



Health  
Infrastructure

# Proponent Response to Independent Audit Findings Randwick Campus Redevelopment Project

State Significant Development  
(SSD) 9113

**PWC**

[VERSION 1.0]  
10 February 2023

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## Introduction

### Project Name and Project Application Number

Randwick Campus Redevelopment Acute Service Building Project – SSD 9113

### Site Address

Lot 1 DP870720 (220 Avoca Street, Randwick), Lot 101 DP1282403 (High Street, Randwick)

### Title and Revision Number

Proponent Response to Independent Audit Findings (Version 1)

### Date

February 2023

### Contact Details

<b>Proponent</b>	Health Infrastructure
<b>Client Representative</b>	PwC
<b>Managing Contractor</b>	Lendlease Building

### Independent Audit Date

12<sup>th</sup> of September 2022

### Independent Auditor

NGH Consulting Pty Ltd

### Proponent Response

Table 1 below details the Conditions of Consent that were classified as “Non-compliant” during the Independent Audit conducted on 12 September 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.

Table 2 below details the Conditions of Consent that were classified as “Non-compliant” during the Independent Audit conducted on 8-9 June 2021, and a status update on close out actions.

Table 3 below details the Conditions of Consent that were classified as “Non-compliant” during the Independent Audit conducted on 23-34 June 2020, and a status update on close out actions.

Table 4 details the Conditions of Consent that were classified as “Non-compliant” during the Independent Audit conducted on 23 January 2020, and a status update on close out actions.

Table 5 details the Conditions of Consent that were classified as “Non-compliant” during the Independent Audit conducted on 30 July 2019, and a status update on close out actions.

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**Table 1 – Non-Compliances Identified in Independent Audit #5 (12 September 2022)**

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing / Evidence	Status
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 all approved strategies, plans and programs required under the conditions of this consent;</p> <p>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>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>A complaints register, updated monthly</p> <p>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>b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>	<p>Plans, programs and strategies are on the website. However, not all of the latest versions were not available.</p> <p>CCR 3 was not available on the website.</p> <p>The noise, vibration and dust monitoring results up to June 2020 are on the website. No latter results are available</p>	Update the website	<p>The website (planning portal) should be updated by the Project Team with the most recent plans, programs and strategies.</p> <p>Lendlease has provided all updated documents to Health Infrastructure to be uploaded on to the portal.</p> <p>Action to be taken:</p> <p>Project Team will update the portal accordingly.</p>	Closed

**Table 1 – Non-Compliances Identified in Independent Audit #5 (12 September 2022)**

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing / Evidence	Status
A29	Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.	Current stages of work (Stages 3-13) are not being delivered to the schedule provided in the Staging Report. The columns for Activity and Completion date headings in the schedule table presented in the Staging Report also appear to be in incorrect order and hence confusing.	Update Staging Report and submit to DPE for approval.	<p>Staging reports submitted to DPE for approval to-date have included a notice of the intended project construction staging with program dates for each stage.</p> <p>Construction programs are fluid and can change at short notice due to delays or the need to reprogram works if a site issue has arisen that delays one component of works and requires diversion of contractor attention to another part of their scope while the issue is being resolved.</p> <p>Stages 3-13 are now complete. Going forward the Project Team will endeavour to work to the schedule as much as practicable.</p>	Closed
A30	Where construction or operation is being staged in accordance with a Staging Report, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage as identified in the Staging Report.	As Above	As Above	<p>Staging reports submitted to DPE for approval to-date have included a notice of the intended project construction staging with program dates for each stage.</p> <p>Construction programs are fluid and can change at short notice due to delays or the need to reprogram works if a site issue has arisen that delays one component of works and requires diversion of contractor attention to another part of their scope while the issue is being resolved.</p> <p>Stages 3-13 are now complete. Going forward the Project Team will endeavour to work to the schedule as much as practicable.</p>	Closed

**Table 1 – Non-Compliances Identified in Independent Audit #5 (12 September 2022)**

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing / Evidence	Status
B2	If the construction or operation of the development is to be staged, the Department 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.	Stage 1 and 2 works commenced before the decision to stage the construction had been made. Stages 3 and 4 have now commenced. Notification of the start of Stages 3 and 4 have not been issued to DPIE	Evidence not provided for notification of subsequent stages 3-4 and onwards.	The construction activities relative to the approved Staging report are now completed. Going forward, the Project Team will ensure DPE is notified of the commencement of operational stages going forward.	Closed
B67	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.	Construction Compliance Report 4 was not on website at the time of the audit.	Update Website	The website (planning portal) should be updated by the Project Team with the most recent plans, programs and strategies. Lendlease has provided all updated documents to Health Infrastructure to be uploaded on to the portal. Action to be taken: Project Team will update the portal accordingly.	Closed
C2 A)	A site notice(s): a) must be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer.	The main Botany Street site entrance door had been moved, leaving the existing sign several metres away from the access, and at the time of the audit it was obscured by temporary fencing.	Move/replace sign to main site entrance and ensure unobstructed.	The sign has now been updated and relocated next to the site entrance. All temporary fencing in this location has been removed.	Closed

**Table 1 – Non-Compliances Identified in Independent Audit #5 (12 September 2022)**

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing / Evidence	Status
C15	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (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.	NML data not provided for July 2021 to June 2022. The auditor was advised that the Noise Monitoring report had not yet been completed for this period.	Complete Noise Monitoring Report to assess compliance with this condition.	Noise monitoring is now complete. The website (planning portal) should be updated by the Project Team with the most recent plans, programs and strategies. Lendlease has provided all updated documents to Health Infrastructure to be uploaded on to the portal. Action to be taken: Project Team will update the portal accordingly.	Closed
C19 A)	Vibration caused by construction at any residence or structure outside the site must be limited to: a) for structural damage, the latest version of DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures (German Institute for Standardisation, 1999).	Vibration data not provided for July 2021 to June 2022. The auditor was advised that the Vibration Monitoring report had not yet been completed for this period.	Complete Vibration Report to assess compliance with this condition.	Vibration monitoring is now complete. The website (planning portal) should be updated by the Project Team with the most recent plans, programs and strategies. Lendlease has provided all updated documents to Health Infrastructure to be uploaded on to the portal. Action to be taken: Project Team will update the portal accordingly.	Closed
C44 C)	In accordance with the specific requirements in the Independent Audit Post Approval requirements (Department 2018), the Applicant must: c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.	Audit 4 Report and response not available on website at the time of the audit	Update Website	The website (planning portal) should be updated by the Project Team with the most recent plans, programs and strategies. Lendlease has provided all updated documents to Health Infrastructure to be uploaded on to the portal. Action to be taken: Project Team will update the portal accordingly.	Closed

**Table 2 – Non-Compliances Identified in Independent Audit #4 (8-9 June 2021 )**

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing / Evidence	Status
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: all approved strategies, plans and programs required</p> <p>under the conditions of this consent; 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; 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>b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>	<p>Plans, programs and strategies are on the website. However, not all of the latest versions were not available.</p> <p>CCR 3 was not available on the website.</p> <p>The noise, vibration and dust monitoring results up to June 2020 are on the website. No latter results are available</p>	<p>Update the website</p>	<p>The website (planning portal) should be updated by the Project Team with the most recent plans, programs and strategies.</p> <p>Lendlease has provided all updated documents to Health Infrastructure to be uploaded on to the portal.</p> <p>Action to be taken: Project Team will update the portal accordingly.</p>	<p>Closed</p>



Table 2 – Non-Compliances Identified in Independent Audit #4 (8-9 June 2021 )

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing / Evidence	Status
B67	<p>The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.</p>			<p>Compliance Reports prepared to date have been published and are currently on the Project website. However, a non-compliance has been recorded – details below.</p> <p>Non-Compliance – Current CCR and CCR#2 rev 2 not uploaded to website.</p> <p>Construction Compliance Report #2 rev 1, dated 11 Jun 20 has been uploaded to the project website. This report was however superseded by an update revision 2, which was submitted to DPE on 30 July 20.</p> <p>Additionally, CCR#3 (revised to respond to DPE comments), 11 Jan 21 – SSD-9113-PA-24 – has not been unloaded.</p> <p>Action to be taken:</p> <ul style="list-style-type: none"> <li>Project has uploaded current documentation to the website. The latest compliance report CCR has been uploaded and can be viewed on the website.</li> </ul> <p><b>Non-compliance status: Closed</b></p>	Closed
B2	<p>If the construction or operation of the development is to be staged, the Department 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>Stage 1 and 2 works commenced before the decision to stage the construction had been made. Stages 3 and 4 have now commenced. Notification of the start of Stages 3 and 4 have not been issued to DPE</p>	<p>Stage 1 and 2 works commenced before the decision to stage the construction had been made. Stages 3 and 4 have now commenced. Notification of the start of Stages 3 and 4 have not been issued to DPE</p>	<p>Works are not staged</p> <p>Staging reports submitted to DPE for approval to-date have included a notice of the intended project construction staging with programme dates for each stage.</p> <p>The auditor has clarified that it considers that notices should be issued separate to the Staging Report notice.</p> <p>Actions to be taken:</p> <ul style="list-style-type: none"> <li>Project to notify DPE of the non-compliance.</li> <li>Project to notify DPE of the intended date of commencement of construction stages in line with this condition.</li> </ul> <p>Note, Construction programmes are fluid and can change at short notice due to delays or the need to reprogram works if a site issue has arisen</p>	Closed

Table 2 – Non-Compliances Identified in Independent Audit #4 (8-9 June 2021 )

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing / Evidence	Status
				that delays one component of works and requires diversion of contractor attention to another part of their scope while the issue is being resolved.	
B51	<p>Prior to the construction of the helipad, future ongoing helicopter operations to the site are to be reviewed by a suitably qualified and experienced aviation professional.</p> <p>Proposed flight paths to the helipad must be identified in consultation with relevant stakeholders in accordance with Civil Aviation Safety Authority Civil Aviation Advisory Publication CAAP 92-2(2) Guidelines for the establishment and other relevant National and International guidelines. A report summarising the outcome of the review and a Three-dimensional Visual Flight Rules Approach and Departure Path and Transitional Surface Survey must be submitted to the satisfaction of Certifying Authority and a copy submitted to the Planning Secretary and Council.</p>	<p>"A 3D survey was completed by PDA Surveyors. Flight paths have been identified in the survey report.</p> <p>AviPro conducted a review of the report and deemed that the design exceeds CAAP 92. Consultation with a range of stakeholders was noted in the report Submitted to the Certifier as part of CC4.</p> <p>This has not yet been submitted to DPE.</p>	Submit evidence to DPE	<p>Key consultation on helipad:</p> <ul style="list-style-type: none"> <li>Project User Group Meeting 1 - 16 April 2018 Presentation File Name: RCR-PUG GROUP- DD Meeting Helipad 1 RCR-LLB-PM-50-PUG-Y1-0118 Minutes File Name: LL-TRANSMIT-000203 RCR Minutes Helipad 1</li> </ul> <p>Parties representing: Newborn and paediatric Emergency Transport Service, NSW Ambulance, SESLHD, Sydney Children’s Hospital, Prince of Wales Hospital (Engineering, Security), South East Health Service Local Health District</p> <ul style="list-style-type: none"> <li>Project User Group Meeting 2 - 14 May 2018 Agenda File Name: RCR Agenda Helipad 2 Minutes File Name: RCR Minutes Helipad PUG round 2x</li> </ul> <p>Parties representing: Newborn and paediatric Emergency Transport Service, NSW Ambulance, SESLHD, Sydney Children’s Hospital, Prince of Wales Hospital (Engineering, Security, Domestic Services) South East Health Service Local Health District</p> <ul style="list-style-type: none"> <li>Project User Group Meeting 3 – 15 June 2018 Presentation &amp; Minutes File Name: RCR Minutes PUG Helipad 3 with Services presso</li> </ul> <p>Signed off drawings: RCR-BVN-ARC-50-DRW-05.17.001[D] signed off &amp; Helipad - signed off by SCH incl 2 x questions 20180619</p>	Closed

Table 2 – Non-Compliances Identified in Independent Audit #4 (8-9 June 2021 )

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing / Evidence	Status
				<ul style="list-style-type: none"> <li>Design Control Group Meeting 19 March 2020 –Helipad Operational Management</li> </ul> Presentation File Name: RCR-LLB-PM-50-DCG-Y1-0026 Minutes File Name: RCR-LLB-PM-50-MOM-Y1-0026 <ul style="list-style-type: none"> <li>Copy to Council</li> </ul> Email from Clare Hall to John Flanigan (RCC) dated 1 Jul 21 File Name: SSD9113 - RCR - ASB Project - Condition B51 - Helipad Operations Review Information provide: Attached a copy of the Helipad Operations review report as required by Condition B51. <ul style="list-style-type: none"> <li>Copy to DPE</li> </ul> Outstanding. HI have been requested to issue this to DPE. Action to be taken: <ul style="list-style-type: none"> <li>Non-compliance to be notified to DPE</li> <li>Project issued B51 Report to DPE on 6 July 2021 (refer to PA28)</li> </ul>	
B63	Compliance with the following requirements for secure bicycle parking and end-of-trip facilities within the site basement level (B3) of the adjacent main hospital carpark, must be submitted to the satisfaction of the Certifying Authority prior to the commencement of Façade and Landscaping works: above ground construction work:	Team 2 Architects provided a Design Verification Statement for the End of Trip Facilities. This was provided on 23 April 2021. Note this is after the façade works had commenced.	No action	No action <b>Non-compliance status: Closed</b>	Closed

Table 2 – Non-Compliances Identified in Independent Audit #4 (8-9 June 2021 )

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing / Evidence	Status
C46	<p>The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.</p>	<p>One incident, the discharge of stormwater following the March 2021 rainfall event. No evidence of DPE notification was found.</p>	<p>Notify DPE of the incident</p>	<p>Due to the discharge event that occurred in March 21 and the absence of a relevant Council approval, the Independent Auditor has noted a continued non-compliance against this Condition.</p> <p><b>Actions taken:</b></p> <p>Project was requested to report the discharge as an incident to DPE on 29 March 21.</p> <p>An updated Soil and Water Management Plan prepared by Lendlease for the construction works, dated 18 May 21 (Rev 2.11 – an update to the March iteration, for RCC submission) was submitted to Council by email on 25 May 21, again with a request for approval.</p>	<p>Closed</p>

Table 3 – Non-Compliances Identified in Independent Audit #3 (23-24 June 2020)

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing / Evidence	Status
A12(c)	<p>Staging, Combining and Updating Strategies, Plans or Programs</p> <p>With the approval of the Planning Secretary, the Applicant may:</p> <p>(c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).</p>	<p>Management plans have been regularly reviewed and updated to reflect the changing site conditions and implement environmental improvement measures. However, approval to update the plan, and approval of updated plans, has not been sought from DPE.</p>	<p>All amended plans should be provided to DPE for approval.</p> <p>It is noted a comprehensive management plan tracking schedule has been completed to assist with future compliance against these conditions.</p>	<p><u>Actions undertaken to date:</u></p> <p>A comprehensive tracking register has been developed for the management plans and strategies required by SSD 9113 consent conditions, refer attached. This register profiles the previous notifications and approvals of management plans (and associated non-compliances). It is noted that there has been an excellent history of regular reviews of management plans, and updates as required to keep them relevant and effective.</p> <p>The non-compliances identified are associated with notifications and approvals required by the Conditions of Consent, including Condition A12. Having considered the tracking register, the Independent Auditor has confirmed the non-compliance against this condition in the IEA#3 Report dated 22 July 2020.</p> <p><u>Actions to be undertaken</u></p> <ol style="list-style-type: none"> <li>i. Utilise the tracking register to ensure compliance for future required reviews, notifications of reviews and approvals of any updated plans, strategies and programs;</li> <li>ii. Notify DPE (through Condition C48) of non- compliance by 29 July 2020 (i.e. within 7 days of the Independent Audit Report confirming these non-compliances); and</li> <li>iii. Issue current / recent draft and future updates to plans and strategies required by the Development Consent are to be issued to the PCA for approval under Condition C52 and DPE for approval under Conditions A12 and C52.</li> </ol>	Closed

Table 3 – Non-Compliances Identified in Independent Audit #3 (23-24 June 2020)

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing / Evidence	Status
C51	<p>Revision of Strategies, Plans and Programs Within three months of:</p> <p>a) the submission of a compliance report under condition B65;</p> <p>b) the submission of an incident report under condition C46;</p> <p>c) the submission of an Independent Audit under condition C43; or</p> <p>d) 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 Department and the Certifying Authority must be notified in writing that a review is being carried out.</p>	<p>Notification to DPE and the Certifying Authority did not occur prior to the March management review.</p>	<p>All amended plans should be provided to DPE for approval.</p> <p>It is noted a comprehensive management plan tracking schedule has been completed to assist with future compliance against these conditions.</p>	<p><u>Actions undertaken to date:</u></p> <p>A comprehensive tracking register has been prepared for the management plans and strategies applicable to the project, as required by SSD9113 consent conditions. This has been used to profile compliance against this condition and allow for review by the Independent Auditor.</p> <p>Analysis of the timing for previous management plan updates indicates that:</p> <ul style="list-style-type: none"> <li>• Reviews of management plans have been undertaken on a regular basis since the start of the project, with regular updates as required to keep them relevant and effective to the project, the legislative (e.g. EHS) context and the site context.</li> <li>• A comparison of the timing for past reviews and updates with the required triggered review periods under Condition C51 shows that the project's regular reviews have generally been carried out within the Condition C51-triggered review periods (with some exceptions).</li> </ul> <p>However, these past reviews have not been notified to DPE and the PCA consistently under Condition C51.</p> <p>Having considered the tracking register, the Independent Auditor has confirmed non-compliance against this condition in its Audit report dated 22 July 2020.</p> <p><u>Actions to be undertaken:</u></p> <ol style="list-style-type: none"> <li>i. Notify DPE (through Condition C48) of non-compliance by 29 July 2020 (i.e. within 7 days of the Independent Audit Report confirming these non-compliances);</li> <li>ii. The PCA and DPE are to be notified of future management plan reviews to be undertaken in line with the triggers set out in Condition C51 and as part of Lendlease Building's regular review process; and</li> <li>iii. Future reviews are to be undertaken inside triggered review periods and align with Lendlease quarterly reviews. The project's tracking register will be maintained by the project to assist with ensuring ongoing compliance with the timing for and notifications of reviews triggered by Condition C51.</li> </ol>	Closed

Table 3 – Non-Compliances Identified in Independent Audit #3 (23-24 June 2020)

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing / Evidence	Status
C52	<p>If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Certifying Authority. Where revisions are required, the revised document must be submitted to the Planning Secretary Certifying Authority for approval within six weeks of the review.</p> <p>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</p>	<p>A quarterly review of the management plans was conducted in March 2020. The updated CEMP, CWTS, NVMP, SWM and WMP were issued with CC3 and approved by the Certifier. They are yet to be approved by DPE.</p>	<p>All amended plans should be provided to DPE for approval.</p> <p>It is noted a comprehensive management plan tracking schedule has been completed to assist with future compliance against these conditions.</p>	<p><u>Actions undertaken to date:</u></p> <ul style="list-style-type: none"> <li>On 25 June 2020 updated management plans prepared in association with Stage 3 works (and submitted to the PCA in support of the application for CC3 via Aconex correspondence LL-GCOR-018175) were issued to DPE.</li> </ul> <p>Reference: Email From: no-reply@majorprojects.planning.nsw.gov.au &lt;no-reply@majorprojects.planning.nsw.gov.au&gt;            Sent: Thursday, 25 June 2020 3:06 PM            To: Claire Muir (Health Infrastructure) &lt;Claire.Muir@health.nsw.gov.au&gt;            Cc: Jenny.Chu@planning.nsw.gov.au; Claire Muir (Health Infrastructure) &lt;Claire.Muir@health.nsw.gov.au&gt;            Subject: Prince of Wales's Hospital - Redevelopment – CEMP            Summary of content: <i>"This email is to acknowledge receipt of the CEMP for the Prince of Wales Hospital - Redevelopment . The Department has no comments on the document at this time. If you have any enquiries, please contact Jenny Chu at <a href="mailto:Jenny.Chu@planning.nsw.gov.au">Jenny.Chu@planning.nsw.gov.au</a>."</i></p> <ul style="list-style-type: none"> <li>On 9 July 2020 via Aconex correspondence LL-GCOR-021263 PCA (McKenzie Group) approval was expressly requested for plans submitted by Lendlease Building in support of the application for CC3 under Aconex Correspondence under earlier correspondence LL-GCOR-018175. In a reply received on 13 July 2020 the PCA (McKenzie Group) confirmed they have approved the submitted management plans via Aconex correspondence MGC-GCOR-000517.</li> </ul> <p><u>Actions to be undertaken:</u></p> <ol style="list-style-type: none"> <li>Notify DPE (through Condition C48) of non-compliance by 29 July 2020 (i.e. within 7 days of the Independent Audit Report confirming these non-compliances);</li> <li>Environmental Management Plans and strategies approved by the PCA are to be resubmitted to DPE with a request for approval under Condition 52; and</li> <li>Issue current / recent draft and future updates to plans and strategies required by the Development Consent are to be issued to</li> </ol>	Closed

Table 3 – Non-Compliances Identified in Independent Audit #3 (23-24 June 2020)

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing / Evidence	Status
				<p>the PCA for approval under Condition C52 and DPE for approval under Conditions A12 and C52.</p> <ul style="list-style-type: none"> <li>The project’s tracking register will be maintained by the project to assist with ensuring ongoing compliance with the approval requirements of Condition C52.</li> </ul>	
C28	<p>Disposal of Seepage and Stormwater</p> <p>Adequate provisions must be made to collect and discharge stormwater drainage during construction of the building to the satisfaction of the Certifying Authority. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council’s stormwater drainage system or street gutter.</p>	<p>The Stormwater and Erosion Management Plan has been approved by the Certifier.</p> <p>A discharge of stormwater into council's stormwater was required on 15th February (this modified Condition is dated 10 February) during a large rain event. This was required as an emergency measure to protect the site.</p> <p>No prior written approval from Council was obtained."</p>	<p>Council should be notified of the discharge into stormwater during the event on the 15th February.</p> <p>The applicant should seek written approval from Council to discharge into stormwater. If Council are agreeable, a standing approval to cover emergency discharge should be sought.</p>	<p><u>Actions undertaken to date:</u></p> <ul style="list-style-type: none"> <li>The Project team issued Randwick City Council (RCC) the project Stormwater and Erosion Management plan by email on the 16th Sept 2019. The management plan shows an On-Site Detention tank as well as a temporary connection to Council’s stormwater system.</li> </ul> <p>Reference: Email From: Christopher Mazza (AU) &lt;christopher.l.mazza@pwc.com&gt; Sent: Monday, 16 September 2019 11:27 AM To: John Flanigan &lt;john.flanigan@randwick.nsw.gov.au&gt;; Stephen Audet <a href="mailto:stephen.audet@randwick.nsw.gov.au">stephen.audet@randwick.nsw.gov.au</a> Cc: Simon Brender &lt;Simon.Brender1@health.nsw.gov.au&gt;; Kirrilee Drew (AU) &lt;kirrilee.drew@pwc.com&gt;; Yarad, Richard &lt;Richard.Yarad@lendlease.com&gt;; Matt Ellis (AU) &lt;matt.ellis@pwc.com&gt;; Jeremy Williams (AU) <a href="mailto:jeremy.j.williams@pwc.com">jeremy.j.williams@pwc.com</a> Subject: [EXT]:RCR - EEW - Stormwater For Construction Documentation</p> <ul style="list-style-type: none"> <li>The Project team engages with Council via monthly meetings, which includes discussion regarding the disposal of stormwater from the construction site amongst other matters. Meeting minutes record no objection to the plan.</li> </ul> <p>Reference: Monthly meeting minutes Reference: Email From: Yarad, Richard Sent: Wednesday, 18 September 2019 1:05 PM To: Christopher Mazza (AU) &lt;christopher.l.mazza@pwc.com&gt;; John Flanigan &lt;john.flanigan@randwick.nsw.gov.au&gt;; Stephen Audet &lt;stephen.audet@randwick.nsw.gov.au&gt; Cc: Simon Brender &lt;Simon.Brender1@health.nsw.gov.au&gt;; Kirrilee Drew (AU) &lt;kirrilee.drew@pwc.com&gt;; Matt Ellis (AU) &lt;matt.ellis@pwc.com&gt;; Jeremy Williams (AU) &lt;jeremy.j.williams@pwc.com&gt;</p>	Closed



Table 3 – Non-Compliances Identified in Independent Audit #3 (23-24 June 2020)

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing / Evidence	Status
				<p>Subject: RE: [EXT]:RCR - EEW - Stormwater For Construction Documentation</p> <ul style="list-style-type: none"> <li>Lendlease reissued the management plan to RCC by email on 15 July 2020 and requested approval of this to this plan to be able to comply with Condition C28. To-date no response has been received.</li> </ul> <p>Reference: Email From: Yarad, Richard &lt;Richard.Yarad@lendlease.com&gt;            Sent: Wednesday, 15 July 2020 6:15 AM            To: john.flanigan@randwick.nsw.gov.au            Cc: Gillen, John &lt;John.Gillen@lendlease.com&gt;; Hall, Clare &lt;Clare.Hall@lendlease.com&gt;</p> <p><u>Actions to be undertaken:</u></p> <ul style="list-style-type: none"> <li>Notify DPE (through Condition C48) of non-compliance by 29 July 2020 (i.e. within 7 days of the Independent Audit Report confirming these non-compliances);</li> <li>RCC to be notified of the discharge into stormwater during the event on the 15th February; and</li> <li>Follow up with RCC regarding their approval by email and monthly meetings.</li> </ul>	

Table 4 – Non-Compliances Identified in Independent Audit (23 January 2020)

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing	Status
A25	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: a) make the following information and documents (as they are obtained or approved) publicly available on its website: iii) all approved strategies, plans and programs required under the conditions of this consent;	The Compliance Monitoring program was not available on the website.	Upload the Compliance Monitoring Program to the website.	Complete. Monitoring Compliance details uploaded to Project website 07 Feb 2020, refer link below: <a href="http://randwickcampusredevelopment.health.nsw.gov.au/Projects/Acute-services-building/SSD-Documentation">http://randwickcampusredevelopment.health.nsw.gov.au/Projects/Acute-services-building/SSD-Documentation</a>	Closed
B61	Within six months of commencement of construction, revised operational noise modelling must be undertaken based on the scenario of Magill street remaining closed to through traffic to determine the likely operational noise levels. Should the results reveal that noise levels at sensitive receivers as described in the EIS Noise and Vibration Impact Assessment, dated 8 August 2018, and prepared by Acoustic studio, exceed the sleep disturbance criteria determined in accordance with the Noise Policy for Industry (EPA 2017), mitigation measures, including architectural treatment must be offered to affected residence. If accepted, measures must be installed at no cost to the resident prior to the commencement of operation	This has not been completed.	Notify DPE (through Condition C48) of non-compliance.  Complete the revised Operational Noise Modelling.	Complete. Acoustic Logic Consultancy (ALC) undertook an external noise emission review of the potential external operational noise impacts from the Development in accordance with Condition B61, refer attached.  Statement of compliance was submitted to the satisfaction of the Development's Independent Auditor 04 Feb 2020. DPE were notified of non-compliance through Condition C48 30 Jan 2020.	Closed

Table 4 – Non-Compliances Identified in Independent Audit (23 January 2020)

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing	Status
B62	<p>Compliance with the following requirements must be submitted to the satisfaction of the Certifying Authority within six months of commencement of construction:</p> <p>a) all vehicles must enter and leave the Site in a forward direction;</p> <p>b) minimum of 12 on-site time limited car parking spaces for use by visitors to the Emergency Department during operation of the development and designed in accordance with the latest version of AS2890.1;</p> <p>c) the swept path of the longest vehicle entering and exiting the Site in association with the new work, as well as maneuverability through the Site, must be in accordance with AUSTROADS;</p> <p>d) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, is to be addressed;</p> <p>e) all internal access driveways must be designed and constructed in accordance with AS 2890.1 (2004) - Off street Car Parking and the levels of the driveway must match the alignment levels at the property boundary (as specified by Council); and</p> <p>f) all internal driveways and carpark areas must be designed for two-way traffic movements.</p>	<p>Arup have completed a statement of compliance of this Condition. This was completed within 6 months of commencement of construction.</p> <p>This was provided to the Certifying Authority on 23/1/2020, outside the required period.</p>	<p>Notify DPE (through Condition C48) of non-compliance.</p>	<p>Complete. DPE were notified of non-compliance through Condition C48 30 Jan 2020.</p>	<p>Closed</p>

Table 4 – Non-Compliances Identified in Independent Audit (23 January 2020)

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing	Status
B66	Compliance Reports of the project must be carried out in accordance with the Compliance Department and the Certifying Authority	Construction compliance report has not been completed.	Notify DPE (through Condition C48) of non-compliance.  Complete the Construction Compliance Report.	DPE were notified of non-compliance through Condition C48 30 Jan 2020.  The Construction Compliance Report #1 was completed in accordance with the Compliance Department and the Certifying Authority and issued to DPE on 16/3/2020 (Rev 2). It was resubmitted following DPE comments on 2/6/2020 (Rev 3).	Closed
C15	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (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.	Noise monitoring shows that noise levels are routinely exceeding the ICNG. However, they are within the predicted noise levels for the project and consistent with the expectation's details in the CNVMP.	Notify DPE (through Condition C48) of non-compliance.  Review the CNVMP mitigation measures.	DPE were notified of non-compliance through Condition C48 30 Jan 2020.  Incomplete. The mitigation measures outlined in the CNVMP are being reviewed, before subsequent update and reissue.  <u>Actions to be undertaken:</u>  The Independent Audit June 2020 recommended that:  1. DPE review the appropriateness of Condition C15 in relation to the ICNG and the nature of the project;  2. The project document and detail in full the noise management and mitigation measures being implemented for each construction activity, so that verification of measures can be more easily achieved;  3. Internal noise impact verification be conducted to determine the level of compliance with the predicted internal NML's; and  4. The project team is in the process of implementing the above-listed measures and will issue further information to DPE in relation to the ongoing management of compliance against this condition for its consideration.	Closed  (DPE were notified of non-compliance through Condition C48 30 Jan 2020.)
C48	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.	Non-compliances associated with noise monitoring exceedances have not been routinely reported to DPE.	Notify DPE (through Condition C48) of non-compliance.  Review the procedure for	Complete. Procedure for notification has been reviewed by the Development. DPE were notified of non-compliance through Condition C48 30 Jan 2020.  All non-compliances raised during the previous audits have been notified to DPE.	Closed

Table 4 – Non-Compliances Identified in Independent Audit (23 January 2020)

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing	Status
			notifying DPE of non-compliance.		

**Table 5 – Non-Compliances Identified in Independent Audit Conducted (30 July 2019)**

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing	Status
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>iii) all approved strategies, plans and programs required 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>Most plans, programs and strategies are on the website except:</p> <p>The noise, vibration and dust monitoring results are not on the website</p>	<p>Noise, vibration and dust monitoring records should be included on the website</p>	<p>Complete. Monitoring Compliance Template uploaded to Project website 02 Aug 19, refer link below:  <a href="http://randwickcampusredevelopment.health.nsw.gov.au/Projects/Acute-services-building/SSD-Documentation">http://randwickcampusredevelopment.health.nsw.gov.au/Projects/Acute-services-building/SSD-Documentation</a></p>	Closed
B4	<p>Prior to the commencement of construction, the Applicant must provide the Certifying Authority 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 aluminum composite panels, comply with the requirements of the BCA.</p>	<p>As the details of external walls and cladding were not finalized at the commencement of construction, this is being deferred to later CCs.</p>	<p>As recommended in the Pre-construction Compliance Report, a modification to change this condition has yet to be undertaken.</p>	<p>Modification 1 and the subsequent Staging Report has deferred these obligations to a later stage (CC4)</p>	Closed

Table 5 – Non-Compliances Identified in Independent Audit Conducted (30 July 2019)

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing	Status
B10	Prior to commencement construction, the Applicant must prepare a Contamination Management Protocol to the satisfaction of an NSW EPA Accredited Site Auditor which identifies how concurrent remediation and construction activities will be managed on site which:	The SMP differentiates between the storage and separation of contaminated material from non-contaminated material. The RAP identifies how contaminated material will be handled and disposed of. The RAP was prepared to the satisfaction of the Auditor, however the SMP has not.	Obtain evidence from EPA Site Auditor of satisfaction of the SMP.	Complete. Development obtained NSW EPA Site Auditor (Senversa) endorsement of Soil Management Plan 12 Nov 2019, refer attached.	Closed
B19	Prior to commencement of construction, all outdoor lighting within the site must comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282- 1997 Control of the obtrusive effects of outdoor lighting. Details demonstrating compliance with these requirements must be submitted to the satisfaction of the Certifying Authority.	The only outdoor lighting currently in operation are LED security lights at the site compound. No public lighting has yet been installed. No details of any outdoor lighting have been provided to the Certifying Authority.	As recommended in the Pre-construction Compliance Report, a modification to change this condition has yet to be undertaken.	Modification 1 and the subsequent Staging Report has deferred these obligations to a later stage.	Closed

Table 5 – Non-Compliances Identified in Independent Audit Conducted (30 July 2019)

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing	Status
B20	The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.	Detailed design has not yet been completed. Disability access arrangements will be contained in the detailed design report.	Notify DPE (through Condition C48) of the delay in submitting BCA information to a later CC.	Incomplete. BCA and Access Reports are complete, however were not provided to the Certifying Authority for Crown Certificate 1 Construction Activities (Piling, and bulk excavation). The Accessibility Design Review has been completed. However, this non-compliance remains open due to the timing of this Condition.	Open
B28	Prior to the commencement of construction, the Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Certifying Authority. The system must:	Not relevant for CC1. However, General Arrangement Plans have been prepared. They will be issued to the Certifier formally under CC2.	As recommended in the Pre-construction Compliance Report, a modification to change this condition has yet to be undertaken.	This documentation was reviewed to the satisfaction of the certifying authority as part of Crown Certificate 2, issued 15 October 2019. Modification 1 and the subsequent Staging Report has deferred these obligations to a later stage.	Closed
B30	Where the site is affected by groundwater or fluctuating water table (including during the course of construction), details are to be submitted to the satisfaction of the Certifying Authority demonstrating that the following requirements must be satisfied: (e) groundwater management systems: (ii) should have a design life of 100 years	Drainage system is designed for Integrity Level 4, which is estimated at around 50 years	As recommended in the Pre-construction Compliance Report, a modification to change this condition has yet to be undertaken.	Following correspondence from DPE (21/1/2020), the applicant has sought to clarify that 50-year design life is adequate. The supporting documentation was reviewed to the satisfaction of the certifying authority, issued 07 Feb 2020. This information has been provided to DPE in Construction Compliance Report 2. This Audit Finding will remain open until DPE accept the applicant's clarification.	Open
B37	The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following: (b) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009); (e) describe the community consultation	C15 sets noise limits to the ICNG. The CNVMSP estimates that these limits will be exceeded. Monitoring required under B32 has	Notify DPE (through Condition C48) of non-compliance.  Review noise mitigation	Notification to DPE is satisfied through submission of Proponent Response to Independent Audit Findings 27 Sep 2019. Real time monitoring has been utilized since the commencement of works. Subsequent to the instances recorded, the contractor took immediate action to reduce the impact setting of the equipment which triggered these exceedances.	Closed



**Table 5 – Non-Compliances Identified in Independent Audit Conducted (30 July 2019)**

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing	Status
	undertaken to develop the strategies in condition B37(d); and	verified that the limits are being exceeded. The CNVMSP does not identify the specific community consultation undertaken in the development of the strategies.	measures to achieve ICNG requirements Update CNVMSP	Advice from the applicant’s Acoustic Consultant suggests that the noise exceedances are not non-compliant with the ICNG. The CNVMSP has been updated with specific community consultation actions and results.	
B55	Prior to commencement of landscape construction works, the Applicant must amend the approved landscape plans to incorporate the following: (c) provide for a range of artificial nest boxes are to be installed, suitable for native fauna likely to utilise the site.	No nest boxes are identified on the amended landscape plans	Notify DPE (through Condition C48) of non-compliance. Identify opportunities for nest box installation or discuss alternative options with DPE.	Notification to DPE is satisfied through submission of Proponent Response to Independent Audit Findings 27 Sep 2019. Modification 1 and the subsequent Staging Report has deferred these obligations to a later stage. Incomplete. As recommended in the Pre-construction Compliance Report (V5), the Project will seek a modification to change when this condition must be undertaken.	Closed
C2	A site notice(s): (b) is to satisfy all but not be limited to, the following requirements: (iii) the approved hours of work, the name of the 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;	All details except the approved hours of work are noted.	Update the site notices	Evidence of completion provided to DPE as attachment to Proponent Response to Independent Audit Findings 27 Sep 2019.	Closed
C19	Vibration caused by construction at any residence or structure outside the site must be limited to: (a) for structural damage, the latest version of DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures (German Institute for Standardization, 1999);	There have been 8 recorded levels above the DIN 4150-3 standard. These were not reported to DPE as non-compliances.	DPE should be notified of the non compliances	DPE has been notified of the vibration results. Construction Compliance Report 2 outlines further details.	Closed

**Table 5 – Non-Compliances Identified in Independent Audit Conducted (30 July 2019)**

Condition of Approval	Requirement	Details of Non-compliance	Auditor Recommended Action	Action / Timing	Status
C48	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.	Several non-compliances with conditions were notified to DPE as part of the pre-construction compliance report. However, several others identified in this audit have not been notified	Non compliances must be notified to DPE as per this condition. It is recommended that awareness of this requirement be raised within the project team.	The Contractor and Certifier have been notified as per Proponent Response to Independent Audit Findings 27 Sep 2019.  All non-compliances raised during the previous audits have been notified to DPE.	Closed