Compliance Report

Version: 1 Pre-Construction Compliance Report

Project: Penshurst Public School, Penshurst Project Number: 6280 Development Consent Application Number: SSD 8365

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Document Control

Version	Date Authorised	Reason	Authori	sed By
1	1/4/19	Pre-Construction	Rodney Peachey	Project Manager
		Compliance Report		

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1. Executive Summary

The purpose of this Compliance Report is to comply with the requirements of condition B34 of the project's Development Consent Application Number SSD 8365. This report accurately summaries the compliance status of the development against the conditions of the project's development consent and has been prepared in accordance with the Compliance Reporting Post Approval Requirements.

The report includes an introduction and details about the project and a summary on the status of compliance with the applicable consent conditions. The report confirms there have been zero non-compliances, zero incidents and zero complaints to date and that there are no actions from a previous report, noting this is the project's first report. Appendix A includes the Compliance Report Declaration.

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2. Introduction

Condition B34 of the project's development consent requires Compliance Reports to be carried for the project. The Compliance Reports are to be in accordance with the Compliance Reporting Post Approval Requirements and the project's Compliance Monitoring and Reporting Program.

2.1. Project Name and Application Number

Project Name: Penshurst Public School, Penshurst Development Consent Application Number: SSD 8365

2.2. Project Address

Project Address: 510 Forest Road, Penshurst, NSW 2222

2.3. Project Phase

Current Phase: Prior to commencement of construction

Project Phases

Prior to commencement of construction
Prior to commencement of building works
During construction
Prior to occupation or commencement of use
Post occupation

2.4. Compliance Reporting Period

Reporting Period: Pre-Construction Compliance Reporting Period Dates: 21/2/19 – 25/3/19

Project Compliance Reporting Periods

Pre-Construction Compliance	
Construction Compliance	
Pre-Operational Compliance	
Operation Compliance	

2.5. Project Activity Summary

Grindley was awarded the design and construct building contract on 14/02/19.

The State Significant Development Application Notice of Determination for the project was issued to Grindley on 26/02/19.

Grindley was advised by Root Partnerships and School Infrastructure NSW (SINSW) that SINSW's Gateway 3 approval of design has been achieved. As part of the contract, Grindley has commenced design meetings, with detailed design due for completion late April 2019, along with progressing the design for SINSW's Gateway 4 submission in May 2019.

Grindley has submitted all documentation relating to Crown Building Certificate #1 (early works / demolition) to the PCA for review.

2.6. Key Project Personnel

Project Manager: Root Partnership Phone Number: +61 2 8272 9332

> Project Manager: William Blake Email: <u>blake.w@rootpartnerships.com.au</u>

Builder: Grindley Construction Phone Number: +61 2 9988 3811

> Project Manager: Rodney Peachey Email: <u>RPeachey@grindley.com.au</u>

Site Manager: Steve McInerney Email: <u>SMcInerney@grindley.com.au</u>

3. Compliance Status Summary

The following Compliance Status Table identifies the requirements in all conditions of the consent that must be complied with during each phase of the project, it details the Unique Identification Number, the Compliance Requirement, the status of each Compliance Requirement using descriptors as required by the compliance Reporting Post Approval Requirements June 2018 and if applicable a comment.

3.1. Compliance Status Table

Uni.	Compliance Requirement	Comment	Status
ID			
Phase:	Prior to commencement of construction		
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.	Submitted by SINSW to DPE 20/03/19 Submitted to Certifying Authority 22/3/19	Compliant

	B4	Before the commencement of construction, the Applicant must: (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.	 (a) ongoing (b) Report prepared 13/03/19 (c) Grindley Submitted to Council & Certifier 21/03/19 	Compliant
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B13	A Community Communication Strategy must be prepared to	Submitted by SINSW to DPE 20/03/19	Compliant
D 15	provide mechanisms to facilitate communication between the		compliant
	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, during the design and construction of the development and for a minimum of 12 months following the		
	completion of construction.		
	The Community Communication Strategy must:		
	(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:		
	(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.		
	The Community Communication Strategy must be submitted to the		
	Planning Secretary for approval no later than two weeks before the		
	commencement of any work.		
	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.		

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.	Registered by SINSW 8/03/19 Evidence submitted to PCA 01/04/19	Compliant
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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) hours of work; (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 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. 	CEMP prepared by Grindley and submitted to PCA & SINSW 22/03/19 Complete 22/03/19	Compliant

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.	Ongoing	Compliant
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); (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.	CEMP prepared by Grindley and submitted to PCA & SINSW 22/03/19 Complete 22/03/19	Compliant

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 820(d); and (f) include a complaints management system that would be implemented for the duration of the construction.	CEMP prepared by Grindley and submitted to PCA & SINSW 22/03/19 Complete 22/03/19	Compliant
B21	The Construction Waste Management Sub-Plan (CWMSP) 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.	CEMP prepared by Grindley and submitted to PCA & SINSW 22/03/19 Complete 22/03/19	Compliant

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 how art limited to him 1 were APIL and him for work and here and here	CSWMSP submitted to Council 27/03/19	Compliant
	including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI).		
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.	Complete 21/03/19	Compliant
B26	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.	Submitted to Council 25/03/19	Compliant

B33	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 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; and the NSW Heritage Branch guidelines titled Photographic Recording of Heritage Items using Film or Digital Capture. A hardcopy and digital copy must be submitted to Council, the Heritage Division and the Planning Secretary prior to demolition works commencing.	Submitted to Council by Grindley 13/03/19 Submitted by SINSW to DPE 15/03/19	Compliant
B34	 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. 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. 	Submitted by SINSW to DPE 20/03/19	Compliant

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	Not triggered
Phase:	Prior to commencement of building works	
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: (a) the relevant clauses of the BCA; and (b) this development consent.	Not triggered
B3	 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. 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. 	Not triggered

B5	 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: (a) NSW EPA Sampling Design Guidelines; (b) Guidelines for the NSW Site Auditor Scheme (3rd edition) 2017; (c) https://www.epa.nsw.qov.au/publications/contaminatedland/17p026 9-guidelines-forthensw-site-auditor-scheme-third-edition; (d) Guidelines for Consultants Reporting on Contaminated Sites, 2011 www. epa. nsw. gov .au/resou rccs/clm/2011065Dconsu ltantsglines. pdf; (e) The National Environment Protection (assessment of contamination) Measures 2013 as amended Testing must include assessment of both the soil and groundwater profile. 	Not triggered
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 88. 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.	Not triggered

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.	Not triggered
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 85, Preliminary Stage 2 Site Investigation and Remediation Action Plan, prepared by Environmental Investigation Services and dated 25 September 2018.	Not triggered
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 satisfaction of the Certifying Authority.	Not triggered
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 817 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.	Not triggered
B11	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Not triggered

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.	Not triggered
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.	Not triggered
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.	Not triggered

B24	 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: (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 Australian Rainfall and Runoff(Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines; 	Not triggered
B25	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.	Not triggered
B27	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.	Not triggered

B28	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 The use of air-conditioning in buildings - Mechanical ventilation in buildings and AS/NZS 3666.1 :2011 Air handling and water systems of buildings-Microbial control 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.	Not triggered
B29	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.	Not triggered
B30	Compliance with the following requirements must be submitted to the satisfaction of the Certifying Authority prior to the commencement of building works: (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 vehicle and pedestrian access occurs, is to be addressed.	Not triggered

B31	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: 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.	Not triggered
B32	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. The Applicant must submit documentation of approval for each stage from Council to the Certifying Authority.	Not triggered

B36	Under the guidance of a suitably qualified heritage consultant,	Not triggered
	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.	
	6	

B37	Prior to the commencement of building works, the Applicant must	Not trigge
D 37	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 AS;	
	(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 conferlus 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.	

4. Non-compliances

Number of non-compliances: 0

5. Previous Report Actions

Number of previous Report Actions: 0

Note this is the Project's first Report

6. Incidents

Number of Incidents: 0

7. Complaints

Number of Complaints: 0

Appendixes

Appendix A: Compliance Report Declaration Form

Compliance Report Declaration

Project Name:	Penshurst Public School, Penshurst
Project Application Number:	SSD 8365
Description of Project:	Demolition of existing school, design and construction of a new three (3) storey structure to accommodate approximately one thousand (1,000) students
Project Address:	510 Forest Road, Penshurst, NSW 2222
Proponent:	Grindley Construction
Title of Compliance Report:	Compliance Report
Date:	1/04/19

I declare that I have reviewed relevant evidence and prepared the contents of the attached Compliance Report and to the best of my knowledge:

- the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- the Compliance Report has been prepared in accordance with the Compliance Reporting Post Approval Requirements;
- the findings of the Compliance Report are reported truthfully, accurately and completely;
- due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- the Compliance Report is an accurate summary of the compliance status of the development.

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) 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 Authorised Reporting Officer	Rodney Peachey
Title	Mr
Signature	Mung
Qualification	Project Manager
Company	Grindley Construction
Company Address	55 Grandview Street, Pymble, NSW 2073