

Tuesday, 22 July 2025

Department of Planning, Industry & Environment
Level 1, Suite 14, 1 Civic Avenue
SINGLETON NSW 2330

ATTN: Post Approval Team

Re: CATHERINE MCAULEY CATHOLIC COLLEGE (SSD 8989) – CONSTRUCTION INDEPENDENT ENVIRONMENTAL AUDIT

Dear Post Approval Team,

In reference to the Construction Independent Environmental Audit (IEA) as required under Schedule 2, Part D, condition D31b of SSD 8989, the Catholic Diocese of Maitland-Newcastle make the following comments regarding the new non-compliances identified within the Independent Audit Report #9, completed by NGH Environmental, dated 15 July 2025.

Pursuant to condition A30, please accept this correspondence as notification from the Applicant (within the required seven days) that it has become aware of a non-compliance.

Condition No.	Condition Requirement and Details of Non-compliance	Applicant's Response
A12	<p><u>Condition Requirement</u> Where staging is proposed, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage.</p> <p><u>Details of Non-Compliance</u> Staged work is generally in compliance with the consent conditions and activities to be carried out within Stages 4 and 5. However, the audit found six non-compliances with conditions, including Conditions A12, A22, A34, B2, D1 and D33.</p>	<p>The Applicant has acknowledged the six non-compliances and will continue consultation with the Department and NGH Environmental for all future stages and audits to ensure works carried out are in compliance with the terms of the approval.</p> <p>The Applicant has notified DPIE of this non-compliance in accordance with Condition A30.</p>
A22	<p><u>Condition Requirement</u> 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>The Staging Report (RevJ1) was uploaded onto the project website on the 15 July 2025.</p> <p>The Applicant has notified DPIE of this non-compliance in accordance with Condition A30.</p>

	<p>(iii) all approved strategies, plans and programs required under the conditions of this consent</p> <p><u>Details of Non-Compliance</u> The audit found that Staging Report (Rev J) was not on the website at the time of the audit.</p>	
A34	<p><u>Condition Requirement</u> Within three months of:</p> <p>(c) the approval of any modification of the conditions of this consent; or (d) the issue of a direction of the Planning Secretary under condition A3 which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Department and the Principal Certifying Authority must be notified in writing that a review is being carried out.</p> <p><u>Details of Non-Compliance</u> The audit found that Planning Secretary and Certifier were not notified in writing that a review was being carried out of strategies, plans and programs within three months of determination of Mod-4 or Mod- 3, or the direction of the Planning Secretary (Development Control Order).</p>	<p>A review of the project strategies, plans and programs was completed following the determination of MOD-3, MOD-4 and as part of the Construction Certificate application documentation submitted for stages 4 and 5 to both the Department and the Private Certifying Authority.</p> <p>The Applicant will notify the Planning Secretary and the Certifier that a review of strategies, plans and programs will be conducted following the requirements set out in condition A34. We anticipate the next time this condition is triggered will be on determination of Mod- 5 which is currently under review by the Department.</p> <p>The Applicant has notified DPIE of this non-compliance in accordance with Condition A30.</p>
B2	<p><u>Condition Requirement</u> Prior to the issue of a construction certificate, the Applicant must provide the Principal Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the requirements of the BCA. The Applicant must provide a copy of the documentation given to the Principal Certifying Authority to the Planning Secretary within seven days after the Principal Certifying Authority accepts it.</p>	<p>The documentation has already been submitted to the Planning Secretary. As noted by NGH Environmental there is no further action required.</p> <p>The Applicant has notified DPIE of this non-compliance in accordance with Condition A30.</p>

	<p><u>Details of Non-Compliance</u></p> <p>The audit found that the external wall documentation was included on the construction certificates issued in the reporting period. The external wall documentation required for the Stages 4 and 5 construction certificates was submitted to the Certifier, with Certifier approval on 10/10/2024. The documentation was submitted to DPHI on 28/10/2024, which is beyond the 7 days following Certifier acceptance as required by this condition.</p>	
<p>D1</p>	<p><u>Condition Requirement</u></p> <p>A site notice(s) 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, Principal Certifying Authority and Structural Engineer and is to satisfy all but not be limited to, the following requirements:</p> <p>(c) the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction / noise complaint must be displayed on the site notice.</p> <p><u>Details of Non-Compliance</u></p> <p>The site notice does not include the approved hours of work or the address of the responsible managing company.</p>	<p>The approved work hours and the managing company's address have been added to North Constructions' site notice.</p> <p>The Applicant has notified DPIE of this non-compliance in accordance with Condition A30.</p>
<p>D33</p>	<p><u>Condition Requirement</u></p> <p>In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: (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 Principal Certifying</p>	<p>The Audit 8 IEA report and the Applicant's Response have been uploaded to the Project website.</p> <p>All future Independent Audit Reports will be made publicly available within 60 days from submission</p>

	<p>Authority in writing at least seven days before this is done.</p> <p><u>Details of Non-Compliance</u></p> <p>The audit found that the eighth Independent Audit Report and Response are available on the website. They were uploaded nine months ago in September 2024, which was not 60 days after submission to the DPHI. The auditor notes that Applicant held off uploading the audit report and Applicant's response to the website until the DPHI had confirmed that they were happy with the Applicant's response.</p>	<p>to the Planning Secretary, regardless of receiving a response from the Department.</p> <p>As noted by NGH Environmental there is no further action required.</p> <p>The Applicant has notified DPIE of this non-compliance in accordance with Condition A30.</p>
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In addition to the above please note that the improvements opportunities have been addressed in the following manner: A

- A22(vi) and C8(i) – Both opportunities for improvement have been addressed by uploading the Development Update into the *Summary of Current Stage* folder on the project Website.
- C12 – This will be addressed for all future CEMP submissions.
- D23 – Sediment control has been rectified within the High School Carpark.
- D32 – This will be addressed prior to commencement of construction for all subsequent stages.

Please also accept this response as notification under Schedule 2, Part D, condition D33c of SSD 8989, that the Catholic Diocese of Maitland-Newcastle intend on making this response and the IEA report 15 July 2025, publicly available on the 15 September 2025.

If you have any queries, please do not hesitate to contact the undersigned on our office number 02 4979 1351.

Yours faithfully,



Kurt Daley
CONSTRUCTION MANAGER