

HEALTH INFRASTRUCTURE

Independent Environmental Audit #1 – Proponent review and response

SSD-16928008 Nepean Hospital Redevelopment Stage 2

2 May 2024

Declaration

This Proponent Review and Response has been prepared for NSW Health Infrastructure (HI) in response to an Independent Audit, including the recommendations and opportunities for improvement identified in the final Audit Report. The response to each of the audit findings is included as outlined in the *Independent Audit Post Approval Requirements (May 2020)*.

| Declaration | |
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| Date: | 30 April 2024 |

Document Management, Tracking and Revision History

| Version | Date | Author | Description | Reviewed by | Approved by |
|---------|---------------|------------------|---|-----------------------|--------------|
| Draft | 30 April 2024 | Nirajan Tamrakar | Independent Audit No 01 – Proponent review and response | | |
| Final | 2 May 2024 | Nirajan Tamrakar | Independent Audit No 01 – Proponent review and response | Health Infrastructure | Adam Mardini |

Contents

| | |
|---|---|
| Contents..... | 2 |
| Introduction | 3 |
| Project Application Number and Project Name | 3 |
| Site Address..... | 3 |
| Project Contact Details | 3 |
| Independent Auditor | 3 |
| Independent Audit Date | 3 |
| Proponent response | 3 |

Introduction

Project Application Number and Project Name

SSD-16928008 Nepean Hospital Redevelopment Stage 2

Site Address

The Nepean Hospital, Barber Ave, Kingswood

Project Contact Details

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| Proponent | Health Infrastructure |
| Client Representative | John Kilzi – Project Director |
| Contractor | CPB Contractor Pty Ltd |

Independent Auditor

The APP Group

Independent Audit Date

05 March 2024

Proponent response

The Independent Audit Report prepared by The APP Group dated 05 March 2024 has been reviewed and the response to the audit findings are listed in the below table. In relation to non-compliances, the response sets out the action and the completion timing. In relation to observations and opportunities identified for improvement, the actions are also set out or the reason for not implementing any measures in response.

| Condition of Consent | Requirement | Independent Audit Findings and Recommendations | Proposed action/action taken or response to resolve matter | Unique Identification on Non compliance or Opportunity for Improvement |
|----------------------|--|--|---|--|
| Condition A2 | <p>Terms of Consent</p> <p>The development may only be carried out:</p> <p>(a) in compliance with the conditions of this consent</p> | <p>Non-compliances were identified during the audit period under Conditions B2, B12, B20 and B26, triggering a non-compliance against Condition A2(a).</p> | <p>Non-compliances at Conditions B2, B12, B20 and B26 automatically addresses the non-compliance against Condition A2(a).</p> | NHRS2-01_NC-05 |
| Condition B2 | <p>Notice of Commencement</p> <p>If the construction 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.</p> | <p>Notification of Stage 2 did not occur 48 hrs prior to its commencement. This was identified during the audit period and self -reported as a non-compliance.</p> | <p>Project team had identified this non-compliance and self-reported (refer DPHI Case Number SSD-16928008-PA-14). Notification of Stage 2 commencement was also separately undertaken (refer DPHI Case Number SSD-16928008-PA-13)</p> <p>Monthly project team meetings are scheduled to ensure compliance obligations are met including any timeframes. and to ensure future submissions are not missed.</p> | NHRS2-01_NC-01 |
| Condition B12 | <p>Demolition</p> <p>Prior to the commencement of construction, demolition work plans required by AS 2601-2001 The demolition of structures (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 Certifier and Planning Secretary.</p> | <p>Based on the evidence presented, and as per the requirements of Condition B12, the demolition work plans, and written statement of compliance were not submitted to the Planning Secretary prior to the commencement of construction. This was identified during the audit period and self-reported as a non-compliance by the project.</p> | <p>The project team identified the non-compliance (NC) with Condition B12 and self-reported the NC to the Planning Secretary in accordance with the consent requirements (refer DPHI Case Number SSD-16928008-PA-7). Subsequently, the Plan was submitted to the Planning Secretary (refer DPHI Case Number SSD-16928008-PA-17).</p> <p>The project's monthly meeting schedule to discuss compliance obligations and their timeframes to ensure future submissions are not missed.</p> | NHRS2-01_NC-02 |
| Condition B20 | <p>Construction Parking</p> <p>Prior to the commencement of construction, the Applicant must submit a Construction Worker Transportation Strategy to the Certifier. The Strategy must detail the provision of sufficient parking facilities or other travel arrangements for construction workers in order to minimise demand for parking in nearby public and residential streets or public parking facilities. A copy of the strategy must be provided to the Planning Secretary for information.</p> | <p>Based upon the evidence presented during the audit, submission to the Certifier could not be verified.</p> | <p>The CWTS was submitted to the Planning Secretary in accordance with the condition (refer SSD-16928008-PA-2), however, no evidence could be obtained indicating it was also submitted to the Crown Certifier.</p> <p>HI has requested that the CWTS be submitted to the Certifier and evidence of such be provided to the project team.</p> <p>The project's monthly meetings will include a focus on condition compliance requirements and submission time frames.</p> <p>Notification of this non-compliance (which was identified in IEA1) has been submitted to the Planning Secretary, refer SSD-16928008-PA-18.</p> | NHRS2-01_NC-06 |
| Condition B24 | <p>Biodiversity</p> <p>Prior to the commencement of construction, the number and classes of ecosystem credits and species credits</p> | <p>Based on the evidence presented, the biodiversity payment was not submitted to the Planning Secretary prior to the commencement of construction. It is acknowledged that this was</p> | <p>As detailed above, the project's monthly meetings will include a focus on condition compliance requirements and submission time frames. Refer to PA case numbers and resultant actions below under related Condition B26. The NC has been reported to the</p> | NHRS2-01_NC_03 |

Health Infrastructure: Independent Environmental Audit #1 – Proponent review and response

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| | (like-for-like) set out in the BAM Biodiversity Credit Report contained in Appendix H of the Biodiversity Development Assessment Report, prepared by Total Earth Care and dated November 2022 must be retired. | identified and self-reported by the project, as a non-compliance. | Planning Secretary under SSD-16928008-PA-11. Evidence of the payment being made has been provided to the Department and the matter is now closed. | |
| Condition B26 | <p>Biodiversity</p> <p>Evidence of the retirement of credits in satisfaction of condition B24 or payment to the Biodiversity Conservation Fund in satisfaction of condition B25 must be provided to the Planning Secretary prior to commencement of construction.</p> | Based on the evidence presented, and as per the requirements of Condition B26, the Biodiversity payment was not submitted to DPHI prior to the commencement of construction. This was identified during the audit period and self-reported as a non-compliance | Contractors experienced a delay in engaging “Thrive Ecology” for application of Biodiversity Conservation Fund payment, the payment application was accepted,, however the invoice was mistakenly addressed to CPB instead of the Applicant (being HI) causing further delay, eventually HI arranged a purchase order and the payment was made on 6 November 2023 (refer to NC submitted under SSD-16928008-PA-7 and final payment details accepted under SSD-16928008-PA-10). The contractor has accepted a Warning Letter issue by DPHI in relation to related INV-64215979). | NHRS2-01_NC_04 |
| Opportunities for Improvement (OFI) | | | | |
| Condition C15 | <p>Construction Noise Limits</p> <p>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.</p> | Merlo telehandler on site noted to have beeper reversing alarm during audit inspection. | It is recommended to investigate plant and equipment options with non-tonal reversing alarms where practicable and without compromising the safety of staff or members of the public. | NHRS2-01_OFI-01 |
| Condition C22 | <p>Soil and Water</p> <p>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</p> | During the site inspection the condition of the installed Sediment Ponds appeared to have little erosion controls in place to prevent scouring. Life saving devices were also not observed, however a photo demonstrating safety controls was provided following the audit. It was also noted that sandbags and geofabric required replacing around pit drains and a container of unleaded fuel was stored outside the nominated storage / bunded area. | It is recommended that appropriate controls continue to be maintained to ensure effective erosion and sedimentation management on site. As part of regular safety site walks this will be monitored by the construction manager and T&T to ensure sediment management plan is adhered and kept up to date. | NHRS2-01_OFI-02 |
| Condition C26 | <p>Stormwater Management System</p> <p>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 Certifier. The system must: (a) be designed by a suitably qualified and experienced person(s).</p> | The Construction Soil and Water Management Plan presented did not include a document control page to demonstrate that the plan was prepared by a suitably qualified and experienced person. | The plan will be updated to include a document control page for traceability purposes. | NHRS2-01_OFI-03 |