



NSW Department of Education
Waitara Public School
(SSD 8574)

SINSW Response to
2nd Independent Environmental
Audit (IEA)

19 March 2020

Response to Independent Environmental Audit Non-Compliances

Three non-compliances have been identified in the 2nd IEA report dated 6 March 2020. The non-compliances are being addressed as follows;

ID	Consent Heading	Compliance Requirement	Comments / Observations / Supporting Documentations	Compliance Status	Independent Audit Findings and Recommendations Actions (A) = address non-compliances Recommendations (R) = address observations	SINSW Response and Actions																																																																																
A2	Terms of Consent	<p>The development may only be carried out:</p> <p>(a) in compliance with the conditions of this consent;</p> <p>(b) in accordance with all written directions of the Planning Secretary;</p> <p>(c) generally in accordance with the EIS and Response to Submissions;</p> <p>(d) in accordance with the approved plans in the table below:</p> <table><tr><th colspan="4">Architectural Drawings prepared by NBR Architecture</th></tr><tr><th>Dwg No.</th><th>Rev</th><th>Name of Plan</th><th>Date</th></tr><tr><td>18159-A-WD-00-02</td><td>P4</td><td>Site Demolition Plan</td><td>4/10/2018</td></tr><tr><td>18159-A-WD-00-01</td><td>A</td><td>Site Plan</td><td>31/01/2019</td></tr><tr><td>18159-A-WD-10-01</td><td>A</td><td>General Arrangement – Level 1</td><td>31/01/2019</td></tr><tr><td>18159-A-WD-10-02</td><td>A</td><td>General Arrangement – Level 2</td><td>31/01/2019</td></tr><tr><td>18159-A-WD-10-03</td><td>A</td><td>General Arrangement – Level 3</td><td>31/01/2019</td></tr><tr><td>18159-A-WD-10-04</td><td>A</td><td>General Arrangement – Level 4</td><td>31/01/2019</td></tr><tr><td>18159-A-WD-10-05</td><td>A</td><td>General Arrangement – Roof Plan</td><td>31/01/2019</td></tr><tr><td>18159-A-WD-30-01</td><td>A</td><td>Elevations</td><td>31/01/2019</td></tr><tr><td>18159-A-WD-30-02</td><td>A</td><td>Elevations</td><td>31/01/2019</td></tr><tr><td>18159-A-WD-30-11</td><td>A</td><td>Sections</td><td>31/01/2019</td></tr><tr><td>18159-A-WD-30-12</td><td>A</td><td>Sections</td><td>31/01/2019</td></tr><tr><th colspan="4">Landscape Plans prepared by GHD Woodhead</th></tr><tr><th>Dwg No.</th><th>Rev</th><th>Name of Plan</th><th>Date</th></tr><tr><td>21-26108-WA-SD-LA-1000</td><td>E</td><td>Landscape Site Plan</td><td>03/08/2018</td></tr><tr><td>21-26108-WA-SD-LA-1107</td><td>D</td><td>Landscape General Arrangement (Sheet 7 of 8)</td><td>03/08/2018</td></tr><tr><td>21-26108-WA-SD-LA-3107</td><td>C</td><td>Landscape Planting Plan (Sheet 7 of 8)</td><td>03/08/2018</td></tr><tr><td>21-26108-WA-SD-LA-2107</td><td>C</td><td>Landscape Levels and Setout Plan</td><td>03/08/2018</td></tr><tr><td>21-26108-WA-SD-LA-1003</td><td>E</td><td>Landscape Available Play Space Area</td><td>03/08/2018</td></tr></table>	Architectural Drawings prepared by NBR Architecture				Dwg No.	Rev	Name of Plan	Date	18159-A-WD-00-02	P4	Site Demolition Plan	4/10/2018	18159-A-WD-00-01	A	Site Plan	31/01/2019	18159-A-WD-10-01	A	General Arrangement – Level 1	31/01/2019	18159-A-WD-10-02	A	General Arrangement – Level 2	31/01/2019	18159-A-WD-10-03	A	General Arrangement – Level 3	31/01/2019	18159-A-WD-10-04	A	General Arrangement – Level 4	31/01/2019	18159-A-WD-10-05	A	General Arrangement – Roof Plan	31/01/2019	18159-A-WD-30-01	A	Elevations	31/01/2019	18159-A-WD-30-02	A	Elevations	31/01/2019	18159-A-WD-30-11	A	Sections	31/01/2019	18159-A-WD-30-12	A	Sections	31/01/2019	Landscape Plans prepared by GHD Woodhead				Dwg No.	Rev	Name of Plan	Date	21-26108-WA-SD-LA-1000	E	Landscape Site Plan	03/08/2018	21-26108-WA-SD-LA-1107	D	Landscape General Arrangement (Sheet 7 of 8)	03/08/2018	21-26108-WA-SD-LA-3107	C	Landscape Planting Plan (Sheet 7 of 8)	03/08/2018	21-26108-WA-SD-LA-2107	C	Landscape Levels and Setout Plan	03/08/2018	21-26108-WA-SD-LA-1003	E	Landscape Available Play Space Area	03/08/2018	Refer non-compliant conditions below.	Non-Compliant	(A): Address non-compliant conditions as indicated below.	Non-compliance noted. This condition is non-compliant due to non-compliances with other conditions identified. Refer responses and actions below.
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A21	Access to Information	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:</p> <p>(a) Make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <p>(i) the documents referred to in condition A2 of this consent;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;</p> <p>(v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p>	<p>Letter issued by SINSW to DoPE (DOC19/ 319915) via email on 3 May 2019. Information is published on the SINSW project website for Waitara Public School Upgrade Project: https://www.schoolinfrastructure.nsw.gov.au/projects/w/waitarapublic-school.html</p> <p>The following information is currently not available on the website:</p> <ul style="list-style-type: none">all approved strategies, plans and programs required under the conditions of this consentreporting on environmental performancesummary of the monitoring resultsa complaints register <p>Project website is not up to date. Next steps lists 'commence construction of the new school' and refers to an information booth to be held in Term 2 2019.</p> <p>Contact details to make enquiries or complaint only provided as general email addresses. 1800 number should be included.</p>	Non-Compliant	<p>(A): Project website to be updated with all available information and documents referred to in Condition A21 including approved plans such as the Construction Environmental Management Plan and sub-plans, and Construction Worker Transportation Strategy.</p> <p>(R): Include the 1300 contact phone number on the project web-site.</p>	<p>Non-compliance noted. Missing documentation and information has been uploaded on the SINSW school project website to resolve this non-compliance.</p> <p>All documents required under this Condition have been uploaded to the SINSW project website on 28/02/2020.</p>																																																																																

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		(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 (b) Keep such information up to date, to the satisfaction of the Planning Secretary.				
B28	Road Design and Traffic Facilities	Within two months of the commencement of construction, the Applicant must finalise details of road safety mitigation works identified in the updated Transport Impact Assessment prepared by GHD dated July 2018 included in the Response to Submissions in consultation with Council and RMS (where appropriate). The details and evidence of consultation must be submitted to the satisfaction of the Planning Secretary.	<ul style="list-style-type: none"> Email correspondence submitting information in accordance with conditions B28 and B29 to the planning secretary for approval dated 11 July 2019, including the following supporting documentation: <ul style="list-style-type: none"> Email correspondence with Hornsby Shire Council dated 8 July 2019 including acknowledgement response from Hornsby Shire Council dated 9 July 2019, including Traffic Meeting No. 1 meeting minutes and map showing mark-up of the issues discussed in meeting. Email correspondence with NSW Police, detailing evidence of consultation and the outcomes of the investigation and recommendation noted. Consultation register with stakeholders with information including details of consultation with Hornsby Shire Council – Traffic Meeting No. 1, details of consultation with NSW Police, and Waitara Public School traffic issues Letter issued by SINSW to DoPE on 24 September 2019 including the following supporting documentation: <ul style="list-style-type: none"> SINSW email correspondence with Hornsby Shire Council dated 8 July 2019 including acknowledgement response from Hornsby Shire Council dated 9 July 2019. Email correspondence from RMS dated 24 September 2019 confirming RMS response to address the issue of Myra Street / Edgeworth David Drive Intersection Light Phasing. SINSW email correspondence with NSW Police on the 24 and 25 June, 4 and 8 July 2019. Email correspondence from Waitara Public School Community regarding Road Safety and Traffic Issues raised. 	Non-Compliant		Non-compliance noted. This is a timing non-compliance and the required submission has been sent and accepted by the department. Notification of this non-compliance to DPIE to be sent 16/03/20.

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			<ul style="list-style-type: none"> Waitara Public School: Upgrade Project – SSD 8574 – Condition B28 Road Design and Traffic Facilities – Consultation Register – Version 2. Letter issued by Henry & Hymas Pty Ltd to ADCO Constructions on 30 September 2019, detailing the raised pedestrian crossing project Myra Street, Wairoa. Letter issued by DPIE (formerly DoPE) to SINSW on 11 October 2019, confirming approval of details and evidence of consultation to satisfy Condition B28. <p>The Planning Secretary delegate approved the details and evidence of consultation on the final road safety mitigation works as being in accordance with Condition B28 of SSD 8574.</p> <p>SINSW's submission was received on 26 July 2019 by the Department and construction works commenced 9 May 2019. Submission was received by the Department outside the two month timing requirement.</p>			
B42	Compliance Reporting	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.	<ul style="list-style-type: none"> Pre-Construction Compliance Report Version 2.0 was submitted to NSW Department of Planning and Environment's Compliance Team on the 14 May 2019. Email correspondence from SINSW to DPIE on the 23 September 2019 notifying the Pre-Construction Compliance Report will be publicly available in a minimum of seven days (from 23 September 2019). Pre-Construction Compliance Report Version 2.0 is available on The SINSW project website for Waitara Public School Upgrade Project. <p>The Pre-Construction Compliance Report was made public 20 weeks after submission to the Department.</p>	Non-Compliant	None	<p>Non-compliance noted. This was a timing non-compliance and the PCCR has since been made public with notification made on 23/09/2019.</p> <p>Notification of non-compliance was sent to DPIE on 19/03/2020</p> <p>Notification of Preconstruction compliance report was sent on 23/09/2019</p>
C5	Construction Hours	<p>Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:</p> <p>a) Between 7am and 6pm, Mondays to Fridays inclusive; and</p> <p>b) Between 8am and 1pm, Saturdays.</p> <p>No work may be carried out on Sundays or public holidays.</p>	<ul style="list-style-type: none"> Project Management Plan, Environmental Management Plan and Environmental Risk Register, Waitara Public School, Edgeworth David Road, Waitara NSW, version 4-200109, ADCO Constructions Pty Ltd, 9 January 2020. <p>Site hours are noted on the Environmental Management Plan.</p> <p>ADCO complaints register states a 'Working Hours' complaint was received on 21 June 2019. The complaint was from the property manager of a nearby residential units regarding early morning deliveries, working outside of allowed hours. ADCO responded that neighbouring properties were notified 48 hours prior via a letterbox drop and Hornsby Council and LAC was consulted prior.</p>	Non-Compliant	If working outside of approved working hours is required seek approval from DPIE in writing and notify neighbouring properties in accordance with conditions C5	<p>Non-compliance noted. ADCO advised that this works was regarding the removal of a piling rig and due to the scale of the task, the need for out of hours work was not identified earlier. Council, NSW Police and neighbor notification was made 48 hours prior.</p> <p>ADCO has been formally advised that any future out of hours works will require formal approval from DPIE dated 13/03/2020</p>

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C6	Construction Hours	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. 	Working out of hours complaint received on 21 June 2019, as outlined in C5. ADCO state they notified Hornsby Council, however no written confirmation of this has been provided.	Non-Compliant	If working outside of approved working hours is required seek approval from DPIE in writing and notify neighbouring properties in accordance with conditions C6	Non-compliance noted. ADCO advised that this works was regarding the removal of a piling rig and due to the scale of the task, the need for out of hours work was not identified earlier. Council, NSW Police and neighbor notification was made 48 hours prior. ADCO has been formally advised that any future out of hours works will require formal approval from DPIE. dated 13/03/2020
C41	Independent Environmental Audit	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant/Proponent must: <ul style="list-style-type: none"> a) review and respond to each Independent Audit Report prepared under condition C40 of this consent; b) submit the response to the Department and the Certifying Authority; and 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. 	<ul style="list-style-type: none"> • Letter issued by SINSW to DoPE (DOC19/629326) on 1 August 2019, Waitara Public School – SSD 8574: Issue of Response to Independent Environmental Audit in accordance with Condition C41 for information. • Email correspondence from SINSW to the Department on 2 August submitting signed cover letter for Condition C41 and JBS&G Independent Audit, dated 3 July 2019, Revision 0. • Email correspondence from SINSW to the Department, providing the revised Independent Audit on the 22 November 2019. <p>SINSW provided responses to Independent Audit non-compliances and recommendations.</p> <p>The response to the Independent Audit Report is not available on the project web-site.</p>	Non-Compliant	(A): Make response to Independent Audit Report available to public on project web-site.	Non-compliance noted. IEA response requested for upload to SINSW project website on 16/03/2020
C45	Non-Compliance Notification	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>TSA and ADCO report that no non compliances have been identified as requiring reporting to the Department since the initial independent audit.</p> <p>A number of non-compliances in relation to reporting and submission of information to the Department exist and are acknowledged by SINSW. These have been not been reported formally to the Department.</p>	Non-Compliant	(A): Submit non-compliances to the Department.	Non-compliance noted. The following non-compliance notifications were submitted to DPIE: Condition C45 – that IEA response was not submitted with initial submission of DA was sent to DoPE on 04/02/2020 Non-compliances identified in this 2 nd Audit were requested for notification on 17/03/2020

Response to Independent Environmental Audit Corrective Action Requests/Observations

Seven corrective action requests/observations were included in the 2nd IEA report dated 6 March 2020. SINSW has reviewed the recommendations and provides the following commentary:

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A21	Access to Information	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 (b) Keep such information up to date, to the satisfaction of the Planning Secretary.	N/A	Compliant	Project website should be updated with all available information and documents referred to in Condition A21;	All documents required under this Condition have been uploaded to the SINSW project website on 28/02/2020. Response to first IEA in accordance with C41 requested for upload on 16/03/2020
C5	Construction Hours	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.	N/A		If working outside of approved working hours is required seek approval from DPIE in writing and notify neighbouring properties in accordance with conditions C5, C6 and C7;	In response to the complaint received on 21 June 2019, ADCO has been formally advised that any future out of hours works will require formal approval from DPIE on dated 13/03/2020
C6	Construction Hours	Activities may be undertaken outside of the hours in Condition C5 if required: a) by the Police or a public authority for the delivery of vehicles, plant or materials; or	N/A		If working outside of approved working hours is required seek approval from DPIE in writing and notify neighbouring properties	In response to the complaint received on 21 June 2019, ADCO has been formally advised that any future out of hours works will require formal approval from DPIE on

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		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 Where a variation is approved in advance in writing by the Planning Secretary or her nominee if appropriate justification is provided for the works.			in accordance with conditions C5, C6 and C7;	dated 13/03/2020
C7	Construction Hours	Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.	N/A		If working outside of approved working hours is required seek approval from DPIE in writing and notify neighbouring properties in accordance with conditions C5, C6 and C7;	In response to the complaint received on 21 June 2019, ADCO has been formally advised that any future out of hours works will require formal approval from DPIE on dated 13/03/2020
A15	Demolition	Demolition work must comply with <i>Australian Standard AS 2601-2001 The demolition of structures</i> (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.	N/A		Demolition works relating to Stage 2 of the development be undertaken in accordance with conditions A15 and C4	Noted. Stage 2 demolition has not commenced at time of preparing this response. Staging report to be prepared and 4.55 Modification in preparation to adopt staging report. This report will have provisions for A15 and C4 to apply to Stage 2.
C4	Demolition	Demolition work must comply with <i>Australian Standard AS 2601-2001 The demolition of structures</i> (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.	N/A		Demolition works relating to Stage 2 of the development be undertaken in accordance with conditions A15 and C4	Noted. Stage 2 demolition has not commenced at time of preparing this response. Staging report to be prepared and 4.55 Modification in preparation to adopt staging report. This report will have provisions for A15 and C4 to apply to Stage 2.
B3	Notification of Commencement	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.	N/A		DoPE be notified prior to commencement of Stage 2 in accordance with condition B3;	Noted. Notification of commencement of Stage 2 will be send in accordance with B3 (48 hours prior)