

Mick Cassel
Planning Secretary
Department of Planning and Environment
Locked Bag 5022
Parramatta NSW 2124

Attention: Rob Sherry

07 February 2023

Dear Mr Cassel

**Young High School Library and Joint-Use Community Facility - SSD 9671
Independent Environmental Audit in accordance with Condition C34, C37, C38 and C39**

I refer to Young High School Library and Joint-Use Community Facility SSD 9671 approved on 21 May 2020.

In accordance with condition C34 and C38 of the development consent the following document is being submitted to the Planning Secretary for information:

- SSD 9671 - Independent Audit Report - Wolf Peak – Audit Report Rev V2 – 23 January 2023

As per the requirements of Condition C37 which outlines the need to meet the specific requirements in the Independent Audit: Post Approval Requirements (Department 2018), the following attachments are submitted to the Department as a response to the Independent Audit Report in accordance with C37a and C37b.

Attachment A - Response to Independent Audit non-compliances

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

I hereby provide 60-day notification of our intention to publicly release the response to the Independent Audit Report which demonstrates our commitment to complying with condition C37c.

Yours sincerely,



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Huss Mohsin
Project Director
for the Principal

Attachments:

Attachment A – Response to Independent Audit non-compliances (Table 7 & Appendix A of the IA Report)

Attachment B – Response to Independent Audit Corrective action requests and observations (Table 7 & Appendix A)

Appendix A - Response to Independent Audit non-compliances (Table 7 & Appendix A of the IEA Report)

Item (As referenced in audit report)	Condition ID	Type	Condition Requirement	Audit Recommendation	Action (By whom and when)	Status	Project Team Comment and Evidence of Action
IA3_1	CoC A22	Non - compliance	<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 document referred to in condition A2 of this consent;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;</p> <p>(v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p> <p>(vi) a summary of the current stage and progress of the development;</p> <p>(vii) contact details to enquire about the development or to make a complaint;</p> <p>(viii) a complaints register, updated monthly;</p> <p>(ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;</p> <p>(x) any other matter required by the Planning Secretary; and</p> <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p> <p>Non-compliance: Construction Compliance Report No 2 had not been published. The response to the second Independent Audit had not been published.</p>	<p>Construction Compliance Report No. 2 had been published prior to the preparation of this Report.</p> <p>Whilst the second Independent Audit Report is published, the auditee's response to the second Independent Audit Report is not labelled correctly. This should be updated.</p>	SINSW	CLOSED	<p>The Construction Compliance Report No. 2 has now been published on SINSW website.</p> <p>The second Independent Environmental Audit Report was published on SINSW website at the time of the inspection.</p> <p>The response to the Independent Environmental Audit Report No. 2 was not undertaken as the result of an oversight and therefore cannot be uploaded to SINSW website. This is a result of changing project team.</p> <p>Notwithstanding this, non-compliance notifications were submitted to the Planning Secretary on 9.9.2022 together with construction compliance No 2</p> <p>The Independent Environmental Audit No. 3 addresses matters raised in Audit No. 2 (Table 6) and provides the status of the previous audit findings. All these matters were declared closed by the auditor in audit no 3 and are no longer outstanding.</p>

IA3_3	CoC A26	Non-Compliance	<p>The Planning Secretary 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 Planning Secretary in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance</p> <p>Non-compliance: The non-compliance notification from September 2022 was not submitted to the Department within 7 days of becoming aware of each non-compliance.</p>	The notification was submitted after the fact.	SINSW	CLOSED	<p>Auditee agrees that the non-compliance notification from September 2022 was not submitted to the Department within seven (7) days of becoming aware of each non-compliance.</p> <p>Please note this was due to a fractured project team and limited resources not being available during the period when the last audit report was issued, being report number 2. The original project management consultants (GHD) were stood down on this project, therefore the project had undergone a period (several months) without a project manager managing the day-to-day operations of the project. CWPM were engaged in late July 2022 leaving a total period of four months without an effective project management team.</p> <p>SINSW note that we have established the new project team including a new Project Management team and will be conducting all future submission of documents and communications in a timely manner.</p> <p>The notification for this non-compliance was submitted to the Planning Secretary on 09/09/2022</p>
IA3_4	CoC A29	Non-Compliance	<p>Within three months of:</p> <p>(a) the submission of a compliance report under condition B32.</p> <p>(b) the submission of an incident report under condition A29.</p> <p>(c) the submission of an Independent Audit under condition C39.</p> <p>(d) the approval of any modification of the conditions of this consent; or</p> <p>(e) the issue of a direction of the Planning Secretary under condition A2 which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.</p> <p>Non-compliance: No review (or notification of review) was completed after the submission second Independent Audit or Construction Compliance Report No. 2.</p>	This non-compliance was notified on 09/09/22 under A26.	SINSW	CLOSED	<p>Auditee agrees that no review of plans, programs and strategies was completed after the submission of the second independent environmental audit or Construction Compliance Report No.2.</p> <p>This was due to limited resourcing available during the stand down period and the transition to a new client-side project manager.</p> <p>The notification of non-compliances was submitted to the Planning Secretary on 09/09/2022</p> <p>SINSW will advise in writing the Planning Secretary and the Certifying Authority that review of plans, strategies and programs will be carried out within three (3) months of items A – E.</p>

IA3_5	CoC B29	Non-Compliance	<p>Compliance Reports of the development must be submitted to the Planning Secretary in accordance with timing outlined in the Compliance Monitoring and Reporting Program.</p> <p>Non-compliance: Construction Compliance Report No. 2 was submitted late.</p>	<p>The Department reviewed the report and the non-compliance notification and elected to not take any further action. This was notified to the Department under A26.</p>	SINSW	CLOSED	<p>Auditee agrees that the Construction Compliance Report No.2 was submitted late.</p> <p>This was due to limited resources available during the reporting period as explained under point 2 (A26 – Non-Compliance Notification). However, we have established the new project team and will be conducting all future submission of documents in a timely manner.</p> <p>The Construction Compliance Report No.2 was submitted to the Planning Secretary on 09/09/2022</p>
IA3_6	CoC B30	Non-Compliance	<p>The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary and notify the Planning Secretary and the Certifier in writing at least seven days before this is done.</p> <p>Non-compliance: The Construction Compliance Report No 2 was not published on the Project website and there does not appear to be any notification regarding its publication.</p>	<p>Construction Compliance Report No. 2 had been published prior to the preparation of this Report. Notification of publication has not yet occurred and should be completed as per B30.</p>	SINSW	CLOSED	<p>Auditee agrees that the Construction Compliance Report 2 was not published on the SINSW website at the time of the inspection.</p> <p>Construction Compliance Report number 2 was uploaded on to the SINSW web site prior to the auditor finalising their Independent Environment Audit report. This non-compliance was reported to the Planning Secretary on 9.9.2022.</p> <p>SINSW will advise in writing to the Planning Secretary when future Construction Compliance Reports will be published within 7 days' notice.</p>

Attachment B – Response to Independent Audit Corrective action requests and observations (Table 7 & Appendix A of the IEA Report)

Item (As referenced in audit report)	Condition ID	Type	Condition Requirement	Audit Recommendation	Action (By whom and when)	Status	Project Team Comment and Evidence of Action
IA3_2	CoC A23	Observation	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development. Observation: Several toolbox talks identify hours for Saturday as 8am to 3pm (not 1pm as permitted under the consent). The auditees indicate that they have worked past 1pm, although this has consisted of plasterers only.	Construction personnel were re-trained on the permissible hours of construction on 14/12/22	Joss Group	CLOSED	Toolbox Talk was undertaken to close out compliance within permissible working hours.
IA3_7	CoC C4	Observation	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. Observation: Several toolbox talks identify hours for Saturday as 8am to 3pm (not 1pm as permitted under the consent). The auditees indicate that they have worked past 1pm, although this has consisted of plasterers only. The auditees are of the view that this would likely be inaudible (and therefore permissible under C5(c)). The Auditor agrees. There have been no complaints received during the audit period.	Construction personnel were re-trained on the permissible hours of construction on 14/12/22	Joss Group	CLOSED	Toolbox Talk was undertaken to close out compliance within permissible working hours.
IA3_8	CoC C9	Observation	All construction vehicles (excluding worker vehicles) are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site before stopping. Observation: Whilst fuels and oils are stored within a bund, there is one drum of chemical held on site outside of a bund. The drum is due to be removed from site.	The drum was removed from site on 19/12/22	Joss Group	CLOSED	The chemical drum was removed by Joss Construction off site on 19/12/2022 via the sub-contractor. The chemical drum is not required anymore.
IA3_9	CoC C14	Observation	The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of 'quackers' to ensure noise impacts on surrounding noise sensitive receivers are minimised.	Peak construction has passed and the opportunity for, and value of, fitting plant with non-tonal beepers is limited.	Joss Group	CLOSED	No Action Required as vehicles containing quackers no longer required on site.

			<p>Observation: There are approximately seven (7) pieces of mobile plant on site, 75% of which has tonal beepers fitted. The auditees advise that due to the regional location of the project, sourcing subcontractors that have quackers fitted as standard has not been possible. Given there have been no complaints received to date the Auditor does not consider this to be an issue at this time.</p>				
IA3_10	CoC C18	Observation	<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 immediately adjacent to the approved disturbance area / property boundary/ies must be protected at all times during construction in accordance with Council's tree protection requirements. Any street tree, 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;</p> <p>(d) the Reconciliation Tree must be protected in accordance with the ACHMSP.</p> <p>(e) 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>Observation: The site arborist made several recommendations regarding tree protection on site. These relate to extension of Tree Protection Zones and post construction amelioration.</p>	The Tree Protection Zones were in place during the site inspection.	Joss Group	CLOSED	Tree Protection Zone implemented. Actioned on the date of audit and evidence was provided to the auditor.