

DOC20/1062342

Jim Betts
Planning Secretary
Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2152

Attn: Shiraz Ahmed

21 October 2020

Dear Mr Betts

New Primary School in Estella, Wagga Wagga (SSD 9494): Submission of Independent Audit Report and response in accordance with Condition C37 and C38

I refer New Primary School in Estella, Wagga Wagga approved on the 18th June 2020.

In accordance, with condition C37 of the Development Consent, the following document has been submitted to the Planning Secretary for information:

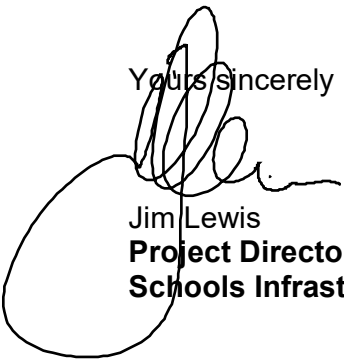
- SSD 9494 - Independent Environmental Construction Audit Report #1

As per the requirements of condition C38 the Department must be issued with a response from the proponent to the Independent Audit Report, therefore the following attachments are provided for your information:

- Attachment A - Response to Independent Audit non-compliances
- Attachment B - Response to Independent Audit recommendations

Additionally, in accordance, with condition C37 of the Development Consent and with at least 7 days' notice, please be advised that the Department intend to make the Construction Compliance Report publicly available on it's website, no sooner than 60 days following the submission of this letter.

Yours sincerely



Jim Lewis
Project Director
Schools Infrastructure NSW

NSW Department of Education

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Attachment A – Response to Independent Audit non-compliances

CoC	Consent heading	Compliance Requirement	Auditor's Comments / Observations	Compliance Status	SINSW Response and Actions
A31/A32	Non-compliance notification	CoC A31 states that the Planning Secretary must be notified in writing within seven days after the proponent becomes aware of any non-compliance.	Construction commenced 30/06/20. On 08/09/20 the Department wrote to SINSW stating that SINSW's request for approval of the Sustainable School Certification Scheme was submitted to the Department on 07/08/20 (which is after the commencement of construction) and is currently under review. On 08/09/20 the Department advised that it granted an extension to the time required to register for Green Star Rating until 25/09/20 (or obtain approval of alternative certification). The non-compliance was not notified / reported as required by CoC A31 and A32.	Non-compliant	Non-compliance noted. Non-compliance notification for B9 was issued to DPIE on 24/09/20. Timing non-compliance, no further action required.
B9	Ecologically sustainable development	Prior to the commencement of construction, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by either: (b) seeking approval from the Planning Secretary for an alternative certification process.	Construction commenced 30/06/20. On 08/09/20 the Department wrote to SINSW stating that SINSW's request for approval of the Sustainable School Certification Scheme was submitted to the Department on 07/08/20 (which is after the commencement of construction) and is currently under review. On 08/09/20 the Department advised that it granted an extension to the time required to register for Green Star Rating until 25/09/20 (or obtain approval of alternative certification).	Non-compliant	Non-compliance noted. DPIE approved extension request for approval of Alternative ESD certification process. Letter sent 01/09/20. No further action required. Letter also sent 22/06/20



Attachment B – Response to Independent Audit Observations

Consent condition #	Audit Improvement Recommendations	Department of Education Actions	Evidence of actions
B12 (e)	CoC B12 sets out the information to be included in the project CEMP. CoC B12(e) requires the CEMP to include an unexpected finds protocol for Aboriginal and non-Aboriginal heritage. The unexpected finds protocol in Section 4.11 of the CEMP does not properly address the steps required in response to heritage items, rather it reflects contamination	Update Section 4.11.7 of the CEMP to include a specific unexpected finds protocol and associated communications procedure for heritage.	As per consent condition A34, the CEMP is currently undertaking a review and the updated section is now captured in the forthcoming CEMP update that is to be issued to DPIE upon completion (ETA October 2020).
C14	CoC C14 requires the use of 'quackers' on site plant, where practicable and safe to do so, to ensure noise impacts on surrounding noise sensitive receivers are minimised It was observed on site that there were multiple pieces requires the use of 'quackers' on site plant, where practicable and safe to do so, to ensure noise impacts on surrounding noise sensitive receivers are minimised of mobile plant in operation. Tonal beepers (not quackers) were observed on 1 x piece of plant on the day of the inspection (out of more than a dozen mobile plant and heavy vehicles). There have been no complaints received to date and, therefore, noise impacts on the surrounding receivers may be considered minimal.	Consider implementing a process to: - recommend subcontractors provide plant with non-tonal reversing alarms, or - verify that non-tonal reversing alarms compromises safety on site.	Contractor has been requested to investigate the possibility of implementing non-tonal alarms where safety will not be compromised. Discussions regarding actions occurred 19/08/20
C18	CoC C18 provides management measures for tree protection including the suitable protection of trees to be retained on site. CoC C18(c) references the use of recommendations of a relevant report. There is a typographical error in this condition as issued by the Department. The relevant report is not referenced as intended.	Engage with the Department on appropriate action to address this error.	Contractor has confirmed that the appropriate report has been utilised and the typographical error will not compromise the project's ability to comply with the condition.
C20(c)	CoC C20 provides air quality management measures to be implemented during construction. CoC C20(c) requires that trucks associated with the development do not track dirt onto the public road network. A small amount of material was observed to be tracked from the Project access point onto a public road on the day of the inspection.	Monitor and ensure that dirt is not tracked onto the public road network and clean where necessary.	Contractor has instructed daily proactive inspections of access points to ensure any tracked dirt is immediately cleaned.
CNVMP	The CNVMP requires that where reasonable and feasible to do so, less annoying alternatives to typical 'beeper' alarms be used on-site. It was observed on site that there were multiple pieces of mobile plant in operation. Tonal beepers (not quackers) were observed on 1 x piece of plant on the day of the inspection (out of more than 1 x dozen mobile plant and heavy vehicles). There have been no complaints received to date and, therefore, noise impacts on the surrounding receivers may be considered minimal.	Consider implementing a process to: - recommend subcontractors provide plant with non-tonal reversing alarms, or verify that non-tonal reversing alarms compromises safety on site.	Contractor has been requested to investigate the possibility of implementing non-tonal alarms where safety will not be compromised. Discussions regarding actions occurred 19/08/20