



LAKE CATHIE PUBLIC SCHOOL REDEVELOPMENT – SSD 9491

INDEPENDENT AUDIT REPORT

www.wolfpeak.com.au

Revision	Date	Prepared By	Reviewed By	Description
V0	04/05/2020	S Fermio	Client	For client review
V1	05/05/2020	S Fermio	D Low	Final for issue

Executive Summary

The NSW Department of Education – Schools Infrastructure NSW is responsible for delivering the Lake Cathie Public School Redevelopment (LCPSR, or the Project). The Project involves an expansion of the school's current capacity to cater for current and projected population growth in the Lake Cathie and Bonny Hills area.

Consent for the Project, State Significant Development (SSD) 9491, was granted on 30 January 2020, subject to a number of Conditions of Consent (CoC).

The objective of this Independent Audit is to satisfy SSD 9491, Schedule 2, CoC C36. It requires that Independent Audits of the development be carried out in accordance with the Project's Independent Audit Program and the *Independent Audit Post Approval Requirements* (Department 2018). The Independent Audit seeks to verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project.

This Audit Report presents the findings from the first Independent Audit for the construction period, covering the period from the granting of consent to May 2020.

Currie & Brown has been appointed as the client representative on behalf of Schools Infrastructure NSW. AW Edwards is the principal contractor. Construction works began 16 March 2020. Works undertaken to date include completion of site establishment works and commencement of main construction works.

The overall outcome of the Independent Audit was very positive. Compliance records were very well organised and available at the time of the interview and site inspection with AW Edwards and Currie and Brown personnel on 29 April 2020 and 4 May 2020 respectively. Relevant environmental and compliance monitoring records are being collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements.

The condition of site environmental controls and housekeeping at the time of the site audit was outstanding. Site personnel are to be commended on this.

There were 91 CoCs activated and assessed, with 1 non-compliance identified against these (100 CoC are yet to be triggered). The non-compliance related to late submission of the Staging Report. There were no observations identified in relation to the CoC.

Detailed findings are presented in Section 3. Actions proposed by the Project team to address the findings of this Independent Audit are set out in Section 4.

The overall outcome of the Independent Audit was indicative of a high degree of compliance and environmental performance by Schools Infrastructure NSW, AW Edwards and the Project Manager Currie & Brown in carrying out the works. The Auditor would like to thank the auditees for their high level of organisation, cooperation and assistance during the Independent Audit.

TABLE OF CONTENTS

TABLE OF CONTENTS	1
1. INTRODUCTION	3
1.1 THE PROJECT	3
1.2 APPROVAL REQUIREMENTS	4
1.3 THE AUDIT TEAM	4
1.4 THE OBJECTIVES OF THE AUDIT	5
1.5 THE AUDIT SCOPE	5
2. AUDIT METHODOLOGY	7
2.1 AUDIT PROCESS	7
2.2 AUDIT INITIATION AND SCOPE DEVELOPMENT	8
2.3 PREPARING AUDIT ACTIVITIES	8
2.4 SITE INSPECTION	9
2.5 DOCUMENT REVIEW	9
2.6 GENERATING AUDIT FINDINGS	9
2.7 COMPLETING THE AUDIT	10
3. AUDIT FINDINGS	11
3.1 APPROVALS AND DOCUMENTS AUDITED AND EVIDENCE SIGHTED	11
3.2 COMPLIANCE STATUS	11
3.3 SUMMARY	11
3.4 DETAILS	11
3.5 CORRECTIVE ACTION REQUESTS AND OBSERVATIONS	11
3.6 ADEQUACY OF ENVIRONMENTAL MANAGEMENT PLANS, SUB-PLANS AND POST APPROVAL DOCUMENTS	12
3.7 PROJECT'S EMS	12
3.8 SUMMARY OF NOTICES FROM AGENCIES	12
3.9 OTHER MATTERS CONSIDERED RELEVANT BY THE AUDITOR OR DPIE	12
3.10 COMPLAINTS	12
3.11 INCIDENTS	12
3.12 ACTUAL VERSUS PREDICTED IMPACTS	13
4. ACTIONS	16
5. CONCLUSIONS	17
6. LIMITATIONS	18

<u>APPENDIX A.</u>	<u>SSD 9491 CONDITIONS OF CONSENT</u>	<u>19</u>
<u>APPENDIX B.</u>	<u>PLANNING SECRETARY AGREEMENT OF INDEPENDENT AUDITORS</u>	<u>76</u>
<u>APPENDIX C.</u>	<u>CONSULTATION RECORDS</u>	<u>77</u>
<u>APPENDIX D.</u>	<u>INDEPENDENT AUDIT DECLARATION FORM(S)</u>	<u>78</u>
<u>APPENDIX E.</u>	<u>SITE INSPECTION PHOTOGRAPHS.</u>	<u>79</u>

1. Introduction

1.1 The Project

The NSW Department of Education – Schools Infrastructure is responsible for delivering the Lake Cathie Public School Redevelopment (LCPSR, or the Project). The Project site is located on approximately 3.96ha of land at 1240 Ocean Drive, Lake Cathie NSW 2445 (legally described as Lot 10, DP 1210904) in the Port Macquarie Hasting local government area. The Project location is presented in Figure 1.



Figure 1: Project location (source: Project EIS).

The Project involves an upgrade to the school to accommodate current and future population growth in the area. The Project comprises:

- Site clearing, demolition and removal of 14 demountable classrooms

- Construction of 17 permanent classroom buildings
- Relocation of existing covered outdoor learning area and construction of adjoining amphitheatre
- Drop-off/pick-up arrangements along Collector Road
- Removal of existing temporary access to site from Ocean Drive and subsequent relocation of school entrance to Collector Road
- Relocation and conversion of existing school buildings
- Reconfiguration of the student entry to the proposed Collector Road and a new pedestrian crossing; and
- Ancillary landscaping, signage, covered outdoor learning areas, services and stormwater drainage works.

The Project was granted consent under Section 4.38 of the *Environmental Planning and Assessment Act 1979* on 30 January 2020, State Significant Development (SSD) 9491, subject to a number of conditions.

Currie & Brown has been appointed as the client representative on behalf of Schools Infrastructure NSW. AW Edwards is the principal contractor. Construction works began 16 March 2020. Works undertaken to date include the completion of site establishment works and the commencement of the main construction works, with the demolition of the covered outdoor learning areas and preparation works for ground floor slabs to the new learning spaces.

1.2 Approval requirements

Conditions of Consent (CoC) C33 – C38 of Schedule 2 of SSD 94591 set out the requirements for undertaking Independent Audits (IAs or audit). The CoCs give effect to the Department's *Independent Audit Guideline Post Approval Requirements*, 2018 (IAPAR).

1.3 The audit team

In accordance with Schedule 2, CoC C33 and Section 3.1 of the IAPAR, Independent Auditors must be suitably qualified, experienced and independent of the Project, and appointed by the Planning Secretary.

The Audit Team comprises:

- Steve Fermio (Auditor): Bachelor of Science (Hons), Exemplar Global Certified Principal Environmental Auditor (Certificate No 110498).

Approval of the Audit Team was provided by the Department on 5 March 2020. The letter of approval is presented in Appendix B.

1.4 The objectives of the audit

The objective of this IA is to satisfy SSD 9491 Schedule 2, CoC C36. It states:

Independent Audits of the development must be carried out in accordance with:

- a) the Independent Audit Program submitted to the Planning Secretary and the Certifying Authority under condition C33 of this consent; and*
- b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).*

The IA Program was prepared in accordance with the IAPAR and submitted to the Planning Secretary and the Certifying Authority prior to the commencement of construction as required by CoC C34. The IA Program (and CoC C35) specifies that the first IA must be undertaken within eight weeks of the notified commencement date of construction.

The IAPAR sets out the scope, methodology and reporting requirements for IAs.

This IA seeks to fulfill the requirements of CoC C36, verify compliance with the relevant CoCs and assess the effectiveness of environmental management on the Project.

1.5 The audit scope

This IA relates to the Project works from the granting of the consent to April 2020.

The scope of the IA comprises:

- an assessment of:
 - CoCs applicable to the phase of the development that is being audited
 - post approval documents prepared to satisfy the CoCs, including an assessment of the implementation of Environmental Management Plans and Sub-plans
 - all environmental licences and approvals applicable to the development (excluding environmental protection licences issued under the *Protection of the Environment Operations Act 1997*);
- an assessment of the environmental performance of the development, including but not necessarily limited to, an assessment of:
 - actual impacts compared to predicted impacts documented in the environmental impact assessment;
 - the physical extent of the development in comparison with the approved boundary, and any potential off-site impacts
 - incidents, non-compliances and complaints that occurred or were made during the audit period
 - the performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit

- feedback received from the Department, and other agencies and stakeholders, including the community, on the environmental performance of the project during the audit period
- a review of the status of implementation of previous Independent Audit findings, recommendations and actions (if any)
- a high-level review of the Project's environmental management systems, including assessment of any third-party certification of them, the type, nature and scope of the systems having regard to the nature and scale of the development, and the implementation of the systems
- a high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and
- details of any other matters considered relevant by the Auditor or the Department, taking into account relevant regulatory requirements and legislation and knowledge of the development's past performance.

2. Audit methodology

2.1 Audit process

The IA was conducted in a manner consistent with AS/NZS ISO 19011:2014 – Guidelines for Auditing Management Systems and the methodology set out in the Department’s IAPAR. An overview of the audit activities, as specified in the standard, is presented in Figure 2.

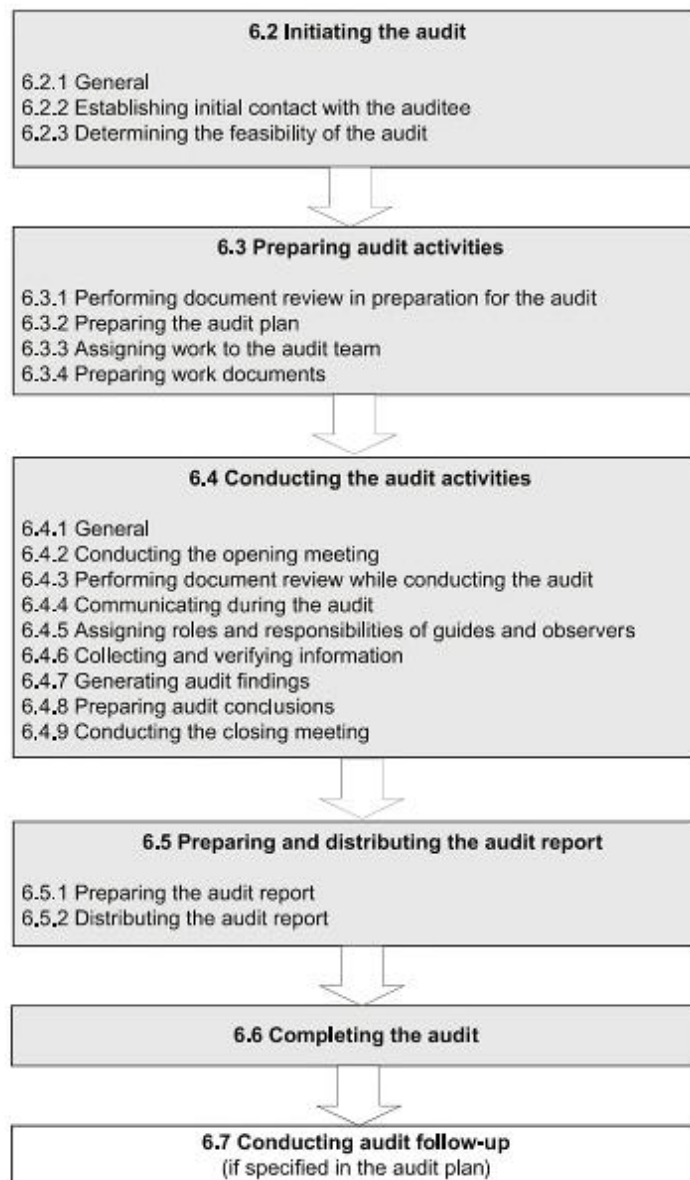


Figure 2: Audit activities overview (AS/NZS ISO 19011:2014). Subclause numbering refers to the relevant subclauses in the Standard.

2.2 Audit initiation and scope development

Prior to the commencement of the audit the following tasks were completed:

- Establish initial contact with the auditee
- Confirm the audit team
- Confirm the audit purpose, scope and criteria.

On 14 April 2020 WolfPeak consulted with the Department, Transport for NSW and Port Macquarie-Hastings Council, to obtain their input into the scope of the IA in accordance with Section 3.2 of the IAPAR. The consultation records are presented in Appendix C.

A summary of the key issues and areas of focus raised by the stakeholders is presented in Table 1.

Table 1: Key issues and areas of focus raised during consultation

Stakeholder	Issues and areas of focus	How addressed
Department of Planning, Industry, and Environment	No response received	NA
Port Macquarie-Hastings Council	Response received but nothing to add to the scope of the audit.	NA
Transport for NSW	No response received	NA

2.3 Preparing audit activities

The Auditor performed a document review, prepared an audit plan, and prepared work documents (audit checklists) and distributed to the Project team in preparation for the IA.

The primary documents reviewed prior to the site visit are referred to in the Audit Checklist in Appendix A of this Report.

An audit checklist was prepared which comprised Schedule 2 of SSD 9491 – the Conditions of Consent. The checklist was reviewed during an online video conference held on 29 April 2020 due to Covid-19 social distancing restrictions. The attendees at this conference included:

- Craig McIlveen – AW Edwards (Project Manager)
- Lisa Warwick – AW Edwards (Contracts Administrator)
- Ean Buckland – AW Edwards (Site Administrator)
- Cecilia Axelsson – Currie & Brown (Project Manager)
- Steve Fermio – WolfPeak (Principal Auditor).

During the video conference the objectives and scope of the IA, the resources required and methodology to be applied were discussed. At the closing of the video conference, preliminary audit findings were presented, additional information requested, site inspection and timeframe for the completion of the report were confirmed.

2.4 Site inspection

The site audit activities took place on 4 May 2020. The following personnel took part in the site audit activities:

- Craig McIlveen – AW Edwards (Project Manager)
- Steve Fermio – WolfPeak (Principal Auditor).

2.5 The on-site audit activities included an inspection of the site and work activities. Photos are presented in Appendix E. Document review

The IA included investigation and review of Project files, records and documentation that act as evidence of compliance (or otherwise) with a compliance requirement. The documents sighted are included with Appendices A and B.

2.6 Generating audit findings

IA findings were based on verifiable evidence. The evidence included:

- relevant records, documents and reports
- interviews of relevant site personnel
- photographs
- figures and plans; and
- site inspections of relevant locations, activities and processes.

Compliance evaluation

The Auditor determined the compliance status of each compliance requirement in the Audit Table, using the descriptors from Table 2 of the IAPAR, being:

- **Compliant** – The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
- **Non-compliant** – The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
- **Not triggered** – A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

Observations and notes may also be made to provide context, identify opportunities for improvement or highlight positive initiatives.

Evaluation of post approval documentation

The Auditor assessed whether post approval documents:

- have been developed in accordance with the CoCs and all other environmental licences and approvals applicable to the Project (if any) and their content is adequate; and
- have been implemented in accordance with the CoCs and all other environmental licences and approvals applicable to the Project (if any).

The adequacy of post approval documents were determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the document; and
- whether there are any opportunities for improvement.

2.7 Completing the audit

The IA Report was distributed to the proponent to check factual matters and for input into actions in response to findings (where relevant). The Auditor retained the right to make findings or recommendations based on the facts presented.

3. Audit findings

3.1 Approvals and documents audited and evidence sighted

The documents audited comprised all the conditions from Schedule 3 of SSD 9491 and selected mitigation measures and commitments from the CEMP and sub plans.

The effectiveness of implementation of construction environmental management measures relied on a review of site inspection records, incident and complaints reports, training and induction records and the physical site inspection on 4 May 2020.

The evidence sighted against each requirement is detailed within Appendix A.

3.2 Compliance Status

This Section presents the findings of the first IA for the Project.

Section 4 presents a summary of the findings from this IA and actions proposed or undertaken in response to the findings. The Audit Checklist provided in Appendix A presents details of all the evidence collected, observed and provided in support of a finding.

3.3 Summary

There were 91 CoCs activated and assessed, with 1 non-compliance identified against these (100 CoC are yet to be triggered). The non-compliance related to late submission of the Staging Report. There were no observations identified in relation to the CoC.

3.4 Details

Non-compliance against CoC

CoC A9 provides for the Project to be constructed in stages. Where staged construction or operation is proposed, a Staging Report must be prepared and submitted for the information of the Planning Secretary no later than one month before the commencement of construction.

As the Staging Report was submitted to the Department on 21 February 2020 and construction commenced on 16 March, it was not submitted within the required timeframe.

3.5 Corrective action requests and observations

There were no observations or corrective action requests identified in relation to the CoC.

3.6 Adequacy of Environmental Management Plans, sub-plans and post approval documents

The adequacy of post approval documents must be determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the document; and
- whether there are any opportunities for improvement.

It is understood that there have been no environmental incidents or public complaints associated with the works to date and none of the agencies consulted in the lead up to the audit raised any issues concerning environmental management of the project which might necessitate any changes to the management plans at this early stage.

Our assessment indicates that the CEMP and associated sub-plans were being effectively implemented during this audit and the Project has achieved an appropriate level of environmental protection. Accordingly, the documents are currently fit for purpose.

3.7 Project's EMS

AW Edwards operate an Environmental Management System for the Project. In carrying out the audit, it was evident that the elements of AS/NZ ISO 14001-2016 Environmental Management Systems are being implemented. Evidence to support this include the documents sighted during the audit (detailed in Appendix A) and controls observed in the field (Appendix E).

3.8 Summary of notices from agencies

The Auditor is not aware of any notices served on the Project by agencies.

3.9 Other matters considered relevant by the auditor or DPIE

The requirement for transplantation of 9 trees under CoC B30 appears to conflict with the requirement for biodiversity offsetting of vegetation to be removed under CoC B26. We consider that because of this, CoC B30 should not be triggered, unless otherwise advised by the Department.

3.10 Complaints

A complaints register is being maintained by the Project. The register is published monthly on the Project website at <https://www.schoolinfrastructure.nsw.gov.au/projects/l/lake-cathie-public-school.html>

No complaints were recorded during the period covered by this Independent Audit.

3.11 Incidents

The Project has not identified any notifiable incidents as defined by the Consent.

3.12 Actual versus predicted impacts

The audit considered the actual impacts arising from the carrying out of the Project (current works being site establishment, survey and investigations, hazardous materials removal and demolition) and whether they are consistent with the relevant impacts predicted in the EIS. A summary of the assessment is presented in Table 2.

Table 2: Summary of predicted versus actual impacts

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period	Consistent (Y/N)
Physical extent of the development in comparison with the approved boundary and any potential off-site impacts	The approved Project boundary is defined within the stamped plans listed under CoC A2.	The Project footprint is the same as that approved.	Y
Biodiversity	A total of thirty-five (35) Preferred Koala Feed Trees are expected to be removed in order to accommodate the proposed activity. Although the site does not constitute core Koala habitat, the proponent has prepared an Independent Koala Plan of Management for the site with respect to remediation of the site. The proposal will require the removal/modification of 0.38 hectares of low to moderate condition extent of this vegetation community. To mitigate the impacts of this vegetation removal, a total of 0.59 hectares of Swamp Sclerophyll Forest EEC vegetation is proposed to be revegetated in the western extent of the site.	The Project footprint is the same as that approved and accordingly the impacts to native vegetation are anticipated to be the same as that assessed	Y
Traffic and access	Construction would only be undertaken during 'standard' construction hours, namely 7:00am to 6:00pm Monday to Friday, and 8:00am – 1:00pm Saturdays. No construction work would be undertaken on Sundays or public holidays. Heavy vehicles will be excluded from accessing the site during the school peak drop-off and pick-up periods to avoid any potential vehicle conflicts. Moreover, it is not anticipated that construction traffic will significantly impact the operation of the local road network, as the road network is currently operating well above the desired capacity with a Level of Service of 'A'.	Construction was being undertaken during standard hours at the time of the audit	Y

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period	Consistent (Y/N)
Noise and vibration	There is potential for noise and vibration impacts during construction of the proposed school, however, it is noted that currently there are limited sensitive receivers in proximity to the school as the area is in the initial stages of being developed for residential uses. Therefore, it is not anticipated that the construction of the proposal will create an undesirable noise and vibration impacts.	No complaints have yet been made by the School or any other members of the community	Y
Heritage	A search of the OEH Aboriginal Heritage Information Management System (AHIMS) register was undertaken by Collins on 15 January 2019, the search identified that there are no registered Aboriginal sites in or within 450 metres of the assessment area. In total, 20 Aboriginal sites have been registered within the wider search area (3km), the closest being an isolated find on the alluvial flat some 470m to the south-east of the site. On the basis of all currently available information, it is concluded that the project area has a low-level of Aboriginal cultural heritage sensitivity and the proposal would be unlikely to harm Aboriginal objects.	No unexpected heritage finds to date	Y
Contaminated land	A Preliminary Site Investigation (PSI) for Contamination has been prepared by Douglas Partners for the proposal. The PSI identifies past and present contaminating activities, reports the site condition and provides an assessment of the site contamination conditions. The results of the site history review indicated the general absence of contaminating land uses for the site, other than the historical use of the site for agricultural purposes, the presence of widespread filling and the potential for naturally occurring asbestos and elevated chromium with natural Serpentine and associated residual soils. All soil samples tested by Douglas Partners returned contaminant concentrations below the adopted health based investigation / screening levels, ecological investigation / screening levels, total petroleum hydrocarbon management	No unexpected contamination has been found at the time of the audit	Y

Aspect	Summary of predicted impacts	Summary of actual impacts observed during audit period	Consistent (Y/N)
	limits for the adopted primary school land use.		
Privacy	Adverse acoustic and visual privacy impacts. Retention of existing trees along the northern and western boundary and replacement trees to screen the proposed development	Site is well screened and housekeeping was impressive at the time of the audit Trees have been retained along northern and western boundary	Y
Social Impact	Crime risk to safety of users of the school. The proposed redevelopment incorporates CPTED principles to deter crime, including fencing, signage, monitoring of entry and exit.	No reports of crime on site at time of audit	Y

4. Actions

Item	Cond No	Type	Details of item	Proposed or completed action by the auditee	By whom and by when	Status
MAY 2020 AUDIT FINDINGS						
Conditions of Consent SSD 9491 Schedule 2						
1	A9	Staging Report	CoC A9 provides for the Project to be constructed in stages. Where staged construction or operation is proposed, a Staging Report must be prepared and submitted for the information of the Planning Secretary no later than one month before the commencement of construction. As the Staging Report was submitted to the Department on 21 February 2020 and construction commenced on 16 March, it was not submitted within the required timeframe.	No further action proposed as Report has been submitted and construction commenced	NA	CLOSED

5. Conclusions

The overall outcome of the IA was very positive. Compliance records were very well organised and available at the time of the interview and site inspection with AW Edwards and Currie & Brown personnel on 29 April and 4 May 2020. Relevant environmental and compliance monitoring records are being collected and reported as required to provide verification of compliance to statutory requirements and the broader Project environmental requirements.

The condition of site environmental controls and housekeeping at the time of the site audit was outstanding. Site personnel are to be commended on this.

There were 91 CoCs activated and assessed, with 1 non-compliance identified against these (100 CoC are yet to be triggered). The non-compliance related to late submission of the Staging Report. The non-compliance related to late submission of the Staging Report and as this is an administrative requirement did not present a risk to the environment or community.

There were no observations identified in relation to the CoC.

Detailed findings are presented in Section 3.

The overall outcome of the IA was indicative of a very high degree of compliance and environmental performance by Schools Infrastructure NSW, AW Edwards, and Currie & Brown. The Auditor would like to thank the auditees for their high level of organisation, cooperation and assistance during the IA.

6. Limitations

This Document has been provided by WolfPeak Pty Ltd (WolfPeak) to the Client and is subject to the following limitations:

This Document has been prepared for the particular purpose/s outlined in the WolfPeak proposal/contract/relevant terms of engagement, or as otherwise agreed, between WolfPeak and the Client.

In preparing this Document, WolfPeak has relied upon data, surveys, analyses, designs, plans and other information provided by the Client and other individuals and organisations (the information). Except as otherwise stated in the Document, WolfPeak has not verified the accuracy or completeness of the information. To the extent that the statements, opinions, facts, findings, conclusions and/or recommendations in this Document (conclusions) are based in whole or part on the information, those conclusions are contingent upon the accuracy and completeness of the information. WolfPeak will not be liable in relation to incorrect conclusions should any information be incomplete, incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to WolfPeak.

This Document has been prepared for the exclusive benefit of the Client and no other party. WolfPeak bears no responsibility for the use of this Document, in whole or in part, in other contexts or for any other purpose. WolfPeak bears no responsibility and will not be liable to any other person or organisation for or in relation to any matter dealt with in this Document, or for any loss or damage suffered by any other person or organisation arising from matters dealt with or conclusions expressed in this Document (including without limitation matters arising from any negligent act or omission of WolfPeak or for any loss or damage suffered by any other party relying upon the matters dealt with or conclusions expressed in this Document). Other parties should not rely upon this Document or the accuracy or completeness of any conclusions and should make their own inquiries and obtain independent advice in relation to such matters.

To the best of WolfPeak's knowledge, the facts and matters described in this Document reasonably represent the Client's intentions at the time of which WolfPeak issued the Document to the Client. However, the passage of time, the manifestation of latent conditions or the impact of future events (including a change in applicable law) may have resulted in a variation of the Document and its possible impact. WolfPeak will not be liable to update or revise the Document to take into account any events or emergent circumstances or facts occurring or becoming apparent after the date of issue of the Document.

Appendix A. SSD 9491 Conditions of Consent

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
PART A ADMINISTRATIVE CONDITIONS				
Obligation to Minimise Harm to the Environment				
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and, if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction and operation of the development.		Site inspection indicated all reasonable and feasible erosion and sediment control, dust control, waste management and flora and fauna protection measures were being implemented	Compliant
Terms of Consent				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status																																																																																																												
A2	The development may only be carried out: a) in compliance with the conditions of this consent; b) in accordance with all written directions of the Planning Secretary; c) generally in accordance with the EIS and Response to Submissions; d) generally in accordance with Modification Assessments; e) in accordance with the approved plans in the table below: <table><tr><th colspan="4">Architectural Drawings prepared by SHAC Architects</th></tr><tr><th>Dwg No.</th><th>Rev</th><th>Name of Plan</th><th>Date</th></tr><tr><td>3928 DD1102</td><td>G</td><td>Existing Site + Demolition Plan</td><td>03/07/2019</td></tr><tr><td>3928 DD2015</td><td>N</td><td>Proposed Site Plan</td><td>14/01/2020</td></tr><tr><td>3929 DD2301</td><td>H</td><td>Block E – Learning Neighbourhood 1</td><td>08/02/2019</td></tr><tr><td>3928 DD2310</td><td>I</td><td>Block F – Learning Neighbourhood 2</td><td>08/02/2019</td></tr><tr><td>3928 DD2320</td><td>H</td><td>Block G – Learning Neighbourhood 3 – Ground Floor</td><td>08/02/2019</td></tr><tr><td>3928 DD2321</td><td>C</td><td>Block G – Learning Neighbourhood 3 – First Floor</td><td>08/02/2019</td></tr><tr><td>3928 DD2340</td><td>G</td><td>Block B – Spec. Education</td><td>08/02/2019</td></tr><tr><td>3928 DD 2350</td><td>H</td><td>Blocks C & D – Library Canteen</td><td>08/02/2019</td></tr><tr><td>3928 DD2360</td><td>G</td><td>Block H – Proposed Sports Hall</td><td>08/02/2019</td></tr><tr><td>3928 DD3001</td><td>E</td><td>Elevations Block E – Learning Neighbourhood – Sheet 1</td><td>08/02/2019</td></tr><tr><td>3928 DD3002</td><td>E</td><td>Elevations Block F – Learning Neighbourhood 02 – Sheet 1</td><td>08/02/2019</td></tr><tr><td>3928 DD3005</td><td>C</td><td>Elevations Block H – Sports Hall – Sheet 1</td><td>08/02/2019</td></tr><tr><td>3928 DD 3006</td><td>C</td><td>Elevations Block H – Sports Hall – Sheet 2</td><td>08/02/2019</td></tr><tr><td>3928 DD3102</td><td>C</td><td>Sections Block G + Hall</td><td>08/02/2019</td></tr><tr><th colspan="4">Landscape Plans prepared by Terras Landscape Architects</th></tr><tr><th>Dwg No.</th><th>Rev</th><th>Name of Plan</th><th>Date</th></tr><tr><td>L01</td><td>C</td><td>Landscape masterplan</td><td>05/10/18</td></tr><tr><td>L02</td><td>C</td><td>Hardworks plan: part 1</td><td>05/10/18</td></tr><tr><td>L03</td><td>C</td><td>Hardworks setout plan: part 1</td><td>05/10/18</td></tr><tr><td>L04</td><td>C</td><td>Hardworks plan: part 2</td><td>05/10/18</td></tr><tr><td>L05</td><td>C</td><td>Hardworks setout plan: part 2</td><td>05/10/18</td></tr><tr><td>L06</td><td>C</td><td>Hardworks plan & setout: part 3</td><td>05/10/18</td></tr><tr><td>L07</td><td>C</td><td>Softworks plan</td><td>05/10/18</td></tr><tr><td>L08</td><td>C</td><td>Bio swale plan</td><td>05/10/18</td></tr><tr><td>L09</td><td>C</td><td>Bio Swale plan & detail</td><td>05/10/18</td></tr></table>	Architectural Drawings prepared by SHAC Architects				Dwg No.	Rev	Name of Plan	Date	3928 DD1102	G	Existing Site + Demolition Plan	03/07/2019	3928 DD2015	N	Proposed Site Plan	14/01/2020	3929 DD2301	H	Block E – Learning Neighbourhood 1	08/02/2019	3928 DD2310	I	Block F – Learning Neighbourhood 2	08/02/2019	3928 DD2320	H	Block G – Learning Neighbourhood 3 – Ground Floor	08/02/2019	3928 DD2321	C	Block G – Learning Neighbourhood 3 – First Floor	08/02/2019	3928 DD2340	G	Block B – Spec. Education	08/02/2019	3928 DD 2350	H	Blocks C & D – Library Canteen	08/02/2019	3928 DD2360	G	Block H – Proposed Sports Hall	08/02/2019	3928 DD3001	E	Elevations Block E – Learning Neighbourhood – Sheet 1	08/02/2019	3928 DD3002	E	Elevations Block F – Learning Neighbourhood 02 – Sheet 1	08/02/2019	3928 DD3005	C	Elevations Block H – Sports Hall – Sheet 1	08/02/2019	3928 DD 3006	C	Elevations Block H – Sports Hall – Sheet 2	08/02/2019	3928 DD3102	C	Sections Block G + Hall	08/02/2019	Landscape Plans prepared by Terras Landscape Architects				Dwg No.	Rev	Name of Plan	Date	L01	C	Landscape masterplan	05/10/18	L02	C	Hardworks plan: part 1	05/10/18	L03	C	Hardworks setout plan: part 1	05/10/18	L04	C	Hardworks plan: part 2	05/10/18	L05	C	Hardworks setout plan: part 2	05/10/18	L06	C	Hardworks plan & setout: part 3	05/10/18	L07	C	Softworks plan	05/10/18	L08	C	Bio swale plan	05/10/18	L09	C	Bio Swale plan & detail	05/10/18	Approved plans as per table in this condition were sighted on site. No directions from the Planning Secretary have been issued during this audit period.	Compliance is verified through this independent audit process and any compliance and non-compliances will be identified and recommendations made.	Compliant
Architectural Drawings prepared by SHAC Architects																																																																																																																
Dwg No.	Rev	Name of Plan	Date																																																																																																													
3928 DD1102	G	Existing Site + Demolition Plan	03/07/2019																																																																																																													
3928 DD2015	N	Proposed Site Plan	14/01/2020																																																																																																													
3929 DD2301	H	Block E – Learning Neighbourhood 1	08/02/2019																																																																																																													
3928 DD2310	I	Block F – Learning Neighbourhood 2	08/02/2019																																																																																																													
3928 DD2320	H	Block G – Learning Neighbourhood 3 – Ground Floor	08/02/2019																																																																																																													
3928 DD2321	C	Block G – Learning Neighbourhood 3 – First Floor	08/02/2019																																																																																																													
3928 DD2340	G	Block B – Spec. Education	08/02/2019																																																																																																													
3928 DD 2350	H	Blocks C & D – Library Canteen	08/02/2019																																																																																																													
3928 DD2360	G	Block H – Proposed Sports Hall	08/02/2019																																																																																																													
3928 DD3001	E	Elevations Block E – Learning Neighbourhood – Sheet 1	08/02/2019																																																																																																													
3928 DD3002	E	Elevations Block F – Learning Neighbourhood 02 – Sheet 1	08/02/2019																																																																																																													
3928 DD3005	C	Elevations Block H – Sports Hall – Sheet 1	08/02/2019																																																																																																													
3928 DD 3006	C	Elevations Block H – Sports Hall – Sheet 2	08/02/2019																																																																																																													
3928 DD3102	C	Sections Block G + Hall	08/02/2019																																																																																																													
Landscape Plans prepared by Terras Landscape Architects																																																																																																																
Dwg No.	Rev	Name of Plan	Date																																																																																																													
L01	C	Landscape masterplan	05/10/18																																																																																																													
L02	C	Hardworks plan: part 1	05/10/18																																																																																																													
L03	C	Hardworks setout plan: part 1	05/10/18																																																																																																													
L04	C	Hardworks plan: part 2	05/10/18																																																																																																													
L05	C	Hardworks setout plan: part 2	05/10/18																																																																																																													
L06	C	Hardworks plan & setout: part 3	05/10/18																																																																																																													
L07	C	Softworks plan	05/10/18																																																																																																													
L08	C	Bio swale plan	05/10/18																																																																																																													
L09	C	Bio Swale plan & detail	05/10/18																																																																																																													
A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:	It is understood that no directions from the Planning Secretary have		Not triggered																																																																																																												

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	(a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; (b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and (c) the implementation of any actions or measures contained in any such document referred to in (a) above.	been issued during the audit period in respect of any of the plans, strategies etc All plans have been fully approved by DPIE		
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	N/A	Noted	Compliant
Limits of Consent				
A5	This consent lapses five years after the date of consent unless work is physically commenced.	N/A	Construction commenced on 16 March 2020 and the consent has taken effect.	Compliant
Prescribed Conditions				
A6	The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.	NA	PCA reviews compliance with this condition	Compliant
Planning Secretary as Moderator				
A7	In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.	No disputes between SINSW and any public authority have been raised during this audit period.		Not triggered
Evidence of Consultation				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
A8	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.	Records of consultation referred to elsewhere in this Audit Table, as required by each specific condition.	Consultation on CEMP and other sub plans has been carried out in accordance with specific CoC and other CoCs requiring consultation have been complied with	Compliant
Staging				
A9	The project may be constructed and operated in stages. Where staged construction or operation is proposed, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted for the information of the Planning Secretary. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).	Staging Report, NSW Department of Education (DoE), December 2019 Correspondence to DPIE providing Staging Report, 21 February 2020	Non-compliance: The Staging Report was not submitted to the Planning Secretary no later than one month before commencement of the relevant construction stage, as the Staging Report was submitted on 21 February 2020 and construction commenced on 16 March.	Non-compliant
A10	A Staging Report prepared in accordance with condition A9 must: (a) if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish; <i>NSW Government 8 Lake Cathie Public School Redevelopment</i> Department of Planning, Industry and Environment (SSD 9491) (b) if staged operation is proposed, set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant); (c) specify how compliance with conditions will be achieved across and between each of the stages of the project; and (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.	Staging Report, NSW Department of Education (DoE), December 2019	The Staging Report addresses the necessary requirements of this condition	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Staging, Combining and Updating Strategies, Plans or Programs				
A11	Where staging is proposed, the project must be staged in accordance with the Staging Report, as submitted to the Planning Secretary.	Staging Report, NSW Department of Education (DoE), December 2019	Construction works are being carried out generally in accordance with the timeframes identified in the Staging Report.	Compliant
A12.	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.	Evidence referred to elsewhere in this Audit Table, as required by each specific condition.	The terms of approval that apply or are relevant to the work/activities occurring during the audit period are considered in this Audit Table. Any compliances and non-compliances are identified in the relevant condition.	Compliant
Staging, Combining and Updating Strategies, Plans or Programs				
A13.	With the approval of the Planning Secretary, the Applicant may: (a) prepare and submit any strategy, plan (including management plan, architectural or design plan) or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan (including management plan, architectural or design plan) or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan (including management plan, architectural or design plan) or program); (b) combine any strategy, plan (including management plan, architectural or design plan), or program required by this consent (if a clear relationship is demonstrated between the strategies, plans (including management plan, architectural or design plan) or programs that are proposed to be combined); and (c) update any strategy, plan (including management plan, architectural or design plan), or program required by this consent (to ensure the strategies, plans (including management plan, architectural or design plan), or programs required under this consent are updated on a regular basis and incorporate additional	N/A	Not triggered. No staged or combined plans or strategies have been prepared.	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	measures or amendments to improve the environmental performance of the development).			
A14.	If the Planning Secretary agrees, a strategy, plan (including management plan, architectural or design plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	N/A	As above.	Not triggered
A15.	If approved by the Planning Secretary, updated strategies, plans (including management plan, architectural or design plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.	N/A	As above.	Not triggered
Structural Adequacy				
A16.	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA. <i>Notes:</i> • Part 8 of the EP&A Regulation sets out the requirements for the certification of the development. • Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of Subsidence Advisory NSW's approval before carrying out certain development in a Mine Subsidence District.	Crown BCA Certificate, 11 March 2020	The CA issued a BCA Certificate on 11 March 2020 which indicates compliance with this condition.	Compliant
External Walls and Cladding				
A17.	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Correspondence to Certifying Authority (CA), 7 February 2020	Design statement from SHAC dated 7 February 2020 confirms the external cladding complies with the requirements of the BCA.	Compliant
Design and Construction for Bush Fire				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
A18.	New construction must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 Construction of buildings in bush fire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and section A3.7 Addendum Appendix 3 of Planning for Bush Fire Protection 2006.	Correspondence to Certifying Authority (CA), 7 February 2020	Design statement from SHAC dated 7 February 2020 confirms the buildings have been designed to meet the requirements of Sections 3 and 5 AS3959-2009 and the Bushfire Assessment Report prepared by Newcastle Bushfire Consulting dated 24 September 2018.	Compliant
Applicability of Guidelines				
A19.	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	N/A	Noted	Compliant
A20.	Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	N/A	Noted	Compliant
Monitoring and Environmental Audits				
A21.	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, noncompliance notification, Site audit report and independent auditing. Note: For the purposes of this condition, as set out in the EP&A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.	Compliance Monitoring and Reporting Program, Element Environment, 28 February 2020	The relevant section of the EP&A Act relates to (among other things) the need to be accurate, true (not misleading), properly conducted and with records retained. There are no conditions of consent which require environmental monitoring (such as noise and vibration or air quality monitoring).	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			Compliance monitoring is being undertaken in accordance with the Compliance Monitoring Program dated 28 February 2020 prepared by Element Environment in accordance with the Department's Compliance Reporting Post Approval Requirements and a Pre-Construction Compliance Report dated on 12 March 2020. This independent audit is the first audit of the construction of the project and has been conducted in accordance with the Departments IAPAR and ISO 19011.	
Access to Information				
A22.	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;	Project website: https://www.schoolinfrastructure.nsw.gov.au/projects/lake-cathie-public-school.html	Required planning approval documentation, management plans, strategies and compliance reporting programs/reports are available on the project website. Current staging information and project updates provided on website. Contact details provided for feedback is limited to an email address:	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	(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.		schoolinfrastructure@det.nsw.edu.au. A phone number is not easily accessible on the website. A phone number (1300 482 651) is included on community project update documents. Project website demonstrates all required information is up to date.	
Compliance				
A23.	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.	Induction register 19/02-22/04 Photographs of site noticeboard Pre-start sheets, 22/04 Toolbox talk record, 9 April 2020	Inductions are provided to all staff and recorded in an induction register. The induction includes Project requirements as reflected. Environmental policies and procedures are included on the site notice board for all staff. Toolbox talks and daily pre-start briefings with employees and sub-contractors are also occurring.	Compliant
Incident Notification, Reporting and Response				
A24.	The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must	Interview with auditees Incident register	There were no notifiable incidents identified during the audit period.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.			
A25.	Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1 .	Interview with auditees	There were no notifiable incidents identified during the audit period.	Compliant
Non- Compliance Notification				
A26.	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.	Pre-Construction Compliance Report, Element Environment, 12 March 2020 Interview with auditees	No non-compliances were identified in the Pre-Construction Compliance Report dated 12 March 2020. NB: Non compliances identified in this audit will need to be reported as per this CoC	Not triggered
A27.	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.	As above.	As above. NB: Any non-compliances identified by the audit will need to be notified in accordance with this CoC	Not triggered
A28.	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	As above.	As above. Noted	Not triggered
Revision of Strategies, Plans and Programs				
A29.	Within three months of: (a) the submission of a compliance report under condition B35; (b) the submission of an incident report under condition A24; (c) the submission of an Independent Audit under condition C363; (d) the approval of any modification of the conditions of this consent; or	Pre-Construction Compliance Report dated 12 March 2020. Incident register	A review of the strategies, plans and programs required under the consent are not required to be reviewed within this audit period.	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	(e) 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 Planning Secretary and the Certifying Authority must be notified in writing that a review is being carried out.			Not triggered
A30.	If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary and Certifying Authority (where relevant). Where revisions are required, the revised document must be submitted to the Planning Secretary and Certifying Authority for information (where relevant) within six weeks of the review. Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.	Interview with auditees.	Refer to Condition A29 and A13. No updates undertaken during this audit period.	
PART B PRIOR TO COMMENCEMENT OF CONSTRUCTION				
Notification of Commencement				
B1.	The Applicant must notify the Planning Secretary in writing of the dates of commencement of construction and operation at least 48 hours before those dates.	Email to DPIE dated 13 March 2020 sighted Interview with auditees	Construction works began 16 March 2020	Compliant
B2.	If the construction or operation of the development is to be staged, the Planning Secretary 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.	Email to DPIE dated 13 March 2020 sighted	Stage 1 notified as per B1	Compliant
Certified Drawings				
B3.	Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifying Authority structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with this development consent.	Crown BCA Certificate, 11 March 2020	The CA issued a BCA Certificate on 11 March 2020 which indicates satisfaction with	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			drawings provided under this condition.	
External Walls and Cladding				
B4.	Prior to the commencement of construction, the Applicant must provide the 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 Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.	Correspondence to Certifying Authority (CA), 7 February 2020 Email to DPIE dated 13 March 2020 sighted	Design statement from SHAC dated 7 February 2020 confirms the proposed external cladding materials meet the requirement of the BCA.	Compliant
Protection of Public Infrastructure				
B5.	Prior to 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 Planning Secretary, Certifying Authority and Council.	Dilapidation Report prepared by Opal Dilapidations, 10 December 2019 Aconex correspondence between PCA and Contractor dated 9 February 2020 indicates dilapidation report was submitted to PCA	A dilapidation report was prepared by Opal Dilapidations in December 2019 which identifies the condition of public infrastructure surrounding the site. The dilapidation report was submitted to the Planning Secretary on 9 March 2020 and Port-Macquarie Hastings Council on 28 February 2020. Consultation with St Vincent's Foundation (via their representative) occurred on 18-19 February and 2 March 2020. Consultation also occurred with out-of-hours school users on 9 December 2019.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			No evidence submission of dilapidation report to Certifying Authority provided	
Unexpected Contamination Procedure				
B6.	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 B122 and where any material identified as contaminated is to be disposed off-site, the disposal location and results of testing submitted to the Planning Secretary prior to its removal from the site.	Report on Unexpected Finds Protocol, Douglas Partners, December 2019	Report on Unexpected Finds Protocol prepared by Douglas Partners dated December 2019 includes an unexpected contamination finds procedure and is included as part of the CEMP.	Compliant
Community Communication Strategy				
B7.	No later than two weeks before the commencement of construction, a Community Communication Strategy must be submitted to the Planning Secretary for information. The Community Communication Strategy must provide mechanisms to facilitate communication between the Applicant, the relevant 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 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) (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development; (c) (c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development; (d) (d) set out procedures and mechanisms: (i) through which the community can discuss or provide feedback to the Applicant; <i>NSW Government 12 Lake Cathie Public School Redevelopment</i> Department of Planning, Industry and Environment (SSD 9491)	Community Communication Strategy, School Infrastructure NSW, February 2020 Correspondence to/from the Planning Secretary dated 28 February 2020	Community Communication Strategy (CCS) submitted to Planning Secretary on 28 February 2020, more than 2 weeks before commencement of construction. The CCS addresses the necessary requirements.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	(j) (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. (e) include any specific requirements around traffic, noise and vibration, visual impacts, amenity, flora and fauna, soil and water and contamination.			
Ecologically Sustainable Development				
B8.	Prior to the commencement of construction, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by either: (a) registering for a minimum 4 star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifying Authority; or (b) seeking approval from the Planning Secretary for an alternative certification process.	Correspondence to/from the Planning Secretary dated 7 February 2020 and 26 February 2020	On 7 February 2020, SI Infrastructure NSW submitted a request to the Planning Secretary to explore an alternative certification process. On 26 February, DPIE approved an extension of time to satisfy the condition to two (2) months following commencement of construction to allow the alternative certification process to be investigated.	Compliant
Outdoor Lighting				
B9.	Prior to commencement of lighting installation, evidence must be submitted to the satisfaction of the Certifying Authority that all outdoor lighting within the site has been designed to comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.	Crown BCA Certificate, 11 March 2020	The CA issued a BCA Certificate on 11 March 2020 which indicates satisfaction with evidence provided under this condition.	Compliant
Demolition				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B10.	Prior to the commencement of construction, demolition work plans required by <i>AS 2601-2001 The demolition of structures</i> (Standards Australia, 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 and Planning Secretary.	Email to DPIE dated 13 March 2020 sighted BCA Crown Certificate No 19-079-CR1	Demolition plans and written statement were submitted to the Planning Secretary & Certifying Authority as required.	Compliant
Environmental Management Plan Requirements				
B11.	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: a) detailed baseline data; b) details of: (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures and criteria; and (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; d) a program to monitor and report on the: (i) impacts and environmental performance of the development; (ii) effectiveness of the management measures set out pursuant to paragraph (c) above; e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible; f) a program to investigate and implement ways to improve the environmental performance of the development over time; g) a protocol for managing and reporting any: i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria); ii) complaint; iii) failure to comply with statutory requirements; and	Lake Cathie Public School Upgrade Construction Environmental Management Plan, A W Edwards Pty Ltd, 10 March 2020 Lake Cathie Public School Upgrade Construction Traffic and Pedestrian Management Plan, A W Edwards Pty Ltd, 8 January 2020 Lake Cathie Public School Upgrade Construction Noise and Vibration Management Plan, A W Edwards Pty Ltd, 3 December 2019 Lake Cathie Public School Upgrade Construction Waste Management Plan, A W Edwards Pty Ltd, 28 November 2019	The CEMP comprises a suite of documents including: the CEMP itself and the documents listed in CoC B12 b-e. Whilst not uniformly distributed, the requirements from this condition are addressed within the CEMP suite.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	h) a protocol for periodic review / update of the plan and any updates in response to incidents or matters of non-compliance. Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans	Construction Soil and Water Management Report (Including Water Sensitive Urban Design), M+G Consulting, January 2020		
Construction Environmental Management Plan				
B12.	Prior to the commencement of construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the satisfaction of Certifying Authority and provide a copy to the Planning Secretary. The CEMP must include, but not be limited to, the following: a) Details of: (i) hours of work; (ii) 24-hour contact details of site manager; (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 4282-2019 Control of the obtrusive effects of outdoor lighting; (viii) community consultation and complaints handling; b) Construction Traffic and Pedestrian Management Sub-Plan (see condition B13); c) Construction Noise and Vibration Management Sub-Plan (see condition B14); d) Construction Waste Management Sub-Plan (see condition B15); e) Construction Soil and Water Management Sub-Plan (see condition B16); 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;	Lake Cathie Public School Upgrade Construction Environmental Management Plan, A W Edwards Pty Ltd, 10 March 2020 Lake Cathie Public School Upgrade Construction Traffic and Pedestrian Management Plan, A W Edwards Pty Ltd, 8 January 2020 Lake Cathie Public School Upgrade Construction Noise and Vibration Management Plan, A W Edwards Pty Ltd, 3 December 2019 Lake Cathie Public School Upgrade Construction Waste Management Plan, A W Edwards Pty Ltd, 28 November 2019	A CEMP and all required sub-plans were prepared prior to the commencement of construction and address the necessary requirements. CEMP includes required content and sub plans and evidence provided of submission to DPIE for information CC1 19-079-CR1 indicates all SSD documentation received by PCA prior to issuing certificate	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	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; and	Construction Soil and Water Management Report (Including Water Sensitive Urban Design), M+G Consulting, January 2020 Report on Unexpected Finds Protocol, Douglas Partners, December 2019 Aboriginal Cultural Heritage Assessment, J.P. Collins Consultant Archaeologist, March 2019 Email from DPIE dated 8 April 2020 indicating submission of CEMP CC1 19-079-CR1 indicates all SSD documentation received prior to issuing		
B13.	A Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must be prepared to achieve the objective of ensuring safety and efficiency of the road network and 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 TfNSW/TfNSW(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; and d) detail heavy vehicle routes, access and parking arrangements.	Lake Cathie Public School Upgrade Construction Traffic and Pedestrian Management Plan, A W Edwards Pty Ltd, 8 January 2020	The CTPMSP dated 8 January 2020 has been completed by a suitably qualified and experienced person and details the required traffic management measures, routes and access and parking arrangements. Evidence of consultation with Council and RMS is recorded in the CTPMSP.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B14.	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 <i>Interim Construction Noise Guideline</i> (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 B14(d); f) include a complaints management system that would be implemented for the duration of the construction; and g) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the management measures in accordance with Condition B11(d).	Lake Cathie Public School Upgrade Construction Noise and Vibration Management Plan, A W Edwards Pty Ltd, 3 December 2019	The CNVMP dated 3 December 2019 has been prepared by a suitably qualified and experienced noise expert. The CNVMP includes procedures to achieve relevant noise management levels and manage high noise generating works. A community consultation forum was held at the Lake Cathie School on 9 December 2019. The CNVMP includes measures for ongoing community notification, consultation and complaints management.	Compliant
B15.	The Construction Waste Management Sub-Plan (CWMSWP) 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; and 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 construction.	Lake Cathie Public School Upgrade Construction Waste Management Plan, A W Edwards Pty Ltd, 30 April 2020	A CWMSWP has been prepared and identifies estimated quantities and types of waste, procedures and preferences for reuse and recycling.	Compliant
B16.	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) 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.	Construction Soil and Water Management Report (Including Water Sensitive Urban Design), M+G Consulting, January 2020	A CSWMSP has been prepared by a suitably qualified expert. The CSWMSP included erosion and sediment controls to be implemented during construction. An Acid Sulfate Soils Management Plan is included in the CSWMSP. A wet	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	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); e) detail all off-Site flows from the Site; and	Email dated 11 March between Contractor and Council concerning Plan	weather works plan is included and a site plan which identifies off site flows.	
B17.	A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following: a) minimise the impacts of earthworks and construction on the local and regional road network; b) minimise conflicts with other road users; c) minimise road traffic noise; and d) ensure truck drivers use specified routes.	Code of Conduct sighted as part of induction pack during site inspection on 4 May	Code sighted, includes required content and is being communicated to drivers as part of their induction	Compliant
Construction Parking				
B18.	Prior to the commencement of construction, the Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that construction traffic associated with the development does not utilise public and residential streets or public parking facilities.	Lake Cathie Public School Upgrade Construction Traffic and Pedestrian Management Plan, A W Edwards Pty Ltd, 8 January 2020	The CTPMSP includes details of dedicated onsite parking for site personnel and measures for heavy vehicle access.	Compliant
Soil and Water				
B19.	Prior to the commencement of construction, the Applicant must: a) install erosion and sediment controls on the site to manage wet weather events; and b) divert existing clean surface water around operational areas of the site.	Correspondence dated 5 February 2020	Correspondence by AW Edwards (Contractor) confirming installation of erosion and sediment and water controls.	Compliant
B20.	Prior to the commencement of construction, erosion and sediment controls must be installed and maintained, as a minimum, in accordance with the publication Managing	Correspondence dated 5 February 2020	Correspondence by AW Edwards (Contractor) confirming installation of	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book'.	Correspondence dated 9 March 2020	erosion and sediment and controls. The erosion and sediment controls detailed in the CSWMSP have been designed in accordance with the Blue Book as confirmed by correspondence from M+G Consulting dated 9 March 2020.	
B21.	Prior to the commencement of construction, the Applicant 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.	Construction Soil and Water Management Report (Including Water Sensitive Urban Design), M+G Consulting, January 2020	The CSWMSP describes measures to manage stormwater flows up to the required levels.	Compliant
B22.	Prior to the commencement of construction, the Applicant must implement measures to manage Acid Sulfate Soils. These measures must include handling, treatment, monitoring of water quality at treatment areas and disposal of Acid Sulfate Soils.	Construction Soil and Water Management Report (Including Water Sensitive Urban Design), M+G Consulting, January 2020	The CSWMSP details measures to manage acid sulfate soils.	Compliant
Rainwater Harvesting				
B23.	Prior to the commencement of construction, 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.	Certificate of Design: Fire Hydrant, Hose Reel and Hydraulic Services, McCallum Plumbing & Fire Consultants Australia, 4 February 2020	Certificate of design prepared by McCallum Plumbing & Fire Consultants (who are suitably qualified hydraulic engineers) identifies that the building design includes requirements of Condition B23.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Biodiversity – Ecosystem Credits				
B24.	Prior to the commencement of vegetation clearing, the class and number of ecosystem credits in the table below must be retired to offset the residual biodiversity impacts of the development.	Biodiversity Development Assessment Report (BDAR), Narla Environmental, January 2020 Correspondence of BCF approval, 6 March 2020 Remittance Advice to Biodiversity Conservation Fund, 9 March 2020	Payment to the Biodiversity Conservation Fund (BCF) of ecosystem credits of an amount calculated in the BDAR dated January 2020 has been completed as per BCF approval dated 6 March 2020 and remittance advice from BCF dated 9 March 2020.	Compliant
B25.	The requirement to retire credits in Condition B24 above may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator.	Biodiversity Development Assessment Report (BDAR), Narla Environmental, January 2020 Correspondence of BCF approval, 6 March 2020 Remittance Advice to Biodiversity Conservation Fund, 9 March 2020	Payment to the Biodiversity Conservation Fund (BCF) of ecosystem credits of an amount calculated in the BDAR dated January 2020 has been completed as per BCF approval dated 6 March 2020 and remittance advice from BCF dated 9 March 2020	Compliant
B26.	Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of condition B24 must be provided to the Planning Secretary prior to vegetation clearing.	Biodiversity Development Assessment Report (BDAR), Narla Environmental, January 2020 Correspondence of BCF approval, 6 March 2020	Payment to the Biodiversity Conservation Fund (BCF) of ecosystem credits of an amount calculated in the BDAR dated January 2020 has been completed as per BCF approval dated 6 March 2020 and remittance advice from BCF dated 9 March 2020.	Compliant

Unique ID	Compliance Requirement				Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	Any PCT with the below TEC	Number of Credits	Containing hollow bearing trees	In the below IBRA subregions	Remittance Advice to Biodiversity Conservation Fund, 9 March 2020		
	PCT 1230 – Swamp Mahogany swamp forest on coastal lowlands of the NSW North Coast Bioregion and northern Sydney Basin Bioregion	17	No	Macleay Hastings, Carrai Plateau, Coffs Coast and Escarpment, Comboyne Plateau, Karuah Manning, Macleay Gorges, Mummel Escarpment and Upper Manning Or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.	Interview evidence provided that vegetation clearing commenced week of 23 March 2020 Email to DPIE dated 13 March 2020		
Biodiversity- Species Credits							
B27.	Prior to the commencement of vegetation clearing, the class and number of species credits in the table below must be retired to offset the residual biodiversity impacts of the development.				Biodiversity Development Assessment Report (BDAR), Narla Environmental, January 2020 Correspondence of BCF approval, 6 March 2020 Remittance Advice to Biodiversity Conservation Fund, 9 March 2020	Payment to the Biodiversity Conservation Fund (BCF) of species credits of an amount calculated in the BDAR dated January 2020 has been completed as per BCF approval dated 6 March 2020 and remittance advice from BCF dated 9 March 2020	Compliant
B28.	The requirement to retire credits in Condition B27 above may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the Biodiversity Offsets Payment Calculator.				Biodiversity Development Assessment Report (BDAR), Narla Environmental, January 2020 Correspondence of BCF approval, 6 March 2020	Payment to the Biodiversity Conservation Fund (BCF) of species credits of an amount calculated in the BDAR dated January 2020 has been completed as per BCF approval dated 6 March 2020 and remittance advice from BCF dated 9 March 2020	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status						
		Remittance Advice to Biodiversity Conservation Fund, 9 March 2020								
B29.	Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of condition B27 must be provided to the Planning Secretary prior to vegetation clearing. <table><tr><th>Species (only for the below)</th><th>Number of Credits</th><th>In the below IBRA subregions</th></tr><tr><td>Southern Swamp Orchid</td><td>15</td><td>Any in NSW</td></tr></table>	Species (only for the below)	Number of Credits	In the below IBRA subregions	Southern Swamp Orchid	15	Any in NSW	Biodiversity Development Assessment Report (BDAR), Narla Environmental, January 2020 Correspondence of BCF approval, 6 March 2020 Remittance Advice to Biodiversity Conservation Fund, 9 March 2020 Email to DPIE dated 13 March 2020	Payment to the Biodiversity Conservation Fund (BCF) of species credits of an amount calculated in the BDAR dated January 2020 has been completed as per BCF approval dated 6 March 2020 and remittance advice from BCF dated 9 March 2020.	Compliant
Species (only for the below)	Number of Credits	In the below IBRA subregions								
Southern Swamp Orchid	15	Any in NSW								
Tree Transplanting, Biodiversity Management and Nest Boxes										
B30.	The management, method and mitigation measures for the transplantation of nine trees must be undertaken in accordance with the Arboricultural Assessment Report dated 18 September 2018, prepared by Mid North Coast Tree Services.		The trees identified in the Arboricultural Assessment Report dated 18 September 2018 were also identified in the BDAR approved under the project approval in January 2020. NB: This condition appears to be an error as the methods to offset/mitigate the loss of these trees has been considered in the BDAR identified in Condition B26.	Not triggered						

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B31.	The biodiversity impact and mitigation measures including the installation of nest boxes must be undertaken as recommended in the Biodiversity Assessment Report dated January 2020, prepared by Narla Environmental.	Biodiversity Development Assessment Report (BDAR), Narla Environmental, January 2020 Pre-clearing survey report, Narla Environmental, April 2020 Post-clearing report, Narla Environmental, April 2020 Vegetation management plan & koala plan of management, January 2020	The BDAR contains several mitigation measures relevant to the pre-construction and construction compliance phases. In accordance with these measures, a suitably qualified ecologist was engaged prior to clearing of vegetation and undertook pre-clearing surveys, observed clearing activities and prepared a post-clearing report. No additional impacts or concerns were identified. A Vegetation Management Plan and Koala Plan of Management have also been prepared by Narla Environmental. Erosion and sediment controls are in place on the site. <i>NB: New nest boxes are not yet installed on the subject land (Narla Report triggers this during the construction phase and prior to occupation). Specific timing within construction is not detailed however this would need to be undertaken prior to occupation</i>	Compliant
Operational Waste Storage and Processing				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B32.	Prior to the commencement of construction, the Applicant must obtain agreement from Council for the design of the operational waste storage area (where waste removal will be undertaken by Council). Where waste removal will be undertaken by a third party, the design of the operational waste storage area must be in accordance with Council's standards. Evidence of the design and Council endorsement (where relevant) must be provided to the Certifying Authority.	Correspondence to Certifying Authority (CA), 7 February 2020	Design statement from SHAC dated 7 February 2020 confirms the proposed operational waste storage area meets the requirements of the PMHC DCP 2013.	Compliant
Operational Car Parking and Service Vehicle Layout				
B33.	Prior to the commencement of construction, compliance with the following requirements must be submitted to the satisfaction of the Certifying Authority: a. all vehicles must enter and leave the Site in a forward direction; b. a minimum of 25 on-site car parking spaces for use during operation of the development and designed in accordance with the latest versions of AS 2890.1 and AS 2890.6; c. the swept path of the longest construction vehicle entering and exiting the Site in association with the new work, as well as manoeuvrability through the Site, must be in accordance with the latest version of AS 2890.2; and d. the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, is to be addressed.	Correspondence to Certifying Authority (CA), 7 February 2020 Crown BCA Certificate, 11 March 2020	Design statement from SHAC dated 7 February 2020 confirms that all vehicles are able to enter and exit in a forward direction, up to and including 12 m rigid trucks (including a swept path analysis), and the site contains over 25 onsite car parking spaces which meet the requirements of AS2890.1. Issue of the Crown BCA Certificate dated 11 March 2020 by the CA indicates satisfaction with the design statement prepared by SHAC to address this condition.	Compliant
Public Domain Works				
B34.	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.		No public domain works at time of audit	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Compliance Reporting				
B35.	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 Planning Secretary and the Certifying Authority.	Compliance Monitoring and Reporting Program, Element Environment, 28 February 2020	A Compliance Monitoring and Reporting Program was submitted to the Planning Secretary and CA on 28 February, more than 2 weeks before the commencement of construction.	Compliant
B36.	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 Certifying Authority in writing at least seven days before this is done.	Pre-Construction Compliance Report, Element Environment, 12 March 2020	The Pre-Construction Compliance Report is available on the project website and was published earlier than 60 days after submission to the Planning Secretary.	Compliant
B37.	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
Aboriginal Cultural Heritage				
B38.	Prior to the commencement of construction, the Applicant must ensure that the management and recommendations stated in Section 8 of the Aboriginal Cultural Heritage Assessment dated March 2019, prepared by J.P. Collins Consultant Archaeologist and titled <i>Lake Cathie Public School Redevelopment 1240 Ocean Drive, Lake Cathie NSW, Port Macquarie Hastings LGA Aboriginal Cultural Heritage Assessment</i> , is implemented.	Aboriginal heritage induction sheet, AW Edwards Photographs of site notice board, 22 April 2020 Induction register, 19/02-22/04	Aboriginal heritage induction sheet outlines the history of the site and local area, the legal obligations of workers under the <i>NSW National Parks and Wildlife Act 1974</i> and procedures to be followed if a suspected aboriginal heritage find is identified.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Interview with auditees No unexpected finds have been recorded to date.	The induction sheet is also posted on the site noticeboards. An induction register has been provided which identifies workers have been inducted onsite. An unexpected heritage finds procedure is part of the environmental management plan suite.	
Stormwater and Sewerage Works				
B39.	Prior to the commencement of construction of water supply, stormwater and sewerage works, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Council. The following is to be clearly illustrated on the site plan to accompany the application for Section 68 approval: a) position and depth of the sewer (including junction); b) stormwater drainage termination point; c) easements; d) water main; and e) proposed water meter location.	Section 68 Approval, Port Macquarie Hastings Council 1 April 2020	Approval under section 68 of the Local Government Act 1993 for carrying out water supply work, sewerage work and stormwater work was issued by Port Macquarie Hastings Council on 1 April 2020.	Compliant
B40.	Final hydraulic sizing for water and sewerage for the proposed development must be determined by a hydraulic consultant to suit the needs for the development	Certificate of Design: Fire Hydrant, Hose Reel and Hydraulic Services, McCallum Plumbing & Fire Consultants Australia, 4 February 2020	Certificate of design prepared by McCallum Plumbing & Fire Consultants (who are suitably qualified hydraulic consultants) identifies that the building design includes requirements of Condition B40.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Submission of Technical Documents to Council for Approval				
B41.	Prior to the commencement of construction of any works within the public domain and any other works proposed to be transferred to Council assets, detailed design plans are to be submitted to Council for approval for the following works associated with the development where proposed (in compliance with AUSPEC specification and accompanied by AUSPEC DQS): a) road works along the frontage of the development; b) public parking areas; c) sewerage reticulation; d) stormwater systems; e) location of all existing and proposed utility services including: (i) Conduits for electricity supply and communication services (including fibre optic cable); (ii) water supply; (iii) sewerage; and (iv) stormwater. f) landscaping, open space facilities, pathways, cycleways and associated facilities (where located on public domain); g) detailed driveway profile; and h) detailed road intersection layout.	Site inspection Interview with auditees	No public domain works at time of audit	Not triggered
Materials to Council Specifications				
B42.	Prior to commencement of any pavement works on public domain, a material quality report from the proposed supplier must be submitted to Council. The pavement materials must meet Council's current specifications at the time of construction.	Site inspection Interview with auditees	No public domain works at time of audit	Not triggered
B43.	Prior to laying of Asphaltic Concrete (AC) or wearing surface course on public domain, submission to Council of pavement and soil test results prepared by a NATA registered person for all road pavement construction, including: a) CBR test results; and b) subgrade / select fill, sub-base and base pavement compaction reports in accordance with AS1289.5.1.1 & AS1289.5.2.1.	Site inspection Interview with auditees	No public domain works at time of audit	Not triggered
Payment of Security to Council				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B44.	The Applicant must provide security to the Council for the payment of the cost of the following: a) making good any damage caused to any property of the Council as a consequence of doing anything to which this consent relates; b) completing any public work (such as road work, kerbing and guttering, footway construction, utility services, stormwater drainage and environmental controls) required in connection with the consent; and c) remedying any defects in any such public work that arise within twelve months after the work is completed.	Site inspection Interview with auditees	No public domain works at time of audit	Not triggered
B45.	Such security is to be provided to Council prior to the issue of the Section 138 of the Roads Act approval.	Site inspection Interview with auditees	No public domain works at time of audit	Not triggered
B46.	The security is to be for such reasonable amount as is determined by the Council, being an amount that is the estimated cost plus 30% for building development of public works or \$5000, whichever is the greater of carrying out the development by way of: a) deposit with the Council, or; b) an unconditional bank guarantee in favour of Council.	Site inspection Interview with auditees	No public domain works at time of audit	Not triggered
B47.	The security may be used to meet any costs referred to above and on application being made to the Council by the person who provided the security any balance remaining is to be refunded to, or at the direction of, that person. Should Council have to call up the bond and the repair costs exceed the bond amount, a separate invoice will be issued. If no application is made to the Council for a refund of any balance remaining of the security within six years after the work to which the security relates has been completed the Council may pay the balance to the Chief Commissioner of State Revenue under the Unclaimed Money Act 1995.	Site inspection Interview with auditees	No public domain works at time of audit	Not triggered
Construction of Bus Bays				
B48.	Prior to the commencement of construction of the bus bays including all associated public domain and landscape works (as shown in drawing "3929 DD 2015 Revision N, dated 14 January 2020"), the final technical and construction design details must be undertaken in consultation with Council.	Site inspection Interview with auditees	No public domain works at time of audit	Not triggered
PART C DURING CONSTRUCTION				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Site Notice				
C1.	A site notice(s): a) must be prominently displayed at the boundaries of the site during construction 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 is to satisfy the following requirements; b) 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; c) the notice is to be durable and weatherproof and is to be displayed throughout the works period; d) 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 e) 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.	Site Notice Production Proof, SHAC, 4 March 2020 Photograph of site notice board	A site notice is displayed at eye level adjacent to the front gate the site and includes details of the Builder, Certifying Authority and Structural Engineer. The site notice complies with the minimum dimensions and font size and is made of durable weatherproof materials. The notice includes the approved hours of work, name of the site/project manager, contact phone numbers and that unauthorised entry to site is not permitted.	Compliant
Operation of Plant and Equipment				
C2.	All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.	Plant ID Registers, Risk Assessment and Worthiness Checklists Compliance observed during site inspection	Information included worthiness checklist, risk assessment, and plant ID registers. No issues identified.	Compliant
Demolition				
C3.	Demolition work must comply with the demolition work plans required by <i>Australian Standard AS 2601-2001 The demolition of structures</i> (Standards Australia, 2001) and endorsed by a suitably qualified person as required by Condition B10.	Integrated construction equipment demolition work plan, Fenwick Demolition & Dirt, 12 December 2019	Demolition work plans have been prepared and identify compliance with AS2601-2001.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Construction Hours				
C4.	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 7am and 6pm, Saturdays. No work may be carried out on Sundays or public holidays.	Site Induction and information on site notice boards confirms this requirement No complaints regarding out of hours work	Evidence from site inspection and no complaints indicate compliant	Compliant
C5.	Construction activities may be undertaken outside of the hours in condition C4 if required: 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 his nominee if appropriate justification is provided for the works.	Interview with auditees	No out of hours works were undertaken during the audit period. It is noted that the Ministerial Order dated 2 April 2020 permits extended construction hours beyond condition C4. These provisions have not been used to date to undertake extended hours of work.	Not triggered
C6.	Notification of such construction activities as referenced in Condition C5 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.	Interview with auditees	No out of hours works were undertaken during the audit period.	Not triggered
C7.	Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours: a) 9am to 12pm, Monday to Friday; b) 2pm to 5pm Monday to Friday; and c) 9am to 12pm, Saturday.	Site inspection Interview with auditees	No rock breaking, rock hammering, sheet piling or pile driving was undertaken during the audit period.	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Implementation of Management Plans				
C8.	The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans).	Lake Cathie Public School Upgrade Construction Environmental Management Plan, A W Edwards Pty Ltd, 10 March 2020 Lake Cathie Public School Upgrade Construction Traffic and Pedestrian Management Plan, A W Edwards Pty Ltd, 8 January 2020 Lake Cathie Public School Upgrade Construction Noise and Vibration Management Plan, A W Edwards Pty Ltd, 3 December 2019 Lake Cathie Public School Upgrade Construction Waste Management Plan, A W Edwards Pty Ltd, 28 November 2019 Construction Soil and Water Management Report (Including Water Sensitive Urban Design), M+G Consulting, January 2020	Assessment of implementation of the plans was done through observations on site and a review of implementation of specific mitigation measures. See photos in Appendix E The works are being carried out in accordance with the CEMP and sub-plans. Where a non-compliance has been identified, this has been managed in accordance with the CEMP and reported to the Department as required. Inspection checks occur weekly (or greater). The checks include environmental controls and actions (including dust, noise, soil and water, refuelling, waste management and other risks relevant to the works being undertaken at the time of the inspection). Each identify where further actions are required and who they are to be completed by and when and are signed off when completed. Inductions are provided to all staff and recorded in an induction register. The induction includes Project requirements as reflected.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Site inspection records, 12/03, 18/03, 26/03, 03/04, 08/04, 14/04. Induction register 19/02-22/04 Site photos – Appendix E		
Construction Traffic				
C9.	All construction 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.	Photo of site vehicles contained in site – Appendix E	Compliance observed during site inspection	Compliant
Hoarding Requirements				
C10.	The following hoarding requirements must be complied with: a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; and b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.	Site photographs – Appendix E	Site photographs demonstrate that no third-party advertising is displayed on site fencing/hoarding.	Compliant
No Obstruction of Public Way				
C11.	The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.	Site inspection	Compliance observed during site inspection	Compliant
Construction Noise Limits				
C12.	The development must be constructed to achieve the construction noise management levels detailed in <i>the Interim Construction Noise Guideline</i> (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.	Complaints register	No complaints. Site is remote from nearest residential receivers.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
C13.	The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding noise sensitive receivers outside of the construction hours of work outlined under condition C4.	Complaints register	No complaints received regarding out of hours works	Compliant
C14.	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.	Site inspection Interview with auditees	Quackers were not being used however the nearest residential receivers are located some 500 meters away. The confined nature of the site limits the use of quackers without compromising safety of workers	Compliant
Vibration Criteria				
C15.	Vibration caused by construction at any residence or structure outside the site must be limited to: a) for structural damage, the latest version of <i>DIN 4150-3 (1992-02) Structural vibration -Effects of vibration on structures</i> (German Institute for Standardisation, 1999); and b) for human exposure, the acceptable vibration values set out in the <i>Environmental Noise Management Assessing Vibration: a technical guideline</i> (DEC, 2006) (as may be updated or replaced from time to time).	Vibration logger results 20/04-22/04.	A vibration logger is set-up on site. Results indicate compliance with the relevant criteria	Compliant
C16.	Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C15.	Site inspection	There are no residential buildings within 30 metres of the worksite.	Not triggered
C17.	The limits in conditions C15 and C16 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B12 of this consent.	Lake Cathie Public School Upgrade Construction Noise and Vibration Management Plan, A W Edwards Pty Ltd, 3 December 2019	The CNVMP identifies criteria that is consistent with the limits in Condition C15 and C16.	Compliant
Tree Removal and Protection				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
C18.	For the duration of the construction works: a) street trees must not be trimmed or removed unless it forms a part of this development consent or the prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property; b) all street trees immediately adjacent to the approved disturbance area 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; c) a suitably qualified ecological consultant shall inspect all native trees that have been approved for removal before they are felled. If there are any koala or other fauna species in the tree, work in the vicinity is to cease until the animal has moved from the area. If it is likely that hollows are providing habitat for native species, traps shall be set for several nights and any native species found shall be relocated to an appropriate nearby location; d) all trees on the site that are not approved for removal must be suitably protected during construction as per the recommendations of the Arboricultural Assessment Report dated 18 September 2018, prepared by Mid North Coast Tree Services; e) the capacity and effectiveness of tree protection fencing, compliant with AS 4970/2009 <i>Protection of trees on development sites</i> shall be maintained at all times in accordance with the approved management plan until such time as the site is no longer subject to any construction or earthmoving works; and f) 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.	Correspondence to/from Port Macquarie Hastings Council 2/04-15/04 Pre-clearing survey report, Narla Environmental, April 2020 Post-clearing report, Narla Environmental, April 2020 Arboricultural Assessment Report, Mid North Coast Tree Services, September 2018 Photos in Appendix E provide evidence of tree protection on site	Port Macquarie Hastings Council confirmed on 15 April 2020 that no Council street trees are impacted by construction. A suitably qualified ecological consultant undertook a pre-clearing survey on 10 March 2020. No threatened fauna species were observed during the pre-clearing survey. The ecologist was also present during clearing on 18 March 2020 and carried out fauna spotting. No habitat features or fauna were observed or captured during clearing. Tree protection measures are in place on the construction site	Compliant
Air Quality				
C19.	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent, including the following measures:	Site inspection	No evidence of dust emissions during site inspection	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	a) trucks and vehicles entering and leaving the site that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading; b) works that are carried out progressively on site to minimise exposed surfaces; and c) trucks associated with the works do not track dirt onto the public road network.	Photos of site access road in Appendix E		
C20.	During construction, the Applicant must ensure that: a) exposed surfaces and stockpiles are suppressed by regular watering; b) all trucks entering or leaving the site with loads have their loads covered; c) trucks associated with the development do not track dirt onto the public road network; d) public roads used by these trucks are kept clean; and e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.	Photos of site access road in Appendix E	No evidence of dust emissions during site inspection	Compliant
Erosion and Sediment Control				
C21.	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 have been stabilised and rehabilitated so that it no longer acts as a source of sediment. Erosion and sediment control techniques, as a minimum, are to be in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004) commonly referred to as the 'Blue Book'.	Site inspection Photos in Appendix E	Silt fencing in place, straw bales and rock pond being used as filtration mechanisms as per Blue Book	Compliant
Imported Soil				
C22.	The Applicant must: (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site; (b) keep accurate records of the volume and type of fill to be used; and (c) make these records available to the Certifying Authority upon request.	VENM Certificate, NSW EPA, 19 March 2020 Imported Materials Management Record, 3 April 2020	A VENM certificate was obtained for imported soil on 19 March 2020. An Imported Materials Management Record is being maintained and records the volumes and type of fill to be used.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Disposal of Seepage and Stormwater				
C23.	Adequate provisions must be made to collect and discharge stormwater drainage during construction of the building to the satisfaction of the principal certifying authority. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.	Section 68 Approval, Port Macquarie Hastings Council 1 April 2020 Correspondence from CA, 22 April 2020	The CA identified on 22 April 2020 that adequate provisions are being made to control stormwater during construction. Approval under section 68 of the Local Government Act 1993 to carrying sewerage and stormwater work was issued by Port Macquarie Hastings Council on 1 April 2020.	Compliant
Emergency Management				
C24.	The Applicant must prepare and implement awareness training for employees and contractors, including locations of the assembly points and evacuation routes, for the duration of construction.	Photograph of site noticeboard containing emergency evacuation plan Emergency drill evaluation sheet	The emergency evacuation plan which identifies assembly points and evacuation routes is available on the site noticeboard. An emergency drill involving site employees was undertaken on 1 April 2020.	Compliant
Stormwater Management System				
C25.	Within three months of the commencement of construction, 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; and	Email to DPIE dated 13 March 2020 sighted Interview with auditees	Construction commenced 16 March 2020. Not applicable during audit period.	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	d) ensure that the system capacity has been designed in accordance with <i>Australian Rainfall and Runoff</i> (Engineers Australia, 2016) and <i>Managing Urban Stormwater: Council Handbook</i> (EPA, 1997) guidelines;			
Unexpected Finds Protocol – Aboriginal Heritage				
C26.	In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by EES Group and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and EES Group to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of EES Group.	Interview with auditees	No unexpected finds have occurred to date.	Not triggered
Waste Storage and Processing				
C27.	All waste generated during construction must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.	Site photographs of dedicated bin storage area, 23 April 2020	Waste is contained in a dedicated bin onsite and fill limits are in place to avoid over-flowing.	Compliant
C28.	All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).	Waste Management Reports Aus Blue Bins 24 March- 30 March 2020	Waste management reports prepared by the waste contractor (Aus Blue Bins) identifies that waste is ‘pre-classified’ building and demolition and general solid waste in accordance with the Waste Classification Guidelines (EPA).	Compliant
C29.	The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse.	Site inspection (see photos in Appendix E)	Concrete waste trays observed on site	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
C30.	The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.	Waste Management Reports Aus Blue Bins 24 March- 30 March 2020	Waste management reports prepared by the waste contractor (Aus Blue Bins) records the volumes of waste and percentage recovered/not recovered.	Compliant
C31.	The Applicant must ensure that the 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 is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.	Report on unexpected finds protocol, Douglas Partners, December 2019	A preliminary waste classification was completed by Douglas Partners prior to commencement of construction and no hazardous materials were identified. No hazardous materials have been identified/disposed of during this audit period.	Not triggered
Outdoor Lighting				
C32.	The Applicant must ensure that all external lighting is constructed and maintained in accordance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting.	Design performance statement, Electrical Projects Australia, 7 February 2020	Design performance statement dated 7 February identifies that building lighting has been designed in accordance with AS 4282-2019.	Compliant
Independent Environmental Audit				
C33.	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.	Correspondence from DPIE, 5 March 2020	DPIE agreed to the Independent Auditor on 5 March 2020, prior to the preparation of the Independent Audit Program on 6 March 2020 and the carry out of this audit.	Compliant

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
C34.	Prior to 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 Planning Secretary and the Certifying Authority.	Independent Audit Program, WolfPeak, 6 March 2020 Email to DPIE dated 12 March 2020 submitting program and Aconex transmittal dated 9 March to CA	The Independent Audit Program dated 6 March 2020 was prepared in accordance with the IAPAR.	Compliant
C35.	Table 1 of the Independent Audit Post Approval Requirements (Department 2018) is amended so that the frequency of audits required in the construction phase is: a) An initial construction Independent Audit must be undertaken within eight weeks of the notified commencement date of construction; and b) A subsequent Independent Audit of construction must be undertaken no later than six months from the date of the initial construction Independent Audit. In all other respects Table 1 remains the same. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least 4 weeks' notice to the applicant of the date upon which the audit must be commenced.	Independent Audit Program, WolfPeak, 6 March 2020	Noted. The Independent Audit Program dated 6 March 2020 identifies the frequency of audits required in accordance with Condition C35. This audit has been carried out within 8 weeks following commencement of construction on 16 March 2020.	Compliant
C36.	Independent Audits of the development must be carried out in accordance with: a) the Independent Audit Program submitted to the Planning Secretary and the Certifying Authority under condition C33 of this consent; and b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).	This audit	This audit is being carried out in accordance with the Independent Audit Program dated 6 March 2020 and the IAPAR.	Compliant
C37.	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: a) review and respond to each Independent Audit Report prepared under condition C33 of this consent; b) submit the response to the Planning Secretary and the Certifying Authority; and c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Planning Secretary and notify the Planning	N/A	This requirement occurs after the finalisation of this audit report. Compliance will be audited in the second audit.	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	Secretary and the Certifying Authority in writing at least seven days before this is done.			
C38.	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.	N/A	Noted. Not triggered at this stage.	Not triggered
Toilet Facilities				
C39.	Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.	Photograph of worksite toilet facilities, 14 April 2020	Adequate toilet facilities are provided at the work site.	Compliant
PART D PRIOR TO COMMENCEMENT OF OPERATION				
Notification of Occupation				
D1.	At least one month before commencement of operation, the date of commencement of the operation of the development must be notified to the Planning Secretary in writing. If the operation of the development is to be staged, the Planning Secretary must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.			Not triggered
External Walls and Cladding				
D2.	Prior to commencement of operation, the Applicant must provide the Certifying Authority with documented evidence that the products and systems 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.			Not triggered
D3.	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
Post-construction Dilapidation Report				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
D4.	Prior to commencement of operation, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is: a) to ascertain whether the construction created any structural damage to adjoining buildings or infrastructure; b) to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifying Authority must: (i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and (ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads. c) to be forwarded to Council.			Not triggered
Protection of Public Infrastructure				
D5.	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development. <i>Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by this consent.</i>			Not triggered
Protection of Property				
D6.	Unless the Applicant and the applicable owner agree otherwise, the Applicant must repair, or pay the full costs associated with repairing any property that is damaged by carrying out the development.			Not triggered
Utilities and Services				
D7.	Prior to commencement of operation, a compliance certificate under the section 307 of the <i>Water Management Act 2000</i> must be obtained from Council and submitted to the Certifying Authority.			Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Works as Executed Plans				
D8.	Prior to the commencement of operation, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Certifying Authority and Council.			Not triggered
Green Travel Plan				
D9.	Prior to the commencement of operation, a Green Travel Plan (GTP), must be submitted to the satisfaction of the Planning Secretary to promote the use of active and sustainable transport modes. The plan must: a) be prepared by a suitably qualified traffic consultant in consultation with Council and Transport for NSW; b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP; c) include specific tools and actions to help achieve the objectives and mode share targets; d) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and e) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.			Not triggered
Operational Transport and Access Management Plan (OTAMP)				
D10.	Prior to the commencement of operation, an OTAMP is to be prepared by a suitably qualified person, in consultation with Council, Transport for NSW and TfNSW(RMS), and submitted to the satisfaction of the Planning Secretary. The OTAMP must address the following: a) detailed pedestrian analysis including the identification of safe route options – to identify the need for management measures such as staggered school start and			Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	finish times to ensure students and staff are able to access and leave the Site in a safe and efficient manner during school start and finish; b) the location of all car parking spaces on the school campuses and their allocation (i.e. staff, visitor, accessible, emergency, etc.); c) the location and operational management procedures of the pick-up and drop-off parking located within the southern section of the school site, including staff management/traffic controller arrangements; d) the location and operational management procedures for the pick-up and drop-off of students by buses and coaches for excursions and sporting activities during the hours of bus operations along the public Collector Road, including staff management/traffic controller arrangements; e) delivery and services vehicle and bus access and management arrangements; f) management of approved access arrangements; g) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts, including measures to mitigate queuing impacts associated with vehicles accessing pick-up and drop-off parking on the southern section of the school site; h) car parking arrangements and management associated with the proposed use of school facilities by community members; and i) a monitoring and review program.			
Evacuation and Emergency Planning				
D11.	Prior to the commencement of operation, a Bush Fire Emergency Management and Evacuation Plan must be prepared consistent with <i>Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan</i> December 2014.			Not triggered
Bush Fire Management Plan				
D12.	A bush fire management plan must be prepared for the site that addresses the following requirements: a) contact person/department and details; and b) schedule and description of works for the construction of asset protection zones and their continued maintenance.			Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
School Zones				
D13.	Prior to the commencement of operation, all required School Zone signage, speed management signage and associated pavement markings along the public collector road must be installed, inspected by TfNSW(RMS) and handed over to TfNSW(RMS). <i>Note: Any required approvals for altering public road speed limits, design and signage are required to be obtained from the relevant consent authority.</i>			Not triggered
D14.	The Applicant must maintain records of all dates in relation to installing, altering and removing traffic control devices related to speed.			Not triggered
Mechanical Ventilation				
D15.	Prior to commencement of operation, the Applicant must provide evidence to the satisfaction of the Certifying Authority that the installation and performance of the mechanical ventilation systems complies with: (a) AS 1668.2-2012 <i>The use of air-conditioning in buildings – Mechanical ventilation in buildings</i> and other relevant codes; and (b) any dispensation granted by Fire and Rescue NSW.			Not triggered
Operational Noise – Design of Mechanical Plant and Equipment				
D16.	Prior to the commencement of operation, the Applicant must submit evidence to the Certifying Authority that the noise mitigation recommendations in the <i>Acoustic Assessment – Lake Cathie Public School</i> prepared by RAPT consulting dated September 2018 has been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Environmental Noise Assessment.			Not triggered
Bus Bay Arrangements				
D17.	Prior to the commencement of operation, evidence must be submitted to the Planning Secretary that demonstrates that construction works associated with the provision of three bus bays along the northern section of the site have been completed and is operational.			Not triggered
D18.	Any dedication as public road or to Council associated with the bus bays, footpath, cycleway or other associated public domain works, must be undertaken prior to the commencement			Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	of the operation of the bus bays and be pursuant to Council requirements and the provisions of the <i>Conveyancing Act 1919</i> .			
Road Damage				
D19.	Prior to the commencement of operation, the cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development must be met in full by the Applicant.			Not triggered
Fire Safety Certification				
D20.	Prior to commencement of occupation, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.			Not triggered
Structural Inspection Certificate				
D21.	Prior to the commencement of occupation of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after: a) the site has been periodically inspected and the Certifying Authority is satisfied that the structural works is deemed to comply with the final design drawings; and b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.			Not triggered
Stormwater Quality Management Plan				
D22.	Prior to the commencement of operation, an Operation and Maintenance Plan (OMP) is to be submitted to the satisfaction of the Certifying Authority along with evidence of compliance with the OMP. The OMP must ensure the proposed stormwater quality measures remain effective and contain the following: a) maintenance schedule of all stormwater quality treatment devices;			Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	b) record and reporting details; c) relevant contact information; and d) Work Health and Safety requirements.			
Rainwater Harvesting				
D23.	Prior to the commencement of operation, signed works-as-executed Rainwater Re-use Plan must be provided to the Planning Secretary and Certifying Authority.			Not triggered
Warm Water Systems and Cooling Systems				
D24.	The installation of warm water systems and water cooling systems (as defined under the <i>Public Health Act 2010</i>) must comply with the <i>Public Health Act 2010</i> , Public Health Regulation 2012 and Part 1 (or Part 3 if a Performance-based water cooling system) of <i>AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance</i> and the NSW Health Code of Practice for the Control of Legionnaires' Disease.			Not triggered
Outdoor Lighting				
D25.	Prior to the commencement of operation, the Applicant must submit evidence from a suitably qualified practitioner to the Certifying Authority that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and: a) complies with the latest version of AS 4282-2019 - <i>Control of the obtrusive effects of outdoor lighting</i> (Standards Australia, 1997); and b) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.			Not triggered
Signage				
D26.	Prior to the commencement of operation, way-finding signage and signage identifying the location of staff car parking must be installed.			Not triggered
D27.	Prior to the commencement of operation, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.			Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
D28.	Prior to the commencement of operation, 'Do not drink' signage on non-potable water used for toilet flushing and to new hose taps and irrigation systems for landscaped areas must be installed within the site.			Not triggered
Operational Waste Management Plan				
D29.	Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifying Authority. The Waste Management Plan must: a) detail the type and quantity of waste to be generated during operation of the development; b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the <i>Protection of the Environment Operations Act 1997</i>, <i>Protection of the Environment Operations (Waste) Regulation 2014</i> and the <i>Waste Classification Guideline</i> (Department of Environment, Climate Change and Water, 2009); c) detail the materials to be reused or recycled, either on or off site; and d) include the Management and Mitigation Measures included in the EIS and the Waste Management Report, dated 9 October 2018 and prepared by SHAC.			Not triggered
Asset Protection Zones				
D30.	Prior to the commencement of operation, the entire site, except the area identified as Management Zones 1 and 1a in Figure 2 of the <i>Vegetation Management Plan</i> dated January 2020, prepared by Narla Environmental, must be managed as an inner protection area as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.			Not triggered
Section Audit Report and Site Audit Statement				
D31.	Prior to commencement of operation, should remediation works be required under Condition B42, 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			Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	education land use and be provided for the information of the Planning Secretary and the Certifying Authority.			
Bicycle Parking and End-of-Trip Facilities				
D32.	Prior to the commencement of operation, compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the satisfaction of the Certifying Authority: a) the provision of a minimum 26 staff and visitor/student bicycle parking spaces; b) the layout, design and security of bicycle facilities must comply with the minimum requirements of the latest version of AS 2890.3:2015 <i>Parking facilities - Bicycle parking</i>, and be located in easy to access, well-lit areas that incorporate passive surveillance; c) the provision of end-of-trip facilities for staff; d) appropriate pedestrian and cyclist advisory signs are to be provided; and e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.			Not triggered
Bush Fire Access				
D33.	Prior to the commencement of operation, unless otherwise agreed to by the Planning Secretary, evidence of the following must be provided to the satisfaction of the Certifying Authority: a) a managed separation (managed as an inner protection zone) of not less than seven metres between the western edge of the western turning circle and the remnant vegetation to the west b) either a turning circle that complies with section 4.2.7 of Planning for Bush Fire Protection 2006.			Not triggered
Covenant for Phase 2 restoration area				
D34.	Prior to the commencement of operation, a suitable instrument pursuant to the <i>Conveyancing Act 1919</i> must be registered on title that requires the Phase 2 area to be managed and implemented in accordance with the Vegetation Management Plan and Koala Plan of Management dated January 2020, prepared by Narla Environmental.			Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
PART E POST OCCUPATION				
Out of Hours Event Management Plan				
E1.	Prior to the commencement of the first out of hours events (school use) run by the school that involve 100 or more people, the Applicant is to prepare an Out of Hours Event Management Plan (School Use) and submit it to the Council and Planning Secretary in consultation with Council. The plan must include the following: a) the number of attendees, time and duration; b) arrival and departure times and modes of transport; c) where relevant, a schedule of all annual events; d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport); e) details of the use of the hall, outdoor sports fields and courts, where applicable, restricting use before 8am and after 10pm; f) measures to minimise localised traffic and parking impacts; and g) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.			Not triggered
E2.	The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified events or use.			Not triggered
E3.	Prior to the commencement of out of hours events (community use) run by the external parties that involve 100 or more people, the Applicant is to prepare an Out of Hours Event Management Plan (Community Use) in consultation with Council and submit it to the Council and Planning Secretary. The plan must include the following: a) the number of attendees, time and duration; b) arrival and departure times and modes of transport; c) where relevant, a schedule of all annual events; d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport); e) details of the use of the hall, outdoor sports fields and courts, where applicable, restricting use before 8am and after 10pm; f) measures to minimise localised traffic and parking impacts; and			Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	g) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.			
E4.	The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified community event or use.			Not triggered
Operation of Plant and Equipment				
E5.	All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner.			Not triggered
Warm Water Systems and Cooling Systems				
E6.	The operation and maintenance of warm water systems and water cooling systems (as defined under the Public Health Act 2010) must comply with the Public Health Act 2010, Public Health Regulation 2012 and Part 2 (or Part 3 if a Performance-based water cooling system) of AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires' Disease.			Not triggered
Community Communication Strategy				
E7.	The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.			Not triggered
Operational Transport and Access Management Plan (OTAMP)				
E8.	The OTAMP(s) approved under condition D10 as revised from time to time) must be implemented by the Applicant for the life of the development.			Not triggered
Operational Noise Limits				
E9.	The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in <i>Acoustic Assessment – Lake Cathie Public School</i> prepared by RAPT consulting, dated September 2018.			Not triggered
Unobstructed Driveways and Parking Areas				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
E10.	All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.			Not triggered
Green Travel Plan				
E11.	The Green Travel Plan required by condition D9 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.			Not triggered
Ecologically Sustainable Development				
E12.	Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 4 star Green Star Design & As Built rating. If required to be obtained, evidence of the certification must be provided to the Certifying Authority and the Planning Secretary. If an alternative certification process has been agreed to by the Planning Secretary under Condition B8, evidence of compliance of implementation must be provided to the Planning Secretary and Certifying Authority.			Not triggered
Outdoor Lighting				
E13.	Notwithstanding Condition D25, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.			Not triggered
Rainwater Harvesting				
E14.	The Applicant must implement the rainwater re-use plan required by condition B26 for the duration of the development			Not triggered
Asset Protection Zones				
E15.	The asset protection zones required by condition D30 shall be maintained for the duration of occupation of the development.			Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Bunding and Waste Management				
E16.	The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Manual</i> (Department of Environment and Climate Change, 2007).			Not triggered
E17.	All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.			Not triggered
E18.	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing or disposal.			Not triggered
E19.	The applicant must retain all sampling and waste classification data classified in accordance with the Waste Classification Guidelines.			Not triggered
Landscaping and Vegetation Management				
E20.	The proposed Phase 2 Offset Planting Area must be retained and protected in perpetuity to provide a Koala foraging area.			Not triggered
E21.	The ongoing management, mitigation measures and activities outlined in the Vegetation Management Plan & Koala Plan of Management dated January 2020, prepared by Narla Environmental, must be maintained and implemented.			Not triggered
APPENDIX 1 ADVISORY NOTES				
General				
AN1.	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	Section 68, Local Government Act, 1993 approval for water supply, sewerage & stormwater works dated 2 April 2020 sighted	Section 68 approval obtained; no other approvals likely required	Compliant
Long Service Levy				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
AN2.	For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.	Long Service Levy receipt dated 6 February 2020	Levy paid	Compliant
Legal Notices				
AN3.	Any advice or notice to the consent authority must be served on the Planning Secretary.		Noted.	Not triggered
Access for People with Disabilities				
AN4.	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 construction, 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.	Crown BCA Certificate, 11 March 2020	The CA issued a BCA Certificate on 11 March 2020 which indicates compliance with this condition.	Compliant
Utilities and Services				
AN5.	Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of Planning for Bush Fire Protection 2006.			Not triggered
AN6.	Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Section 68, Local Government Act, 1993 approval for water supply, sewerage & stormwater works dated 2 April 2020 sighted	Section 68 approval obtained; no other approvals likely required	Compliant
AN7.	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
Road Design, Traffic Facilities and Public Infrastructure				
AN8.	All roads and traffic facilities must be designed to meet the requirements of Council or TfNSW(RMS) (whichever is applicable). The necessary permits and approvals from the			Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	relevant road authority must be obtained prior to the commencement of road or pavement construction works.			Not triggered
AN9.	The design and construction of all public infrastructure works shall be in accordance with Council’s adopted AUSPEC Specifications.			
Road Occupancy License				
AN10.	A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.			Not triggered
SafeWork Requirements				
AN11.	To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.	Site hoarding/fencing photographs, 22 April 2020 Monthly site performance report, March 2020	The perimeter of the worksite is fenced and includes signs which identify that unauthorised access is prohibited. Monthly site performance report identifies that work, health and safety (WHS) inspections are occurring regularly and no incidents have been recorded.	Compliant
Hoarding Requirements				
AN12.	The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.			Not triggered
Handling of Asbestos				
AN13.	The Applicant must consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – ‘Transportation and management of asbestos waste’ must also be complied with.		No asbestos has been encountered during construction associated with this audit period	Not triggered

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Speed Limit Authorisation				
AN14.	At least eight weeks prior to the commencement of operation, the Applicant must submit the following details to TfNSW(RMS) and obtain authorisation to install School Zone signs and associated pavement markings, and / or removal / relocation of any existing Speed Limit signs: (a) a copy of the Conditions of Consent; (b) the proposed school commencement/opening date; (c) two sets of detailed design plans showing the following: (i) accurate Site boundaries; (ii) details of all road reserves, adjacent to the Site boundaries; (iii) all proposed access points from the Site to the public road network and any additional conditions imposed/proposed on their use; (iv) all existing and proposed pedestrian crossing facilities on the adjacent road network; (v) all existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings); and (vi) all existing and proposed street furniture and street trees			Not triggered
Fire Safety Certificate				
AN15.	The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.			Not triggered
Stormwater and Sewerage Works				
AN16.	Prior to occupation a Section 68 Certificate of Completion shall be obtained from Port Council.			Not triggered
WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS				
Written Incident Notification Requirements				

Unique ID	Compliance Requirement	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
1.	A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition A25 or, having given such notification, subsequently forms the view that an incident has not occurred.	Incident register	No incidents during this audit period	Not triggered
2.	Written notification of an incident must: a. identify the development and application number; b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); c. identify how the incident was detected; d. identify when the applicant became aware of the incident; e. identify any actual or potential non-compliance with conditions of consent; f. describe what immediate steps were taken in relation to the incident; g. identify further action(s) that will be taken in relation to the incident; and h. identify a project contact for further communication regarding the incident.		No incidents during this audit period	Not triggered
3.	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.		No incidents during this audit period	Not triggered
4.	The Incident Report must include: a. a summary of the incident; b. outcomes of an incident investigation, including identification of the cause of the incident; c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and d. details of any communication with other stakeholders regarding the incident.		No incidents during this audit period	Not triggered

Appendix B. Planning Secretary agreement of Independent Auditors



Planning,
Industry &
Environment

David Wheeler
Project Director
Schools Infrastructure NSW
Level 8, 259 George Street
SYDNEY NSW 2000

Contact: James Epstein
Phone: 02 6575 3419
Email: compliance@planning.nsw.gov.au
Our Ref: SSD 9491

Dear Mr Wheeler

Agreement of Independent Auditor Lake Cathie Public School Redevelopment (SSD 9491)

Reference is made to correspondence from NSW Department of Education (DoE) seeking the agreement of the Secretary of the Department of Planning, Industry and Environment (the Department) of a suitability of qualified, experienced and independent auditor to undertake independent audits of the Lake Cathie Public School Redevelopment (LCPSR).

In accordance with Schedule 2, Condition C33 and the *Independent Audit Post Approvals Requirements June 2018* (IA PAR), the Secretary has agreed to the following auditor:

- Steve Fermio (WolfPeak Pty Ltd)

Please note that this letter only agrees to Steve Fermio as an auditor for the LCPSR. Any additional auditors will need to be agreed to in separate correspondence.

Please ensure this correspondence is appended to the Independent Audit Reports.

The Independent Audit must be prepared, undertaken and finalised in accordance with the IA PAR. Failure to meet these requirements will require revision and resubmission.

The Department reserves the right to request an alternate team for future audits. Further, the agreement for the above listed auditor for the LCPSR, each respective project approval requires a request for the agreement to the auditor be submitted to the Department, for the consideration of the Secretary. Each request is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor will be considered.

If you have any questions, please contact James Epstein on the details listed above.

Yours sincerely



Heidi Watters

Team Leader Northern

Compliance, Planning & Assessments

Appendix C. Consultation records

Steve Fermio

From: Dan Croft <Dan.Croft@pmhc.nsw.gov.au>
Sent: Friday, 24 April 2020 1:52 PM
To: Steve Fermio
Subject: FW: Lake Cathie Public School Redevelopment Independent Audit

Hi Steve

I have been forwarded your e-mail below. Council planning staff do not have any specific issue to include in addition to the audit scope you have outlined. I am not aware of any complaints in relation to the development.

Please give me a call if there is a particular component of the project/audit you would like to seek further Council comment on.

Regards

Dan Croft
Group Manager Development Assessment

Development & Environment



p (02) 6581 8628

m 0439 818 621



From: Steve Fermio <sfermio@wolfpeak.com.au>
Sent: Tuesday, 14 April 2020 9:52 AM
To: Council <council@pmhc.nsw.gov.au>
Cc: Cecilia Axelsson <Cecilia.Axelsson@curriebrown.com>; Craig McIlveen <cmcilveen@awedwards.com.au>
Subject: Lake Cathie Public School Redevelopment Independent Audit

Good morning

I am the Independent Auditor for the Lake Cathie Public School Redevelopment Project. I am preparing to undertake an audit to satisfy State Significant Development (SSD) 9491 Conditions C33 to C38, and the Department of Planning, Industry and Environment's (the Department) Independent Audit Post Approval Requirements (2018). (IAPAR).

The audit is scheduled to occur in late April or early May 2020 and in accordance with Section 3.2 of the IAPAR, we are consulting with Council on the scope of the audit.

The required audit scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant Condition of Consent (including any modifications) along with all post approval documents prepared to satisfy the Conditions of Consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth.

In providing input to the scope of audit, we kindly request confirmation of any complaints you have received, any observed incidents or any key issues you would like examined relating to the works. If you could please provide this input to me by 24 April 2020 that would be greatly appreciated.

If you have any questions, please don't hesitate to get in touch.

Kind Regards,
Steve

Steve Fermio | Principal Environmental & Earth Scientist
Managing Director



E: sfermio@wolfpeak.com.au

P: 0417 170 645

A: 17A High Street, Wauchope NSW 2446

www.wolfpeak.com.au

This email is intended only for the addressee and may contain confidential information. If you receive this email in error, please delete it and any attachments and notify the sender immediately by reply email. WolfPeak takes all care to ensure that attachments are free from viruses or other defects. WolfPeak assume no liability for any loss, damage or other consequences, which may arise from opening or using an attachment.

 Consider the environment. Please don't print this e-mail unless really necessary.



DISCLAIMER - This electronic mail message is intended only for the addressee and may contain confidential information. If you are not the addressee, you are notified that any transmission, distribution or photocopying of this email is strictly prohibited. The confidentiality attached to this email is not waived, lost or destroyed by reasons of a mistaken delivery to you. The information contained in this email transmission may also be subject to the Government Information (Public Access) Act, 2009.

Appendix D. Independent Audit Declaration Form(s)

Independent Audit Declaration Form

Independent Audit Declaration Form

Project name	Lake Cathie Public School Redevelopment
Consent Number	SSD 9491
Description of Project	Redevelopment of Lake Cathie Public School
Project Address	Lot 10, DP 1210904 1240 Ocean Drive Lake Cathie
Proponent	NSW Department of Education (Infrastructure Projects)
Title of Audit	Independent Audit
Date	26/02/2020

I declare that:

- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- Neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit
 - it is my understanding that I may be engaged to also prepare the independent audit program;
- I am not the Environmental Representative for the project; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

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) 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 auditor	Steve Fermio
Signature	
Qualification	Bachelor of Science (Honours) Exemplar Global Auditor Number 110498
Company	WolfPeak Pty Ltd
Company address	Suite 2, Level 10, 189 Kent Street Sydney NSW 2000

Appendix E. **Site inspection photographs.**



Plate 1 – Clean access road to site



Plate 2 – Concrete washout tray



Plate 3 – Silt fence at base of topsoil stockpile



Plate 4 – Straw bale and silt fence at outlet from rock lined settling basin



Plate 5 – Flammable liquid store on spill pallet

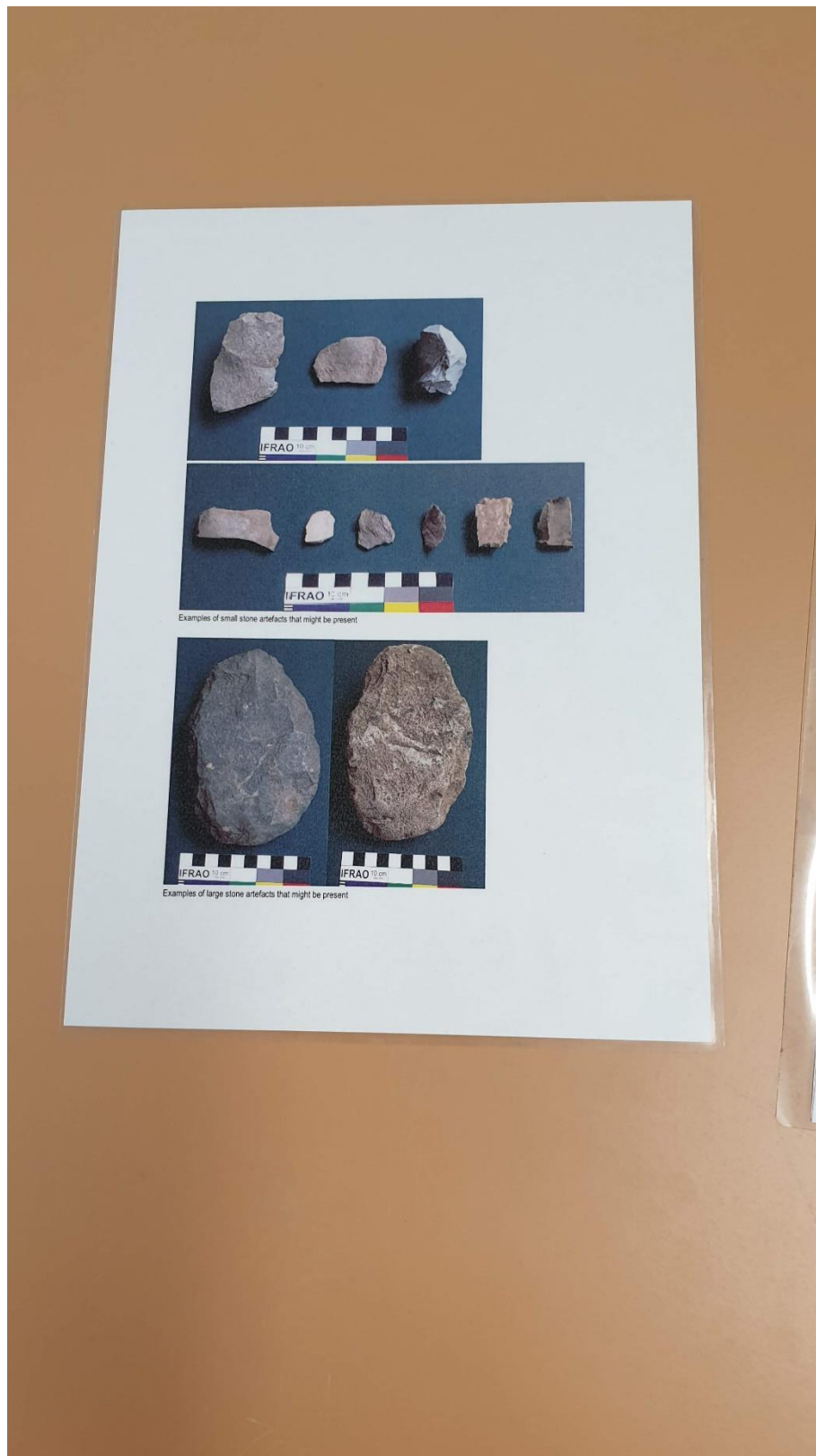


Plate 6 – Indigenous heritage items images used in site induction



Plate 7 – Onsite parking of worker and construction vehicles



Plate 8 – Rainwater collection tanks for reuse on site



Plate 9– Wheel shaker installed at exit from site



Plate 10– Site Layout Plan used in induction and displayed on site notice boards



Plate 11 – Site Notice at entrance to site



Plate 12 – Tree protection zone within the site



Plate 13 – Waste recycling at site office



WolfPeak Pty Limited

Suite 2, Level 10, 189 Kent Street, Sydney 2000

17A High Street, Wauchope 2446

www.wolfpeak.com.au