

DOC23/1193351

Kiersten Fishburn
Planning Secretary
Department of Planning and Environment
12 Darcy Street
Parramatta NSW 2150

Attn: Rob Sherry

24 July 2023

Dear Ms Fishburn

North Sydney Public School Upgrade (SSD 11869481): Submission of Independent Audit Report and response in accordance with Conditions C36 & C38

I refer to North Sydney Public School Upgrade approved on the 21st February 2022.

In accordance with conditions C36 & C38 of the Development Consent, the following document is submitted to the Planning Secretary for information:

- Independent Audit No. 2 – Audit Report – North Sydney Public School Upgrade – SSD 11869481 – Rev 1.0 dated 05/04/2023

As per the requirements of condition C38 the Department must be issued with a response from the proponent to the Independent Audit Report, therefore the following attachments are provided for your information:

- Attachment A - Response to Independent Audit non-compliances
- Attachment B – Response to Independent Audit observations

In accordance with condition C38 the Independent Audit Report and response will be made publicly available within 60 days of the date of this submission.

Yours sincerely



Alfred Jury
Project Director
School Infrastructure NSW

Attachment A – Response to Independent Audit non-compliances

Condition ID	Compliance Requirement	Audit finding	Audit Recommendation	Proponent's Proposed Action/Action Taken/Response	Evidence	Due Date/Status
A9	The project may be constructed and operated in stages. Where compliance with conditions is required to be 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)	A Staging Report was prepared to enable construction as a single stage and operations in two stages. A self-reported non-compliance was submitted to the Department through the major portal on 22/07/22 related to the Operational Handover of Building G at North Sydney Public School and intrinsically linked to the Staging Report submitted under SSD-11869481-PA-12 that was more than one after the commencement of operations of Building G. The Staging Report was submitted more than one month from commencement of the first stage of operations of Building G. The Staging Report was approved by the Department on 22/07/22. This non-compliance is considered closed, and no further action is required.	This non-compliance is considered closed and no further action is required.	Self-reported non-compliance & Staging Report submitted and closed out. No further action required.	SSD-11869481-PA-12 Staging Report submitted on 21 July and approved by Department's on 22/07/22. SSD-11869481-PA-13 Non-compliance notification submitted 22/07/22.	CLOSED
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 even days after they identify any non-compliance	Based on the self-reported non-compliance on 24/01/23 against conditions C4 and C5 which related to works being carried out beyond (6pm) due to concrete pour on 21/12/22. 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 non-compliant notification only took place on 24/01/23 which is more than 7 days from the event.	The notification to Department through major project's portal must be conducted within seven days after the Applicant becomes aware of any non-compliance.	Non-compliance letters to be communicated with Planning Secretary within seven days of all future non-compliances.	N/A	CLOSED
B2	If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage	Self-reported non-compliance was reported by SINSW on 21 July 2022 against condition D1 with regards to the delayed notification of operation commencement of Building G as part of Stage 1 Development and A9 submission of Staging Report one month after the commencement of operation of Building G. This was not captured in the previous audit as the audit only covered the Stage 2 works conducted by TCG.	No other action to be noted. This non-compliance is considered closed.	Self-reported non-compliance. No other action to be conducted.	SSD-11869481-PA-13 Non-compliance notification (22/07/22).	CLOSED

Condition ID	Compliance Requirement	Audit finding	Audit Recommendation	Proponent's Proposed Action/Action Taken/Response	Evidence	Due Date/Status
C4	<p>Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:</p> <ul style="list-style-type: none"> a) Between 7am and 6pm, Monday to Fridays inclusive, b) Between 8am and 1pm, Saturdays <p>No work may be carried out on Sundays or public holidays</p>	<p>A self-reported non-compliance dated 24 January 2023 against Conditions C4 and C5. The non-compliance relates to construction works being carried out beyond the approved hours (6pm), and where noise would exceed 5dB above background noise. On 21/12/22, the contractor has an issue with concrete supply resulting in a significant delay to a concrete pour. With several major roadworks and closures in the North Sydney area, the source of concrete supply was consequently moved from Artarmon to Greenacre. It was advised that the pour would need to go ahead in order to avoid damaging property in accordance with SSDA condition C6(b). To mitigate the potential impacts, the Contractor considered completing works the following working day, however, the impact of stopping the pour would result in the demolition of the existing slab, causing environmental harm and damage to property.</p>	<p>This is now considered closed.</p>	<p>Self-reported non-compliance. This is now considered closed and no further action required.</p>	<p>SSD-11869481-PA-21 Non-compliance notification (30/01/2023).</p>	<p>CLOSED</p>
C5,	<p>Notwithstanding condition C4, provided noise level plus 5dB, works may also be undertaken during the following hours:</p> <ul style="list-style-type: none"> a) Between 6pm and 7pm, Mondays to Fridays inclusive b) Between 1pm and 4pm, Saturdays 	<p>As above, the concrete pouring was completed at 8:30pm which is 1 ½ hours beyond the approved working hours.</p>	<p>This is now considered closed and no further action to be done.</p>	<p>Self-reported non-compliance. This is now considered closed and no further action to be done.</p>	<p>SSD-11869481-PA-21 Non-compliance notification (30/01/2023).</p>	<p>CLOSED</p>
C6	<p>Construction activities may be undertaken outside of the hours in condition C4 and C5 if required</p> <ul style="list-style-type: none"> a) By the police or a public authority for the delivery of vehicles, plant or materials b) In an emergency to avoid the loss of life, damage to property or to prevent environmental harm c) Where the works are inaudible at the nearest sensitive receivers d) For the delivery, set-up and removal of construction cranes, where notice of the crane-related works is provided to the Planning Secretary and affected residents at least seven days prior to the works 	<p>A self-reported non-compliance was sent to the Department 13 September 2022 by SINSW with regards to conditions C6 with the reason that the project team issued notification of out of hours works to DPE on 26 July 2022, which was not seven days prior to OOHW occurring on 30 July 2022.</p>	<p>This is now considered closed and no further action to be done.</p>	<p>Self-reported non-compliance. This is now considered closed and no further action to be done.</p>	<p>SSD-11869481-PA-16 Non-compliance notification (13/09/2022).</p>	<p>CLOSED</p>

Condition ID	Compliance Requirement	Audit finding	Audit Recommendation	Proponent's Proposed Action/Action Taken/Response	Evidence	Due Date/Status
	e) Where a variation is approved in advance in writing by the Planning Secretary or her nominee if appropriate justification is provided for the works					
C14	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 C4.	On 08 February 2023, a noise complaint as received. SINSW investigated the actions of the contractor and confirmed that due to a concrete pour that day delivery trucks arrived onsite prior to the approved start time of 7am. A non-compliance certificate was issued to the contractor. SINSW will continue to monitor the situation to assist to prevent similar occurrences. At the time of writing this Report, the non-compliance had yet to be reported to the Department.	Applicant to raise the non-compliance notification and report to the Department through major portal.	Non-compliance notification submitted to DPE on 24/07/2023. Future pours scheduled to occur at 7.30am or later, and all site gates remained closed prior to 7am.	SSD-11869481-PA-30 Non-compliance notification (24/07/2023).	CLOSED
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.	Self-reported non-compliance was reported by SINSW on 21 July 2022 against Condition D1 with regards to the delayed notification of operation commencement of Building G as part of Stage 1 Development and A9 submission of Staging Report one month after the commencement of operation of Building G. This was not captured in the previous audit as the audit only covered the Stage 2 works conducted by TCG.	No other action to be noted. This non-compliance is considered closed.	Self-reported non-compliance. No further action required.	SSD-11869481-PA-13 Non-compliance notification (22/07/22).	CLOSED



Attachment B – Response to Independent Audit observations

Condition ID	Compliance Requirement	Audit Observation/Opportunity for Improvement	Proponent's Proposed or Completed Action or reason for not implementing measures/changes	Evidence	Due Date/Status
A23	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:</p> <p>a) make the following information and documents (as they are obtained or approved) publicly available on its website: i. the documents referred to in condition A2 of this consent;</p> <p>ii. all current statutory approvals for the development;</p> <p>iii. all approved strategies, plans and programs required under the conditions of this consent;</p> <p>iv. regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;</p> <p>v. a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p> <p>vi. a summary of the current stage and progress of the development;</p> <p>vii. contact details to enquire about the development or to make a complaint;</p> <p>viii. complaints register, updated monthly;</p> <p>ix. audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;</p> <p>x. any other matter required by the Planning Secretary; and</p> <p>b) keep such information up to date, to the satisfaction of the Planning Secretary and publicly available for 12 months after the commencement of operations</p>	<p>Applicant has posted all the required documents on the website within the timeframe stipulated in this condition. However, two versions of documents were not current versions as is required by A23b.</p> <p>An error on posting the wrong version of the Independent Audit Report IA1 was noted. The Independent Audit Report No. 1 (IA1) posted on the project website was in the draft form. The final report was posted on the website as soon as it was noted by the auditor.</p> <p>The Project Environmental Management Plan on the website was not of the most recent version (that is, the soil and water management updated on 08/9/22 was not up to date).</p> <p>The Applicant to ensure that the project website contains updated reports or documents.</p>	<p>The Final Audit Report IA1 was posted as soon as it was noted by the auditor.</p> <p>Updated Soil and Water Management plan uploaded to website on 13/05/22.</p>	<p>Refer to updated documentation on website https://www.schoolinfrastructure.nsw.gov.au/projects/n/north-sydney-public-school-upgrade.html</p>	CLOSED

