

22 December 2023

The Planning Secretary
Department of Planning and Environment
4 Paramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150

Dear Planning Secretary,

SSD-10424 Riverview Stage 2 Development – Wingaru
Response to Independent Environmental Audit Report #2

We write on behalf of the St Ignatius' College Riverview with regards to its development at 2-60 Riverview Street and Tambourine Bay Road, Riverview.

Please find enclosed the second independent Environmental Audit Report (the 'Audit'), dated 19 December 2023.

We note that the Audit found 3 non-compliances. Section 3 of the Audit sets out Recommends and Observations for Improvement.

Attached at **Appendix A** is our response to the auditor's findings and recommendations.

A copy of the report and this letter of response will be uploaded to the project website in due course in accordance with condition D39 (c).

Yours sincerely,

EPM Projects



Jordan Graham
Associate



APPENDIX A – Proponent Response to Audit Findings

Condition Number (ID)	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proponent's Proposed Action/Action taken/Response	Proposed Action Due Date
Non-Compliances					
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, Response to Submissions (RtS), Supplementary Response to Submissions (SRtS) and SSD-10424-Mod-1; (d) in accordance with the approved plans in the table below:	Compliance with conditions A11 and A32 have not been demonstrated.	Proponent to address all the non-compliances noted during this audit.	Agreed with recommendation.	N/A
A11	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.	No evidence to verify consultation with Council in preparation of the CSWMSP as required by CoC C13 (a).	Update the CSWMSP and include details of consultation as required by CoC A11.	Agreed with recommendation. Updates to the CSWMSP to capture consultation with Council in next update.	1/02/24
A32	Within three months of: (a) the submission of a compliance report under condition A34; (b) the submission of an incident report under condition A28; (c) the submission of an Independent Audit under condition D37; (d) the approval of any modification of the conditions of this consent; or (d) the issue of a direction of the Planning Secretary under condition A3 which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.	No evidence of written notification to DPE and the Certifier that a review was being undertaken following the submission of Independent Audit #1.	NA – notification trigger date has passed.	Moving forward we will commence this review upon completion of each audit and provide the notice in compliance with A32 in the audit response.	22/12/23

Observations (Recommendations for Improvement)					
A22	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.	The CEMP and sub-plans refer to relevant guidelines and policies. However, the CEMP does not refer to Environmental Management Plan Guideline: Guideline for Infrastructure Projects (DPIE April 2020).	Update the CEMP and sub-plans to include reference to relevant standards or policies identified by the consent.	Agreed with recommendation.	1/02/24
A25	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <p>(i) the documents referred to in condition A2 of this consent;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;</p> <p>(v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p> <p>(vi) a summary of the current stage and progress of the development;</p> <p>(vii) contact details to enquire about the development or to make a complaint;</p> <p>(viii) a complaints register, updated monthly;</p> <p>(ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;</p> <p>(x) any other matter required by the Planning Secretary; and</p> <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary, and publicly available for 12 months after the commencement of operations.</p>	Contact details to enquire about the development are available via the Saint Ignatius' College Riverview school website link.	Applicant to consider adding direct Project contact details to the website for any project specific enquiries.	Disagree with recommendation. General Project Contact details have been made on the website, with site staff details found within the plans.	N/A

Condition Number (ID)	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proponent's Proposed Action/Action taken/Response	Proposed Action Due Date
A26	The Applicant must ensure that all 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.	The induction package includes reference to legislation, standards/codes and the SDD Conditions of Consent. There is no explicit reference or instruction for workers to comply with the SSD Conditions of Consent.	Update the induction package to include a statement advising that all site personnel including subcontractors must comply with the conditions of consent.	Agree with recommendation.	1/02/24
C8	<p>Management plans required under this consent must be prepared having regard to the relevant guidelines, including but not limited to the Environmental Management Plan Guideline: Guideline for Infrastructure Projects (DPIE April 2020).</p> <p>Note:</p> <ul style="list-style-type: none"> ▪ The Environmental Management Plan Guideline is available on the Planning Portal at: https://www.planningportal.nsw.gov.au/major-projects/assessment/post-approval ▪ The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans. Management plans required under this consent must be prepared having regard to the relevant guidelines, including but not limited to the Environmental Management Plan Guideline: Guideline for Infrastructure Projects (DPIE April 2020). 	The CEMP does not reference the Environmental Management Plan Guideline: Guideline for Infrastructure Projects (DPIE April 2020). See observation recorded against CoC A22.	Review CEMP against the requirements of the EMP Guideline, DPIE April 2020. Update CEMP with reference to the EMP Guideline, DPIE April 2020.	Update the CEMP and sub-plans to include reference to all relevant standards or policies identified by the consent.	1/02/24
C11	<p>The 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:</p> <ol style="list-style-type: none"> a) be prepared by a suitably qualified and experienced person(s); b) be prepared in consultation with Council and TfNSW/ TfNSW (RMS); c) be consistent with the Preliminary Construction Traffic and Pedestrian Plan prepared by Positive Traffic Pty Ltd dated October 2020 submitted with the EIS; d) include details of predicted number of construction vehicle movements per day and detail of vehicle types, noting that vehicle movements are to be minimised during peak traffic periods; 	The CTPMSP was prepared by a company that is transport orientated. There are no details pertaining to the author or their qualifications and experience to demonstrate they are suitably qualified and experienced to prepare the plan.	Update the plan to include the author's details and verify that the author is suitably qualified and experienced to prepare the plan.	Agreed with recommendation.	1/02/24

Condition Number (ID)	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proponent's Proposed Action/Action taken/Response	Proposed Action Due Date
	<ul style="list-style-type: none"> e) (e) include assessment of potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works; f) (f) include details to demonstrate the construction vehicle access arrangements and student / staff access to the site during construction works to ensure safe operation of the school at all times; g) (g) 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; h) (h) detail the measures regarding existing students and operation; and i) (i) detail heavy vehicle routes, access and parking arrangements. 				
C12	<p>The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following:</p> <ul style="list-style-type: none"> a) be prepared by a suitably qualified and experienced noise expert; b) describe procedures for achieving the noise management levels in EPA's Interim c) Construction Noise Guideline (DECC, 2009) and the noise guidelines criteria in section 5.4 of the SEARs Acoustic Report Riverview Ignis Project - Stage 2, prepared by PKA Acoustic Consulting dated 14 October 2020 (R02v1); d) describe the measures to be implemented to manage high noise generating works such e) as piling, in close proximity to sensitive receivers; f) include details of hours within which the rock hammering, sheet piling, pile driving and similar activities are proposed to be scheduled, such as (but not limited to): <ul style="list-style-type: none"> (i) 9am to 12pm, Monday to Friday; (ii) 2pm to 5pm Monday to Friday; and (iii) 9am to 12pm, Saturday. g) include strategies that have been developed with the community for managing high noise generating works; 	<p>Part (a) The CNVMP is signed by a Principal Consultant with the following qualifications M.A.S.A. A.A.A.S. It is unclear if the person listed is the Author, nor is it clear what their qualifications pertain to.</p> <p>Part (e) No evidence to verify strategies have been developed with the community for managing high noise generating works.</p> <p>Part (f) No description of the community consultation undertaken to develop the strategies in condition C12(e)</p>	<p>Update the plan to include the author's details and verify that the author is suitably qualified and experienced to prepare the plan.</p> <p>Engage with potentially impacted community to discuss options for noise impact mitigation.</p> <p>Review and update CNVMSP to capture the requirements of CoC C12 parts a, e and f.</p>	Agreed with recommendation.	14/02/24

Condition Number (ID)	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proponent's Proposed Action/Action taken/Response	Proposed Action Due Date
	<ul style="list-style-type: none"> h) describe the community consultation undertaken to develop the strategies in condition C12(e); i) includes details of the noise management measures (including scheduling of high noise generating activities, noise barriers within the site, hoardings etc) that would be installed to ensure that students / staff are not impacted by the construction noise; j) include a complaints management system that would be implemented for the duration of the construction; and k) (l) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the implemented management measures. 				
C13	<p>The Applicant must prepare a Construction Soil and Water Management Sub-Plan (CSWMSP) and the plan must address, but not be limited to the following:</p> <ul style="list-style-type: none"> a) be prepared by a suitably qualified expert, in consultation with Council; b) describe all erosion and sediment controls to be implemented during construction, including as a minimum, measures in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book'; c) 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); d) detail all off-site flows from the site; and e) 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 5-year ARI. 	The CSWMP does not identify the author's qualifications, nor does it refer to consultation with Council.	<p>Update the plan to include the author's details and verify that the author is suitably qualified and experienced to prepare the plan.</p> <p>Include evidence of consultation with Council in the plan.</p>	Agreed with recommendation.	1/02/24