated with vehicles accessing drop-off and pick-up zones;</p> <p>(viii) car parking arrangements and management associated with the proposed use of school facilities by community members; and</p> <p>(d) 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 plan; and</p> <p>(e) include a program for ongoing monitoring and review of the STP during operation. The program must include a review following 18 months of operation. This review must be provided to the Planning Secretary for information upon completion. If the review following 18 months of operation identifies that the mode share targets proposed in the documents in condition A2(c) have not been achieved, the STP must be revised and resubmitted to the satisfaction of the Planning Secretary within 6 months.</p>			
Utilities and Services				
D25.	<p>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.</p>	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works were still ongoing, and water and sewerage infrastructure work had not yet been completed.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not triggered.
Stormwater Operation and Maintenance Plan				
D26.	<p>Prior to the commencement of operation, a Stormwater Operation and Maintenance Plan (SOMP) is to be submitted to the Certifier. The SOMP must ensure the proposed stormwater quality measures remain effective and contain the following:</p> <p>(a) maintenance schedule of all stormwater quality treatment devices;</p> <p>(b) record and reporting details;</p> <p>(c) relevant contact information; and</p> <p>(d) Work Health and Safety requirements.</p>	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works were still ongoing, and the stormwater infrastructure work had not yet been completed.</p> <p>The auditor recommends the SOMP be submitted prior to the proposed commencement of operation in January 2023.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not triggered.
Signage				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
D27.	Prior to the commencement of operation, way-finding signage and signage identifying the location of staff car parking must be installed.	Interview with auditee and site inspection on 19/10/22.	Not triggered. The auditor notes that at the time of the audit, construction works were still ongoing, and the carpark and signage installation work had not yet been completed. The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.	Not triggered.
D28.	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.	Interview with auditee and site inspection on 19/10/22.	Not triggered. The auditor notes that at the time of the audit, construction works were still ongoing, and the bicycle paths and parking facility installation work had not yet been completed. The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.	Not triggered.
Operational Waste Management Plan				
D29.	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: (a) detail the type and quantity of waste to be generated during operation of the development; (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); (c) detail the materials to be reused or recycled, either on or off site; and (d) include the Management and Mitigation Measures included in the Operational Waste Management Plan – The New Primary School at Mulgoa Rise, prepared by EcCell dated 15/08/21, submitted with the EIS.	Interview with auditee and site inspection on 19/10/22.	Not triggered. The auditor notes that at the time of the audit, construction works were still ongoing, and the waste management infrastructure work had not yet been completed. The auditor recommends the auditee submit this OWMP before the proposed commencement of operation in January 2023. The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.	Not triggered.
Landscaping				
D30.	Prior to the commencement of operation or other timeframe agreed by the Planning Secretary, landscaping of the site must be completed in accordance with landscape plan(s) listed in condition A2(d).	Interview with auditee and site inspection on 19/10/22.	Not triggered. The auditor notes that at the time of the audit, construction works were still ongoing and landscaping work had not yet been completed. The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.	Not triggered.

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
D31.	<p>Prior to the commencement of operation, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping on-site and submit it to the Certifier. The plan must:</p> <p>(a) describe the ongoing monitoring and maintenance measures to manage revegetation and landscaping; and</p> <p>(b) be consistent with the Applicant's Management and Mitigation Measures at Section 9 Table 20 in the EIS.</p>	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works were still ongoing and landscaping work had not yet been completed.</p> <p>The auditor recommends the auditee submit this LMP prior to the proposed completion of landscaping work in February 2023.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not triggered.
D32.	<p>Prior the commencement of the operation, a final tree audit must be undertaken. Any trees that are in a worse condition than recorded in the audit required by condition B25 must be replaced within six months of the completion of the final tree audit, in consultation with Council.</p>	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered.</p> <p>The auditor notes that at the time of the audit, construction works were still ongoing and landscaping work had not yet been completed.</p> <p>The auditor recommends an assessment of compliance against this condition be carried out during the operational / post occupation phase once all construction works have been completed.</p>	Not triggered.
Operational Flood Emergency Management Plan				
D33.	<p>Prior the commencement of the operation, an Operational Flood Emergency Management Plan (OFEMP) must be prepared by the Applicant and submitted to the Certifier. The OFEMP must be implemented and must:</p> <p>(a) be prepared by a suitably qualified and experienced person(s);</p> <p>(b) address the provisions of the Floodplain Risk Management Guidelines (EESG);</p> <p>(c) include details of:</p> <p>(i) the flood emergency responses for the operational phase of the development;</p> <p>(ii) predicted flood levels;</p> <p>(iii) flood warning time and flood notification;</p> <p>(iv) assembly points and evacuation routes;</p> <p>(v) evacuation and refuge protocols; and</p> <p>(vi) awareness training for employees and contractors, and visitors.</p>	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Flood Emergency Management Plan – Operational Phase of the Development, 29/3/22.</p> <p>a. prepare by qualified and experience persons in Woolacotts Consulting Engineers.</p> <p>b. s1</p> <p>c. s1, s3, s4, s5, s6</p> <p>Submission to Certifier (BCA Logic) on 24/10/22.</p>	The auditor deems the auditee is compliant with this condition.	Compliant

APPENDIX B – CEMP & SUB-PLAN MITIGATION MEASURES

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Construction Management Plan, Rev (14/07/2021)				
Noise And Vibration, section 4.3, pg., 8	<ul style="list-style-type: none"> Promote clear understanding of ways to identify and minimize noise from construction works Focus on applying all feasible and reasonable work practices to minimize construction noise impacts Provide flexibility in the selection of site-specific and reasonable work practices to minimize noise impacts; Encourage construction work to be undertaken within approved standard hours where reasonably practicable with noise that is audible to other premises. Approval is required for Works undertaken outside standard hours; and The use of noise reduction techniques including, but not limited to, barriers, enclosures and silencers shall be employed to ensure compliance with construction noise criteria. 	<p>Review of CNVMP by PTC dated 16/12/21, interviews with Project Manager and Site Engineer, and HSE Manager and site inspection on 19/10/22.</p> <p>The auditor notes that the CNVMP covers all these points and that at the time of the audit, all construction activities were occurring within the set hours and there were no areas of concern with respect to noise and vibration.</p> <p>Further the auditor reviewed of all registered incidents/complaints and has established that of the three noise complaints submitted, all were verified as relating to another construction projects and were closed out with Penrith City Council.</p>	<p>Compliant.</p> <p>The auditor notes that no validated noise or vibration concerns, issues or complaints detected during audit period.</p>	Compliant
Dust, section 4.4, pg., 8	<ul style="list-style-type: none"> Shade cloth installed on the perimeter fence Haulage trucks entering and leaving site will have their loads covered appropriately Monitoring of weather conditions (including wind) Wherever practical implement a wet process for concrete sawing, coring and grinding Where not practical to use a wet process for concrete sawing or grinding direct dust extraction to a vacuum is to be used Materials on site are to be stockpiled and stored appropriately Limit the use of soil stockpiles, when stockpiles are required they are to be watered down 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>The auditor conducted a visual inspection of shade cloth on perimeter fence, dust generation sources and dust suppression controls / activities on site.</p> <p>Shade cloth is installed along the entire perimeter of the fence but had been removed along the fence on the lower end of the site while public domain works were ongoing.</p>	<p>Observation.</p> <p>Corrective action:</p> <p>The auditor noted that the shade cloth had been removed over approx. 50m length of fence on the lower end of the site during public domain works.</p> <p>The auditor recommended immediate reinstallation of the shade cloth on the fencing and reinstatement of the fence on the lower boundary of the site as soon as is practical following vehicle / equipment access for public domain works.</p>	Compliant
Stormwater, Erosion and Sediment Control, section 4.6, pg., 9	<ul style="list-style-type: none"> Storm water pits are to be covered with geotextile fabric and sand bags Crossovers entering / exiting the site will be regularly swept Shaker grid will be installed at the site exit point Silt fences installed where required to prevent sediment runoff from leaving the site and entering the surrounding environment 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>The auditor conducted a visual inspection of the stormwater pits, crossovers, shaker grid, and silt fences.</p> <p>The stormwater puts have all been covered with geotextile fabric and sandbags where needed.</p> <p>The crossover entrance was well maintained and clean.</p> <p>The shaker grid had been properly installed and maintained.</p> <p>Photos of sediment traps and their condition are shown in Appendix D.</p>	<p>Observation</p> <p>The auditee recommends that removed and / or damaged silt fences on the lower slopes of the site adjacent to the public domain works be reinstalled as soon as is practical to avoid sediment runoff from slopes and tracking onto the public footpath / street.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Hazardous Materials management, section 4.7, pg. 9	Dangerous goods (such as petrol, diesel, oxy-acetylene, oils, glues etc.) will be stored in a lockable enclosure with sufficient ventilation, in accordance with relevant codes of practice and standards. Material safety data sheets on all flammable and potentially harmful liquids will be provided by the Head Contractor undertaking the Works.	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>The auditor conducted a visual inspection of dangerous goods and storage facilities, as well as contractor procedures.</p> <p>Photos of fuel cans are shown in Appendix D.</p>	<p>Non-compliant.</p> <p>Non-compliance:</p> <p>The auditor notes that there were fuel cans that were not stored properly in designated area nor signed/labelled.</p> <p>The auditor recommends that the auditee assign a designated storage facility for fuel cans that is well ventilated and secure and that is properly signed.</p>	Non-compliant
Waste Management/ recycling principles, section 4.8, pg. 9	<ul style="list-style-type: none"> Emphasise the importance of recycling and waste reduction Reduce the amount of waste material produced on the project by ensuring that only enough materials required to perform the works are ordered Any excess materials from particular work areas are to be retained and incorporated into other work areas where practical Encourage "just in time" delivery of construction materials (minimum storage on site) to reduce the potential of loss / waste due to damage prior to usage Encourage the use of recycled materials where it is reasonably practical Minimise the use of packaging materials and recycle packaging materials where possible Waste concrete to be sent to a concrete recycling plant where possible Non-recyclable general waste will be disposed of at an approved waste disposal facility 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>The auditor notes that the auditee has entered into a contract with Bingo to managed waste removal and segregation, as well as recycling.</p> <p>The auditor has reviewed the Bingo Waste Management Plan in the CWMP by EcCell dated 15/8/21 and deems that this is sufficient.</p> <p>The auditor notes records from Bingo show that the auditee is achieving 95% recycling rates which is above the 92% target.</p> <p>The auditor notes that the waste bins, storage, procedures and maintenance are in accordance with the CWMP and that no issues of concern were identified.</p> <p>Photos of the waste storage areas and bins are shown in Appendix D.</p>	<p>Compliant</p> <p>The auditor deems the auditee is compliant with this requirement.</p>	Compliant
Construction Traffic Impacts, section 5.2, pg. 11	<ul style="list-style-type: none"> To restrict construction vehicle movements to designated routes to/ from the site and to prioritise these as required To establish a safe pedestrian environment at all times To inform the Head Contractor and set the ground rules for managing construction traffic A traffic management plan would be developed and incorporated into the Construction Environmental Management Plan (CEMP) Disruption to all road users during the construction period would be kept to a minimum Construction and delivery vehicles entering or leaving the site would use arterial roads wherever possible. Vehicle deliveries would be restricted to nominated times within the approved Construction Traffic Management Plan (CTMP) A detailed CTMP would be developed by the contractor 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>CTPMP by PTC dated 22/3/22.</p> <p>The auditor can verify that a detailed traffic management plan has been developed and submitted to Planning and is being implemented.</p> <p>The auditor notes that at the time of the audit, construction vehicles were only using designated routes, there was safe pedestrian access, and that impacts on other road users / residents were kept to a minimum.</p>	<p>Compliant</p> <p>The auditor deems the auditee is compliant with this requirement.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Construction Traffic and Pedestrian Management Sub-Plan, (22/03/2022)				
Construction Vehicles, section 5.8, pg. 18	<ul style="list-style-type: none"> - All vehicles are to enter and exit the site in a forward direction - No queuing or marshalling of trucks is permitted on any public road and all loading and unloading of materials will be undertaken within the site. - Vehicle movements should entail the assistance of traffic controllers to manage a two-way flow along the surrounding roads. - A temporary driveway and gate need to be constructed on Darug Avenue to be used by entering and exiting trucks. - The gate and driveway need to be at least 8 and 9 metres wide respectively to accommodate an AV 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>The auditor notes that at the time of the audit:</p> <ul style="list-style-type: none"> • All vehicles were entering and exiting in a forward direction. • There was no queuing or marshalling of trucks • There was a traffic controller present managing traffic • There was a temporary driveway on Darug Ave being used. • The gate and driveway were at least 9 meters wide. <p>Photos if the vehicle access points are shown in Appendix D.</p>	<p>Compliant</p> <p>The auditor deems the auditee is compliant with this requirement.</p>	Compliant
Driver Code of Conduct, section 5.26, pg. 34	<ul style="list-style-type: none"> - Construction traffic activity shall only occur within the permitted hours of work (see Section 5.5) to minimise road traffic noise. - All demolition and construction vehicles (excluding worker vehicles) are to be contained within the site and must enter the site completely before stopping. - A Driver Code of Conduct leaflet will be prepared for distribution to truck drivers. This code of conduct will be advised to all drivers engaged on site at the staff induction or will be included within subcontract documents, as some of the drivers (concrete trucks, delivery drivers, etc.) will not be inducted on-site. 	<p>Interview with auditee and site inspection on 8/6/22.</p> <p>The auditor has confirmed that:</p> <ul style="list-style-type: none"> • construction traffic is only occurring during the set working hours • all construction vehicles are contained within the site and are not stopping outside of the site. • A Driver Code of conduct has been developed and issued via leaflet and during induction and has been reviewed by the auditor. 	<p>Compliant</p> <p>The auditor deems the auditee is compliant with this requirement.</p>	Compliant
Spoil Management, section 5.15, pg. 25	<ul style="list-style-type: none"> - All removal and disposal of asbestos cement should be undertaken by appropriately qualified contractors duly licensed with SafeWork NSW, holding either a Friable (Class A) or a Non-Friable (Class B) Asbestos Removal License whichever applies. - All vehicles leaving the site will be cleaned. - Contractor will be responsible for locating a truck wash facility or other appropriate cleaning mechanism adjacent to the construction access driveways. - Any run-off from the washing down of vehicles will be directed to the sediment control system to be located within the site. 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Site contamination report by JBS&G.</p> <p>The auditor notes that there is no asbestos cement being removed from the site.</p> <p>There was no spoil being removed from the site at the time of the audit.</p> <p>The auditor notes that there was a truck washing bay in places and that there was adequate on-site drainage from the wash bay to the onsite sediment basin.</p>	<p>Compliant</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant
Pedestrian management, section 5.18, pg. 31	<ul style="list-style-type: none"> - Pedestrian access to and around the site is to be maintained at all times. -The entire site (and any remote work areas when applicable) will be physically separated via A-Class fencing. - The access points to the site will be securely locked even when the construction activities are not occurring. 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>The auditor conducted a visual inspection of the entire site and its surrounds and notes that:</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> - A site perimeter fence should be established and fitted with appropriate public directional signage. - The access points to the site should be securely locked even when construction activities are not occurring. 	<ul style="list-style-type: none"> • pedestrian access and pathways are being maintained • the entire site has been fenced with A-class fencing • the access points to the site were secured and locked • the site perimeter fence was fitted with public directional signage <p>Photos of pedestrian pathways, fencing, gates and signage are shown in Appendix D.</p>		
Construction vehicle volumes and parking spaces	<ul style="list-style-type: none"> - Tracking log and characterisation of truck volumes (15/day during construction phase) - 17 on-site parking spaces including 2 accessible spaces 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>The auditor notes that vehicle volumes are being tracked and were less than 15/day at the time of the audit.</p> <p>The auditor also notes that there were 17 on-site parking space including two that are accessible spaces.</p>	<p>Compliant</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant
Access to adjoining	<ul style="list-style-type: none"> - Access to all adjoining properties maintained throughout the works 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>The auditor conducted a visual inspection of access to adjoining properties and there were no properties that had their access blocked or impacted.</p>	<p>Compliant</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant
Maintenance of roads and footpaths	<ul style="list-style-type: none"> - Maintained at all times - Damage repaired 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>The auditor conducted a visual inspection of surrounding roads and footpaths, and these are:</p> <ul style="list-style-type: none"> • Being properly maintained and are clean • There was no apparent damage to roads and footpaths at the time of the audit. 	<p>Compliant</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant
B20 Construction worker transport strategy	<ul style="list-style-type: none"> - Must be submitted to certifier prior to commencement of construction 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Review of construction worker transport strategy and visual inspection of worker transport on site.</p>	<p>Compliant</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant
Construction Noise and Vibration Management Sub-Plan, Ver R5.1 (25/03/2022)				
Noise Monitoring, section 5.2.3, pg. 36	<p>Attended noise monitoring is undertaken at the start of each major milestone of the project e.g., at the commencement of structural demolition and bulk excavation on the site.</p> <p>These works should be undertaken by a qualified acoustical consultant directly engaged by the contractor.</p> <p>Statistical parameters to be measured should include the following noise descriptors: LA90, LA10, and LAeq. All noise measurements should be conducted over consecutive 15-minute periods.</p>	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>CNVMP by PWNA dated 25 March 2022.</p> <p>Attended Vibration Survey by a qualified acoustic consultant PWNA dated 26 April 2022 in accordance with the standards.</p>	<p>Compliant</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Complaint

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>This monitoring should also be complemented by undertaking attended noise measurements in order to:</p> <ul style="list-style-type: none"> Differentiate between construction noise sources and other extraneous noise events (such as road traffic and aircraft noise) Note and identify any excessive noise emitting machinery or operation. <p>In addition to the above detailed measurements, should any ongoing complaints be received which have not been determined previously, it should be confirmed by conducting additional attended noise measurements.</p>	<p>The auditor notes that attended vibration monitoring was conducted during piling and while vibrating rollers in use, 26 April 2022 and no exceedances were recorded.</p> <p>All piling was completed at time of audit and no piling works were observed. There were also no vibration rollers operating at the time of the audit.</p> <p>No vibration causing activities or vibration complaints, or incidents were detected during monitoring conducted at time of works.</p> <p>No noise and vibration issues at time of audit nor complaints registered.</p>		
Noise Mitigation Measures, section 5.2.4, pg. 35	<p>Where exceedances have been identified in Section 4, the following mitigation measures are recommended:</p> <ul style="list-style-type: none"> Undertake general mitigation measures - install noise barriers, acoustic sheds and enclosures around static plant, work scheduling, replacing noisy equipment, locating noisy equipment across greater distances or in enclosures. Issue project updates to tenants in affected premises. The updates can include overview of current and upcoming works, as well as advanced warning of potential disruptions. Signage to be posted in order to provide stakeholders information regarding project details, emergency contacts and enquiry contact information. 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Section 5.2 'Noise Mitigation Measures' in CNVMP.</p> <p>The auditor notes that no exceedances have been recorded with regards to noise or vibration.</p> <p>The auditor has reviewed the three noise complaints received by SI with respect to a street sweeper and is satisfied that these are related to a separate construction site nearby and has verified with Penrith Council that there are no other complaints (refer to email with Penrith Council in Appendix G).</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant
Vibration Monitoring, section 5.3.2, pg.37	<p>Based on the proximity of the surrounding receivers to the works magnitudes of vibration resulting from construction activities required to be undertaken on the site are not expected to approach structural damage vibration limits detailed in Section 4.2 of this report, therefore permanent continuous vibration monitoring is not recommended.</p> <p>Similar to the measurement procedure outlined in the noise monitoring section, attended vibration monitoring is to be undertaken at the following periods:</p> <ul style="list-style-type: none"> Commencement of any high vibration generating activities including hydraulic hammering, rock breaking or vibration rolling on the site works within the safe working distances outlined above. Receiver location in the event complaints resulting from construction activities resulting from the perception of vibration are experienced by the occupants of buildings within the vicinity of the site 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Review of vibration monitoring in Attended Vibration Survey by a qualified acoustic consultant PWNA dated 26 April 2022.</p> <p>The above survey notes that there will be no expected structural damage from vibration cause as a result of vibration rollers within 20m of nearby residences and that no further monitoring is required.</p> <p>The auditor notes that there were no vibration causing works at the time of the audit and that all piling works had been completed.</p> <p>The auditor also notes that there were no complaints received up to the end of the audit period with respect to vibration and/ or structural damage.</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant
Vibration Mitigation Measures, section 5.3, pg. 37	<p>As part of the CNVMSP, the following vibration mitigation measures should be implemented:</p> <ul style="list-style-type: none"> Any vibration generating plant and equipment is to be in areas within the site in order to lower the vibration impacts. 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Section 5.3 Vibration Mitigation Measures in CNVMP.</p> <p>The auditor notes that:</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> - Investigate the feasibility of rescheduling the hours of operation of major vibration generating plant and equipment. - Use lower vibration generating items of construction plant and equipment; that is, smaller capacity plant, where feasible - Minimise conducting vibration generating works consecutively in the same area (if applicable). - Schedule a minimum respite period of at least 30 minutes before activities commence which are to be undertaken for a continuous 4-hour period. - Use only dampened rock breakers and/or "city" rock breakers to minimise the impacts associated with rock breaking works. 	<p>There were no vibration causing plants or equipment and/or activities at the time of the audit nor any complaints with respect to vibration.</p> <p>The auditor notes that the operation of vibration rollers in future are to be no closer than 20m from nearby residences.</p>		
Complaints Management Process, section 5.4.2, pg. 38	If SINSW receives a complaint about the project during construction, it must be logged in our CRM system, actively managed, closed out and resolved by SINSW within 24-48 hours of receipt by the SINSW Community Engagement Manager, as outlined in Table 6 below. If this is not possible, the complaint must be escalated internally as required and resolved within 7 business days.	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Section 5.4 - SINSW Complaints Management in Community Communication Strategy.</p> <p>The auditor notes that SINSW has received 3 complaints which were logged into the CRM system and were investigated and closed out these out.</p> <p>These complaints (both noise and dirt tracking) were found to relate to sources from other nearby construction projects. These complaints are registered and shown on the SI website.</p> <p>Consultation with Penrith Council showed that the Council was satisfied that these were closed out (refer to Council email from Caleb O'Reilly dated 23 June 22) – Appendix G.</p>	<p>Compliant</p> <p>The auditor deems that the auditee is compliant with this condition.</p>	Compliant
Contingency Plans, section 5.6, pg. 42	<p>Contingency plans are required to address noise or vibration problems if excessive levels are measured at surrounding sensitive receivers and/or if justified complaints occur. Such plans include:</p> <ul style="list-style-type: none"> - Stop the onsite works. - Identify the source of the main equipment within specific areas of the site which is producing the most construction noise and vibration at the sensitive receivers; and - Review the identified equipment and determine if an alternate piece of equipment can be used or the process can be altered. - In the event an alternate piece of equipment or process can be used, works can re-commence. - In the event an alternate piece of equipment or process cannot be determined implement a construction assessment to be performed by a suitably qualified acoustic consultant. <p>The Superintendent shall have access to view the Contractor's noise measurement records on request. The Superintendent may undertake noise monitoring if and when required.</p>	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Section 5.6 'Contingency Plan' in CNVMP by PWNA dated 25 March 2022.</p> <p>The auditor has reviewed the above Contingency Plan and is satisfied that the auditee has the proper processes in place to implement these when required.</p> <p>The auditor notes that there has been no incident and / or complaint that has required the implementation of this Plan.</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant
Adoption of Universal Work Practices, section 5.7.1, pg. 42	<ul style="list-style-type: none"> - Regular reinforcement (such as at toolbox talks) of the need to minimise noise and vibration. - Regular identification of noisy activities and adoption of improvement techniques. - Avoiding the use of portable radios, public address systems or other methods of site communication that may unnecessarily impact upon nearby sensitive receivers. 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Section 5.7.1 'Universal Work Practices' in CNVMP by PWNA dated 25 March 2022.</p> <p>The auditor notes that at the time of the audit the auditee was operating in accordance with these practices and that</p>	<p>Compliant</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> - Where possible, avoiding the use of equipment that generates impulsive noise. - Minimising the need for vehicle reversing for example (particularly at night), by arranging for one-way site traffic routes. - Use of broadband audible alarms on vehicles and elevating work platforms used on site. - Minimising the movement of materials and plant and unnecessary metal-on-metal contact. - Minimising truck movements. 	<p>the HSE Manager was conducting weekly inspections to and inductions to reinforce the adoption of these practices.</p> <p>The auditor notes that there were no unacceptable noise and vibration sources, levels or activities at the time of the audit and no complaints registered with respect to noise and vibration.</p>		
Work Scheduling, section 5.7.4, pg. 43	<ul style="list-style-type: none"> - Providing respite periods which could include restricting very noisy activities to time periods that least affect the nearby noise sensitive locations, restricting the number of nights that after-hours work is conducted near residences or by determining any specific requirements. - Scheduling work to coincide with non-sensitive periods where possible. - Planning deliveries and access to the site to occur quietly and efficiently and organising parking only within designated areas located away from the sensitive receivers. - Optimising the number of deliveries to the site by amalgamating loads where possible and scheduling arrivals within designated hours 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>The auditor notes that the auditee was the auditee was implementing the measures of section 5.7.4 at the time of the audit and that there were:</p> <ul style="list-style-type: none"> - No very noisy work activities occurring during sensitive periods. - Deliveries were planning and accessed through main entrance and parked on site. - Deliveries were scheduled to arrive within designated hours and the amount of truck activity at the site at the time of the audit was minimal. 	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant
Reporting on impacts and performance and effectiveness of implemented strategies	Check if this is being done.	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>The auditor notes that the auditee is conducting and maintaining weekly environmental inspection reports and that these are checked with management and any performance management issues raised and addressed.</p> <p>As noted previously, there have been no legitimate incidents or complaints with respect to environmental impacts.</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant
Construction Waste Management Sub-Plan ver. 1.2 (25/08/2021)				
Servicing Arrangements, pg. 3	<p>The CWMP will be implemented on site throughout including singularly or collectively the demolition, construction and fit out phases.</p> <p>A Waste Data File must be maintained on-site, and all entries are to include:</p> <ul style="list-style-type: none"> - The classification of the waste - The time and date of material removed - A description of and the volume of waste collected - The location and name of the waste facility that the waste is transferred to - The vehicle registration and the name of the waste contractor's company <p>The Waste Data File will be made available for inspection to any authorized officer at any time during the life of the site works. At the conclusion of site works, the designated person will retain all waste documentation and make this validating documentation available for inspection</p>	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Bingo Waste Management Plan in CEMP dated 25/8/21.</p> <p>Waste contractor records and Bingo - 1 month report.</p> <p>Bingo maintains this and issues on monthly basis.</p> <p>Target was 90% recyclables and achieving 92%.</p> <p>RCC to provide copy of Waste Data File.</p>	<p>Compliant.</p> <p>The auditor deems that the auditee is compliant with this requirement.</p>	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Construction Waste Management Equipment, Bin sizes And Collection Frequency, pg. 7	All waste will be removed by a licensed waste contractor using 15-meter bins on site. The construction waste will be removed when bins are full and within the construction site hours to reduce disturbance of the neighbours.	Interview with auditee and site inspection on 19/10/22. Review of CWMP and Bingo Waste Management & Recycling Plan is detailed in Appendix B of the CWMP. The auditor notes that a 15-meter bin is provided on a hardstand that is fully on site and is being removed by the Bingo and that there has been no disturbance to neighbours. Refer to photo in Appendix D.	Compliant The auditor deems that the auditee is compliant with this requirement.	Compliant
On Site Waste Management Requirements, pg.9	<p>There will be a designated waste storage area for the disposal and storage of construction waste prior to collection. This area will be located conveniently for the construction work team to use the bins as well as for waste contractors to collect. An indicative location has been provided in Appendix A. Other requirements include:</p> <ul style="list-style-type: none"> • The routes for movement of waste between work site and waste storage area are to be kept obstruction-free. • The routes for movement of bins and waste between storage and collection points are marked in the site drawing, and will be kept obstruction-free (if waste is moved between the waste storage area(s). • The waste bin collection point provided will be accessible for waste collection vehicles. There are no obstructions to turning or reversing, pulling up vehicles and lifting bins. • Access for waste collection vehicles will not be compromised by construction-related activities vehicles or other consequences of construction staging. • All waste not being reused on site will be removed during, or at the completion of, the construction stage. • No waste will be left on site unless it is part of valid reuse on site, which is integral to and in place in the design. • In order to manage noise levels, collection of waste from the construction site will only occur during hours approved for construction work. • All vehicles entering or leaving the site must have their loads covered. • All vehicles, before leaving the site, to be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads. • At the completion of the works, the work site is left clear of waste and debris 	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>The auditor has conducted a visual inspection of the designated waste storage area (see Appendix D). There is also a Bingo bin provided there. This is in accordance with Appendix A in the CWMP and the auditor notes the below:</p> <ul style="list-style-type: none"> • The route for movement of waste and waste storage is clear • The routes for movement of bins and waste storage and collection are clear • These are in accordance with those marked in site drawing • The bin collection point is accessible for waste collectors and there are no obstructions for movement of waste collection truck • The access for waste collection vehicles was not obstructed by construction activities. 	Compliant The auditor deems that the auditee is compliant with this requirement.	Compliant
Integrated Water Management Plan, Rev C (12/08/2021)				
Site constraints, Section 4.1.5, pg. 7	One fixed single stormwater discharge location within Deerubbin Drive at the north-east corner of the site.	Interview with auditee and site inspection on 19/10/22.	Compliant	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	The single discharge location is an existing Council stormwater pit to the north-east of the site within the public reserve. This existing pit is a constraint as the location and invert level of Councils existing stormwater assets are fixed and it is proposed to discharge the post-developed site's stormwater runoff into this pit.	<p>The auditor conducted a visual inspection and review of Council communications and approval email as indicated previously in this table.</p> <p>The auditor has conducted a review of ALS Environmental water quality monitoring records and these meet with the requirements.</p> <p>The auditor confirms that there is onsite drainage currently to onsite detention basin.</p> <p>Council approval to discharge was granted on 16 June 2022 by email from Stephen Masters, Senior Engineer Major Developments.</p> <p>Refer to photos in Appendix D.</p>	The auditor deems that the auditee is compliant with this requirement.	
Site Stormwater Discharge, section 4.2, pg. 8	<p>Stormwater runoff from all pervious and impervious surfaces within the proposed development will be collected by an in-ground pit and pipe gravity pipe system. The in-ground pit and pipe system has been sized to accommodate the 5% AEP (20-year ARI) storm flows for the site.</p> <p>In the event of the in-ground system blockage or a major storm event greater than the 5% AEP (i.e. storm events up to and including the 1% AEP), overland flow paths have been provided around the proposed buildings to safely convey flows to the Deerubbin Drive road reserve, which acts as the overland flow path for the site catchment.</p>	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>The auditor can confirm that the stormwater runoff within the site is currently being collected by a pit and pipe gravity system design and been granted CC approval.</p> <p>The auditor can confirm that overland flow paths have been provided onto Deerubbin Drive.</p> <p>Refer to photos in Appendix D.</p>	<p>Compliant.</p> <p>The auditor deems the auditee is compliant with this requirement.</p>	Compliant
Rainwater Reuse, section 5.1, pg. 9	It is proposed to provide a rainwater collection and reuse to collect clean rainwater for toilet flushing and irrigation of landscaping subject to project requirements.	<p>Interview with auditee on 19/10/22.</p> <p>The auditor notes that this condition relates to the operational phase and should be audited in the operational phase audit.</p>	<p>Not triggered</p> <p>The auditor deems that this condition has not been triggered.</p>	Not triggered
Erosion and Sediment Control, section 5.2, pg.9	<p>During construction, erosion and sediment control measures will be provided in accordance with the requirements of "Managing Urban Stormwater Soils and Construction, 4th Edition (Blue Book)". These measures will include silt fences on the low side of the site, silt traps at stormwater pits. Dust control measures will also be provided.</p> <p>Other measures include:</p> <ul style="list-style-type: none"> - construction exits for all vehicles leaving the site, and - revegetation of the site as soon as practicable. <p>Erosion control measures must be inspected and maintained after each rain event and at intervals not exceeding two weeks.</p>	<p>Interview with auditee and site inspection on 19/10/22.</p> <p>Visual inspection of the site and activities / controls.</p>	<p>Non-compliant</p> <p>Non-compliance</p> <p>As noted previously in this table, the auditor deems that the erosion control measures are insufficient as silt fences are damaged or non-existent in places on the lower end of the site adjacent to the public domain works.</p> <p>The auditor recommends that the silt fences be reinstalled and maintained on the lower level.</p>	Observation
Stormwater Quality/Treatment, section 5.3, pg. 9	Water quality and water quantity treatment systems have been provided as part of the parent subdivision works, however the site specific WSUD measures that will be provided for this site	Interview with auditee and site inspection on 19/10/22.	<p>Not triggered</p> <p>The auditee deems that this condition has not been triggered.</p>	Not triggered.

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>include:</p> <ul style="list-style-type: none"> - Grassed swales - Open turf areas - All grated inlet pits will have gross pollutant traps, to remove gross pollutants prior to site discharge - Collection, reuse and bypass of clean roof water (subject to project requirements) <p>The above proposed treatment devices are incorporated within the system design to achieve an overall increase of stormwater quality.</p>	<p>The auditee deems that this condition is applies to the operational phase of the development and should be audited in the operational phase audit.</p>		

APPENDIX C – PLANNING SECRETARY AGREEMENT OF INDEPENDENT AUDITORS



Department of Planning and Environment

Our reference- SSD-8873-PA-47

School Infrastructure NSW
via Planning Portal

Attention: Matthew Metlege, Project Director

25 May 2022

Subject: New Public School in Mulgoa Rise, Glenmore Park Independent Auditor Agreement

Dear Mr Metlege,

I refer to your request (SSD-11070211-PA-6) for the Secretary's agreement to additional independent auditors for the New Public School in Mulgoa Rise, Glenmore Park - IEA- Request for additional auditor approval (SSD-11070211).

In accordance with Condition C36 of SSD-11070211 (the 'Consent') and superseding the letter dated 16 May 2022 (SSD-11070211-PA-5), the Secretary has agreed to the following auditors:

- Mr Steve Fermio as Lead Auditor, or
- Mr Derek Low as Lead Auditor, or
- Mr Peter Hatton as Lead Auditor, or
- Ms Ann Azzopardi as Lead Auditor, or
- Mr Ibrahim Awad as Lead Auditor; and
- Mr Brendan Shannon as audit support.

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. 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. Further, the Department notes that some of the Exemplar Global certifications for the above auditors will expire before the final audit for this project has been completed. Please note that this approval of the above audit team is conditional upon them maintaining certification as a lead or principal auditor with a relevant industry body.

Notwithstanding the agreement to the above auditors, each respective project approval or consent requires a request be submitted to the Department for consideration of the Secretary.

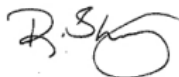
Should you wish to discuss the matter further, please contact Alfard Hussain, Compliance Officer on 02 9274 6456 or compliance@planning.nsw.gov.au

Yours sincerely

4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150 | Locked Bag 5022, Parramatta NSW 2124 | dpie.nsw.gov.au | 1



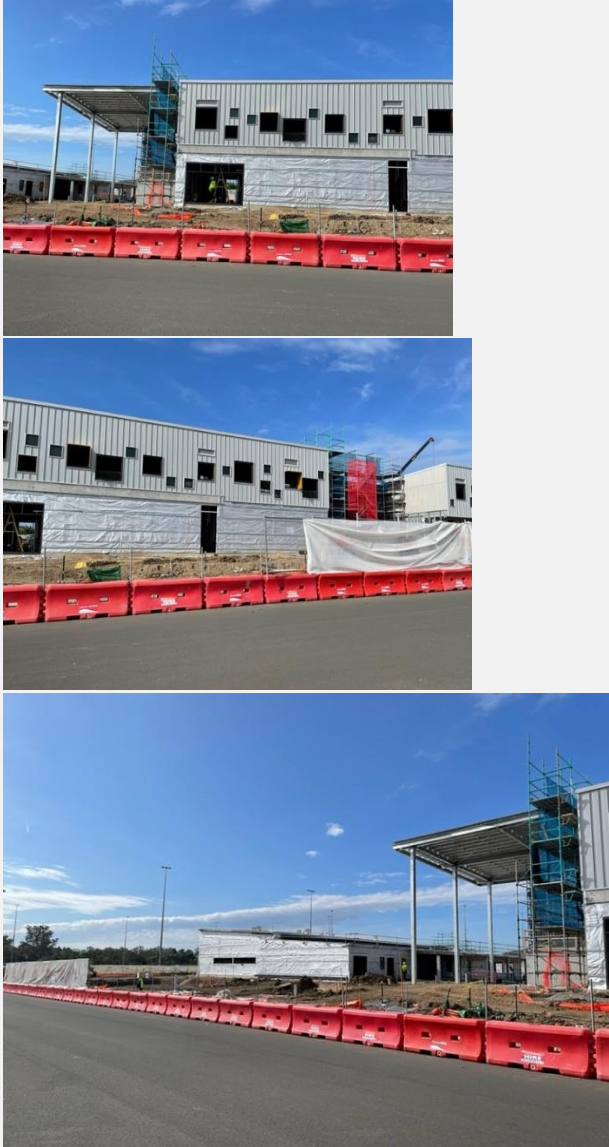
Department of Planning and Environment





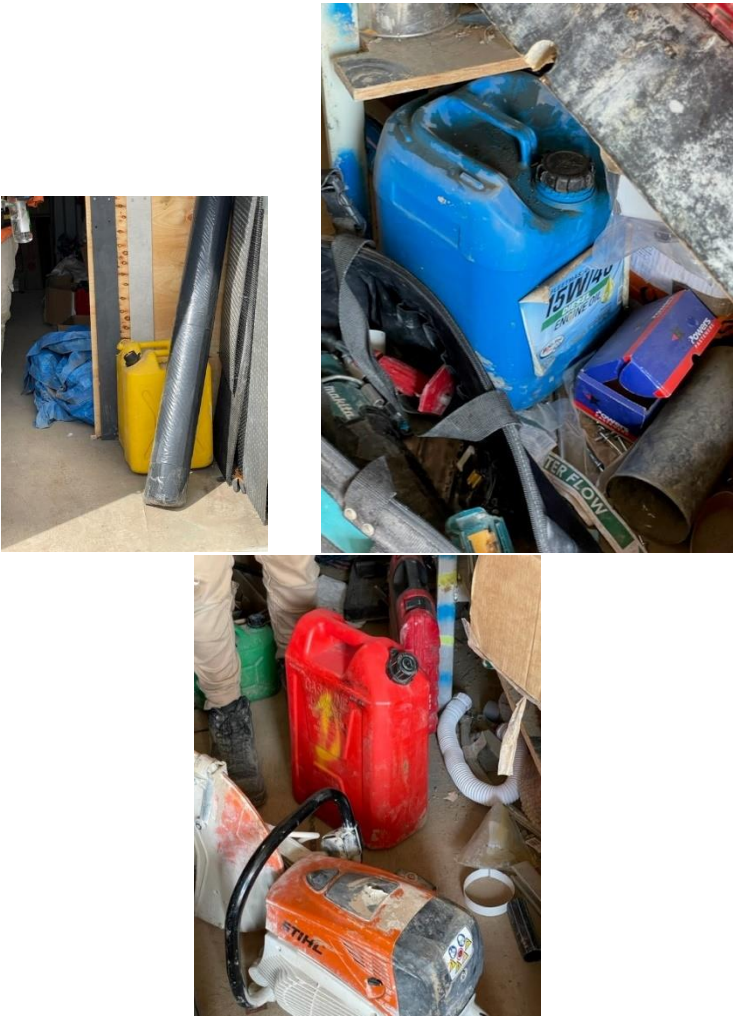
Rob Sherry
Team Leader Compliance - Government Projects
Compliance

Rob Sherry
Team Leader- Compliance (Government Projects)
As nominee of the Planning Secretary

APPENDIX D – SITE INSPECTION PHOTOGRAPHS

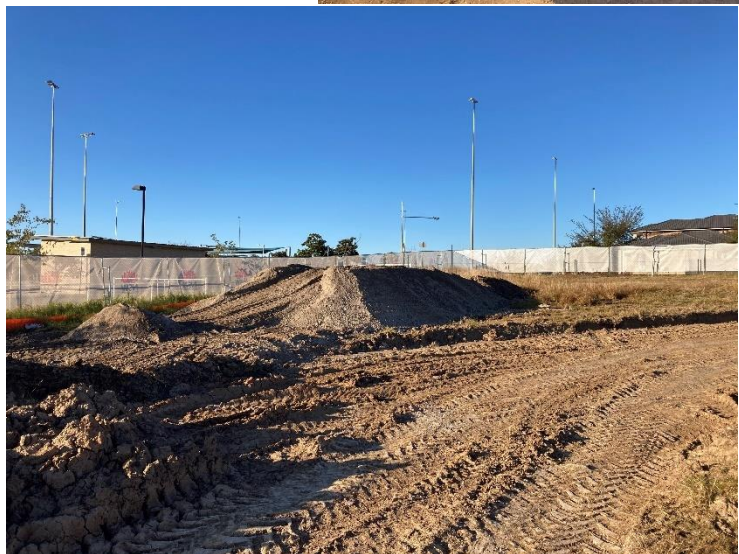
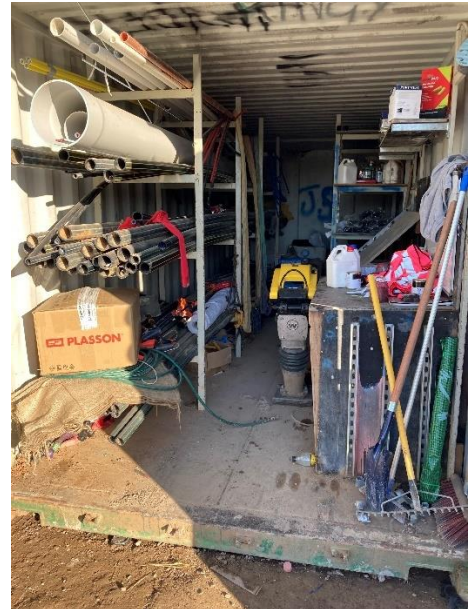
No.	Comment	Photograph
1	Boundary fencing and shade cloth removed on lower end of site	

No.	Comment	Photograph
2	Restricted pedestrian access on footpath	
3	Sediment fences removed / damaged on lower slopes near lower end of site	

No.	Comment	Photograph
4	Fuel cans not properly stored / unbunded.	

No.	Comment	Photograph
5	Stormwater pit protection	

APPENDIX E – SITE PHOTOGRAPHS POST INSPECTION





APPENDIX F – DECLARATION FORMS

Declaration of Independence - Auditor




Project Name:	Mulgoa Rise, Glenmore Park
Consent Number:	SSD-11070211
Description of Project:	Construction of a new primary school in Mulgoa Rise, Glenmore Park to accommodate 414 students across four buildings, with associated outdoor areas and staff car parking
Project Address:	1-23 Forestwood Drive, Glenmore Park (Lot 1663 DP 1166869)
Proponent:	NSW Department of Education (Infrastructure Projects)
Date:	18/03/2022

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company was subject to audit, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow 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 Proposed Auditor:	Ibrahim Awad
Signature:	
Qualification:	Bachelor of Science (Env) - Macquarie University Master of Engineering Science (Civil & Env) – Scholarship, Uni of Melb. Master of Environmental Law – University of Sydney Certified Lead Auditor & OHS Auditor, Exemplar Global Certificate 110720
Company:	Seventh Sense Sustainability Consultants Pty Ltd

APPENDIX G – CONSULTATION RECORDS

From: Caleb O'Reilly <Caleb.O'Reilly@penrith.city>

Sent: 23 June 2022 14:08

To: Ibrahim Awad <iawad@wolfpeak.com.au>

Subject: RE: Independent Environmental Audit - Mulgoa Rise Public School - SSD 11070211 & MDA21/0031 - 60-78 Deerubbin Drive, Glenmore Park

Hi Ibrahim,

Thank you for contacting me. I can confirm that the resolution of the original complaint confirmed that the Mulgoa Rise School site was not tracking dirt and sediment onto Council's road reserves and that the sediment and erosion control measures in place were effective.

I am not aware of any other complaints received by Council regarding the development site.

If you have any questions feel free to contact me.

Kind Regards,

Caleb O'Reilly

Acting Senior Engineer – Major Developments

E Caleb.O'Reilly@penrith.city

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PO Box 60, PENRITH NSW 2751

www.visitpenrith.com.au

www.penrithcity.nsw.gov.au

PENRITH
CITY COUNCIL

Hi Ibrahim,

Thanks for your email below.

The Department requests that you continue to implement the scope of the first Independent Audit and report on the additional requests made by the Department in my email below, dated 7 June 2022. It is also requested that you consult with Penrith City Council for the upcoming Independent Audit.

Note that the reported non-compliances in the Independent Audit No.1 Report, dated 2 August 2022 (**IA No. 1**), are being investigated by the Department. It is requested that the upcoming audit report includes a summary on any ongoing issues with respect to the non-compliances reported in IA No. 1.

The Independent Audit must be prepared, undertaken and finalised in accordance with the requirements of Schedule D, Condition D7 of the Consent. Failure to meet these requirements will require revision and resubmission.

Finally, as previously requested, please allow reasonable timeframes while making consultation requests going forward for future IEAs.

Kind regards,

Alfarid Hussain

Compliance Officer
Development Assessment
Department of Planning and Environment

T 02 9274 6456 | **M** 0436 681 733 | **E** Alfarid.Hussain@planning.nsw.gov.au
www.dpie.nsw.gov.au

Locked Bag 5022|Parramatta NSW 2124

Working days Monday to Friday, 09:00am - 5:00pm

