



Health
Infrastructure

Proponent Review & Response to Independent Audit #3 Findings

PwC

[VERSION 2.0]
16 October 2023

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Introduction

Project Name and Project Application Number

The Children's Hospital at Westmead Paediatric Services Building – SSD-10349252

Site Address

The Children's Hospital at Westmead (Lot 101, DP 1119583)

Title and Revision Number

Proponent Response to Independent Audit #3 Findings Version 2

Date

16/10/2023

Contact Details

Proponent	Health Infrastructure
Client Representative	PwC
Managing Contractor	Stage 2 – Paediatric Services Building Main Build: Roberts Co Stage 3 – Forecourt Early Works: Ford Civil Stage 5 – Pathology Expansion: Kane

Independent Audit Date

20 June 2023 and 22 June 2023

Independent Auditor

WolfPeak

Proponent Response

The table below details the Conditions of Consent that were classified as “Non-compliant” or “Observation” with a recommendation by the Independent Auditor during the Independent Audit conducted on 20 June 2023 and 22 June 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.

A total of five (5) non-compliances were identified. Two (2) observations were raised with regards to the project website and imported material tracker from Ford Civil as opportunities for improvement.

Condition No.	Requirement and Audit Findings	Independent Auditor Comments	Proponent Response, Actions and Timing
<p>A29 – Non-compliance</p>	<p>Non-Compliance Notification</p> <p>The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.</p>	<p>The proponent notified the non-compliances from the second Independent Audit through the Proponent's Response to the Audit Report and was submitted within the timeframe specified by A26.</p> <p>However, the actions and proponent response/timing columns in the Proponent's Response are lacking details to determine what actions have been or will be undertaken to address the non-compliance (as is required by this condition).</p> <p>Note: The auditor acknowledges that the Department provided a letter dated 13 April 2023 indicating that the IEA report generally satisfies the reporting requirements of the consent, noting the non-compliances identified in the IEA No.2 and determining to record the breaches with no further enforcement actions.</p>	<p>The project will ensure that future incident notifications are issued to the Department in accordance with A26 and A27.</p> <p>Actions which have been or will be undertaken to address the non-compliance:</p> <p>The project will ensure that future non-compliance notifications are issued to the Department in accordance with A28 and A29.</p>
<p>A31 – Non-compliance</p>	<p>Revision of Strategies, Plans and Programs</p> <p>Within three months of:</p> <p>(a) the submission of a compliance report under condition A34;</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,</p> <p>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>Evidence presented demonstrated that a review of the CEMP and sub-plans was carried out by Roberts Co. within three months of the triggering events (approval of Mod-1). However, no evidence was sighted to indicate that the Certifier was notified of the review as is required by this condition.</p> <p>Evidence presented demonstrated that a review of the CEMP and sub-plans was carried out by Ford Civil within three months of the triggering events (submission of the second Independent Audit Report and incident notification).</p> <p>However, no evidence was sighted to indicate that the Certifier was notified of the review as is required by this condition.</p>	<p>Prior to finalising the audit report, evidence was presented from Roberts Co. to the Auditor with notification to the Certifier of the review of the CEMP on the 29 June 2023.</p> <p>Before finalising the audit report, evidence was presented from Ford Civil to the Auditor with notification to the Certifier of the review of the CEMP and sub-plans on the 28 July 2023.</p> <p>Actions which have been or will be undertaken to address the non-compliance:</p> <p>No further action necessary. Project to ensure notification as to the review of strategies is undertaken in accordance with the condition in future.</p>

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<p>B15 – Non-compliance</p>	<p>Construction Environmental Management Plan</p> <p>Prior to the commencement of construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and provide a copy to the Planning Secretary for information. The CEMP must include, but not be limited to, the following:</p> <p>(a) details of:</p> <ul style="list-style-type: none"> (i) hours of work; (ii) 24-hour contact details of site manager; (iii) management of dust and odour to protect the amenity of the neighbourhood; (iv) groundwater management plan including measures to prevent groundwater contamination; and (v) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting. <p>(b) an unexpected finds protocol for contamination and associated communications procedure to ensure that potentially contaminated material is appropriately managed;</p> <p>(c) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;</p> <p>(d) Construction Traffic and Pedestrian Management Sub-Plan (see condition B16);</p> <p>(e) Construction Noise and Vibration Management Sub-Plan (see condition B17);</p> <p>(f) Construction Waste Management Sub-Plan (see condition B18);</p>	<p>Roberts Co. CEMP (Rev.5) Appendix 8 includes the Mitigation Measures from the Environmental Impact Statement (EIS) from Architectus, dated 6 April 2021. However, details for controls of the obstructive effects of outdoor lights were not included.</p> <p>Additionally, based on the evidence presented, it was noted that submission of Kane's CEMP and sub-plans to the Certifier was made on the 6 June 2023 and to the DPE on 23 June 2023, which is after commencement of construction of Stage 5 (which commenced on 20 May 2023).</p> <p>Note: The proponent acknowledged that the notification of commencement had been submitted to the Department prior to the submission of the CEMP and sub-plans for Stage 5. Notice of commencement was issued to enable site establishment for investigation works. At the time of the IA3 audit, construction works had still not commenced as establishment works were ongoing.</p> <p>The proponent indicates that construction commencement occurred from the 26 June 2023.</p>	<p>Actions which have been or will be undertaken to address the non-compliance:</p> <p>Roberts Co. CEMP (Rev. 6 - 22 June 2023) was updated (page 68) to include details for controls of the obstructive effects of outdoor lights and reissued to the Certifier 29 June 2023.</p> <p>The updated CEMP (revision 6) and sub-plans for Roberts Co has also been re-submitted to the Department in accordance with A32 and B15.</p> <p>The project will ensure that the updated CEMP and sub-plans for Roberts Co is submitted to the Department in accordance with A32 and B15.</p>
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	<p>(g) Construction Soil and Water Management Sub-Plan (see condition B19); and</p> <p>(h) Flood Emergency Response (see condition B20)</p>		
B17 – Non-compliance	<p>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> <p>(d) include strategies that have been developed with the community for managing high noise generating works;</p> <p>(e) describe the community consultation undertaken to develop the strategies in condition B17(d)</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 B14.</p>	<p>CNVMSPP dated 23 August 2022 (Rev. 1) from Stantec for PSB Main Works (Roberts Co) does not include the following:</p> <ul style="list-style-type: none"> - details for community consultation undertaken; and - a program to monitor and report on the impacts and environmental performance of the development and their effectiveness. <p>Additionally, it was noted that the CNVMSPP has not been reviewed since 23 August 2022.</p>	<p>Actions which have been or will be undertaken to address the non-compliance:</p> <p>Before finalising this audit report, evidence was presented showing that the CNVMSPP from Stantec was reviewed on the 7 July 2023 and included community consultation in section 8.3 and site-specific complaints register in section 8.3.1.</p> <p>The updated CNVMSPP for Roberts Co has also been re-submitted to the Department in accordance with A32 and B15.</p>
B18 – Non-compliance	<p>The Construction Waste Management Sub-Plan</p> <p>The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the procedures for the management of waste including the following:</p> <p>(c) confirmation of the contamination status of the development areas of the site based on the validation results.</p>	<p>It was noted that Roberts Co. CWMSP dated 15 July 2022 (Rev. 1) section 8 does not address the requirement for confirmation of the contamination status of the development areas of the site based on the validation results.</p> <p>The auditee indicated that they are not disposing or taking any contamination off-site. Nevertheless, staged remediation works had been undertaken by Ford Civil as part of Stage 1 and this information has not been included as is required by this condition.</p> <p>Additionally, it was noted that the CWMSP has not been reviewed since 15 July 2022.</p>	<p>Actions which have been or will be undertaken to address the non-compliance:</p> <p>Before finalising this audit report, evidence was presented indicating that the CWMSP from Roberts Co. was reviewed on the 4 August 2023 (Revision 3.0) to include information confirming the contamination status of the development areas based on the validation results in section 8.0.</p> <p>The updated CWMSP for Roberts Co has also been re-submitted to the Department in accordance with A32 and B15.</p>
A24 – Observation	<p>Access to Information</p> <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</p>	<p>Results for Dust, Noise and Vibration are captured in one monthly report from Roberts Co; however, the project website title for 'PSB Stage 2 – Main Works, Monitoring Results' says Noise only.</p> <p>Also, is noted that Arup noise and vibration monitoring reports (project wide) are up-to February 2023. Results for March, April and May are missing.</p>	<p>Actions which have been or will be undertaken to address the observation (opportunity for improvement):</p> <p>Before finalising this audit report, the project website was updated to clearly identify that the monitoring results are for dust, noise and vibration.</p>

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	<p>obtained or approved) publicly available on its website: (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>Noise and vibration monitoring reports for March, April and May 2023 (project wide) are yet to be published.</p>
<p>C22 - Observation</p>	<p>Imported Fill</p> <p>The Applicant must:</p> <ul style="list-style-type: none"> (a) ensure that only VENM, ENM, or other material considered suitable for beneficial reuse via a general or specific resource recovery exemption issued by NSW EPA is brought onto the site; (b) keep accurate records of the volume and type of fill to be used; and (c) make these records available to the Certifier upon request. 	<p>It was noted that not all the dockets received from the Concrete Recyclers were registered in the Imported Material Tracker (MT5). Tracker to be maintained up to date by Ford Civil.</p>	<p>Actions which have been or will be undertaken to address the non-compliance:</p> <p>Imported Material Tracker (MT5) was updated and will be maintained by Ford Civil.</p> <p>Matter closed.</p>