



Health
Infrastructure

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

State Significant Development (SSD)

SSD-10434896

PWC

[VERSION 2.0]
31 October 2022

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

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

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 Findings Version 2

Date

31/10/2022

Contact Details

Proponent Health Infrastructure

Client Representative PwC

Managing Contractor Ford Civil

Independent Audit Date

4 May 2022

Independent Auditor

WolfPeak

Proponent Response

The table below details the Conditions of Consent that were classified as "Non-compliant" with a recommendation by the Independent Auditor during the Independent Audit conducted on 4 May 2022. 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
A3	<p>Requirement: Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:</p> <p>a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary;</p> <p>b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and</p> <p>c) the implementation of any actions or measures contained in any such document referred to in (a) above.</p> <p>Observation: The Department provided an RFI on the content of the CEMP on 25/02/22 and 04/04/22. The auditee provided a response to DPE within the timeframe specified in the first RFI. The auditee responded to the second RFI on 19/05/22.</p>	<p>HINSW confirmed that a response to DPE was provided on 19/05/22. The Auditor is not aware of DPE providing any further comments.</p>	<p>Closed</p>
A8	<p>Requirement: Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <p>a) consult with the relevant party prior to submitting the subject document for information or approval; and</p> <p>b) provide details of the consultation undertaken including:</p> <p>i. the outcome of that consultation, matters resolved and unresolved; and</p> <p>ii. details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.</p> <p>Non-compliance: There was no evidence available to demonstrate that the CSWMSP had been prepared in consultation with Council in line with A8 and B15. In responding to this finding the auditee noted that 'As the project is within the hospital precinct, the CSWMSP was prepared in consultation with HI and the relevant stakeholders. Further to this, City of Parramatta Council (CoPC) resources (i.e. flood modelling) were utilised in the development of this plan with the controls listed being as per CoPC standards. This is referenced in Section 5.5 of the CSWMSP.</p>	<p>Ford Civil have submitted the CSWMSP to Council on 17/06/22. The Auditor notes that there are no soil and water interfaces with Council land or assets as all infrastructure and waterways are within the Westmead Hospital Precinct.</p>	<p>Closed</p>
A9	<p>Requirement: The project may be constructed and operated in stages. Where compliance with conditions is required to be staged due to staged construction or operation, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the satisfaction of the Planning Secretary. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).</p> <p>Non-compliance: The auditor is unable to determine from the evidence provided whether the Staging Report was submitted >1 month before commencement of construction.</p>	<p>The Staging Report was approved by the Planning Secretary on 18/03/22.</p>	<p>Closed</p>
A20	<p>Requirement: Remediation approved as part of this development consent must be carried out in accordance with the Remediation Action Plan (RAP), dated 9 February 2021, prepared by JBS&G, or any updated RAP, prepared by a Certified Contaminated Land Consultant.</p> <p>Observation: Each week the contaminated lands consultant who prepared the RAP (JBS&G) provides a summary on how the project is tracking against the requirements of the RAP (including</p>	<p>The minor deficiencies identified by JBS&G have been rectified by the Project team and JBS&G confirmed that overall works were adequate.</p>	<p>Closed</p>

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	material movements, PPE, site controls, asbestos finds, air quality and air monitoring results etc). Each week JBS&G have identified minor deficiencies around dust management (x1), PPE (x2) and geofabric (x1). These were rectified by the Project team and JBS&G confirmed that overall works were adequate.		
A22	<p>Requirement: Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.</p> <p>Observation: The Department provided an RFI on the content of the CEMP on 25/02/22 and 04/04/22. The auditees provided a response to DPE within the timeframe specified in the first RFI. The auditees responded to the second RFI on 19/05/22.</p>	HINSW confirmed that a response to DPE was provided on 19/05/22. The Auditor is not aware of DPE providing any further comments.	Closed
A24	<p>Requirement: 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"> i. the documents referred to in condition A2 of this consent; ii. all current statutory approvals for the development; iii. all approved strategies, plans and programs required under the conditions of this consent; 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; 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; vi. a summary of the current stage and progress of the development; vii. contact details to enquire about the development or to make a complaint; viii. a complaints register, updated monthly; 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; x. any other matter required by the Planning Secretary; and <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>Non-compliance: The website does not contain the information listed in this condition.</p>	The Project website is to be updated to include those documents detailed in A24. Documents should be easy to access.	<p>The project has completed the upload of all required documentation to the project website</p> <p>The project has provided access to documents at:</p> <p>https://www.hinfra.health.nsw.gov.au/projects/project-search/the-children%E2%80%99s-hospital-at-westmead-%E2%80%93-stage-2-rede</p>
A33	<p>Requirement: 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>Non-compliance: From the evidence provided, it is not clear that a copy of the Compliance Reporting Schedule has been submitted to the Department.</p>	The Project's Compliance Reporting Schedule is to be submitted to the Department.	<p>The project has updated the project Compliance Reporting Schedule which is available on the project website.</p> <p>The project team is reviewing internal processes to ensure the timeline and post approval requirements of the Compliance</p>

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			Monitoring and Reporting Schedule are met.
A35	<p>Requirement: Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements.</p> <p>Non-compliance: From the evidence provided, it appears that the Pre-construction Compliance Report was not accompanied with a declaration in accordance with Appendix D of the Compliance Reporting Post Approval Requirements. Further the Pre-construction Compliance Report does not reference any evidence to support claims of compliance (as is required under the Department's Compliance Reporting Post Approval Requirements. The Auditor notes that the Department has not provided any comments on the Report, in its response dated 23/05/22.</p>	The Pre-construction Compliance Report should be updated to include references to the evidence used to support claims of compliance and to include a declaration signed by HINSW.	The project has updated the Pre construction Compliance Report which is available on the project website.
A37	<p>Requirement: The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.\</p> <p>Non-compliance: The website does not contain the Pre-Construction Compliance Report as is required by this condition.</p>	The Project website is to be updated to include those documents detailed in A24 and A37. Documents should be easy to access.	<p>The project has completed the upload of all required documentation to the project website</p> <p>The project has provided access to documents at:</p> <p>https://www.hinfra.health.nsw.gov.au/projects/project-search/the-children%E2%80%99s-hospital-at-westmead-%E2%80%93-stage-2-rede</p>
B11	<p>Requirement: 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.</p> <p>Non-compliance: There was no evidence available to demonstrate that the CEMP and each Sub-plan was submitted to the Department prior to commencement of construction.</p>	The CEMP has been submitted to the Department (as evidenced by ongoing dialogue between the Project and the Department).	Closed
B12	<p>Requirement: 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> <p>a) be prepared by a suitably qualified and experienced person(s);</p> <p>Non-compliance: The CTPMSP was not prepared by a suitably qualified and experienced person (plan prepared by the Ford Civil team). That being said, the CTPMSP was reviewed by traffic consultant. The reviewer did not identify any actions for the Project to address.</p>	The CTPMSP was reviewed by traffic consultant. The reviewer did not identify any actions for the Project to address.	Closed
B13	<p>Requirement: The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following:</p> <p>a) be prepared by a suitably qualified and experienced noise expert;</p>		

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	<p>b) describe procedures for achieving the noise management levels in EPA’s Interim Construction Noise Guideline (DECC, 2009);</p> <p>c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;</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 B13(d);</p> <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>Non-compliance: The CNVMSP was not prepared by a suitably qualified and experienced noise expert (plan prepared by the Ford Civil team). That being said, the CNVMSP was reviewed by noise and vibration consultant, SLR. The plan was revised to address feedback from SLR before being finalised. The Auditor also observes that the high noise respite hours in section 5.2 of the CNVMSP do not align with (and are less stringent than) the hours specified in C8.</p>		
<p>B15</p>	<p>Requirement: 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> <p>a) be prepared by a suitably qualified expert, in consultation with Council;</p> <p>b) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;</p> <p>c) 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’;</p> <p>d) 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);</p> <p>e) detail all off-site flows from the site; and</p> <p>f) 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 and 1 in 100- year ARI.</p> <p>Non-compliance: There was no evidence available to demonstrate that the CSWMSP had been prepared in consultation with Council in line with A8 and B15. In responding to this finding the auditee noted that ‘As the project is within the hospital precinct, the CSWMSP was prepared in consultation with HI and the relevant stakeholders. Further to this, City of Parramatta Council (CoPC) resources (i.e. flood modelling) were utilised in the development of this plan with the controls listed being as per CoPC standards. This is referenced in Section 5.5 of the CSWMSP.’</p>	<p>Ford Civil have submitted the CSWMSP to Council on 17/06/22. The Auditor notes that there are no soil and water interfaces with Council land or assets as all infrastructure and waterways are within the Westmead Hospital Precinct.</p>	<p>Closed</p>
<p>B17</p>	<p>Requirement: Prior to the commencement of construction, the Applicant must submit a Construction Worker Transportation Strategy to the Certifier. The Strategy must detail the</p>	<p>The CEMP has been submitted to the Department (as evidenced by</p>	<p>Closed</p>

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	<p>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>Non-compliance: Refer to B11. There is no evidence available to demonstrate that the CWTS (which forms part of the CTPMSP) was submitted to the Department prior to commencement of construction. Further, the CTPMSP states that the construction worker transport strategy would be communicated to the workforce in the induction, however the induction does not contain this information.</p>	<p>ongoing dialogue between the Project and the Department).</p> <p>The Project induction presentation was updated to include content that explains key requirements from the construction worker transport strategy.</p>	
B25	<p>Requirement: Prior to the commencement of construction, evidence of compliance of construction parking and access arrangements with the following requirements must be submitted to the Certifier:</p> <p>a) all vehicles must enter and leave the Site in a forward direction;</p> <p>b) the swept path of the longest construction vehicle entering and exiting the site in association with the new work, as well as manoeuvrability through the site, is in accordance with the latest version of AS 2890.2; and</p> <p>c) that the proposed design demonstrates that safety issues in areas with shared vehicles and pedestrian access have been managed safely, applying best practice in road design and traffic management, as considered in Austroads, Transport for NSW Guidelines and the Australian Standards.</p> <p>Non-compliance: Whilst the design statements and swept path analysis were completed, these were not completed and submitted to the Certifier prior to commencement of construction.</p>	<p>The completed design statements and swept path analysis were submitted to the Certifier after commencement of construction.</p>	Closed
C1	<p>Requirement: A site notice(s) must be prominently displayed at the boundaries of the site during construction for the purpose of informing the public of project details and must satisfy the following requirements:</p> <p>a) minimum dimensions of the site notice(s) must measure 841 mm x 594 mm (A1) with any text on the site notice(s) to be a minimum of 30-point type size;</p> <p>b) the site notice(s) must be durable and weatherproof and must be displayed throughout the works period;</p> <p>c) the approved hours of work, the name of the builder, Certifier, structural engineer, site/ project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice(s); and</p> <p>d) the site notice(s) must be mounted at eye level on the perimeter hoardings/fencing and must state that unauthorised entry to the site is not permitted.</p> <p>Non-compliance: There is no site notice on the Project boundary.</p>	<p>A site notice that meets the requirements of C1 was erected, with a photo provided on 23/06/22.</p>	Closed
C36	<p>Requirement: Remediation of the site must be carried out in accordance with the Remedial Action Plan 56200/131434 (Rev. C) prepared by JBS&G and dated 09.02.2021 and any variations to the Remedial Action Plan 56200/131434 (Rev. C) approved by an NSW EPA-accredited Site Auditor.</p>	<p>The minor deficiencies identified by JBS&G have been rectified by the Project team and JBS&G confirmed that overall works were adequate.</p>	Closed

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	<p>Observation: Each week the contaminated lands consultant who prepared the RAP provide a summary on how the project is tracking against the requirements of the RAP (including material movements, PPE, site controls, asbestos finds, air quality and air monitoring results etc). Each week JBS&G have identified minor deficiencies around dust management (x1), PPE (x2) and geofabric (x1). These were rectified by the Project team and JBS&G confirmed that overall works were adequate.</p>		
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