



Health  
Infrastructure

**Proponent Response to  
Independent Audit #4  
Findings  
The Children's Hospital at  
Westmead Multi-Storey  
Carpark**

State Significant Development (SSD)

SSD-10434896

**PWC**

[VERSION 1.0]  
2 February 2024

**PROPONENT RESPONSE TO INDEPENDENT AUDIT #4 FINDINGS THE CHILDREN’S HOSPITAL AT WESTMEAD MULTI-STOREY CARPARK**

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# PROPONENT RESPONSE TO INDEPENDENT AUDIT #4 FINDINGS THE CHILDREN'S HOSPITAL AT WESTMEAD MULTI-STOREY CARPARK

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## Introduction

### Project Name and Project Application Number

The Children's Hospital at Westmead Multi-Storey Carpark – SSD-10434896

### Site Address

The Children's Hospital at Westmead (Lot 101 DP 1119583 and Lot 1 DP 1194390)

### Title and Revision Number

Proponent Response to Independent Audit #4 Findings Version 1

### Date

2/02/2024

### Contact Details

<b>Proponent</b>	Health Infrastructure
<b>Client Representative</b>	PwC
<b>Managing Contractor</b>	Kane Constructions Pty Ltd

### Independent Audit Date

27 October 2023

### Independent Auditor

WolfPeak

### Proponent Response

The table below details the Conditions of Consent that were classified as "Non-compliance" or "Observation" with a recommendation by the Independent Auditor during the Independent Audit conducted on 27 October 2023. As required the proponent has provided a detailed action plan to be undertaken in response to each non-compliance, refer table 1 on the next page.

Condition No.	Requirement and Audit Findings	Independent Auditor Comments / recommended Actions	Proponent Response / Timing
<b>Findings from the first Independent Audit (IA1)</b>			
<b>A33</b> <b>Non-compliance</b>	<p><b>Requirement:</b> No later than 48 hours prior to the commencement of construction, a Compliance Monitoring and Reporting Schedule prepared in accordance with the Compliance Reporting Post Approval Requirements, as amended by condition A34, must be submitted to the Planning Secretary and the Certifier.</p> <p><b>Non-compliance:</b> From the evidence provided, it is not clear that a copy of the Compliance Reporting Schedule has been submitted to the Department.</p> <p>IA2 update: This is yet to be addressed. The auditor also notes that the file on the project website (and presented during the second audit) named 'MSCP - Reporting and Monitoring Schedule' is not a schedule as referred to by this condition.</p> <p>IA3 Update: Compliance Monitoring and Reporting Schedule was submitted to the Department on the 6 April 2023. The Department provided an RFI, indicating the applicant provided a report table only and it did not present a Compliance Reporting Schedule. The Department requested to follow the CRPAR 2020 requirements and that the reporting schedule addresses the frequency of reporting.</p> <p>Additionally, in the letter received on the 13 April 2023 re. Independent Environmental Audit 2, the Department indicated that the Project's Compliance Reporting Schedule still outstanding and requires to be submitted to the Department to bring the project into compliance.</p>	<p>At the first Independent Audit it was recommended that the Project's Compliance Reporting Schedule be submitted to the Department.</p> <p>The Project's Pre-Commencement Compliance Report titled Project Compliance Monitoring &amp; Reporting Program (Rev. 1 – 23 March 2023) was submitted to the Department on the 6 April 2023.</p> <p>The Department indicated on the 13 April 2023 that the Project's Compliance Reporting Schedule still outstanding and requires to be submitted to the Department to bring the project into compliance.</p> <p>Compliance Monitoring and Reporting Schedule was re-submitted to the Department. Acknowledgment email was sighted with no comments from the Department on the 5 June 2023.</p>	<p><b>Closed</b></p> <p>The latest version of the Project Compliance Monitoring and Reporting Program (23 March 2023, version 1.0) has been uploaded to the website.</p>
<b>Findings from the third Independent Audit (IA3)</b>			
<b>A24</b> <b>Observation</b>	<p><b>Requirement:</b> 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> <ul style="list-style-type: none"> <li>i. the documents referred to in condition A2 of this consent;</li> <li>ii. all current statutory approvals for the development;</li> <li>iii. all approved strategies, plans and programs required under the conditions of this consent;</li> <li>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;</li> <li>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</li> </ul>	<p>Complaints Register to be up-to-date and include all the complaints received for the Westmead Hospital MSCP project. Register to be uploaded on a monthly basis to the project website.</p> <p>Records for the project noise, dust and vibration monitoring results to be timely published on the Project website.</p>	<p><b>Closed</b></p> <p>The project complaints register has been updated and uploaded to the project website. Likewise, the project noise, dust and vibration monitoring results have been uploaded to the project website.</p>

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	<p>approved plans and programs;</p> <ul style="list-style-type: none"> <li>vi. a summary of the current stage and progress of the development;</li> <li>vii. contact details to enquire about the development or to make a complaint;</li> <li>viii. a complaints register, updated monthly;</li> <li>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;</li> <li>x. any other matter required by the Planning Secretary; and</li> </ul> <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> <p><b>Observation:</b> Kane’s Incident/ Injury/ Corrective Action &amp; Complaint register indicated that there was a complaint received on the 23 January 2023 which has not been included in the complaints register posted in the project website.</p> <p>Complaints Register posted in the project website was up to 28 of February 2023 and did not include all the complaints received for the Westmead Hospital MSCP project.</p> <p>Additionally, the Auditor observes that whilst there is no commitment within the CEMP and Sub-plans to publish monitoring results on the Project website, this has been completed voluntarily during the previous audit periods by Ford Civil. Kane commenced collecting dust, noise and vibration monitoring results from April 2023, however these are yet to be published on the Project website. The Auditor recommends continuing the practice of timely publication of these records for the sake of consistency.</p> <p>Prior finalisation of this audit report, Kane presented noise monitoring results for April and May 2023 in an excel table, including: the date, time, monitor ID, site, building, reading, tolerance, exceedance, status and cause.</p>		
<p><b>B13 Observation</b></p>	<p><b>Requirement:</b> Construction Noise and Vibration Management Sub-Plan</p> <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"> <li>a) be prepared by a suitably qualified and experienced noise expert;</li> <li>b) describe procedures for achieving the noise management levels in EPA’s Interim Construction Noise Guideline (DECC, 2009);</li> <li>c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;</li> <li>d) include strategies that have been developed with the community for managing high noise generating works;</li> <li>e) describe the community consultation undertaken to develop the strategies in condition B13;</li> </ul>	<p>Kane review and update the CNVMSP to include investigation of events of excessive noise and a program to monitor and report on the impacts and environmental performances of the development to better address condition B13(g).</p>	<p><b>Closed</b></p> <p>The Construction Noise and Vibration Management Sub-Plan (CNVMP) dated 17 August 2023 (Revision 2.0) has been updated in section 9.8 ‘Dealing with offensive noise levels’. Additionally, the Plan now includes a protocol (flowchart) and a copy of the Noise Reporting Register template in Appendix A.</p>

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	<p>f) include a complaints management system that would be implemented for the duration of the construction; and</p> <p>g) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the implemented management measures in accordance with the requirements of condition B13.</p> <p><b>Observation:</b> It was noted that the CNVMP does not include the investigation of events of excessive noise. This appears to be a shortcoming of the CNVMP, and it is recommended that Kane review and update the sub-plan accordingly, which will better address condition B13(g).</p>		
<b>Findings from the fourth Independent Audit (IA4)</b>			
<p><b>A31</b> <b>Non-compliance</b></p>	<p><b>Requirement:</b> Within three months of:</p> <p>a) the submission of a compliance report under condition A36;</p> <p>b) the submission of an incident report under condition A27;</p> <p>c) the submission of an Independent Audit under condition C40 or C41;</p> <p>d) the approval of any modification of the conditions of this consent; or</p> <p>e) the issue of a direction of the Planning Secretary under condition A2 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.</p> <p><b>Non-compliance:</b> Whilst there was evidence of the CEMP review having been conducted and notified to the Department, there was no evidence that the review was notified to the Certifier, as required by this condition.</p>	<p>Notify the Certifying Authority of the review and updates on the CEMP.</p>	<p><b>Closed</b></p> <p>Prior finalisation of this audit report, Kane provided evidence that the CEMP (22 September 2023 - Rev.9) and associated sub-plans were submitted to the Certifying Authority (BMG) on the 13 October 2023.</p>
<p><b>B4</b> <b>Non-compliance</b></p>	<p><b>Requirement:</b> Prior to the commencement of façade construction, the Applicant must provide the Certifier 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 Certifier to the Planning Secretary within seven days after the Certifier accepts it.</p> <p><b>Non-compliance:</b> Certifying Authority approval of the products and systems used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels was not obtained prior to the commencement of façade construction, to verify they complied with the requirements of the BCA.</p> <p>Additionally, a copy of the approved documents was not submitted to the Planning Secretary within seven days after the Certifier accepted it.</p>	<p>Certifying Authority approval of the products and systems used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels was not obtained prior to the commencement of façade construction, to verify they complied with the requirements of the BCA.</p> <p>Additionally, a copy of the approved documents was not submitted to the Planning Secretary within seven days after the Certifier accepted it.</p>	<p><b>Closed</b></p> <p>Approval from the Certifier (BMG) was obtained after the commencement of façade works. Aconex Ref. No. BM+G+GCOR-000646 dated 17 November 2023 indicated that the Certifier received the documentation in relation to conditions A19, B4 and B24, which verifies that the external colours, material and finishes are consistent with the SSD requirements including MOD-1. A copy of all the approved documents in relation to condition B4 was submitted to the Planning Secretary on the 17 of November 2023.</p>

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<p><b>C4 Non-compliance</b></p>	<p><b>Requirement:</b> Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:</p> <p>a) between 7am and 6pm, Mondays to Fridays inclusive; and</p> <p>b) between 8am and 1pm, Saturdays. No work may be carried out on Sundays or public holidays.</p> <p><b>Non-compliance:</b> Work was carried out outside the approved hours of work on the 31 July 2023, as a concrete truck arrived on site at 6.15am in preparation for a concrete pour and the concrete pumping/pouring started at 6.30am.</p>	<p>The early commencement of works on site and associated non-compliance with this condition was notified to the Department on the 4 August 2023. There are no further recommended actions as the notification was already made to the Department. This finding is considered closed.</p>	<p><b>Closed</b></p>
<p><b>C14 Non-compliance</b></p>	<p><b>Requirement:</b> The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition C4, unless allowed by Condition C5.</p> <p><b>Non-compliance:</b> Concrete truck arrived at the construction site outside the approved hours of work on the 31 July 2023</p>	<p>The early commencement of works on site and associated non-compliance was with condition C4 was notified to the Department on the 4 August 2023. There are no further recommended actions as the notification was already made to the Department. This finding is considered closed.</p>	<p><b>Closed</b></p>
<p><b>C2 Observation</b></p>	<p><b>Requirement:</b> 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.</p> <p><b>Observation:</b> Hammertech software system did not have the current service records for the Preston Platform Hire equipment. The last service recorded was on the 14 September 2023 and the service is required monthly. As the Independent Audit was conducted on</p>	<p>Maintain Hammertech system with the latest service records for the Preston Platform Hire equipment.</p>	<p><b>Closed</b></p> <p>Kane indicated that Preston's Platforms had been removed off site, however the status on Hammertech had not been changed to 'Removed'. Kane to ensure that the equipment on Hammertech is continuously monitor for services as well as inductions and removals.</p>
<p><b>C13 Observation</b></p>	<p><b>Requirement:</b> The development must achieve the construction noise management levels during construction as detailed in the <i>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.</p> <p><b>Observation:</b> It was noted that Noise Monitoring Reports from Arup from March 2023 onwards, indicate in section 4.2 that it is Ford Civil responsibility to respond to each Noise Management Level exceedance when it occurs. However, this is incorrect as Ford Civil is no longer on site, they completed Stage 1 (Early Works) in Q4 2022.</p>	<p>Noise Monitoring Reports from Arup to be corrected to indicate that this is responsibility of all Principal Contractors working on-site.</p>	<p><b>Closed</b></p> <p>The project team has updated the reports movig forward with Arup.</p>
<p><b>C19 Observation</b></p>	<p><b>Requirement:</b> For the duration of the construction works:</p> <p>a) all trees on the site that are not approved for removal must be suitably protected during construction as per the recommendations of the Arboricultural Impact Assessment,</p>	<p>Maintain a clear demarcation of the tree protection zone.</p>	<p><b>Closed</b></p>

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	<p>prepared by Tree Management Strategies, dated 20.01.2020; and</p> <p>b) 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.</p> <p><b>Observation:</b> During the site inspection it was noted that the delineation of the tree protection needs improvement.</p>		<p>Silt fence has been fixed along the tree protection zone, and some material was removed.</p>
<p><b>C22 Observation</b></p>	<p><b>Requirement:</b> 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 &amp; Construction (4th edition, Landcom, 2004) commonly referred to as the ‘Blue Book’.</p> <p><b>Observation:</b> During the site inspection it was noted that erosion and sediment controls on-site need improvement, specifically the silt fence close to Gate 1 requires to be refreshed and stormwater drainage close to the tree protection area on the south side requires protection.</p>	<p>Replace damaged silt fences as soon as possible. Stormwater drainage to be protected immediately to prevent potential environmental contamination.</p> <p>Additionally, erosion and sediment controls need to be effectively implemented and monitored through more rigorous inspections, timely maintenance, and project staff training to ensure better compliance with environmental protection standards.</p>	<p><b>Closed</b></p> <p>Silt fence has been fixed along the tree protection zone, and protection was put in place in and around the stormwater drainage.</p>
<p><b>C29 Observation</b></p>	<p><b>Requirement:</b> 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.</p> <p><b>Observation:</b> During the site inspection, it was noted that tree protection zone was not kept in a waste bin but spread on bare ground close to the public domain.</p>	<p>Perform regular housekeeping on the site, focusing particularly on areas near the public domain.</p>	<p><b>Closed</b></p> <p>Material was cleaned up around Gate 2.</p>

