

Penshurst Public School

Independent Environmental Compliance Audit of SSD 8365

Audit Report

Prepared for:

Grindley Construction Pty Ltd

Prepared by:

SNC-Lavalin Rail and Transit Pty Ltd

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1 EXECUTIVE SUMMARY

SNC-Lavalin Atkins has been engaged by Grindley to undertake an audit of the Penshurst Public School Project SSD 8365 (the Project). The audit is required by the Ministers Conditions of Approval SSD 8365 (MCoA).

To complete this audit, SNC-Lavalin Atkins undertook a site inspection, interviewed key management staff and supervisory personnel, and reviewed relevant and available documents relating to the approval and to the ongoing management and monitoring of the site's environmental aspects.

The inspection was undertaken on 7 January 2021, with members of Grindley present. At the time of the audit, the main activities on site included finishing works such as installation of furniture, fixtures and fittings, reinstating sections of footpath on Arcadia Street adjacent to the school and landscaping of the playground area. The Project was audited against the MCoA.

The findings from the audit conclude:

- > A detailed and comprehensive process has been adopted by the Project Team to ensure readiness for the occupation stage of the Project
- > Site environmental controls were of a high standard and were observed to be being implemented effectively.
- > The experienced management team appeared to be effectively managing environmental resources on site.
- > Strong evidence on site was observed to indicate that environmental management plans, systems and protocols are being correctly implemented.
- > The non-conformances identified in the previous audit relating to document management, compliance reporting and waste records have all been closed out satisfactorily.

The findings from the audit also indicated the Project Team are adopting a proactive approach to planning and managing the operational aspects of the development, ensuring all planning activities are undertaken in a timely manner to ensure compliance with operational requirements.

Overall, the site is being managed in an environmentally responsible manner, and in compliance with the MCoA. The standard of environmental controls has been maintained to a high level since the previous audit, demonstrating a systematic and proactive approach to environmental management. All works were located within the approved boundary of the development as per the approved Plans. Site management and staff interviewed were aware of the site environmental management requirements, and overall, the site was kept in a clean and tidy state. Traffic management appeared appropriate with no issues identified during the audit visit. No off-site impacts were identified during the site inspection.

There are three (3) non-compliances with the MCoA identified by the audit.

At the time of the audit, the Project was in the final stages of construction and the Project Team were preparing for the occupation stage of works, as such minimal construction activities were being undertaken. The non-compliances relate to the timing of submissions to the Department of Planning, Industry and Environment (DPIE) and the Certifying Authority and upload of documents to the website. The non-compliances have not resulted in any environmental impacts.

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2 INTRODUCTION

2.1 BACKGROUND OF PROJECT

The NSW Government is investing \$6.7 billion over the next four years to deliver 190 new and upgraded schools to support communities across NSW. In addition, a record \$1.3 billion is being spent on school maintenance over five years, making it the largest investment in public education infrastructure in the history of NSW.

School Infrastructure NSW (SINSW) is redeveloping Penshurst Public School to improve facilities and to cater for the current and projected growth in the Hurstville group of schools. The project will deliver 47 new flexible teaching spaces, new student, staff and administration facilities, a new library, hall and covered outdoor learning area, as well as maximised open play space. The current proposed concept design includes:

- > The removal of all buildings
- > The provision of new future focussed teaching spaces, administration/staff facilities, library, covered outdoor learning area (COLA) and hall
- > The maximisation of open play space

Construction is being undertaken by Grindley Construction Pty Ltd for Schools Infrastructure NSW (SINSW). At the time of the audit, demolition, site remediation and earthworks were complete and the construction of the multi storey school building was also completed. Activities being undertaken onsite during the audit included finishing works such as installation of furniture, fixtures and fittings, reinstating sections of footpath on Arcadia Street adjacent to the school and ground remediation of site compound area.

The structure of the new building was finished in mid-April 2020 with the pouring of the Level 3 concrete slabs and the planning for commissioning and opening of the new school in early 2021 is in progress. Construction commenced on 7 January 2019 and is scheduled for completion in late January 2021.

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2.2 INDEPENDENT AUDIT TEAM

The SNC-Lavalin Atkins audit team is a suitably qualified, experienced and independent team of experts in auditing. The details of the team are described in **Table 1** below with contact details provided.

Table 1 SNC-Lavalin Atkins Audit Team and Contacts

Role	Name	Contact Details	Qualifications and Experience
Primary Lead Auditor	Richard Peterson	M: 0429 227 775 E: Richard.Peterson@atkinsglobal.com	B.E Civil M. Env Eng Mgt Management Systems Auditing, Exemplar Global Leading Management Systems Audit Team, Exemplar Global 20+ years of Environmental Auditing experience. Project experience auditing: <ul style="list-style-type: none"> > Member of the RMS Infrastructure Auditing Panel. Totalling over 50 Infrastructure Audits over NSW. > Sapphire Wind Farm > Crudine Ridge Wind Farm > Western Sydney Airport
Assistant Auditor	Georgia Voura	M: 0479 121 450 E: Georgia.Voura@atkinsglobal.com	B.Mrn Bio Project experience auditing: <ul style="list-style-type: none"> > Infrastructure audits under the RMS Infrastructure Auditing Panel. > Crudine Ridge Wind Farm > Western Sydney Airport > Albion Park Rail bypass

In accordance with Condition C36 of SSD 8365 and the Independent Audit Post Approval Requirements, the Secretary has agreed to Richard Peterson as the Independent Auditor and Georgia Voura as an assistant auditor. The Agreement of Independent Auditor Penhurst Public School (SSD 8265) from DPIE is appended to this report in Appendix A.

2.3 AUDIT OBJECTIVES

The objective of the Independent Environmental Audit was to assess compliance of the Project with the Ministers Conditions of Approval (MCoA) and the implementation of the environmental management plans as outlined in the MCoA.

The audit is to provide positive support for good practices, while providing practical and reasonable recommendations for improvement that can be carried over to the later stages of the Project, as construction accelerates.

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2.4 SCOPE OF AUDIT

Grindley required an Independent Environmental Auditor to complete the requirements of the Environmental Audit Program (EAP). These were developed in line with the Ministers Conditions of Approval (MCoA) for the Project, NSW Government Guidelines and AS/NZS ISO 19011:2014 – Guidelines for Auditing Management Systems (the ISO Guideline). The audit focused on issues that were relevant to the current stage of works including requirements to complete prior to occupation.

The audit will cover the following areas:

- > Assessment the environmental performance of the SSD, and its effects on the surrounding environment;
- > Assess whether the Project is complying with the terms of the approval;
- > Review the adequacy of any documents required under the approval;
- > Identify measures or actions to improve the environmental performance of the SSD, and improvements to any documents required under the approval. These have been recommended within this report.
- > Review the status of implementation of previous Independent Audit findings, recommendations and actions
- > Undertake a high-level review of the Grindley's ISO 14001 certified Environmental Management System (EMS) including implementation of key processes;
- > Review of the adequacy of the CEMP and sub-plans;
- > Assessment of environmental performance including actual vs predicted impacts in the EIS; and
- > Internal established procedures for non-compliance, records of environmental compliance and ensuring required permits and approvals have been obtained from the relevant agencies were reviewed as areas of focus as communicated to the auditor by the Department during pre-audit consultation.

Table 2 Scope Requirements

Scope requirement	Where addressed
Assessment the environmental performance of the SSD, and its effects on the surrounding environment.	This report Section 4.2 Section 4.7
Assess whether the Project is complying with the terms of the approval.	Section 4.4 Appendix C
Review the adequacy of any documents required under the approval.	Section 4.1 Appendix C
Identify measures or actions to improve the environmental performance of the SSD, and improvements to any documents required under the approval.	Section 4.15
Review the status of implementation of previous Independent Audit findings, recommendations and actions.	Section 4.5

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Scope requirement	Where addressed
Undertake a high-level review of the Grindley's ISO 14001 certified Environmental Management System (EMS) including implementation of key processes.	Section 4.7
Review of the adequacy of the CEMP and sub-plans.	Section 4.6
Assessment of environmental performance including actual vs predicted impacts in the EIS.	Section 4.11
Internal established procedures for non-compliance, records of environmental compliance and ensuring required permits and approvals have been obtained from the relevant agencies	Appendix C

2.5 PERIOD COVERED BY AUDIT

Condition C38 of the Project's Conditions of Approval outlines the Independent Environmental Auditing requirements for the Project. This condition requires that an Independent Environmental Audit of the SSD is undertaken in the following periods:

- > within 8 weeks of the notified commencement date of construction an initial construction Independent Audit must be undertaken
- > a subsequent Independent Audit of construction must be undertaken no later than six months from the date of the initial construction Independent Audit

Following this, Independent Environmental Audits are to be undertaken

- > At intervals, no greater than 52 weeks from the date of the initial Independent Audit
- > within 12 months of the commencement of operation and then as required by the Secretary.

This Environmental Audit Report details the findings of the third Independent Environmental Audit of construction to be undertaken on the Project.

The site inspection was undertaken on 7 January 2021. This is to satisfy an Independent Environmental Audit of the SSD being undertaken annually during the delivery of the Project.

The audit covers the period from the second construction audit on 14, 15 and 16 January 2020 until the site inspection on 7 January 2021, with the Final Audit Report and Grindley's response to be received by the Department within two (2) months of undertaking the independent audit site inspection (as outlined in the Independent Audit Post Approval Requirements (DPIE, 2020), by 4 March 2021.

The audit focused on issues that are relevant to the period being audited and will exclude matters that are not relevant to the stage of works covered by the audit.

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3 AUDIT REQUIREMENTS AND PROCESS

3.1 APPROVAL OF AUDIT TEAM

For documentation detailing the approval of the audit team from The Secretary of the Department of Planning, Industry and Environment refer to Appendix A.

3.2 DEVELOPMENT OF AUDIT SCOPE

The audit scope was developed to ensure the Project was assessed against all regulatory requirements they are operating under.

3.3 SUMMARY OF AUDIT PROCESSES

To complete the audit the following was undertaken:

- > Preliminary document review to familiarise the team with the Project and their processes
- > Opening meeting
- > Site visit
- > Interviews with key management and supervisory personnel
- > Review of documents and records on-site
- > Closing meeting
- > Follow up of residual matters

3.4 SITE PERSONNEL

The following site personnel were in attendance during the audit or parts of:

- > Rodney Peachey – Senior Project Manager, Grindley
- > Mitchell Thornbury – Contracts Administrator, Grindley
- > Steve McInerney – Site Manager, Grindley

Each individual noted provided evidence of the Project's compliance at different stages during the audit.

3.5 SITE INSPECTIONS

A site inspection was undertaken by Lead Auditor Richard Peterson and Assistant Auditor Georgia Voura on 7 January 2021, accompanied by Rodney Peachey (Grindley Senior Project Manager) and Mitchell Thornbury (Grindley Contracts Administrator). The site visit was undertaken throughout the morning and afternoon of 7 January. The weather was warm and partly sunny with minimal wind and intermittent periods of light rain throughout the day. The Majority of the site under construction was inspected throughout the day and was completed under the supervision of Grindley personnel. Refer to Appendix B for site photographs and descriptions.

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3.5.1 General Controls

Environmental controls observed during the audit included

- > Sediment fences and sandbags
- > Waste recycling facilities
- > Permanent and temporary fencing
- > Permanent landscaping
- > Tree protection
- > Spill kits
- > Speed limit signage

3.6 CONSULTATION

Consultation with a DPIE representative was undertaken prior to conducting the audit. Key issues to be addressed by the auditor include

- whether the auditee has obtained the required permits and approvals from the relevant agencies, including records of environmental compliance.
- An assessment of assess any internal established procedures for non-compliance and whether these are effective to address identified shortcomings.

Georges River Council were also contacted to provide input into the audit but no response was received.

Refer to Section 4.8 for matters considered relevant by DPIE.

3.7 COMPLIANCE DESCRIPTORS

The compliance status of each requirement was determined using the relevant descriptors in Table 3. No other terms have been used to describe the compliance status.

Table 3 Compliance descriptors

Status	Description
Compliant (C)	Sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-Compliant (NC)	One or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Technical Non-Compliance (TNC)	Condition has been triggered as a result of a non-compliance with a related condition. However, does not require direct action or recommendations.
Not Triggered (NT)	A requirement has an activation or timing trigger that has not been met at the time when the audit was undertaken.

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4 AUDIT FINDINGS

4.1 APPROVALS AND DOCUMENTS

Relevant approvals and documents were reviewed as part of this audit. Refer to Appendix C for a full list of these documents.

Site and environmental management documentation were observed to be kept on-site at the site office.

4.2 ASSESSMENT OF COMPLIANCE

The Project was audited against the Minister's Conditions of Approval with three (3) non-compliances identified during the reporting period. There is a high degree of compliance with the conditions of approval for the current stage of work. All conditions, including those not triggered at the time of the audit, are being proactively managed to ensure compliance in the future and at a time when the condition is triggered.

4.3 PENALTY NOTICES

No penalty notices have been issued to the Project.

4.4 NON-COMPLIANCES

Three non-compliances were observed at the time of the audit. The non-compliances and the recommended actions are outlined in Table 5.

4.5 PREVIOUS AUDIT ACTIONS

Seven non-compliances were identified during the previous audit. The following table outlines actions undertaken by Grindley in response to these non-compliances.

Table 4 Previous Audit Actions

Condition	Recommended Actions	Action Taken	Closed Out
A2	Condition A2 requires that the development may only be carried out in compliance with the conditions of this consent (SSD 8365). A number of non-compliances have been raised at audit #2, and therefore the project is not compliant with this condition.	No actions were required for this non-compliance.	Yes

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Condition	Recommended Actions	Action Taken	Closed Out
A21, C40	<p>Independent Environmental Audit Report #1 and the response are not included on the website (noted that a non-compliance was raised against Condition A21 condition at the previous audit - other documents were not on the website).</p> <p>Agreed Actions</p> <p>1. Independent Environmental Audit Report #1 and response to findings to be uploaded as soon as possible.</p> <p>Due Date:</p> <p>1. 5 February 2020</p>	<p>The following actions have been undertaken in response to the non-conformance:</p> <ul style="list-style-type: none"> The Independent Environmental Audit Report and response uploaded to the website on 5/02/2020 	Yes
B18	<p>Evidence of submission of the CEMP to DPIE could not be located or provided</p> <p>Agreed Actions</p> <p>1. Provide latest copy of CEMP to DPIE</p> <p>Due Date:</p> <p>1. 20 February 2020</p>	<p>The following actions have been undertaken in response to the non-conformance:</p> <ul style="list-style-type: none"> CEMP submitted to the Planning Secretary on 12 February 2020 – letter dated 12 Feb 2020 sighted. 	Yes
B34	<p>The Compliance Monitoring Program was submitted to the Department and Certifying Authority less than 2 weeks prior to commencement of construction as required by Condition B34. (letter sent 20 March 2019, construction commenced 2 April 2019 – 10 days). Timing of submission not compliant.</p> <p>The Construction Compliance Report is overdue. According to the Compliance Monitoring and Reporting Program prepared for the project (and the Compliance Reporting Post Approval Requirements (Department 2018)), the construction Compliance Report is due 6 months after commencement of construction. Construction formally commenced on 2 April 2019 and therefore, the Report was due on 1 October 2019.</p>	<p>The following actions have been undertaken in response to the non-conformance:</p> <ul style="list-style-type: none"> Construction Compliance Report Ver 1 dated 14/02/2020 sighted. Submitted to DPIE on 17/02/2020 	Yes
C31	<p>At the time of audit #2, waste reports (and dockets for verification) for waste generated and transported since the last audit were not available for review to verify compliance to Condition C31.</p> <p>The waste contractor, Buildgroup Aus (they contract bin hire from Aussie Skips) have collected waste from site, however had not yet provided any Waste Reports or waste dockets to Grindley (requested during audit #2).</p>	<p>The following actions have been undertaken in response to the non-conformance:</p> <ul style="list-style-type: none"> Evidence of waste report and dockets required including Waste Reports October 2019 – 	Yes

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Condition	Recommended Actions	Action Taken	Closed Out
		November 2020 containing dockets	
C44	The Project Specific Environmental Management Plan was revised on 2/10/2019 to update the Sediment Control Plan as an outcome of the Independent Environmental Audit in July/August 2019. However, evidence was not provided of a notification to the Department or the Certifying authority that a review has been carried out.	<p>The following actions have been undertaken in response to the non-conformance:</p> <ul style="list-style-type: none"> “Notification of Revision of CEMP in accordance with Condition C44” letter dated 12 February 2020 sighted 	Yes

4.6 REVIEW OF MANAGEMENT PLANS

The following management plans were reviewed:

- > Project Specific Environmental Management Plan September 2020, including the following sub-plans as appendices:
 - Construction Traffic and Pedestrian Management Sub-Plan September 2020
 - Construction noise and Vibration Sub-Plan September 2020
 - Construction Waste Management Sub-Plan September 2020
 - Construction Soil and Water Management Sub-Plan September 2020
- > Sediment and Erosion Control Plan May 2019
- > Waste Management Plan February 2018
- > Landscape Management Plan
- > Statement of Heritage Impact
- > Community Communication Strategy April 2019
- > Architectural Drawings (various)
- > Stormwater and Drainage Plans

These management plans have been based off Grindley policies and provide adequate environmental protection for the site.

4.7 ENVIRONMENTAL MANAGEMENT SYSTEMS

This was a compliance audit (not a systems audit) and compliance was assessed in accordance with the MCoA. However, the Project’s Environmental Management System (EMS) was audited at a high level.

The management plans, site systems and site processes form the environmental management systems for the Project. It was observed during the audit that all systems are being implemented efficiently overall and provide adequate environmental protection for the site.

Environmental performance on site was generally of a high standard.

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4.8 MATTERS CONSIDERED RELEVANT BY DPIE

The auditor consulted with a DPIE representative prior to conducting the audit and the following areas were identified as key issues to be included in the audit scope:

- > Internal established procedures for non-compliance
- > Records of environmental compliance
- > Ensuring required permits and approvals have been obtained from the relevant agencies.

These issues have been considered during the audit with documented findings provided in the Environmental Checklist.

4.9 COMPLAINTS

There have been 12 complaints throughout the duration of the project with five of these complaints in the period covered by the audit. The number of complaints observed is typical for a project of this size and scope. The nature of these complaints are predominately residential and relate to privacy matters. One also refers to visual impacts and another to dust.

During the audit no issues relating to privacy concerns, visual impacts or dust were observed. The audit found that dust, privacy and visual impacts are being appropriately monitored and mitigated on site. The Complaints Register (November 2020) indicates that the Project's consultation and complaints management system is robust and appropriately responds to complaints until matters are closed.

Further findings from the audit in relation to complaints management are detailed in Condition 21 of the audit checklist, located in Appendix C.

4.10 INCIDENTS

During the audit, the Project Manager advised that no environmental incidents have occurred on the project up until the time of the audit.

4.11 ACTUAL AND PREDICTED IMPACTS

As outlined in the previous audit, the most significant predicted impacts in the EIS related to noise, with a prediction that Noise Management Levels (NMLs) will be exceeded at times at school site and immediate surrounds. Actual impacts do not differ from the prediction, and mitigation measures have been implemented as per recommendations and Conditions of Consent.

Other potential impacts during the construction phase such as increase in construction traffic, contamination, reduced water quality, and archaeological finds have been adequately and appropriately managed to avoid the potential predicted impacts.

4.12 EVIDENCE COLLECTED

Evidence was collected during the audit through the following means:

- > Site visit
 - Site observations and notes

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- Refer to Appendix B for site photographs
- > Interviews
 - Refer to Section 3.4 for the personnel interviewed during the audit
- > Review of Project documents and records
 - Refer to Appendix C for documents that were reviewed during this audit

Refer to Appendix C for the completed audit checklist, outlining the evidence collected against each compliance condition.

4.13 EVIDENCE TO SUPPORT COMPLIANCE ASSESSMENT

Refer to Appendix C for the documents provided as evidence to support compliance assessment.

4.14 PREVIOUS COMPLIANCE REPORT ACTIONS

The following reports were reviewed as part of the audit:

- > Construction Compliance Report commencement of construction – 14 February 2020
- > Construction Compliance Report 14 February 2020 – 7 August 2020

In both reports, several non-conformances were identified. Actions against each non-conformance are outlined in section 4 and 5 of the Compliance Reports.

4.15 OPPORTUNITIES FOR IMPROVEMENT

The findings from the audit indicated the Project Team are adopting a proactive approach to the protection and management of the environment and complying with the project conditions of approval. No further critical opportunities for improvement have been identified for implementation although it is noted that compliance with DPIE administrative conditions (e.g. uploading documents onto website etc) could be improved.

It is noted that the key that the environmental measures, processes and resources applied continue to be systematically implemented to ensure the ongoing high standard of environmental performance, particular as the project reaches the final stages of completion.

4.16 KEY STRENGTHS

Key strengths observed during the audit include the detailed and comprehensive process the Project Team have adopted to ensure readiness for the occupation stage of the Project. A high level of organisation was observed in relation to obtaining evidence of compliance prior to operation as required by the MCoA. The Project Team have taken the necessary steps to close out several areas of work including site remediation and complete construction of the multi storey school building.

In addition, it was observed onsite that all sediment and erosion controls were robust and well maintained. The active area of the site was well stabilised and compacted to reduce tracking and dust. During the period covered by the audit, minimal complaints from neighbours or community were received indicating the project

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is adequately managing environmental aspects of the Project. The small number of complaints raised have been recorded and appear to be appropriately resolved

Through undertaking the audit and observing the environmental performance of the development it is also evident that the project team has a generally good awareness of environmental issues and there was a high level of cooperation and provision of requested documentation throughout the audit process. The Project has achieved high rates of recycling of material and has maintained the site to a high standard.

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1 NON-COMPLIANCES AND RECOMMENDATIONS

Table 5 details non-compliances and recommendations against each non-compliance identified and outlines opportunities for improvement.

Table 5 Non-compliances and recommendations

Condition	Requirement	Status	Action / Recommendation
A2	The development may only be carried out: <ul style="list-style-type: none"> a) in compliance with the conditions of this consent; b) in accordance with all written directions of the Planning Secretary; c) generally in accordance with the EIS and Response to Submissions; d) in accordance with the approved plans in the table below (refer to conditions) 	TNC	Condition A2 requires that the development may only be carried out in compliance with the conditions of this consent (SSD 8365). Two non-compliances have been raised at this audit, and therefore the project is not compliant with this condition. Recommendation: No action required in addition to the recommendations made for the individual non-compliances.
A21	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: <ul style="list-style-type: none"> (a) make the following information and documents (as they are obtained or approved) publicly available on its website: <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; 	NC	The most recent revision of the CEMP was not uploaded to the website. Recommendation: The most recent version of the CEMP is to be uploaded to the project website.

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	<ul style="list-style-type: none"> (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 environmental 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>i. keep such information up to date, to the satisfaction of the Planning Secretary.</p>		
C36	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.	NC	<p>The independent audit commenced on 7 January 2021 approximately 1 week before formal approval was provided by DPIE on 14 January 2021. The audit date was programmed to ensure the audit was undertaken within 12 months of the previous audit. Due to the unavailability of the previously approved auditor, the auditee requested the approval of SNC-Lavalin/ Atkins to undertake this audit from DPIE on 11 December 2021, approximately 1 month before the scheduled audit date. The initial application was not approved as the format of the application did not meet DPIEs requirements. Subsequent changes were made to the application with several re-submissions made throughout December and early January.</p> <p>The non- conformance did not impact the scope or findings of the audit. Formal consultation and detailed document review did not commence till after the approval date.</p> <p>Recommendation:</p> <p>Ensure approval is obtained for independent auditors prior to any future audit and ensure DPIE declaration forms are complied with.</p>

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APPENDIX A – AUDIT TEAM AGREEMENT



Gavin Ng
Principal Compliance Officer
NSW Department of Education
Level 8, 259 George Street
Sydney NSW 2000

14 January 2021

Dear Mr Ng

**Penshurst Public School (SSD 8365)
Auditor Approval – Independent Environmental Audit**

I refer to your request for the Planning Secretary's approval of suitably qualified persons to prepare upcoming Independent Environmental Audit (**IEA**) for the Penshurst Public School (SSD 8365).

In accordance with Part C, Condition C36 (the 'Consent'), the Planning Secretary has agreed to the following audit team:

- Mr Richard Peterson
- Ms Georgia Voura

Please ensure this correspondence is appended to the IEA.

The Independent Audit must be prepared, undertaken and finalised in accordance with the *Independent Audit Post Approval Requirements* as it was on June 2018. Failure to meet these requirements will require revision and resubmission.

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

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

If you wish to discuss the matter further, please contact Laura Papoulias on (02) 8289 6879.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R. Sherry'.

Rob Sherry
Team Leader Compliance – Government Projects

As nominee of the Planning Secretary

APPENDIX B – SITE INSPECTION PHOTOGRAPHS



Figure 1 Bicycle parking facilities



Figure 2 Erosion and sedimentation controls

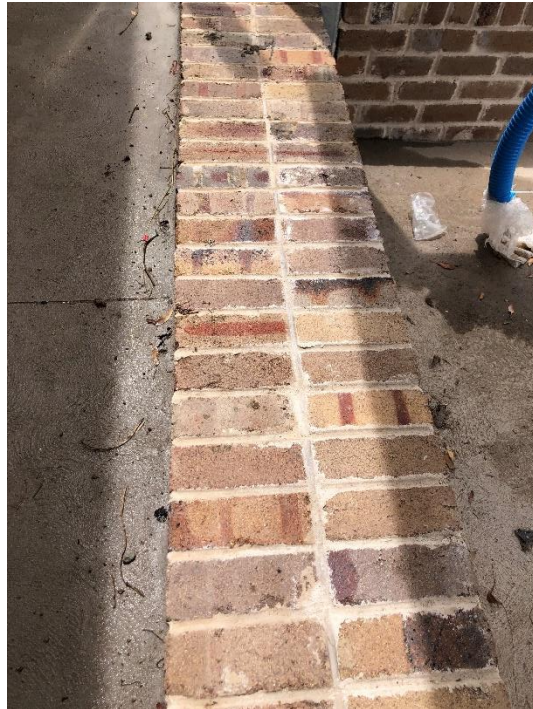


Figure 3 Heritage bricks reused onsite



Figure 4 Site perimeter fencing



Figure 5 Worksite information signs



Figure 6 Spill kit



Figure 7 Waste bins

APPENDIX C – INDEPENDENT AUDIT CHECKLIST

PENSHURST PUBLIC SCHOOL (SSD 8365) AUDIT CHECKLIST

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
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.	This audit report and checklist. Desktop review of project documentation. Site inspection January 2020	Site documents are being implemented on site. Controls are in place. From observations made during the site visit it is evident adequate measures are being implemented to minimise environmental harm.	C
Terms of Consent				
A2	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) generally in accordance with the EIS and Response to Submissions; (d) in accordance with the approved plans in the table below (refer to conditions)	Desktop review of project documentation. Site inspection January 2020	The procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the EIS as amended by the SPIR have been addressed within the approved CEMP and sub plans for construction works. Three non-compliances were identified during the audit resulting in non-compliance with this condition. These non-compliances were administrative in nature and no environmental impacts occurred as a result of the non-compliance	NC
A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (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; and (b) the implementation of any actions or measures contained in any such document referred to in (a) above	-	No written directions from DPIE	NT
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict	Noted.	No inconsistency identified during the audit.	C
Design Amendments				
A5	The proposed Chinese Tallowood (<i>Sapium sebiferum</i>) Arcadia Street trees (11) must be replaced with either Fiddlewood (<i>Citharexylum spinosum</i>), Jacaranda (<i>Jacaranda mimosifolia</i>) or Pear Tree (<i>Pyrus calleryana</i>) to minimise potential off-site environmental impacts to existing nature vegetation areas.	Landscape site plans(10 May 2019).	Plans show trees to be retained and the proposed planting schedule. Indicates 11 mature Pear trees to be planted on Arcadia street.	C
A6	Details demonstrating compliance with condition A5 must be provided to the satisfaction of the Certifying Authority prior to the commencement of building works.	Landscape site plans(10 May 2019).	Assessed as compliant during Audit #2 (Section 6.28 Crown Certificate - BCA Compliance Statement dated 11/07/2019 - GroupDLA – listed Landscape Management Plan as reviewed document)	C
Limits of Consent				
A7	This consent lapses five years after the date of consent unless the works associated with the development have physically commenced.	Noted.	Project is now complete	C
Prescribed Conditions				
A8	The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.	-	Assessed as compliant during Audit #2 (Crown Certificates indicating compliance with Building code of Australia)	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
Planning Secretary as Moderator				
A9	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.	-	No disputes with council have occurred.	C
Long Service Levy				
A10	For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
Legal Notices				
A11	Any advice or notice to the consent authority must be served on the Planning Secretary.	-	No advice or notice provided to the consent authority.	NT
Evidence of Consultation				
A12	Where conditions of this consent require consultation with an identified party, the Applicant must: <ul style="list-style-type: none"> (a) consult with the relevant party prior to submitting the subject document for information or approval; and (b) provide details of the consultation undertaken including: <ul style="list-style-type: none"> (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved. 	Liaison with council about works out the front and consultation with council about OTAMP and GTP shown in the	<p>Consultation Report outlines project stakeholders and engagement undertaken as part of project. Consultation throughout the period between July 2017 and January 2018 including:</p> <ul style="list-style-type: none"> • Department of Planning, • Georges River Council, • Transport for NSW, CBD Coordination office and RMS, • Sydney Water, • Energy Australia, • Teachers, school executive and support staff (educators and administrative staff), • School executive for Peakhurst West Public School (in regard to school relocation), • Students, • Parents and carers, and • Local community. <p>Chapter 5 of report outlines role of each stakeholder in the project and the engagement process for each.</p> <p>Information booths were also completed.</p> <p>Post approval consultation record sighted: Response to Council comments received 16/11/2020 outlines all consultation matters have been resolved with Georges River Council.</p>	C
Staging, Combining and Updating Strategies, Plans or Programs				
A13	With the approval of the Planning Secretary, the Applicant may: <ul style="list-style-type: none"> (a) prepare and submit any strategy, 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 or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and 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). 	-	Project is not staged. One stage contract.	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
A14	If the Planning Secretary agrees, a strategy, 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.	-	Project is not staged.	NT
A15	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	-	Project is not staged.	NT
Demolition				
A16	Demolition work must comply with Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.	Demolition Management Plan Chalouhi Demolition Management Plan dated 15/03/19.	Demolition was completed May 2019 – covered by previous audit.	C
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> <ul style="list-style-type: none"> Part 8 of the EP&A Regulation sets out the requirements for the certification of the development. 	Structural design certificate 16 December 2020, sighted.	Assessed as compliant as part of Audit #2 (Structural design certificate dated 17 May 2019 from Woolacotts Consulting Engineers)	C
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.	SECTION 6.28 CROWN CERTIFICATE - BCA DESIGN COMPLIANCE STATEMENT (02/04/2019) SECTION 6.28 CROWN CERTIFICATE - BCA DESIGN COMPLIANCE STATEMENT (11/07/2019) SECTION 6.28 CROWN CERTIFICATE – MODIFIED CROWN BUILDING WORKS CERTIFICATE (20/05/2020) SECTION 6.28 CROWN CERTIFICATE – MODIFIED CROWN BUILDING WORKS CERTIFICATE (10/12/2020)	Crown Certificates from Group DLA confirm compliance.	C
Applicability of Guidelines				
A19	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. However, 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.	-	No directions from Secretary.	NT
Monitoring and Environmental Audits				
A20	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, non-compliance notification, compliance reporting and independent auditing. 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.	-	Noted. No required monitoring.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
Access to Information				
A21	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: <ul style="list-style-type: none"> (a) make the following information and documents (as they are obtained or approved) publicly available on its website: <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 environmental 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 (b) keep such information up to date, to the satisfaction of the Planning Secretary. 	Complaints register available on the SINSW website. 5 complaints during audit period: <ul style="list-style-type: none"> • 06/5/2020 – visual impact: minimising the glare from the northern façade of the new building (closed) • 18/08/2020 – privacy concerns (closed) • 04/09/2020 - Privacy concerns (closed) • 25/09/2020 - Privacy & light impact (closed) (a house on the northern boundary) timer system now implemented • 30/11/2020 – Boundary issues, landscape plan & dust (open) No noise monitoring on project – no monitoring required under conditions. Documents located on website: <ul style="list-style-type: none"> i. documents referred to in Cond A2 – Approved Architectural Drawings ii. Notice of Determination, Development Consent iii. Approved plans – however not all the most recent version iv. Compliance reports v. Must monitoring results vi. Project updates vii. Contact details viii. Complaints register Dec 2020 ix. Audit reports 	All required documentation was available on the website except for the following: <ul style="list-style-type: none"> - Most recent revision of CEMP 	NC
Compliance				
A22	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.	Site Specific Induction Presentation - (Grindley) Induction - all workers required to undertake site Induction - online induction through Hammertech (viewed as part of audit) Subcontractor contract sighted	Assessed as compliant during Audit #2. Documents outline relevant conditions of consent for employees and contractors.	C
ADVISORY NOTES				
AN1	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	-	All required approvals have been obtained. Project does not require an Environment Protection Licence	C
PART B PRIOR TO COMMENCEMENT OF CONSTRUCTION				
Notification of Commencement				
B1	The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates. If the construction or operation of the development is to be staged, the Department 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.	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
Certified Drawings				
B2	Prior to the commencement of building works, the Applicant must submit to the satisfaction of the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with: <ul style="list-style-type: none"> (a) the relevant clauses of the BCA; and (b) this development consent. 	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
External Walls and Cladding				
B3	<p>Prior to the commencement of building works, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.</p> <p>The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.</p>	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
Protection of Public Infrastructure				
B4	<p>Before the commencement of construction, the Applicant must:</p> <ul style="list-style-type: none"> (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and (c) submit a copy of the dilapidation report to the Certifying Authority and Council. 	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
Site Contamination				
B5	<p>Following the completion of demolition works and prior to the commencement of any construction, additional site investigations of previously untested in inaccessible areas of the site must be undertaken in accordance with:</p> <ul style="list-style-type: none"> (a) NSW EPA Sampling Design Guidelines; (b) Guidelines for the NSW Site Auditor Scheme (3rd edition) 2017; (c) https://www.epa.nsw.gov.au/publications/contaminatedland/17p0269-guidelines-for-thensw-site-auditor-scheme-third-edition; (d) Guidelines for Consultants Reporting on Contaminated Sites, 2011 www.epa.nsw.gov.au/resources/clm/20110650consultantsglines.pdf; (e) The National Environment Protection (assessment of contamination) Measures 2013 as amended Testing must include assessment of both the soil and groundwater profile. 	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
B6	The Remediation Action Plan, titled Preliminary Stage 2 Site Investigation and Remediation Action Plan, prepared by Environmental Investigation Services and dated 25 September 2018, must be updated to reflect the findings of the additional site investigations required by condition B8. The updated Remediation Action Plan must be approved by a NSW EPA Accredited Site Auditor and submitted to the Planning Secretary prior to commencement of remediation works.	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
B7	Prior to the commencement of remediation works, an asbestos works management plan must be prepared and submitted for review by a NSW EPA accredited Site Auditor. The asbestos works management plan must be implemented following the receipt of confirmation from the NSW EPA accredited Site Auditor that the asbestos works management plan is considered appropriate	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
B8	Remediation works approved as part of this development consent must be carried out in accordance with the report titled, as required to be updated by condition B5, <i>Preliminary Stage 2 Site Investigation and Remediation Action Plan</i> , prepared by Environmental Investigation Services and dated 25 September 2018.	<p>JK Environments Validation Assessment – 20 January 2021, sighted.</p> <p>Approval of RAP sighted.</p> <p>Site visit – January 2020</p>	<p>Assessed as compliant at Audit #1 and Audit #2 and all remediation works are consistent with previous audit.</p> <p>JK Environment validation report states the following:</p> <ul style="list-style-type: none"> • Imported materials were validated in accordance with the RAP and the materials were found to be suitable for use on site • Based on the results of the validation, JKE are of the opinion that the site has been suitably remediated and validated, and the goal and objectives of the remediation have been achieved. <p>As indicated by the validation report remediation works have been undertaken in compliance with this condition.</p>	C
B9	Upon completion of remedial works, the Applicant must submit a Site Audit Report and Section A Site Audit Statement for the relevant part of the site prepared by a NSW EPA accredited Site Auditor. The Site Audit Report and Section A Site Audit Statement must verify the relevant part of the site is suitable for the school land use and be provided to the	<p>Remediation and site validation are being audited by a NSW EPA Accredited Site Auditor from Senversa to address this condition.</p> <p>Site Audit Report – Senversa 21 January 2021, sighted.</p>	<p>Validation report outlines that JKE are of the opinion that the site has been suitably remediated and validated. The goal and objectives of the remediation have been achieved.</p> <p>Site auditor statement confirms that the site is suitable for the</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	satisfaction of the Certifying Authority.	NSW EPA Site Audit Statement – 21 January 2021, sighted. JK Environments Validation Assessment – 20 January 2021, sighted.	required use.	
Unexpected Contamination Procedure				
B10	Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition B17 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.	Project Specific Environmental Management Plan – Section 6.1: Unexpected Contamination Finds Protocol.	Unexpected finds procedure was developed prior to Audit #1 and was assessed as compliant during Audit #1 and Audit#1. Section 6.1 of the Project Specific Environmental Management Plan – Unexpected Contamination Finds Protocol. No unexpected finds have occurred during the audit period.	C
Utilities and Services				
B11	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Ausgrid email 13 February 2020 sighted Scott Electrical Services email, 30 July 2020, sighted outlining Ausgrid advises the project has been assigned an officer & then verbal approval is received at the initial site meeting to begin HV Works (Ausgrid do not provide any certificate for approval to begin works on site) Sydney Water Section 73 Compliance Certificate, 21 March 2020, sighted.	All necessary approvals have been obtained from the relevant service providers.	C
B12	Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
Community Communication Strategy				
B13	<p>A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication between the Applicant, Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction.</p> <p>The Community Communication Strategy must:</p> <ul style="list-style-type: none"> (a) identify people to be consulted during the design and construction phases; (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development; (c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development; (d) set out procedures and mechanisms: <ul style="list-style-type: none"> (i) through which the community can discuss or provide feedback to the Applicant; (ii) through which the Applicant will respond to enquiries or feedback from the community; and (iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation. <p>The Community Communication Strategy must be submitted to the Planning Secretary for approval no later than two weeks before the commencement of any work.</p> <p>Work for the purposes of the development must not commence until the Community Communication Strategy has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.</p>	<p>Penshurst Public School Project Community Consultation Strategy (April 2019).</p> <p>Project Updates</p> <p>OOHW – road opening permit, licence, traffic control.</p>	<p>Audit #1 and Audit #2 assessed the CCS and implementation of the strategy as compliant.</p> <p>Consultation undertaken with the community includes:</p> <ul style="list-style-type: none"> • Project updates on SINSW project website (December 2019 – December 2020) 	C
Ecologically Sustainable Development				

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
B14	Prior to the commencement of construction, the Applicant must register for a minimum 4 star Green Star rating with the Green Building Council Australia, unless otherwise agreed by the Planning Secretary and submit evidence of registration to the Certifying Authority.	Registration with Green Building Council of Australia submitted to PCA (1/4/19). Letter to DLA dated 28 March 2019 from SINSW - Green Star Registration	As noted in Audit #1, registration with Green Building Council of Australia submitted to PCA (1/4/19). Letter to DLA dated 28 March 2019 from SINSW - Green Star Registration was sighted during Audit #2 Confirmed during Audit #3 that the Project will not be receive a Green Star but follow ESD pathway under SINSW instead which includes a scorecard rating similar to green star.	C
Outdoor Lighting				
B15	Prior to commencement of building works, all outdoor lighting within the site must comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-1997 Control of the obtrusive effects of outdoor lighting. Details demonstrating compliance with these requirements must be submitted to the satisfaction of the Certifying Authority.	-	From Audit #2: 'Assessed as compliant during Audit #1. (Certificate of Design electrical and Fire Services by JHA 4 June 2019 - included reference to compliance with AS4282. Confirmed submitted as part of CC2. Email from Grindley to Group DLA: Penshurst PS - CC2 (6/6/19))'	C
Access for People with Disabilities				
B16	The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of building works, the Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
Construction Environmental Management Plan				
B17	Prior to commencement of construction, the Applicant must prepare a Construction Environmental Management Plan (CEMP) and it must include, but not be limited to, the following: (a) Details of: (i) hours of work; (ii) 24-hour contact details of site manager; (iii) management of dust and odour to protect the amenity of the neighbourhood; (iv) stormwater control and discharge; (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site; (vi) groundwater management plan including measures to prevent groundwater contamination; (vii) external lighting in compliance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting; (viii) community consultation and complaints handling; (b) Construction Traffic and Pedestrian Management Sub-Plan (see condition B19); (c) Construction Noise and Vibration Management Sub-Plan (see condition B20); (d) Construction Waste Management Sub-Plan (see condition B21); (e) Construction Soil and Water Management Sub-Plan (see condition B22); (f) an unexpected finds protocol for contamination and associated communications procedure; (g) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; and (h) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site.	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
B18	The Applicant must not commence construction of the development until the CEMP is approved by the Certifying Authority and a copy submitted to the Planning Secretary.	-	This condition was assessed as non-compliant during the previous audit (Audit #2). All recommended actions have been undertaken and the non-compliance has been closed out. As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
B19	The Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must address, but not be limited to, the following: (a) be prepared by a suitably qualified and experienced person(s);	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	(b) be prepared in consultation with Council and RMS; (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services; (d) detail heavy vehicle routes, access and parking arrangements; (e) include a Driver Code of Conduct to: (i) minimise the impacts of earthworks and construction on the local and regional road network; (ii) minimise conflicts with other road users; (iii) minimise road traffic noise; and (iv) ensure truck drivers use specified routes; (f) include a program to monitor the effectiveness of these measures; and (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.		during this audit (Audit #3).	
B20	The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following: (a) be prepared by a suitably qualified and experienced noise expert; (b) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009); (c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers; (d) include strategies that have been developed with the community for managing high noise generating works; (e) describe the community consultation undertaken to develop the strategies in condition B20(d); and (f) include a complaints management system that would be implemented for the duration of the construction.	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
B21	The Construction Waste Management Sub-Plan (CWMSPP) must address, but not be limited to, the following: (a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations; (b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
B22	The Applicant must prepare a Construction Soil and Water Management Plan (CSWMSP) and the plan must address, but not be limited to the following: (a) be prepared by a suitably qualified expert, in consultation with Council; (b) describe all erosion and sediment controls to be implemented during construction; (c) 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); (d) detail all off-Site flows from the Site; and (e) 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 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI).	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
Construction Parking				
B23	The Applicant must provide sufficient construction vehicle parking facilities on-site, including for heavy vehicles and workers, to ensure that construction traffic associated with the development does not utilise on-street parking or public parking facilities.	Site visit January 2020	No site parking available due to small site area and location in suburban environment. Subcontractor contract sighted, includes encouragement to use public transport use as well as carpool. Site inspection confirmed that no heavy vehicles were parked on the street. As confirmed during audit #2, given the constraints of the site for parking, it appears that all reasonable and feasible measures are being implemented by the Contractor to comply with this condition.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
Stormwater Management System				
B24	<p>Prior to the commencement of building works, the Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Certifying Authority. The system must:</p> <ul style="list-style-type: none"> (a) be designed by a suitably qualified and experienced person(s); (b) be generally in accordance with the conceptual design in the EIS; (c) be in accordance with applicable Australian Standards; (d) ensure that the system capacity has been designed in accordance with <i>Australian Rainfall and Runoff</i> (Engineers Australia, 2016) and <i>Managing Urban Stormwater: Council Handbook</i> (EPA, 1997) guidelines; 	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
Operational Noise – Design of Mechanical Plant and Equipment				
B25	<p>Prior to commencement of building works, the Applicant must incorporate the noise mitigation recommendations in the report titled Acoustic Assessment Report, Penshurst Public School Arcadia Street, Penshurst, Report No. 6320-1.1R Rev E, prepared by Day Design Pty Ltd and dated 11 October 2018, into the detailed design drawings. The Certifying Authority must verify that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the project noise trigger levels established based on the more conservative Rating Background Noise levels identified in the report titled Acoustic Assessment Report, Penshurst Public School Arcadia Street, Penshurst, Report No. 6320-1.1R Rev E, prepared by Day Design Pty Ltd and dated 11 October 2018.</p>	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
Construction and Demolition Waste Management				
B26	<p>The Applicant must notify the RMS Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.</p>	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
Operational Waste Storage and Processing				
B27	<p>Prior to the commencement of building works, the Applicant must obtain agreement from Council for the design of the operational waste storage area where waste removal is undertaken by Council.</p>	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
Mechanical Ventilation				
B28	<p>All mechanical ventilation systems must be designed in accordance with Part F4.5 of the BCA and must comply with the AS 1668.2-2012 <i>The use of air-conditioning in buildings – Mechanical ventilation in buildings</i> and AS/NZS 3666.1:2011 <i>Air handling and water systems of buildings– Microbial control</i> to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details must be submitted to the satisfaction of the Certifying Authority prior to the commencement of building works.</p>	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
Rainwater Harvesting				
B29	<p>Prior to the commencement of building works, the Applicant must ensure that a rainwater reuse/harvesting system for the development is developed for the site. A rainwater re-use plan must be prepared and certified by an experienced hydraulic engineer.</p>	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
Car Parking and Service Vehicle Layout				
B30	<p>Compliance with the following requirements must be submitted to the satisfaction of the Certifying Authority prior to the commencement of building works:</p> <ul style="list-style-type: none"> (a) all vehicles must enter and leave the Site in a forward direction; (b) minimum of 20 on-site car parking spaces for use during operation of the development and designed in accordance with the latest version of AS2890.1; (c) the swept path of the longest vehicle entering and exiting the Site in association with the new work, as well as manoeuvrability through the Site, must be in accordance with AUSTROADS; and (d) the safety of vehicles and pedestrians accessing adjoining properties, where shared 	-	This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	vehicle and pedestrian access occurs, is to be addressed.			
Bicycle Parking and End-of-Trip Facilities				
B31	<p>Compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the satisfaction of the Certifying Authority prior to the commencement of building works:</p> <ul style="list-style-type: none"> (a) the provision of a minimum 32 bicycle parking spaces, comprising a minimum 20 staff, 12 primary school student bicycle parking spaces; (b) the provision details of demonstrating suitable weather protection of student bicycle parking spaces; (c) the layout, design and security of bicycle facilities must comply with the minimum requirements of AS 2890.3:2015 Parking facilities - Bicycle parking, and be located in easy to access, well-lit areas that incorporate passive surveillance; (d) the provision of end-of-trip facilities for staff in accordance with the ESD Design & As Built rating tool; (e) appropriate pedestrian and cyclist advisory signs are to be provided; and (f) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority. 	<p>Crown Certificate Design Statement dated 3 June 2019 Perumal Pedavoli - showing 32 secure bicycle parking and end of trip facilities (32 spaces)</p> <p>Site visit 7 January 2021</p>	<p>Secure bicycle parking and end-of-trip facilities are compliant with the requirements of this condition.</p> <p>Crown certificate was provided to Group DLA on 3 June 2019.</p>	C
Public Domain Works				
B32	<p>Prior to the commencement of any footpath or public domain works, the Applicant must consult with Council and demonstrate to the Certifying Authority that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management.</p> <p>The Applicant must submit documentation of approval for each stage from Council to the Certifying Authority.</p>	<p>Correspondence - Email from Georges Council to Grindley 16 Dec 2020</p> <p>Approval from Georges River Council for works sighted dated the following:</p> <ul style="list-style-type: none"> • 15 April 2020 (Excavation within the footpath) • 29 April 2020 (Excavation within the footpath) • 11 May 2020 (Excavation within the footpath) <p>Georges River Council inspection certificate (22/12/2020)</p> <p>Post Approval Consultation Record 12/05/2020 – 03/06/2020, 15/10/2020 – 23/11/2020</p>	<p>Grindley consulted with council – request was to replace anything that was damaged. New footpath out the front is evidence of this.</p> <p>Application for Driveway crossing & associated works on council road reserve – council response 'The application for the driveway crossing and associated works on council road reserve was submitted by Grindley and they have received the approval from council to begin works. No further permits/applications are required from Grindley to begin works. The only further council requirements needed are inspections prior and after concrete pours.'</p> <p>Council inspection certificate approved works pending three items.</p> <p>Consultation Record show consultation undertaken with St Georges River Council for various matters between 12/05/2020 – 03/06/2020, 15/10/2020 – 23/11/2020. Matters included extent of school zone, clarification of street parking restrictions,</p>	C
Archival Recording				
B33	<p>Prior to the commencement of demolition works on-site, a photographic archival record of the external and internal areas of buildings and structures to be demolished must be prepared in accordance with the recommendations in the report titled <i>Statement of Heritage Impact, Penshurst Public School</i>, prepared by Perumal Murphy Alessi and dated January 2018 and supplementary advice prepared by Perumal Murphy Alessi and dated September 2018; and the NSW Heritage Branch guidelines titled <i>Photographic Recording of Heritage Items using Film or Digital Capture</i>. A hardcopy and digital copy must be submitted to Council, the Heritage Division and the Planning Secretary prior to demolition works commencing.</p>	-	Assessed as compliant at Audit #1 and Audit #2	C
Compliance Reporting				
B34	<p>No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.</p>	<p>Submission letter of updated Compliance monitoring and Report program – 19 May 2020, sighted.</p> <p>Construction compliance report (14 February 2020) located on website, sighted.</p> <p>Construction compliance report (7 August 2020) located on</p>	<p>Email 22 May 2020 – confirming submission from DPIE of updated monitoring program</p> <p>The compliance reports have been completed within the required timeframes and the next compliance report will be prepared this month.</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018). The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.	website, sighted. Completed within 26 weeks of previous report. Feb 2020 CCR Public Notification – Email 4 March 2020 Notification to make the CCR publicly available. Email 4 March 2020 – confirmation email from DPIE receiving post approval document Feb 2020 CCR – Email 17 February 2020 outlining CCR submission to DPIE. Email 17 February 2020 submission confirmation from DPIE of CCR.		
B35	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance	Noted.	-	NT
Reuse of Heritage Fabric				
B36	Under the guidance of a suitably qualified heritage consultant, significant and original heritage fabric including but not limited to timber floors, windows, doors, brickwork and any other notable features is to be salvaged and reused during the construction phase for buildings and landscaping purposes. Where reuse is not possible on site, these items must be stored in perpetuity on site or donated to a reputable local recycling facility or centre specialising in building materials.	Site visit, 7 January 2021 Architectural drawings showing incorporation of bricks into a wall	No heritage items stored onsite, all been reused. It was observed during the site visit that the bricks have been reused near the bicycle paring area (photos in Appendix B of audit report).	C
Landscaping				
B37	Prior to the commencement of building works, the Applicant must prepare a Landscape Management Plan to manage the approved landscaping works on-site, to the satisfaction of the Certifying Authority. The plan must: (a) be generally in accordance with the approved landscape plan outlined in condition A2 prepared by Lorna Harrison Landscape Architects and amended as required by condition A5; (b) ensure that no more than 30 trees are removed from the site and identifies all other existing trees to be retained; (c) detail the species to be planted on-site, including the seven advanced Lophostemon confertus screen tree plantings, a minimum 400L in pot size along the northern boundary; (d) describe the monitoring and maintenance measures to manage revegetation and landscaping works; (e) be consistent with the Applicant's Management and Mitigation Measures in the EIS; (f) provide for the planting of trees and vegetation to soften the visual impact of the approval built form from the public domain and provide shade; (g) include details to ensure native trees removed from the site are salvaged (eg tree trunks greater than 25-30cm in diameter and 3m in length) and used to enhance habitat on site; and (h) include details of nest boxes suitable for native fauna likely to utilise the site such as birds, bats and arboreal fauna (i) detail where on the site, salvaged and reused heritage fabric has been used.		This condition was assessed as compliant during the previous audit (Audit #2). As such, this condition does not require further assessment and has not been addressed during this audit (Audit #3).	C
PART C DURING CONSTRUCTION				
Approved Plans to be On-site				
C1	A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on the Site at all times and must be readily available for perusal by any officer of the Department, Council or the Certifying Authority.	Assessed as compliant during audit #2 Plan rack sighted during audit. Certified plans, specifications, documents incorporating conditions of approval and certification located on Procore. Sighted on several devices around site – ipads, iphones.	All required documents are kept onsite and are readily available.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
Site Notice				
C2	A site notice(s): <ul style="list-style-type: none"> (a) must be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer. (b) is to satisfy all but not be limited to, the following requirements: <ul style="list-style-type: none"> a. minimum dimensions of the notice must measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size; b. the notice is to be durable and weatherproof and is to be displayed throughout the works period; c. the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice; and d. the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted. 	Site visit – January 2020	Appropriate site notice observed during site visit (January 2020) containing all required elements to satisfy condition C2. Photos of notice provided in Appendix A of the audit report.	C
Operation of Plant and Equipment				
C3	All plant and equipment used on site, or to monitor the performance of the development must be: <ul style="list-style-type: none"> (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner. 	Site visit – January 2020 Procore records of equipment.	Plant and equipment inspections sighted on Procore. Eg: earth moving equipment inspection – any non-conformances are included here, services records, maintenance records. Environmental inspection form sighted – pass / fail. Any fails get sent to the appropriate person to rectify. All relevant plans are located on this site in correspondence with the items.	C
Demolition				
C4	Demolition work must comply with <i>Australian Standard AS 2601-2001</i> The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.	-	Demolition work was assessed as compliant at Audit #1 - Work plans were submitted as part of CC. No demolition during audit period.	C
Construction Hours				
C5	Construction, including the delivery of materials to and from the site, may only be carried out between the following hours: <ul style="list-style-type: none"> (a) between 7 am and 6 pm, Mondays to Fridays inclusive; and (b) between 8 am and 1 pm, Saturdays. No work may be carried out on Sundays or public holidays.	Site visit – January 2020	Worksite hours are included in induction. Only 1 OOHW has occurred and all processes were followed.	C
C6	Activities may be undertaken outside of the hours in condition C5 if required: <ul style="list-style-type: none"> (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or (c) where the works are inaudible at the nearest sensitive receivers; or (d) where a variation is approved in advance in writing by the Planning Secretary or her nominee if appropriate justification is provided for the works. Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.	-	The auditee did not advise of any out of hours works during the audit period.	NT
C7	Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours: <ul style="list-style-type: none"> (a) 9 am to 12 pm, Monday to Friday; (b) 2 pm to 5 pm Monday to Friday; and (c) 9 am to 12 pm, Saturday. 	-	Rock breaking hours are included in Site Induction. No rock breaking has been undertaken during the audit period, all earthworks completed prior to Audit #2.	C
Implementation of Management Plans				

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
C8	The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans).	Site inspection – January 2020	Observations made during site inspection indications all works for the project are being undertaken in accordance with the approved CEMP.	C
Construction Traffic				
C9	All construction vehicles (excluding worker 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 before stopping.	Site Establishment Plan and B Class Hoarding Drawings	Site Establishment Plan – includes work zone location out the front of the Project. Plan includes approval from Georges River Council (date of determination 31/01/2020)	C
Road Occupancy Licence				
C10	A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on Forest Road during construction activities. A ROL can be obtained through https://myrta.com/oplinc2/pages/security/oplincLogin.jsf	Works approval documents from Georges River Council.	Approval from Georges River Council for works sighted dated the following: <ul style="list-style-type: none"> 15 April 2020 - Excavation within the footpath 29 April 2020- Excavation within the footpath 11 May 2020 - Excavation within the footpath 	C
SafeWork Requirements				
C11	To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.	Site inspection – January 2020	Site perimeter fencing in place. Full CCTV alarm system active onsite that calls relevant personnel.	C
Hoarding Requirements				
C12	The following hoarding requirements must be complied with: <ul style="list-style-type: none"> (a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; (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; and (c) the Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve. 	Site Establishment Plan and B Class Hoarding Drawings Site inspection – January 2020	Site Establishment Plan – includes B Class hoarding location out the front of the Project. Plan includes approval from Georges River Council (date of determination 31/01/2020) No graffiti or advertising located on hoarding.	C
No Obstruction of Public Way				
C13	The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under and circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all works on site.	-	No obstructions evident onsite. B-Class hoarding remove any issues associated with this condition.	C
Construction Noise Limits				
C14	The development must be constructed to achieve the construction noise management levels detailed in the <i>Interim Construction Noise Guideline</i> (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.	Acoustic Assessment Report Rev E, 11 October 2018, sighted No noise monitoring required.	It as observed during the audit that the development was being constructed in accordance with the requirements of this condition.	C
C15	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 C5.	Site induction. Subcontractor contracts	Site induction includes working hours. Subcontractor contracts includes working hours	C
C16	The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.	Equipment Inspection - Earthmoving Equipment #35 sighted Site inspection – January 2020	Audit #2 provided the following recommendations: <ol style="list-style-type: none"> 1. Include check for “non-tonal / quacker” type reversing alarms are referenced on plant induction / inspection process 2. Require subcontractors to supply plant that comply with the above requirement Quakers were used onsite. Included as part of inspection – Equipment Inspection – Earthmoving Equipment #35 sighted during audit (item 9.3 is regarding quakers) All reasonable and feasible measures appear to be	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
			implemented onsite.	
C17	Any noise generated during construction of the development must not be offensive noise within the meaning of the <i>Protection of the Environment Operations Act 1997</i> or exceed approved noise limits for the site.	Complaints register – November 2020	No complaints received in regards to noise from the project.	C
Vibration Criteria				
C18	Vibration outside the site must be limited to: caused by construction at any residence or structure (a) for structural damage, the latest version of DIN 4150-3 (1992-02) <i>Structural vibration - Effects of vibration on structures</i> (German Institute for Standardisation, 1999); and (b) for human exposure, the acceptable vibration values set out in the <i>Environmental Noise Management Assessing Vibration: a technical guideline</i> (DEC, 2006) (as may be updated or replaced from time to time).		Nothing to indicate that vibration has exceeded limits. No vibration monitoring required.	C
C19	Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C18.		One complaint relating to cracking, to be reviewed again at the completion of construction. No vibratory rolling works required within 30 metres of residential buildings.	C
C20	The limits in conditions C18 and C19 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B17 of this consent.		Noted. Did not need to apply other limits documented in CNVMP.	NT
Tree Protection				
C21	For the duration of the construction works: (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; (b) all street trees must be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council; (c) all trees on the site must be suitably protected during construction as per recommendations of the report titled Arboricultural Impact Assessment Report, prepared by Glenyss Laws Consulting Arborist and dated September 2018 (Revision C); and (d) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater.	Redgum Horticultural Consultants – 25 September 2020 letter confirming approval of tree pruning for tree 36. Site inspection – January 2020	Arboricultural Assessment – approved pruning of tree 36 due to a storm event causing a branch to fall. Tree protection in place for the tree out the front of the project site on the street, tree protection zones removed now construction almost completed.	C
Dust Minimisation				
C22	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	Site inspection – January 2020	No dust impacts observed.	C
C23	During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering; (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.	Complaints register – November 2020 Site inspection – January 2020	One complaint concerning boundary issues, landscape plan & dust still under investigation by SINSW. Observed during the site inspection that all reasonable and feasible controls are being implemented. Not dirt / mud tracking.	C
Air Quality Discharges				
C24	The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.	Continuous dust monitoring by Airsafe using a portable aerosol photometer was conducted during Construction – this ceased in December 2019 as per client instruction.	No EPL triggered on project. Air quality monitoring was undertaken on the Northern boundary of the project site.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
			No construction activities currently being undertaken at the time of the audit that would likely impact air quality.	
Erosion and Sediment Control				
C25	All erosion and sediment control measures, must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment.	ESC Plan – 10 May 2019	Site inspection confirmed sediment and erosion controls are adequate and appear to be maintained effectively.	C
Imported Soil				
C26	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 Certifying Authority upon request.	The Remedial Action Plan (RAP) requires that all imported material must be tested prior to use/delivery on site (every 200 m3). JK Environments Validation Assessment – 20 January 2021, sighted. Waste Reports / dockets	Monthly Waste Reports sighted – October 2019 – November 2020 JK Environment validation report states the following: <ul style="list-style-type: none"> Imported materials were validated in accordance with the RAP and the materials were found to be suitable for use on site Appropriate dockets for imported material was provided. 	C
Disposal of Seepage and Stormwater				
C27	Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the EPA in accordance with the <i>Protection of the Environment Operations Act 1997</i> .		Not triggered	NT
Unexpected Finds Protocol – Aboriginal Heritage				
C28	In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and OEH to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of OEH.	-	No unexpected finds - not triggered.	NT
Unexpected Finds Protocol – Historic Heritage				
C29	If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the OEH Heritage Division contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of Heritage Division of the OEH.	-	No unexpected finds - not triggered.	NT
Waste Storage and Processing				
C30	Waste 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.	Site inspection – January 2020 Waste Reports October 2019 – November 2020	Waste storage areas are being managed appropriately, photos included in Appendix B of the audit report.	C
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).	Waste Reports (Buildgroup Aus Services) October 2019 – November 2020 Waste Dockets (Aussie Recycling) October 2019 – November 2020	Waste reports show a high level of recycling has been undertaken so far on the project – 97% for November 2020. Waste reports classify waste streams as well as weight, destination and waste dockets from Aussie Recycling. Waste appears to be managed in compliance with this condition.	C
C32	The body of any vehicle or trailer used to transport waste or excavation spoil must be covered before leaving the premises to prevent any spillage or escape of any dust, waste of spoil. Mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the site must be removed before leaving the premises.	Subcontractor contract.	All vehicles are covered. Subcontract sighted outlining certain requirements including transport.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
C33	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.		No concrete washout evident onsite.	C
Handling of Asbestos				
C34	The Applicant is to consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.	Notice of intent to remove non-friable asbestos sighted, SafeWork NSW 3/11/2020.	Remedial civil solutions are responsible for removing the asbestos material.	C
Community Engagement				
C35	The Applicant must consult with the community regularly throughout construction, including consultation with the nearby sensitive receivers identified in the EIS, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.	The Penshurst Public School Community Consultation Strategy (April 2019) outlines the proposed communication and engagement tools to be used throughout each phase of the project	Assessed as compliant during audit #2.	C
Independent Environmental Audit				
C36	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.	Included in Appendix A of the Audit Report	<p>The independent audit commenced on 7 January 2021 approximately 1 week before formal approval was provided by DPIE on 14 January 2021. The audit date was programmed to ensure the audit was undertaken within 12 months of the previous audit. Due to the unavailability of the previously approved auditor, the auditee requested the approval of SNC-Lavalin/ Atkins to undertake this audit from DPIE on 11 December 2021, approximately 1 month before the scheduled audit date. The initial application was not approved as the format of the application did not meet DPIEs requirements. Subsequent changes were made to the application with several re-submissions made throughout December and early January.</p> <p>The non- conformance did not impact the scope or findings of the audit. Formal consultation and detailed document review did not commence till after the approval date.</p> <p>Recommendation:</p> <p>Ensure approval is obtained for independent auditors prior to any future audit and ensure DPIE declaration forms are complied with.</p>	NC
C37	No later than four weeks after the date notified for the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	This condition was assessed as non-compliant at Audit #1. It is noted here as non-compliant however is not raised as a new non-compliance for this audit. As such, it has been assessed as not triggered.	The Audit Program was submitted later than 4 weeks after the date notified for the commencement of construction.	NT
C38	Table 1 of the Independent Audit Post Approval Requirements (Department 2018) is amended so that the frequency of audits required in the construction phase is: <ul style="list-style-type: none"> (a) an initial construction Independent Audit must be undertaken within eight weeks of the notified commencement date of construction; and (b) a subsequent Independent Audit of construction must be undertaken no later than six months from the date of the initial construction Independent Audit. 	-	The initial Construction Independent Audit was conducted on 30 July to 1 August 2019. The second construction Audit was conducted on 14, 15 and 16 January 2020, which is less than six months since the initial audit. The pre-occupation audit was undertaken on 7 January 2020 less than 12 months since the previous audit.	C
C39	Independent Audits of the development must be carried out in accordance with: <ul style="list-style-type: none"> (a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C36 of this consent; and (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018). 	-	The auditor consulted with a DPIE representative prior to conducting the audit and the areas identified as key issues were included in the audit scope: <p>Audit has been undertaken in compliance with condition C39.</p>	C
C40	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: <ul style="list-style-type: none"> (a) review and respond to each Independent Audit Report prepared under condition C39 	Independent Environmental Audit Report, Best practice February 2020, sighted.	Report and response for Audit #2 is available on SINSW website. <p>Previous audit non-compliances:</p>	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	<p>of this consent;</p> <p>(b) submit the response to the Department and the Certifying Authority; and</p> <p>(c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.</p>		<ul style="list-style-type: none"> A2 – no action required (closed) A21 – Access to info. Audit #1 report and response uploaded to website. (closed) B18 – CEMP. CEMP submitted to the Planning Secretary on 12 February 2020 – letter dated 12 Feb 2020 sighted (closed) B34 – Compliance reporting. Construction Compliance Report Ver 1 dated 14/02/2020 sighted. Submitted to DPIE on 17/02/2020 (closed) C31 – Waste. Evidence of waste report and dockets required: <ul style="list-style-type: none"> Grindley provided Waste Reports October 2019 – November 2020 containing dockets (closed) C37 – Audit program non-compliance C40 - Audit #1 report and response uploaded to website (closed) C44 – Management plans. “Notification of Revision of CEMP in accordance with Condition C44” letter dated 12 February 2020 sighted (closed) <p>All previous audit non-compliances have been satisfactorily closed out.</p> <p>SINSW – monthly audits. WHS team changed</p>	
C41	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational audits to cease, where it has been demonstrated to the Planning Secretary’s satisfaction that ongoing operational audits are no longer required.		Noted	NT
Incident Notification, Reporting and Response				
C42	<p>The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.</p> <p>Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1.</p>		Project manager advised that no environmental incidents have occurred on the project up until the time of the audit.	NT
Non-Compliance Notification				
C43	<p>The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.</p> <p>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> <p>A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.</p>		Project manager advised that no environmental incidents have occurred on the project up until the time of the audit.	NT
Revision of Strategies, Plans and Programs				
C44	<p>Within three months of:</p> <p>(a) the submission of a compliance report under condition B34;</p> <p>(b) the submission of an incident report under condition C42;</p> <p>(c) the submission of an Independent Audit under condition C39;</p>	-	Not triggered – no request for update.	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	(d) the issue of a direction of the Planning Secretary under condition A3 which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Department and the Certifying Authority must be notified in writing that a review is being carried out.			
C45	If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Certifying Authority. Where revisions are required, the revised document must be submitted to the Certifying Authority for approval within six weeks of the review. 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	=	Not triggered.	NT
PART D PRIOR TO OCCUPATION OR COMMENCEMENT OF USE				
Notification of Occupation				
D1	The date of commencement of the occupation of the development must be notified to the Department in writing, at least one month before occupation. If the operation of the development is to be staged, the Department 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.	Notification of occupation sent to DPIE (11 December 2020) sighted. Outlining date for commencement of occupation – 27 th January 2021. Receipt of submission (11/12/2020) sighted. Outlines date of lodgement was 11/12/2020.	Notifications provided are in compliance with this condition.	C
External Walls and Cladding				
D2	Prior to the occupation of the building, the Applicant must provide the Certifying Authority 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.	Email from Group DLA 13 January 2021, sighted. External walls and cladding – compliant with BCA. Ignis Solutions letter 29 April 2020 confirming compliance of insulation. Email from Bradford Monier 08/12/2020 sighted, confirming compliance Bradford Enviroseal CW.	Email confirmation from Group DLA outlines conditions D2 and D3 are closed out.	C
D3	The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.		In process, certifier accepted day prior to the audit. Email confirming acceptance sighted (7 January 2021).	NT
Post-construction Dilapidation Report				
D4	Prior to occupation of the building, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is: (a) to ascertain whether the construction created any structural damage to adjoining buildings or infrastructure. (b) to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifying Authority must: (i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and (ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads. (c) to be forwarded to Council.	Penshurst Public School Dilapidation Report (post Construction 19 January 2021, sighted. Submission of Dilapidation report to group DLA, email 20/01/2021, sighted. Email to St Georges River Council, 22/01/2021, sighted.	Dilapidation report prepared concluded that majority of public, council, and authority assets appeared to be in a relatively similar condition to that observed and recorded in the initial dilapidation inspection. St Georges River Council confirmed that no structural damage has occurred. Group DLA received report in compliance with this condition.	C
Protection of Public Infrastructure				
D5	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development. Note: This condition does not apply to any damage to roads caused as a result of general road usage.	External work inspection checklist	Footpath repaired at the cost of Grindley. External work inspection checklist, 22/12/2020, sighted. Checklist outlines approval of works pending three items. Signed off by a representative of Georges River Council Assets and Services.	C
Utilities and Services				

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
D6	Prior to occupation of the building, a compliance certificate under the section 307 of the <i>Water Management Act 2000</i> must be obtained from Council and submitted to the Certifying Authority.	Correspondence from Woolacotts Consulting Engineers in relation to the section 307 query sighted, 22/12/2020. Correspondence from Group DLA, 11/01/2021, confirming S73 certificate.	Group DLA confirmed the S73 certificate from Sydney water is satisfactory to close out condition D6.	C
Works as Executed Plans				
D7	Prior to occupation of the building, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Certifying Authority.		First draft completed, currently being reviewed. Final survey can't be done until works are completed.	C
Operational Transport and Access Management Plan				
D8	<p>An OTAMP must be prepared for the school by a suitably qualified person, in consultation with Council, Transport for NSW and RMS, to the satisfaction of the Secretary, and must address the following:</p> <ul style="list-style-type: none"> (a) Detailed pedestrian analysis including the identification of safe route options – to identify the need for management measures such as staggered school start and finish times to ensure students and staff are able to access and leave the Site in a safe and efficient manner during school start and finish; (b) the location of all car parking spaces on the school site and their allocation (i.e. staff, visitor, accessible, emergency, etc.); (c) the location and operational management procedures of the pick-up and drop-off parking, including staff management/traffic controller arrangements; (d) the location and operational management procedures for the pick-up and drop-off of students by buses and coaches for excursions and sporting activities during the hours of bus lane operations, including staff management/traffic controller arrangements; (e) delivery and services vehicle and bus access and management arrangements; (f) management of approved access arrangements; (g) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts, including measures to mitigate queuing impacts associated with vehicles accessing pick-up and drop-off parking; (h) car parking arrangements and management associated with the proposed use of school facilities by community members; and (i) a monitoring and review program. <p>The OTAMP(s) must be submitted to the Secretary for approval prior to operation of the development.</p> <p>The OTAMP(s) (as revised from time to time) must be implemented by the Applicant for the life of the development.</p>	<p>OTAMP dated 23/11/2020 sighted. Addresses each of the required areas – outlined in table 1.1 within the OTAMP.</p> <p>Confirmation of submission to DPIE received, 12/01/2021, sighted.</p> <p>Minor amendment required.</p> <p>Rev 1 – 26/10/2020</p> <p>Rev 2 – 23/11/2020</p>	Plan is in compliance with this condition.	C
Green Travel Plan				
D9	<p>Prior to the commencement of operation, a Green Travel Plan (GTP), must be prepared and be submitted to the Secretary to promote the use of active and sustainable transport modes. The plan must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified traffic consultant in consultation with Council and Transport for NSW; (b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP; (c) include specific tools and actions to help achieve the objectives and mode share targets; (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 GTP; and (e) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of students and staff to and from the school at appropriate times 	<p>GTP dated 23/11/2020 sighted. Addresses each of the required areas – outlined in table 1.1 within the OTAMP&GTP.</p> <p>Confirmation of submission to DPIE received, 12/01/2021, sighted.</p>	Plan is in compliance with this condition.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	throughout the academic year.			
Parking Restrictions				
D10	Prior to the commencement of operations, the Applicant must submit to Council, for approval from Council's Traffic Committee, documentation for the installation of the recommended 13 '5P Parking' spaces and associated signage on the eastern and western sides of Penshurst Public School's Arcadia Street frontage in accordance with the report titled <i>Traffic Impact Assessment; Penshurst Public School</i> , prepared by ptc. and dated 10 October 2018. The restrictions are to apply on a part-time basis on School Days only between 8:00 am to 9:30 am and 2.30 pm – 4:00 pm. Any fees associated with reporting to the Traffic Committee must be paid by the Applicant prior to processing the application. The installation of the signs must be at no cost to Council. Evidence of approval and installation of relevant signage must be submitted to the Planning Secretary prior to the commencement of operations.	Email correspondence (25/01/2021) including documents included in the submission made to DPIE on 25/01/21 regarding the approval and installation of the parking restriction signage as required under this condition, sighted. Confirmation of submission to DPIE received, 12/01/2021, sighted Confirmation received from Georges River Council that signage has been implemented is as per requirements of this condition, email 22/01/2021, sighted.	Signage has been installed and documentation for the installation is in compliance with this condition.	C
D11	The 13 5P parking spaces must be monitored during the AM and PM peak drop-off/pick-up periods twice weekly for the first school term of operation and one day per week during the AM and PM peak drop-off/pick-up period for the second school term of operation unless otherwise agreed by the Planning Secretary. A monthly report over a six-month period must be prepared by a suitable qualified person including a discussion of the results of the monitoring including: (a) time period monitored (date, time); (b) number of vehicles using the drop-off/pick-up; (c) length of time each vehicle loads/unloads students; (d) an assessment of how the drop-off/pick-up zone is operating, and whether there is any observed road safety and efficiency impacts on Arcadia Street; and (e) any other relevant information as required.	-	Operational – not triggered.	NT
D12	If after six months of operation, the results of the monitoring indicate road safety and efficiency issues of the drop-off/pick-up zone, alternative arrangements must be made in consultation with Council to address these issues. Alternative arrangements are to be incorporated into an updated OTAMP and submitted to the Planning Secretary for approval.	-	Operational – not triggered.	NT
Heritage Interpretation Plan				
D13	The Applicant must prepare a Heritage Interpretation Plan to acknowledge the historic heritage of the site. The plan must: (a) be prepared by a suitably qualified and experienced expert in consultation with the OEH NSW Heritage Division and Council and generally in accordance with the recommendations of the report titled Statement of Heritage Impact, Penshurst Public School, prepared by Perumal Murphy Alessi and dated January 2018 and supplementary advice prepared by Perumal Murphy Alessi and dated September 2018; (b) be submitted to by the Certifying Authority prior to the commencement of operation; (c) include provision for naming elements of the new school, displaying interpretative material and physical building fabric of the heritage significant 1925 school building in new school buildings and on the site that acknowledges the site's heritage; and (d) incorporates interpretive information in to the landscape design for the site, such as signs and plaques.	Interpretation Plan (July 2020) sighted. Group DLA Approval (25 August 2020) – including the below: 'Confirming the Heritage Interpretation plan is fine from our perspective. Once the recommended works are complete in accordance with the report this will be sufficient to close out Condition D13/14.'	Section 4 of the Heritage Interpretation Plan outlines the Interpretation Framework and Section 5 includes Recommended Interpretation. The Heritage Interpretation Plan satisfies the requirements of this condition.	C
D14	The Applicant must: (a) not commence operation until the Heritage Interpretation Plan is submitted to the Certifying Authority; and (b) implement the most recent version of the Heritage Interpretation Plan submitted to the Certifying Authority.	As above.	As above.	C
Mechanical Ventilation				
D15	Following completion, installation and testing of all mechanical ventilation systems, the Applicant must provide evidence to the satisfaction of the Certifying Authority, prior to the final occupation, that the installation and performance of the mechanical systems complies with: (a) the BCA; (b) AS 1668.2-2012 <i>The use of air-conditioning in buildings – Mechanical ventilation in</i>	Beaver Williams Installation and Commissioning Certificate, 03/12/2020. sighted .	The Beaver Williams Installation and Commissioning Certificate outlines compliance of the mechanical ventilation systems with this condition.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	<i>buildings and other relevant codes;</i> (c) the development consent and any relevant modifications; and (d) any dispensation granted by the NSW Fire Brigade.			
Road Damage				
D16	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 is to be met in full by the Applicant prior to commencement of use of any stage of the development.	-	No damage identified at this stage – post dilapidation report not completed yet.	C
Fire Safety Certification				
D17	Prior to the final occupation, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.	Fire Safety Certificate, signed, 15/01/2021. Email, 19/01/2021 confirming submission to council of Fire Certificate, sighted.	Fire safety certificate has been obtained and provided to the certifying authority in compliance with this condition.	C
Structural Inspection Certificate				
D18	A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to the occupation of the relevant parts of any new or refurbished buildings. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after: (a) the site has been periodically inspected and the Certifying Authority is satisfied that the structural works is deemed to comply with the final design drawings; and (b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s. (c) person/s authorised to, for the life of the development.	Structural engineering certificate (16 December 2020) sighted. Submission correspondence of OC documentation to Group DLA sighted, 18/12/2020. Email, 19/01/2021 confirming submission to council of Structural Certification, sighted. Group DLA Completion Certification, 22/02/2021, sighted. Certifier and approval authority – both Group DLA	Structural Inspection Certificate has been obtained and submitted in compliance with this condition.	C
Compliance with Food Code				
D19	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 <i>AS 4674 Design, construction and fit-out of food premises</i> . The Applicant must provide evidence of receipt of the certificate to the satisfaction of the Certifying Authority prior to occupation.	Food Premises Construction Compliance Certificate, 22/01/2021, sighted. Email providing certificate to Group DLA, 22/01/2021, sighted.	Food Premises Certificate has been obtained and submitted in compliance with this condition.	C
Stormwater Quality Management Plan				
D20	Prior to occupation of the building, an Operation and Maintenance Plan (OMP) is to be prepared to ensure proposed stormwater quality measures remain effective. The OMP must contain the following: (a) maintenance schedule of all stormwater quality treatment devices; (b) record and reporting details; (c) relevant contact information; and (d) Work Health and Safety requirements.	-	In process of being completed – not triggered.	NT
D21	Details demonstrating compliance must be submitted to the Certifying Authority prior to occupation.	-	In process of being completed – not triggered.	NT
Rainwater Harvesting				
D22	A signed works-as-executed Rainwater Re-use Plan must be provided to the Certifying Authority prior to occupation of the building.	-	In process of being completed – not triggered.	NT
Outdoor Lighting				
D23	The Applicant must ensure the installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers. Outdoor lighting must: (a) comply with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and (b) be mounted, screened and directed in such a manner that it does not create a	David Power Electrical Installation and Commissioning Certificate, 1/12/20, sighted.	Power Electrical Installation and Commissioning Certificate outlines compliance of outdoor lighting with this condition.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	nuisance to surrounding properties or the public road network. Upon installation of outdoor lighting, but before it is finally commissioned, the Applicant must submit to the Certifier evidence from a qualified practitioner demonstrating compliance in accordance with this condition.			
Warm Water Systems and Cooling Systems				
D24	The installation, operation and maintenance of warm water systems and water cooling systems (as defined under the <i>Public Health Act 2010</i>) must comply with <i>the Public Health Act 2010</i> , Public Health Regulation 2012 and Parts 1 and 2 (or Part 3 if a Performance-based water cooling system) of <i>AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance</i> and the NSW Health Code of Practice for the Control of Legionnaires' Disease.	Doolan Plumbing Installation and Commissioning Certificate, 03/12/20, sighted.	Plumbing Installation and Commissioning outlines compliance of the projects Warm Water Systems and Cooling Systems with this condition.	C
Signage				
D25	Way-finding signage and signage identifying the location of staff car parking must be installed prior to occupation.	Pictures provided outlining installation, 28 January 2021.	Signage is in compliance with this condition.	C
D26	Bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas prior to occupation.	Pictures provided outlining installation, 28 January 2021.	Signage is in compliance with this condition.	C
D27	'Do not drink' signage on non-potable water used for toilet flushing and to new hose taps and irrigation systems for landscaped areas must be installed within the site prior to occupation.	Letter 15/01/2021, Grindley Construction: <i>'Regarding Condition D27 of SSD 8365, non-potable water has only been used for the irrigation system. There are no hose taps or above ground connection points for the irrigation system hence no requirement for "Do Not Drink" Signage'</i>	Not triggered.	NT
Operational Waste Management Plan				
D28	Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifying Authority. 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 <i>Protection of the Environment Operations Act 1997</i> , <i>Protection of the Environment Operations (Waste) Regulation 2014</i> and the <i>Waste Classification Guideline</i> (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 RtS.	Operational Waste Management Plan, 17/12/20, sighted.	Contents of the Operational Waste Management Plan has been developed in compliance with this condition.	C
Validation Report				
D29	The Applicant must prepare a Validation Report for the development. The Validation Report must: (a) be prepared by an appropriately qualified environmental consultant and reviewed by an EPA accredited Site Auditor; (b) be submitted to EPA, the Planning Secretary and the Certifying Authority for information one month after the completion of remediation works; (c) be prepared in accordance with the Remediation Action Plan, as required to be updated in accordance with condition B5, and the Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (OEH, 2011); (d) include, but not be limited to: (i) comment on the extent and nature of the remediation undertaken; (ii) describe the location, nature and extent of any remaining contamination on site; (iii) sampling and analysis plan and sampling methodology; (iv) results of sampling of treated material, compared with the treatment criteria in the report titled Preliminary Stage 2 Site Investigation and Remediation Action Plan, prepared by Environmental Investigation Services and dated 25	JK Environments Validation Assessment – 20 January 2021, sighted.	Report complies with the requirements of this condition.	C

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
	September 2018; (v) details of the volume of treated material emplaced within the containment cell and its location (if relevant); (vi) results of any validation sampling, compared to relevant guidelines/criteria; (vii) discussion of the suitability the remediated areas for the intended land use; and (viii) any other requirement relevant to the project.			
Site Audit Report and Site Audit Statement				
D30	Prior to occupation of the building, the Applicant must obtain from an EPA accredited Site Auditor, a Site Audit Statement and a Site Audit Report which demonstrates that the site is suitable for its intended use(s).	Remediation and site validation was audited by a NSW EPA Accredited Site Auditor from Senversa to address this condition. Site Audit Report – Senversa 21 January 2021, sighted. NSW EPA Site Audit Statement – 21 January 2021, sighted.	The Site Audit Statement confirms the site is suitable for intended use.	C
D31	Within three months of submission of the Validation Report required by condition D29, the Applicant must demonstrate to the satisfaction of the Certifying Authority that the Site Auditor has submitted a Site Audit Report and Site Audit Statement to EPA in accordance with the requirements of EPA's <i>Guidelines for the NSW Site Auditor Scheme</i> (DEC, 2006).	-	Not triggered.	NT
Landscaping				
D32	Following completion of all demolition work, the Applicant must undertake all landscape works detailed in the Landscape Management Plan required by condition B37 to the satisfaction of the Certifying Authority.	Email with Landscaping Certification sent to Group DLA on 21/01/2021, sighted.		C
Ecologically Sustainable Development				
D33	Within 6 months of commencement of operation, Green Star certification must be obtained unless otherwise agreed to by the Planning Secretary, demonstrating the development achieves a minimum 4 star Green Star As Built rating. Evidence of the certification must be provided to the Certifying Authority and the Planning Secretary.	-	Not triggered.	NT
Operational Management Plan (Rooftop)				
D34	An operational management plan is to be prepared, managed and implemented by the school outlining supervision, mitigation and management practices to be implemented by the school to ensure that the use of the rooftop areas do not result in excessive noise or detrimental amenity impacts to noise sensitive receivers. The completed operational management plan must be provided to the Certifying Authority and the Planning Secretary prior to operation.	Rooftop Playground Operational Manual, 16/12/2020, sighted. Receipt of Submission Rooftop operational management plan, sighted.	Operational management Plan has been prepared and provided to the relevant authorities prior to operation.	C
Road Safety Evaluation				
D35	Prior to operation, a Road Safety Evaluation (RSE) on all relevant sections of road utilised for bus and private vehicle pick-up and drop-off is to be conducted.	Traffic Engineering, Existing Roads Stage: Road Safety Evaluation report, 23/11/2020, sighted.	Existing Roads Stage: Road Safety Evaluation report has been prepared, satisfying the requirements of this condition.	C
D36	Appropriate road safety measures and/or traffic management measures based on the findings of the RSE, must be implemented in consultation with Council and RMS.	-	Not triggered	NT
PART E POST OCCUPATION				
Operation of Plant and Equipment				
E1	All plant and equipment used on site, or to monitor the performance of the development must be: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	-	Not triggered – post occupation requirement	NT
Community Communication Strategy				
E2	The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.	-	Not triggered – post occupation requirement	NT
Out of Hours Event Management Plan				

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
E3	<p>The Applicant is to prepare an Out of Hours Event Management Plan for out of hours events run by the school that involve 100 or more people. The plan must be prepared in consultation with Council, and include the following:</p> <ul style="list-style-type: none"> (a) the number of attendees, time and duration; (b) arrival and departure times and modes of transport; (c) where relevant, a schedule of all annual events; (d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport); (e) measures to minimise localised traffic and parking impacts; and (f) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan. <p>The Applicant must submit a copy of the Out of Hours Event Management Plan to the Department and to the Council, prior to commencement of the first event.</p> <p>The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified events or use.</p>	-	Not triggered – post occupation requirement	NT
E4	<p>The Applicant is to prepare an Out of Hours Event Management Plan for out of hours events run by external parties that involve 100 or more people. The plan must be prepared prior to each relevant event, in consultation with Council, and include the following:</p> <ul style="list-style-type: none"> (a) the number of attendees, time and duration; (b) arrival and departure times and modes of transport; (c) where relevant, a schedule of all annual events; (d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport); (e) measures to minimise localised traffic and parking impacts; and (f) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan. (g) The Applicant must submit a copy of the Out of Hours Event Management Plan to the Department and to the Council, prior to commencement of each relevant event. (h) The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified community event or use. 	-	Not triggered – post occupation requirement	NT
Operational Noise Limits				
E5	<p>The Applicant must ensure that noise generated by operation of the development does not exceed the project noise trigger levels established based on the more conservative Rating Background Noise levels as detailed in the report titled <i>Acoustic Assessment Report, Penshurst Public School Arcadia Street, Penshurst, Report No. 6320-1.1R Rev E</i>, prepared by Day Design Pty Ltd and dated 11 October 2018.</p>	-	Not triggered – post occupation requirement	NT
E6	<p>The Applicant must undertake short term noise monitoring in accordance with the Noise Policy for Industry where valid data is collected following the commencement of use of the development. The monitoring program must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within two months of commencement use of each stage of the development to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in the report titled <i>Acoustic Assessment Report, Penshurst Public School Arcadia Street, Penshurst, Report No. 6320-1.1R Rev E</i>, prepared by Day Design Pty Ltd and dated 11 October 2018. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the Applicant is required to implement appropriate noise attenuation measures so that operational noise levels do not exceed the recommended noise levels or provide attenuation measures at the affected noise sensitive receivers.</p>	-	Not triggered – post occupation requirement	NT
Unobstructed Driveways and Parking Areas				
E7	<p>All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.</p>	-	Not triggered – post occupation requirement	NT

Approval Condition (ID)	Requirement	Evidence Collected	Independent Audit Findings / Recommendations	Compliance Status
Green Travel Plan				
E8	The Green Travel Plan required by condition D9 of this consent must be updated annually and implemented.	-	Not triggered – post occupation requirement	NT
Outdoor Lighting				
E9	Notwithstanding Condition D23, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.	-	Not triggered – post occupation requirement	NT
Fire Safety Certificate				
E10	The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.	-	Not triggered – post occupation requirement	NT
Landscaping				
E11	The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B37 for the duration of occupation of the development.	-	Not triggered – post occupation requirement	NT

APPENDIX D – INDEPENDENT AUDIT DECLARATION FORM

Appendix C – Independent Audit Declaration Form Template

Independent Audit Declaration Form

Project Name: Penshurst Public School

Consent Number: SSD-8365

Description of Project: Reevaluation and operation of Penshurst Public School

Project Address: 18 Arcadia St, Penshurst NSW 2222

Proponent: School Infrastructure NSW

Title of Audit: Penshurst Public School Pre-Occupation Independent Environmental Audit

Date: 17 February 2021

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

- the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2018)*;
- the findings of the audit are reported truthfully, accurately and completely;
- I have exercised due diligence and professional judgement in conducting the audit;
- I have acted professionally, objectively and in an unbiased manner;
- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

- 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
- The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Auditor: Richard Peterson

Signature: 

Qualification: Associate Environmental Consultant

Company: SNC-Lavalin Atkins

Company Address: Level 17, 55 Clarence Street, Sydney NSW 2000