

Rob Sherry
Planning Secretary
Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

16/01/2019

Dear Rob,

Schofields Public School and SSD Number: 8740 - Submission of a response to an Independent Audit Report in accordance with Condition C41

I refer to Schofields Public School approved on 27 February 2019.

In accordance, with condition C41 of the Development Consent, the following document has been submitted to the Planning Secretary for information:

- *Schofields Public School – SSD 8740: Independent Audit Report, WolfPeak, 30/08/2019, Revision V1.*

As per the requirements of Condition C48 which outlines the need to meet the specific requirements in the Independent Audit: Post Approval Requirements (Department 2018) (DP&E, June 2018), the following attachments are submitted to the Department as a response to the Independent Audit Report.

- Attachment A - Response to Independent Audit non-compliances
- Attachment B - Response to Independent Audit corrective action request and observations.

I hereby confirm our intention to publicly release the response to the Independent Audit Report within 60 days of this submission which demonstrates our commitment to complying with condition C41(c).

Yours sincerely



Claudio Savian
Project Director
Schools Infrastructure NSW

NSW Department of Education

Attachment A – Response to Independent Audit non-compliances (Section 4 & Appendix A of the IA Report)

Condition ID	Compliance Requirement	Audit findings	Audit Recommendations	Department of Education Actions	Evidence of Actions
A10	Where conditions of this consent require consultation with an identified party, the Applicant must: (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: (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.	Condition A10 is considered non-compliant as the evidence of community consultation is not available when it relates to the preparation of site management plans. For example, CNVMP (condition B24) requires a description of community consultation undertaken in the preparation of the management plan and strategies development with the community for managing high noise generating works.	The Project has not provided a response to this finding. The Auditor recommends the Project consult with the adjacent school and residents on strategies for managing noise and include this detail in the CNVMSP. Please refer to the Independent Audit Report page 25.	SINSW acknowledged this matter and has been and will continue to be effectively communicated with the local community regarding the project as a whole via information booths and newsletters.	To address this issue SINSW have recently issued an End of term 3 notification regarding the works to be carried out during the September School Holidays. Targeted engagement will also be undertaken with the School principal and community stakeholders. Appropriate documentation of these interactions will also be gathered. SINSW has established a transparent method of communication via email with the School Principal and the Contractor continues to liaise with the School Principal on an ongoing basis to identify if there are any concerns. Evidence of email correspondence with the School Principal and Site Visit Meeting minutes can be provided on request.
A20	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: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (i) the documents referred to in condition A2 of this consent; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent; (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; (vi) a summary of the current stage and progress of the development; (vii) contact details to enquire about the development or to make a complaint; (viii) a complaints register, updated monthly; (ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report; (x) any other matter required by the Planning Secretary; and	CoC A20 requires that, at least 48 hours before the commencement of construction until the completion of all works under the consent, certain information and documents must be made available on the Project website, including the documents referred to in condition A2 of the consent; all current statutory approvals for the development and all approved strategies, plans and programs required under the conditions of the consent. The Project advised that documents went up on the website after commencement of construction. The website at the time of the audit did not include the CEMP and sub-plans. The website at the time of finalizing this report did not contain the Pre-Construction Compliance Report. Please refer to Independent Audit Report page 14	The independent auditor requested that a notification of non-compliance be issued to the DIPE. The CEMP has been issued to SINSW to make it publicly available. Please refer to Independent Audit Report page 25	DIPE to ensure that the non-compliance letter has been issued.	The department was issued with an A20 non-compliance letter on 12/11/2019. This matter has been rectified as SINSW issued confirmation that the documents including plans and programs were submitted to the DIPE and made publicly available on the following NSW Department of Education website on 23/07/19. https://www.schoolinfrastructure.nsw.gov.au/projects/s/schofields-public-school.html

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	(b) keep such information up to date, to the satisfaction of the Planning Secretary.				
B21	<p>The Applicant must prepare a Construction Environmental Management Plan (CEMP) and it must include, but not be limited to, the following:</p> <p>(a) Details of:</p> <p>(i) hours of work;</p> <p>(ii) 24-hour contact details of site manager;</p> <p>(iii) management of dust and odour to protect the amenity of the neighbourhood;</p> <p>(iv) stormwater control and discharge;</p> <p>(v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;</p> <p>(vi) groundwater management plan including measures to prevent groundwater contamination;</p> <p>(vii) external lighting in compliance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting;</p> <p>(viii) community consultation and complaints handling;</p> <p>(b) Construction Traffic and Pedestrian Management Sub-Plan (see condition B23);</p> <p>(c) Construction Noise and Vibration Management Sub-Plan (see condition B24);</p> <p>(d) Construction Waste Management Sub-Plan (see condition B25);</p> <p>(e) Construction Soil and Water Management Sub-Plan (see condition B26);</p> <p>(f) an unexpected finds protocol for contamination and associated communications procedure;</p> <p>(g) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; and</p>	<p>The CEMP lacks number of the matters set out at CoC B21, specifically: (a)(iv) details of stormwater control and discharge; and (a)(vi) a groundwater management plan.</p> <p>The Auditor notes that the matters at B21(h) are not included in the CEMP, but are included in the CSWMSP.</p> <p>Please refer to the Independent Audit Report page 66.</p>	<p>Woolacotts Consulting Engineers to confirm that the Soil and Erosion Plan C11, submitted as part of Condition B26 targets B21a (iv) No ground water was identified in the Geotech report. As a result, no management plan has been prepared.</p> <p>ADCO to attach waste management plan in the CEMP.</p> <p>Please refer to the Independent Audit Report page 27.</p>	<p>This matter has been rectified by updating the CEMP to capture stormwater control and discharge. However, the Consultant also confirmed that the Geotechnical report results show that there is no ground water identified in the area. Hence, a Ground Water Management Plan is not required.</p>	<p>The stormwater control and discharge and ground water management plan has been added as an annexure to the revised CEMP, Waste management plan has also been attached as an annexure to the revised CEMP.</p> <p>The Initial version of the CEMP was submitted to DIPE. The latest CEMP which has incorporated the above amendments recommended in the IEA, version 04 dated 11/11/2019 was submitted to the Certifier on 13.01.20 and will be uploaded on the website once approved. The revised CEMP will be issued to DPIE with a notification to close this out.</p>

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	(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.				
B23	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; (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.	CoC B23 sets out matter which it is mandatory for the CTPMSP to address. The CTPMSP for the Project does not include the driver code of conduct required at B23(e) or the monitoring program required by B23(f). Please refer to the Independent Audit Report page 69.	Update CTPMSP with driver code of conduct and include monitoring program. Please see page 27 on the Independent Audit Report.	The Contractor provided an updated CTPMSP which now addresses the driver code of conduct and monitoring program. This will be certified by the PCA before 20/12/2019.	The revised document will be uploaded to the project website once approved by the PCA.
B24	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);	CoC B24 sets out the matters that the CNVMSP must address, including strategies that have been developed with the community for managing high noise generating works, and a description of the community consultation undertaken to develop those strategies.	Cadence to organise a meeting with the School Principal and ADCO to undertake consultation for the noise and vibration policy. The meeting is to be recorded through minutes and provided as evidence. ADCO to conduct a door knock and record the meeting with the neighbours through minutes. The	Specific engagement activities will be undertaken in relation to high noise activities, this includes liaison with affected stakeholders prior to the activity occurring. Outcomes will be documented for audit purposes. An update to the CNVMP will be provided.	In order to rectify the non-compliance, ADCO is currently undertaking specific engagement activities in relation to high noise activities. This includes liaison with affected stakeholders prior to the activity occurring. Outcomes will be documented for audit purposes. ADCO has provided the meeting minutes as evidence demonstrating continuous consultation with the community and the

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	<p>(c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;</p> <p>(d) include strategies that have been developed with the community for managing high noise generating works;</p> <p>(e) describe the community consultation undertaken to develop the strategies in condition B24(d); and</p> <p>(f) include a complaints management system that would be implemented for the duration of the construction.</p>	<p>No evidence that (or description of) the strategies listed in the CNVMSP have been developed with the community, as required by CoC B24(d) and (e).</p> <p>Please refer to the Independent Audit Report page 69.</p>	<p>minutes to be provided as evidence.</p> <p>Please refer to the Independent Audit Report page 28.</p>		<p>immediate neighbouring property, the existing School, on an ongoing basis. This is to understand if there are any concerns. ADCO has reported that no complaints have been raised so far.</p>
B25	<p>The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the following:</p> <p>(a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations;</p> <p>(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.</p>	<p>CoC B25 sets out matters that the CWMSP must address. The CWMSP for the Project does not address all of these matters. Although the CWMSP sets out "a list of estimated targets for waste products generated on this project", these targets are percentages rather than quantities. Similarly, although the CWMSP sets out how waste will be disposed of, it does not detail the proposed locations.</p> <p>The Auditor notes that, although there is no discussion in the CWMSP of containment and control of emission of fibres to the air, p 9 estimates 0% of waste will be asbestos.</p> <p>Please refer to the Independent Audit Report page 70.</p>	<p>Amend the waste management plan to include the tip location and the percentage of asbestos.</p> <p>Please refer to the Independent Audit Report page 28.</p>	<p>The issue regarding asbestos has been addressed by the decontamination activities required under condition B9 – no further action will be undertaken to this regard.</p> <p>In relation to the disposal locations the CWMP will be updated accordingly</p>	<p>Ongoing correspondence attached from the EPA Auditor and the Environmental Scientist for the Remediation process. The Contractor is currently awaiting the final validation report form the EPA Auditor.</p>
B26	<p>The Applicant must prepare a Construction Soil and Water Management Plan (CSWMSP) and the plan must address, but not be limited to the following:</p> <p>(a) be prepared by a suitably qualified expert, in consultation with Council;</p> <p>(b) describe all erosion and sediment controls to be implemented during construction;</p> <p>(c) include an Acid Sulfate Soils Management Plan, if required, including measures for the management, handling, treatment and disposal of acid sulfate soils, including monitoring of water quality at acid sulfate soils treatment areas.</p>	<p>The Auditor notes that no one document fulfils all (or most) of the various criteria for the CSWMSP. The Auditor has taken the following two documents, read together, as the CSWMSP for the project:</p> <ul style="list-style-type: none"> - ADCO, General Requirements Erosion and Sediment Management - SPS Sediment16-162_C11[C1] Sediment Control Plan, Woolacotts, April 2019. <p>These documents are not explicit in actions during</p>	<p>No recommendation provided by the Auditor as this has been closed out.</p> <p>Please refer to the Independent Audit Report page 28.</p>	<p>SINSW has rectified the matter as the Civil Engineer responsible confirmed via separate correspondence that the set-out plan applies to all flow events. And the Contractor updated the CEMP with the information on soil and water management.</p>	<p>ADCO's Erosion and Sediment Management has been submitted to the DIPE and uploaded to the NSW Department of Education website.</p> <p>The Erosion and Sediment Control Plan has been prepared by Woolacotts Consulting Engineers dated April 2019, drawing number C11, amendment C1.</p> <p>- Documents have been issued to Blacktown City Council as per the email dated 12/04/2019.</p> <p>- The Council has confirmed it had no objection to the sedimentation and erosion</p>

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	<p>(d) provide a plan of how all construction works will be managed in a wet-weather events (i.e. storage of equipment, stabilisation of the Site);</p> <p>(e) detail all off-Site flows from the Site; and</p> <p>(f) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI).</p>	<p>different flood flows. The civil engineer responsible confirmed via separate correspondence that the set-out plan (and the recommended controls) apply to all flow events. With this in mind, the Auditor expects to see all the controls specified installed in full prior to small and large events. The Auditor also takes the position that updates to the documents to explicitly meet the condition is not required to manage soil and water risk on site.</p> <p>Please refer to the Independent Audit Report page 71.</p>			control measure shown on the submitted plans and is generally satisfied with the plans.
B42	The Department of Education 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.	<p>The Pre-Construction Compliance Report for SSD 8740 was submitted on 20 June 2019, following comments from the Department on the original submission made prior to the notified date of commencement of construction.</p> <p>On 30/08/19, the Project website still did not contain the Pre-Construction Compliance Report.</p> <p>Please refer to the Independent Audit Report page 84.</p>	<p>The Project to upload Pre-Construction Compliance Report to website.</p> <p>Please refer to the Independent Audit Report page 29.</p>	<p>SINSW has rectified the matter and the Pre-Construction Compliance Report was uploaded to the Schofields Public School Upgrade website (see below URL) on 15/10/2019 by the SINSW Digital Team.</p> <p>https://www.schoolinfrastructure.nsw.gov.au/projects/s/schofields-public-school.html</p>	<p>The Pre-Construction Compliance Report was uploaded to the Schofields Public School Upgrade website (see below URL) on 15/10/2019 by the SINSW Digital Team.</p> <p>https://www.schoolinfrastructure.nsw.gov.au/projects/s/schofields-public-school.html</p>
C2	<p>A site notice(s):</p> <p>(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.</p> <p>(b) is to satisfy all but not be limited to, the following requirements:</p> <p>(i) 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;</p> <p>(ii) the notice is to be durable and weatherproof and is to be displayed throughout the works period;</p>	<p>The site notice board observed at the site inspection on 5 August 2019 did not include the details of the Certifying Authority (Design Confidence).</p> <p>Please refer to Independent Audit Report page 85.</p>	<p>The Audit recommended this to be rectified.</p> <p>Please refer to Independent Audit Report page 29.</p>	<p>This matter was rectified immediately after the Audit– the Site Notice now includes details of the Certifying Authority.</p> <p>A Photo of the Site Notice board was obtained as evidence.</p>	The Site Notice Board now includes details of the Certifying Authority.

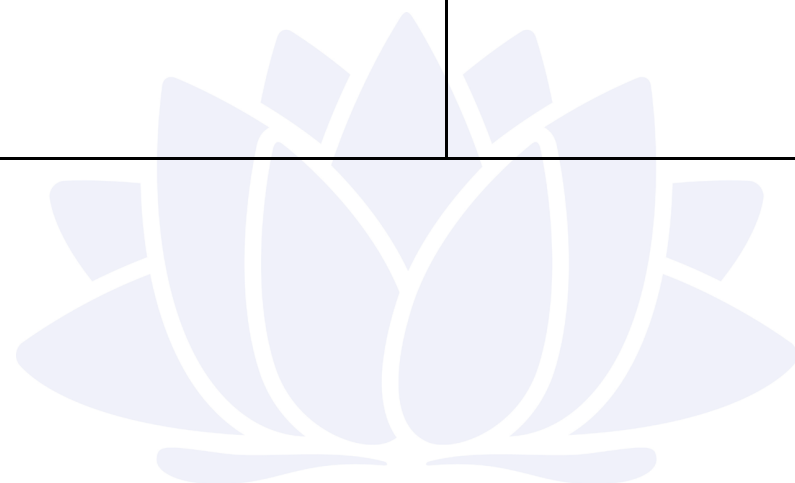
Condition ID	Compliance Requirement	Audit findings	Audit Recommendations	Department of Education Actions	Evidence of Actions
	<p>(iii) the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice; and</p> <p>(iv) 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.</p>				
C37	No later than four weeks before 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.	<p>The audit program was submitted on 29 April 2019. The notified date of commencement of construction was 22 May 2019.</p> <p>Please refer to the Independent Audit Report page 100.</p>	<p>A notification of non-compliance to be prepared and issued to the Department.</p> <p>Please refer to the Independent Audit Report page 32.</p>	<p>The date notified for the commencement of construction was 22nd May 2019 and the Independent Audit Program was submitted to the Department and the Certifying Authority on the 29th April 2019. This is less than the requirement of 4 weeks prior to the commencement of construction.</p> <p>Therefore, Condition C37 is considered non-compliant and it has been addressed, although the timeframes are not consistent with the timeframes required by the condition. However, it is confirmed that an audit program was provided to the Department and Certifying Authority on 29 April 2019.</p>	The non-compliance notification was issued to the DPIE on 12/11/19.
C40	<p>Independent Audits of the development must be carried out in accordance with:</p> <p>(a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C37 of this consent; and</p> <p>(b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).</p>	<p>The Auditor found that the first audit report will not be submitted within 8 weeks of commencement of construction (being 8 weeks from 22 May 2019 which is 17 July 2019).</p> <p>Please refer to the Independent Audit Report page 101.</p>	<p>A notification of non-compliance to be prepared and issued to the DIPE.</p> <p>Please refer to the Independent Audit Report page 32.</p>	<p>The first Independent Audit was required to be carried out within 8 weeks of construction commencement i.e., 17 July 2018. However, the first Independent Audit was commenced on 5 August 2019. This is later than the required date and more than eight weeks from the commencement of construction.</p> <p>Therefore, Condition C40 is considered non-compliant and cannot be rectified as the required date of commencement of the first Independent Audit was exceeded. However, it is confirmed that the auditor's report was completed on</p>	The non-compliance notification was issued to the DPIE on 12/11/19.

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				30/08/2019 and submitted to the DIPE on 14/10/2019.	
CNVMS 7.4.1	The CNVMSP, at section 7.3 Environmental Inductions, states that it "is important that an induction is provided to all site personnel, contractors and sub-contractors with an emphasis on understanding and managing impacts.	The Auditor found that the Site Induction Video does not include the location of sensitive receivers, specific mitigation measures, site hours and complaints procedure.	It is recommended to include the location of sensitive receivers, specific mitigation measures, site hours and complaints procedure into the Site Induction Video.	This matter will be rectified as matter of urgency and the contractor to update the Site Induction Video with the list of items requested by the Auditor.	ADCO has provided a revised Site Induction video with location of sensitive receivers, specific mitigation measures, site hours and complaints procedure.



Attachment B – Response to Independent Audit Corrective action requests and observations (Section 3.2.3, Section 4 & Appendix A)

Condition ID	Compliance Requirement	Audit findings	Audit Recommendations	Department of Education Actions	Evidence of actions
B9	Remediation approved as part of this development consent must be carried out in accordance with the Remediation Action Plan dated 17 August 2018 and prepared by Environmental Investigation Services.	<p>The Contaminated Site Auditor advised that he/ she was satisfied with the remediation and that works could proceed. However, in his/ her correspondence, the Contaminated Site Auditor noted that there is conflict with the timing of the submission reports.</p> <p>Please refer to page 26 of the Independent Audit Report.</p>	<p>The Auditor requested to rectify the timeframes and provide clarification.</p> <p>Please refer to the Independent Audit Report page 26.</p>	No action required by the DIPE.	<p>The contractor has collated the following documents as evidence proving the timeframes of the submitted reports.</p> <ol style="list-style-type: none"> 1. Reports issued to TKD Architects on the Remediation Action Plan for the Proposed School Redevelopment at Schofields Public School, Cnr St Albans & Junction Roads, Schofields on 20/03/2019. 2. Remediation Action Plan dated 17/08/2019. 3. Email correspondence from the Contaminated Site Auditor to SINSW dated 02/08/19. 4. Ongoing correspondence with the EPA accredited site auditor from Ramboll Australia PL.
B10	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 [insert relevant land use] land use and be provided to the satisfaction of the Certifying Authority.	<p>The Contaminated Site Auditor advised that he/ she was satisfied with the remediation and that works could proceed. However, in his/ her correspondence, the Contaminated Site Auditor noted that there is conflict with the timing of the submission reports.</p> <p>Please refer to page 26 of the Independent Audit Report.</p>	<p>The Auditor requested to rectify the timeframes and provide clarification.</p> <p>Please refer to page 26 of the Independent Audit Report.</p>	No action required by the DIPE.	<p>The contractor has collated the following documents as evidence proving the timeframes of the submitted reports.</p> <ol style="list-style-type: none"> 1. Reports issued to TKD Architects on the Remediation Action Plan for the Proposed School Redevelopment at Schofields Public School, Cnr St Albans & Junction Roads, Schofields on 20/03/2019. 2. Remediation Action Plan dated 17/08/2019. 3. Email correspondence from the Contaminated Site Auditor to SINSW dated 02/08/19. <p>Ongoing correspondence with the EPA accredited site auditor from Ramboll Australia PL.</p>



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B11	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 B21 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.	Earthworks was yet to commence and therefore the condition was not triggered at the time of the Audit. The Auditor noted the unexpected finds protocol presented as evidence against this condition does not satisfy the requirements of the condition. The Unexpected Finds Protocols posted on the notice boards outside the site office and in the training, room are inconsistent and do not align with the version presented against this condition. Please refer to the Independent Audit Report page 58.	The unexpected finds protocol must be updated to capture the second part of this condition and all signs and notices should be consistent with the final protocol. Please see page 26 of the Independent Audit report.	The DIPE to be provided with the verification that the Contractor has completed an unexpected contamination procedure. The verification is that the unexpected contamination procedure forms part of the CEMP (B21) submitted by the Contractor. The verification is that the Contractor has communicated any contamination found on site, testing results and its disposal location. This information is to be submitted to the Planning Secretary prior to its removal off-site.	The Contractor has submitted: - ADCO's General Requirements for Contaminants. - ADCO's General Requirements for Cultural Heritage. ADCO is currently working with the Geotechnical Consultant on finalising the Validation Report which will include the unexpected finds protocol.
C5	Construction, including the delivery of materials to and from the site, may only be carried out between the following hours: (a) between 7am and 6pm, Mondays to Fridays inclusive; and (b) between 8am and 1pm, Saturdays. No work may be carried out on Sundays or public holidays.	At the site inspection on 5 August 2019 it was observed that the Saturday hours on the notice board were listed as 7am-3pm and therefore do not align with the hours specified in the CoC C5. Please refer to the Independent Audit Report page 88	The Auditor recommended that the site notice board needs to be rectified. Please refer to the Independent Audit Report page 30.	The site notice to be rectified prior to the next Audit.	ADCO has rectified the Site Notice board and provided photographic evidence.
C15	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan.	It is observed that no noise or vibration monitoring has been undertaken to date, and that the CNVMSP is unclear as to when this should occur. It is recommended that the Project obtain clarification as to when to monitor as this is an effective measure in managing noise impacts on the adjacent receivers. Guidance on when to apply additional mitigation measures should also be provided. Please refer to the Independent Audit Report page 91.	Provision of noise and vibration monitoring during the On-Site Detention excavation will be provided due to its close proximity to the adjoining Pop-Up School. Please refer to the Independent Audit Report page 30.	The DIPE to ensure the noise monitoring device is installed at the site.	ADCO has provided the noise monitoring device during the excavation of the OSD tank due its close proximity to the Pop – Up school. ADCO has provided photographic evidence, invoice from Acoustic log device for December hire and site meeting minutes with the neighbouring property – the School.
C16	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.	At the site inspection on 5 August 2019, it was observed that the Saturday hours on the notice board are stated as 7am-3pm, which do not align with the hours set out in CoC C5 (that is, 8am-1pm). Please refer to the Independent Audit Report page 92.	To be monitored and discussed at the site meetings and included in the minutes. Please refer to the Independent Audit Report page 30.	Department to ensure the contractor is monitoring the vehicle entry and exit timings.	Sections 2.1 and 2.2 of AAA Traffic Control Pty Ltd, Construction Traffic Management Plan, dated 13/02/19 (CTPMSP) includes information on Construction vehicle routes and outlines that all the vehicles will be scheduled in such a manner as they do not arrive before or after the normal work hours. For example, site inspection dated 02/07/2019 shows the prestart work records indicating entry and exit timings of vehicles and plant.

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					As a minimum ADCO has rectified the Site Notice board and provided photographic evidence.
C22	<p>For the duration of the construction works:</p> <p>(a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;</p> <p>(b) all street trees 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;</p> <p>(c) all trees on the site that are not approved for removal must be suitably protected during construction as per recommendations of the Arboricultural Assessment & Development Impact Report by RainTree Consulting dated 19 January 2018; and</p> <p>(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.</p>	<p>The CoC C22 sets out tree protection requirements for the duration of construction works. All trees on the site that are not approved for removal must be suitably protected during construction as per recommendations by the Arboricultural Assessment & Development Impact Report by RainTree Consulting dated 19 January 2018.</p> <p>Page 21 of the CEMP sets out controls relating to flora and fauna, including that flora and fauna protection will be managed as prescribed in the development approval etc; protective controls will be erected around trees and shrubs with denoted signage e.g. tree protection zone; and that no materials are to be stored over root systems as prescribed in approvals.</p> <p>At the site inspection on 5 August 2019 it was observed that some tree protection zones (TPZs) need to be reinstated to ensure they appropriately protect the trees on site being retained. Specifically, the TPZ needs to be extended on the south-western boundary, a fence panel needs to be removed from a TPZ on the south west boundary,</p> <p>Also, following remediation clearance, the TPZ needs to be installed on the south eastern boundary (near the temporary school). Refer photos for details.</p> <p>Please refer to the Independent Audit Report page 93</p>	<p>The Auditor recommends the TPZ on the south-western boundary needs to be extended, a fence panel needs to be removed from a TPZ on the south west boundary,</p> <p>Also, the TPZ needs to be installed on the south eastern boundary (near the temporary school).</p> <p>Please see page 31 of the report.</p>	<p>The DIPE to ensure the contractors has retained and extended the tree protection zones as advised by the Auditor</p>	<p>The Contractor has provided photos and the tree protection zones retained and extended as advised by the Auditor.</p> <p>Ongoing inspection by the External Safety Auditor have captured this information on the Safety Reports.</p>
C25	<p>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</p>	<p>At the site inspection on 5 August 2019, it was observed that the rumble grid on the south western gate needs to be cleaned and its position to be reviewed against the CSWMSP. It was also observed that the sediment fences on the south western and</p>	<p>The contractor to clean the rumble grid on the south western gate and position them against CSWMSP. Also, the sediment fences on the south western and south eastern boundaries are to be keyed into the ground surface as</p>	<p>The DIPE to ensure the contractor has cleaned the rumble grid on the south western gate and positioned against CSWMSP and the sediment fences on the south western and south eastern</p>	<p>Site inspections are conducted on regular basis to ensure the controls are in place and functioning.</p> <p>ADCO has provided a sediment control inspection dated 15/01/2020 report as</p>

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	have been stabilised and rehabilitated so that it no longer acts as a source of sediment.	south eastern boundaries need to be keyed into the ground surface as per the requirements of the ERSED Plan and the document commonly referred to as the Blue Book. Please refer to the Independent Audit Report page 94.	per the requirements of the ERSED Plan. Please refer to the Independent Audit Report page 31.	boundaries are keyed into the ground surface as per the requirements of the ERSED Plan.	evidence of regular inspections which includes photographic evidence of repositioning and clean shaker grid and key sediment fences on south western and eastern boundaries.
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.	At the site inspection on 5 August 2019, it was observed that the rumble grid on the south western gate needs to be cleaned and its position reviewed against the requirements of the CSWMSP. Please refer to the Independent Audit Report page 99.	The contractor to clean the rumble grid on the south western gate and position them against CSWMSP. Please refer to the Independent Audit Report page 99.	The DIPE to ensure the contractor has cleaned the rumble grid on the south western gate and positioned against CSWMSP.	Site inspections are conducted on regular basis to ensure the controls are in place and functioning. ADCO has provided a sediment control inspection dated 15/01/2020 report as evidence of regular inspections which includes photographic evidence of repositioning and clean shaker grid and key sediment fences on south western and eastern boundaries.
C35	The Applicant must consult with the community regularly throughout construction, including consultation with the nearby sensitive receivers, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.	Communication logs with the existing school and adjacent neighbours were not presented during the site inspection. It is recommended that, as these are the two most affected stakeholders, that specific communications with these stakeholders are formalised, documented and records readily available to those who wish to see the them. Please refer to the Independent Audit Report page 100.	Meeting with the school principal to be carried out and documented in the form of minutes. Information booths to be held. General implementation of the Community Communication Strategy. Please refer to Independent Audit Report page 32.	SINSW Community Engagement manager to maintain the community logs.	SINSW Community Engagement manager maintains the community logs. These logs are accessible by request for those who wish to see them.
C45; C46; C47	C45 - 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. C46 - 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. C47 - A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	At the site inspection on 5 August 2019, the Contractor indicated that it was aware that it had failed to comply with A20. This non-compliance was not reported to the Department in accordance with CoC C45-47. Please refer to the Independent Audit Report page 33.	Notification to be prepared and issued to the Department advising it of the non-compliance. Please refer to the Independent Audit Report page 33.	SINSW issued a notification to the DIPE on 12/11/19.	The notification of non-compliance was issued to the DIPE on 12/11/19.

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C48	<p>Within three months of:</p> <p>(a) the submission of a compliance report under condition B40;</p> <p>(b) the submission of an incident report under condition C43;</p> <p>(c) the submission of an Independent Audit under condition C40;</p> <p>(d) the issue of a direction of the Planning Secretary under condition A2 which requires a review,</p> <p>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.</p>	<p>The Auditor notes that the Project will need to undertake a review of the strategies, plans and programs required under this consent and in accordance with this condition within 3 months of submission of the Pre-Construction Compliance Report.</p> <p>Please refer to the Independent Audit Report page 103.</p>	<p>Reviews to occur within three months of submission of the Construction compliance reports i.e. February 2020, incident report (not triggered) and Independent Audit.</p> <p>Please refer to the Independent Audit Report page 33.</p>	<p>The DIPE to ensure the reviews are being carried out within timeframes.</p>	<p>Reviews to occur within three months of submission of the following reports</p> <ol style="list-style-type: none"> 1. The Construction compliance report i.e. February 2020. 2. incident report (not triggered). 3. Independent Audit Report November 2019.

