

## Wolfpeak Audit - 4th & 7th June 2021

SSDA 8640 - Picton High School

Based upon Wolfpeak Draft Audit Report dated 05/07/2021

Dated 7/07/2021

Owner Gordon Barlow (Mace)



#	Condition	Type	Description	Action	Response	Owner	Status	Date Closed
1	A22	Non compliance	CoC A22 requires that certain information be made publicly available on the Project website, including a complaints register updated monthly.  <b>The website contains the information identified in CoC A22 a)(i)-(x) with the exception of the current complaints register.</b>	Update the Project website to include the current complaints register.	May complaints register is now available on the project website, as of 06/07/2021.  A non compliance letter will be forthcoming, and submitted to DPIE.	Mace	Closed	6/07/2021
2	C6	Non compliance	CoC C6 requires that activities may be undertaken outside of the hours in condition C5 if required a) by the Police or a public authority for the delivery of vehicles, plant or materials; or b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or c) where the works are inaudible at the nearest sensitive receivers; or d) where a variation is approved in advance in writing by the Planning Secretary or her nominee if appropriate justification is provided for the works. Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.  <b>Out of Hours Works were completed during April as part of Argyle Street upgrade works. It is understood that drainage, line marking and construction of the island was all approved by Council to occur during the evening and night time periods, however only line marking went ahead during the Out of Hours period (up to approx. 10pm). It is the Auditors opinion that these works would not be inaudible at the nearest receiver and the works do not conform to the requirements of C6 a) – d). That being said, notification was provided to potentially affected residents prior.</b>	Ensure any further Out of Hours Works are only undertaken where compliant with CoC C6.	A non compliance letter will be forthcoming, and submitted to DPIE.	Mace	Closed	6/07/2021
3	C8	Non compliance	CoC C8 requires that the Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans).  <b>The CEMP includes commitments to undertake pre and post-rain site inspections. There was no evidence available to demonstrate that pre and post-rain site inspections had occurred prior to and after the 18/03/21 storm event.</b>	Review the commitments from the CEMP and sub-plans and implement in full for remainder of construction.	This non-compliance is based on a draft report provided by the Independent Environmental Auditor.  TCG (the Contractor) have provided evidence to the auditor that inspections were undertaken in accordance with the condition, with particular reference to the storm event on 18/03/2021.  This evidence was provided on 5/07/2021 (QSE-F-14.2 WHS Pre and Post Rain Event Inspection Checklist)  This matter is therefore no longer a non-compliance.	Taylor	Closed	5/07/2021

4	C18	Observation	<p>CoC C18 requires that vibration caused by construction at any residence or structure outside the site must be limited to:</p> <p>a) for structural damage, the latest version of DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures (German Institute for Standardisation, 1999); and</p> <p>b) for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: a technical guideline (DEC, 2006) (as may be updated or replaced from time to time).</p> <p><b>1 x complaint was received in April 2021 regarding cracks on a resident's property. The complainant attributed this to piling works. The auditees advise that piling works were completed in 2018-19 (i.e.: not during the period relating to the complaint) and were at material distance from the property with existing buildings in between the piling and the receiver.</b></p>	<p>SINSW has attempted to contact resident to inspect and address concern and the complaint remains open. Investigation into the complaint is to be completed.</p>	<p>Investigations ongoing.</p> <p>A desktop assessment of dilapidation report dated 31/03/2021 is being undertaken.</p> <p>Project team have undertaken several site visits of neighbouring property.</p> <p>Project team has requested a building inspection report prepared by a suitably qualified professional, that outlines the summary of recent works undertaken on the property.</p> <p>This information has not been provided by the home owner, and as such this item remains unresolved.</p> <p>SINSW will follow up on the matter with the objective to resolve the issue.</p>	Taylor	Open	
5	C22	Non compliance	<p>CoC C22(c) requires that all trees on the site that are not approved for removal must be suitably protected during construction as per recommendations of the Arboricultural Assessment and Tree Management Plan prepared by Horticultural Management Services dated 12 February 2018, and Arboricultural Assessment and Tree Management Plan Addendum prepared by Horticultural Management Services dated 19 October 2018 and Arboriculture Assessment Report Addendum prepared by Horticultural Management Services dated 15 March 2019; as amended by the letter prepared by Horticultural Management Services dated 16 October 2019.</p> <p><b>Trees along the eastern boundary of Stage 3 works are to be retained and are not protected. The Auditor observes that there were minimal works evident within the zones requiring protection.</b></p>	<p>Erect Tree Protection Zones in accordance with the arboricultural reports.</p>	<p>Review of all aboricultural reports and addendums will be undertaken, to ensure that suitable tree protection measures are afforded to the development site in accordance with this condition.</p> <p>Where recommendations have not been implemented, non compliances will be submitted to DPIE.</p> <p>The applicant notes that the following report specifically excludes the requirement for the trees in question to have a tree protection zone (refer to table in section 10.0 of <i>Hort Management - Arborist Assessment - Picton HS 24.7.2018</i>)</p>	Taylor	Open	
6	C26	Observation	<p>CoC C26 requires that 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.</p> <p>The Erosion and Sediment Control Plan was updated by Taylor for Stage 3 in April 2021, however this was only signed off by the Project civil engineer as being appropriate after the Independent Audit site inspection.</p> <p><b>3 x complaints were received during the audit period regarding water on the yard of an adjacent property. These were received during the large storm events in February and March 2021. The Erosion and Sediment Control Plan for that time indicates that sediment fence was in place on the boundary and that the operational stormwater network was connected. An investigation was conducted by the Project which indicates that water could have entered the property during the large rain events in February and March 2021, but that the wider area was also affected. The complaints register indicates that Taylor would assist with a clean-up in response to one of the complaints. The Auditor is not aware of the status of this commitment. SINSW consider the issue closed. No further issues have been raised.</b></p>	<p>Confirm that the clean-up of the 30/03/21 complainant's yard is complete, if not undertake that clean-up.</p>	<p>The project confirms that a clean was undertaken to the neighbouring property on 13/05/2021.</p>	Taylor	Closed	13/05/2021

7	C46	Non compliance	<p>CoC C46 requires that an Archaeological Work Method Statement for the works on the alignment of the Hume Highway (Argyle Street) is to be prepared by a qualified archaeologist and be in place at the site for the duration of excavation works.</p> <p><b>The Archaeological Work Method Statement was prepared in 2019, however there was no evidence to demonstrate that it was implemented for works undertaken on the alignment of Hume Highway.</b></p>	Investigate, with the Project archaeologist, whether any impacts to archaeological heritage items had occurred as a result of the Argyle Street works and actions to address / rectify those impacts (if any).	<p>A letter from AMAC Archaeological confirms no impacts to archaeological heritage as a result of the Argyle St works (dated 29/06/2021).</p> <p>This letter has been provided to the Independent Environmental Auditor on 05/07/2021.</p> <p>This matter is therefore no longer a non-compliance.</p>	Taylor	Closed	5/07/2021
8	D8	Non compliance	<p>CoC D8 requires that prior to the commencement of operation of the development, the Applicant must implement detailed signage and line-marking plan in accordance with condition B32.</p> <p><b>Council issued completion certificates for the practical completion of works on Wonga Road and Argyle Street (which include signage and line marking).</b></p> <p><b>Whilst Council issued a certificate of practical completion, the Auditor understands that negotiations with Council over the last 2 years may have resulted in changes to the original design of the works on Wonga Road and Argyle Street. The Auditor requested that the auditees provide evidence to demonstrate that the signage and line-marking align with that set out in the plans prepared under CoC B32. No evidence was provided.</b></p>	Confirm whether the signage and line-marking comply with the plan within B32.	<p>Review of Signage and Line Marking plans will be undertaken, to ensure that works are consistent with these plans, in accordance with this condition.</p> <p>Where plans have not been implemented, non compliances will be submitted to DPIE.</p>	Taylor	Open	
9	D11	Non compliance	<p>CoC D11 requires that any recommendations of the Road Safety Evaluation as required by condition B33, must be implemented on all relevant sections of Argyle Street and Wonga Road utilised for bus and private vehicle drop-off and pick-up.</p> <p><b>The Road Safety Evaluation made 22 x findings. According to a statement provided by Taylor</b></p> <ul style="list-style-type: none"> <li>-All findings regarding the Wonga Road works have been implemented and works achieved completion as per attached completion certification issued by Wollondilly Shire Council</li> <li>- Findings regarding Argyle Street have only been partially implemented due to Council requirements having deviated from the original design. Findings regarding Argyle Street are currently being negotiated and consulted with Council, Transport for NSW and affected neighbouring properties to reach a revised and final design</li> <li>- Several findings will be reviewed as a new Road Safety Evaluation is proposed to be completed to reflect final approved design.</li> </ul> <p><b>The Auditor notes that bus and private vehicle drop-off and pick-up are currently in operations.</b></p>	Complete updated Road Safety Evaluation on current as built design.	<p>The RSE was undertaken in accordance with Condition B33, and does not contain explicit recommendations relating to relevant sections of Argyle St and Wonga Rd utilised for bus and private vehicle drop off and pick up.</p> <p>Refer to Section 1.5 of the RSE, in accordance with the NSW Center for Road Safety Guidelines.</p> <p>This matter is therefore no longer a non-compliance, and will be discussed further with the Independent Environmental Auditor.</p>	Mace	Open	
10	D16	Non compliance	<p>CoC D16 requires that following installation of School Zone signage, speed management signage and associated pavement markings, as required by condition D15, the Applicant must arrange an inspection with RMS (Transport for NSW) for formal handover of assets. The handover of assets must occur prior to commencement of use of the development.</p> <p><b>Council issued completion certificates for the practical completion of works on Wonga Road (which include signage and line marking). The existing school zone markings on Argyle Street were not altered by the works.</b></p> <p><b>Wonga Road is classified as a local road and Council is the Road Authority, however the Auditor is of the understanding that Transport for NSW is responsible for School Zone signage. There was no evidence provided to demonstrate that Transport had not inspected the signs, nor had those assets handed over.</b></p>	Arrange an inspection of School Zone signage, speed management signage and associated pavement markings with Transport for NSW for formal handover of assets.	<p>The Project has arranged inspection for formal handover of assets with the relevant road authority Wollondilly Shire Council.</p> <p>Please refer to Transport for NSW Response to Submission for the Development proposal.</p> <p><a href="https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=EXH-436%2120190224T142015.697%20GMT">https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=EXH-436%2120190224T142015.697%20GMT</a></p> <p>Therefore, this condition should be considered not triggered, and therefore in compliance. This will be discussed further with the Independent Environmental Auditor.</p>	Mace	Open	

			CoC D23 requires that prior to occupation of the building, an Operation and Maintenance Plan (OMP) is to be prepared to ensure proposed stormwater quality measures remain effective. The OMP must contain the following: a) maintenance schedule of all stormwater quality treatment devices; b) record and reporting details; c) relevant contact information; and d) Work Health and Safety requirements.		Revised OMP issued to Independent Environmental Auditor.			
11	D23	Non compliance	<b>The record and reporting details, relevant contact details, are not identified in the OMP.</b>	Update the OMP to include the required information	A non compliance letter will be forthcoming, and submitted to DPIE.	Mace	Closed	6/07/2021
12	D32	Observation	CoC D32 requires that prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Department/Certifier. 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 Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (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 EIS.  <b>The Operational Waste Management Plan identifies collection (i.e.: commercial waste transporter collection), not disposal at destination. The Auditor considers this to be reasonable as the destinations may vary over time depending on the waste service provider. The hours for collection do not align with the hours specified in CoC E9.</b>	Update the Operational Waste Management Plan to capture the hours specified in CoC E9.	An updated OWMP to align collection hours with CoC E9 is to be prepared.  This will be discussed further with the Independent Environmental Auditor.	Taylor	Open	
13	C36	Non compliance	CoC D36(d) requires that prior to the occupation of the building the applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Planning Secretary. The plan must include details that the native trees to be removed from the site are to be salvaged, including tree hollows and tree trunks (greater than 25cm in diameter and 3m in length) and used to enhance habitat at the site.  <b>Tree hollows and tree trunks were not able to be retained on the Project in line with the condition. This was notified on 27/03/21. An application to modify condition D36 (Modification 3) was lodged on 08/04/21. The application is under assessment by the Department.</b>  <b>The Landscape Management Plan was not approved prior to occupation of Stage 2.</b>	Comply with the Department's requirements through the assessment and approval (if granted) of Modification 3.	A non compliance letter will be forthcoming, and submitted to DPIE.	Mace	Open	
14	D39	Non compliance	CoC D39 requires that the Applicant must submit certain information to RMS (Transport for NSW), at least eight weeks prior to occupation of the site, and obtain authorisation to install School Zone signs and associated pavement markings, and / or removal / relocation of any existing Speed Limit signs.  <b>This finding relates to the same issue as that identified against CoC D16.</b>  <b>Council issued completion certificates for the practical completion of works on Wonga Road (which include signage and line marking). The existing school zone markings on Argyle Street were not altered by the works.</b>  <b>Wonga Road is classified as a local road and Council is the Road Authority, however the Auditor is of the understanding that Transport for NSW is responsible for School Zone signage. There was no evidence provided to demonstrate that the information specified by this condition had been provided to Transport, nor had Transport for NSW authorisation been granted.</b>	Provide the relevant information to Transport for NSW and obtain their authorisation.	As per Condition D16 outlined above, the Project has obtained authorisation to install school zone signs and associated pavement markings from the relevant road authority Wollondilly Shire Council.  Please refer to Transport for NSW Response to Submission for the Development proposal.  <a href="https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=EXH-436%2120190224T142015.697%20GMT">https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=EXH-436%2120190224T142015.697%20GMT</a>  Therefore, this condition should be considered not triggered, and therefore in compliance. This will be discussed further with the Independent Environmental Auditor.		Open	