

HEALTH INFRASTRUCTURE

Independent Operational Audit No. 1 (Independent Audit No.5) – Proponent Review and Response

SSD-10339 Prince of Wales Hospital - Addition to approved Acute
Services Building

RP Infrastructure

Version 3

11 July 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:	11 July 2024

Document Management, Tracking and Revision History

Version	Date	Author	Description	Notes
v1.0	05/06/2024	CB	Independent Operational Audit – Proponent review and response	Draft for HI review
V2	24/06/2024	CB	Independent Operational Audit – Proponent review and response	Update and HI Review
V3	11/07/2024	CB	Independent Operational Audit – Proponent review and response	Final for submission

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Introduction

Project Application Number and Project Name

SSD-10339, Prince of Wales Hospital - Addition to Acute Services Building Project

Site Address

Part Lots 4-11 DP 13995, Part Lot 1 DP870720 (220 Avoca Street, Randwick).

Project Contact Details

Proponent	Health Infrastructure
Client Representative	RP Infrastructure
Contractor	Lendlease Building

Independent Auditor

NGH Consulting Pty Ltd.

Independent Audit Date

2nd November 2023.

Proponent response

The Independent Audit Report prepared by NGH Consulting Pty Ltd dated 15 April 2024 (v1.3) (received on 2nd May 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 (exact wording)	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status	Proponents Response Action/Timing	Status
Condition A2	The development may only be carried out: (a) in compliance with the conditions of this consent;	Audit findings (2023)	Generally, the project is being carried out in accordance with this Consent. Non-compliances have been noted in this Audit however, therefore the project is not being carried out in compliance with all conditions of this consent.	Non-Compliant	Refer relevant conditions below.	Ongoing
Condition A22	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:*					
	(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;	Project Website	Monitoring reports are due to be uploaded every 6 months. No monitoring reports are available on the website. Construction monitoring results to 30 June 2021. Last 12 months reporting not yet summarised and reported. Monitoring data up to February 2023 found on website. The auditor was advised monitoring ceased in early 2023 and no further reports to be issued.	Non-Compliant	Monitoring data on Project website and no further monitoring required.	Closed.
	(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;	Project Website	Monitoring results are uploaded 6-monthly. Only the monitoring report template is on the website. Note, the noise, dust and vibration monitoring being conducted for SSD 10339 are the same as for SSD 9113, which are available on the ASB website. Construction monitoring results to 30 June 2021. Last 12 months reporting not yet summarised and reported. Monitoring data up to February 2023 found on website. The auditor was advised monitoring ceased in early 2023 and no further reports to be issued.	Non-Compliant	Monitoring data on Project website and no further monitoring required. No further action required.	Closed.

Condition of Consent	Requirement (exact wording)	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status	Proponents Response Action/Timing	Status
Condition A26	The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.	Letters: Re: Non-Compliance Notification, 27 October 2023); Post Approval Form Interview A Fisher Prince of Wales Hospital – Addition to the approved Acute Services Building Pre-Operation Compliance Report - SSD 10339	The auditor understands that at the time of audit 5 the IASB construction of the empty shell was completed and handed over to UNSW for fitout. As such the site was considered to be in operational phase at the time of the audit. Non-compliance notification for condition B28 - the final Construction Compliance Report was not prepared or submitted. Non-compliance for condition D1 for late notification to the Department of date of Occupation. The Pre-operational Compliance report was not provided to the Planning Secretary prior to the commencement of operation.	Non-Compliant (Proponent considers Compliant)	Proponent disagrees with this non-compliance. The notification of non-compliance with Conditions B28 and D1 were submitted to the Planning Secretary on 27 October 2023 under PA Case no. SSD-10339-PA-47. Refer to Condition B28 and D1 below. The Pre-Operation Compliance Report submitted 27/10/23 (SSD-10339-PA-46) – Part of B28.No further action required.	Closed.
Condition A29	Revision of Strategies, Plans and Programs Within three months of*					
	(c) the submission of an Independent Audit under condition C41;	Management Plan Review Schedule	Reviews were conducted prior to 26/10/2020 (3 months after submission of IA #1) Reviews were conducted during March 2021 (within 3 months of the IA #2 submission) Review undertaken in Sept 2021 (within 3months of IA#3). No further evidence of review or updates to plans following Audit #4.	Non-Compliant	As the works for this SSD has been completed, the Project confirms that no further update will be required for any of the management plans.	Closed.
	the strategies, plans and programs required under this consent must be reviewed, and the Department and the Certifier must be notified in writing that a review is being carried out. 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	Management Plan Review Schedule The Certifier issued approval through the issuing of CC3	The Management Plan Review Schedule notes that notification to the Department and PCA did not occur prior to the reviews up until December 2020. Notification to the Certifier for the December 2020 reviews was issued 10/12/2020. Notification to DPIE for the December 2020 reviews was issued 17/12/2020 Notification to the Certifier for the March 2021 reviews was issued 25/3/2021. Notification to DPIE for the March 2021 reviews was issued 31/3/2021	Non-Compliant	All site works for this SSD have been completed so no further action required.	Closed.

Condition of Consent	Requirement (exact wording)	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status	Proponents Response Action/Timing	Status
	<p>satisfaction of the Certifier. Where revisions are required, the revised document must be submitted to the Certifier 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>		Revised management plans were approved by the Certifier in CC3 and CC4.			
Condition B28	<p>Table 1 of the Compliance Reporting Post Approval Requirements (Department 2018, or as amended) is amended so that the Compliance Monitoring and Reporting Schedule, minimum frequency of Compliance Reports required is::</p> <p>(b) a Pre-Operational Compliance Report must be submitted to the Planning Secretary prior to commencement of operation and/or use; and</p>	<p>Pre-Operation Compliance Report March 2023 Version 1.0 Application No. SSD 10339</p>	The Pre-Operation Compliance Report was not provided to the Planning Secretary prior to commencement of Operation	Non-Compliant	The Pre-Operation Compliance Report submitted 27/10/23 (SSD-10339-PA-46).	Closed.
Condition B30	<p>Compliance Reports of the development must be submitted to the Planning Secretary in accordance with timing outlined in the Compliance Monitoring and Reporting Schedule</p>	<p>Automated Receipt from DPIE submitting the PCCR (16/3/2020)</p> <p>Automated Receipt from DPIE submitting the CCR (11/12/2020)</p> <p>Letters: Re: Non-Compliance Notification, 27 October 2023)</p> <p>Post Approval Form</p> <p>Interview A Fisher</p> <p>Prince of Wales Hospital – Addition to the approved Acute</p>	The Pre-construction Compliance Report was issued within the timeframe stipulated in the Schedule. The Construction Compliance Report was not issued in accordance with the timeframe stipulated in the Schedule. The Construction Compliance Report was due in September 2020 but was submitted in December 2020. An RFI was received from DPIE, and an extension to time was granted by DPIE on the response to the RFI to 5/3/2021. Response to the RFI is detailed in B35.	Non-Compliant	<p>Compliance Report #4 was submitted to the Planning Secretary for September 2021 to February 2022. The Pre-Operational Compliance Report (PCOR) was then submitted PA Case no. SSD-10339-PA-47, dated March 2023.</p> <p>The project appears to have missed submitting a six-monthly construction phase Compliance Report under the condition. HI accepts this non-compliance and notes it as an administrative oversight.</p>	Closed.

Condition of Consent	Requirement (exact wording)	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status	Proponents Response Action/Timing	Status
		Services Building Operation Compliance Report - SSD 10339	Pre- The final Construction Compliance Report #5 was not prepared or submitted.		Compliance reports and PCOR available via project website.	
Condition B31	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.	Project website	The Pre-construction Compliance Report is available on the website. The Construction Compliance Report was not available on the website CCR1, CCR2 and CCR4 are on website CCR3 was not on the website for audit 4, since actioned. Pre-Operation Compliance Report (POCR) was on the projects website at the time of Audit 5. NGH notes no further action required.	Non-Compliant	Pre-construction compliance audit, Construction Compliance Report Nos 1-4, and the Pre-Operation Compliance Report are available via the project website. No further action required.	Closed.
Condition B35	Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition B11 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.	RAP Section 12 CEMP Section 12 Unexpected Finds Register (June 2021) Automated Receipt from DPIE relating to unexpected ACM find (8/5/2020)	An Unexpected Finds Protocol for contamination is included in the RAP and CEMP. Five unexpected, contaminated finds have occurred since the start of construction (15/5/2020, 29/7/2020, 1/9/2020,30/9/2020, 18/11/2020 and 14/5/21). DPIE were notified of the unexpected find 15/5/2020 and issued with the waste classification report. DPIE were notified of the finds 29/7-18/11/2020 after the last IEA. PWC were notified on 14/5/21 with test results sent on 20/5/2021. DPIE notification had not occurred prior to the material being removed from site and is therefore non-compliant (and remains non-compliant for the duration of the project, however no further action is required).	Non-Compliant	No further action required.	Closed.
Condition C4	Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:	Complaints Register (May 2021) Toolbox Record (25/5/2020) Complaints Register (June 2021-July 2022)	No complaints have been received relating to working hours. Three complaints were received in relation to deliveries being undertaken out of hours: • 26/06/20221- concrete delivery after 10:30pm	Non-Compliant	No further action required. These complaints have been logged and closed as per Complaints register via Project website.	Closed.

Condition of Consent	Requirement (exact wording)	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status	Proponents Response Action/Timing	Status
	(a) must between 7am and 6pm, Mondays to Fridays inclusive; and	Complaints Register (Nov 2022- Nov 2023) Complaints Register. Gate Logs	<ul style="list-style-type: none"> 28/06/2021 - float out of piling rig at 3:30am 19/02/2022 - road furniture reinstatement at 4am <p>Numerous enquiries and complaints registered with regard to out of hours works during the audit 5 reporting period, mostly confirmed as notified works, while some were not notified, hence requiring reinforcement of obligations for hours of work.</p> <p>No complaints have been received relating to working hours. Gate logs indicate vehicle movements are restricted to these times.</p> <p>One complaint was received in relation to deliveries being undertaken out of hours – on 28/06/2021 - float out of piling rig at 3:30am.</p>			
Condition C18	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 and Vibration Monitoring Report, Acoustic Logic (March 2020 – April 2021)	<p>NML's have been exceeded regularly during the audit periods. Some exceedances of the Highly Noise Affected limit also occurred. These exceedances are largely attributed to the noise from the adjacent ASB building construction work. The noise levels from the construction of this project however generally correlate with the modelled noise emissions in the noise and vibration impact assessment. Note - whilst this condition was marked as compliant, see notes in the report on construction noise management (Audit 3).</p> <p>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 the audits 4 or 5 period. Proponent to ensure all requisite monitoring has occurred and is documented.</p>	Non-Compliant	Construction Monitoring Report (as at 10 February 2023) available via project website. Nil monitoring required for Audit 5 (Operational Audit 1 – this audit) as works have been completed.	Closed.
Condition C21	Vibration caused by construction at any residence or structure outside the site must be limited to:					

Condition of Consent	Requirement (exact wording)	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status	Proponents Response Action/Timing	Status
	<p>(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); and</p> <p>(b) for human exposure, the acceptable vibration values set out in the environmental Noise Management Assessing Vibration: a technical guideline (DEC, 2006) (as may be updated or replaced from time to time).</p>	<p>Noise and Vibration Monitoring Report, Acoustic Logic (March 2020 - April 2021)</p> <p>Noise and Vibration Monitoring Report, Acoustic Logic (March 2020 - April 2021)</p>	<p>No exceedances have been reported from the two vibration monitors.</p> <p>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. As data had not been provided from the vibration monitors, the audit could not confirm that vibration caused by construction was limited to the requirements of this condition. Proponent to retain vibration monitoring data in accordance with the requirements of this condition.</p>	Non-Compliant	<p>Construction Monitoring Report (as at 10 February 2023) available via project website.</p> <p>Nil monitoring required for Audit 5 (Operational Audit 1 – this audit) as works have been completed.</p>	
Condition C37	<p>Table 1 of the Independent Audit Post approval Requirements (Department 2018, or as amended) is amended so that the Independent Audit Schedule frequency of Independent Audits required in the construction phase is</p> <p>(b) subsequent Independent Audits of construction must be undertaken at intervals, no greater than 26 weeks from the date of the initial construction Independent Audit.</p>	This Audit	<p>The 2nd audit was conducted within 26 weeks of the first Audit.</p> <p>The 3rd audit was conducted within 26 weeks of the second audit</p> <p>The 4th audit was conducted greater than 26 weeks from the third audit.</p> <p>The 5th audit was conducted greater than 26 weeks from the fourth audit – Proponent to ensure audit requirements are adhered to and commission the next audit as per the requirements of this condition</p>	Non-Compliant	<p>The last audit conducted as per audit 5 complete. The works in accordance with the SSD complete therefore no further audit is expected.</p>	Closed.
Condition C41	<p>Independent Audit Reports and the applicant's response to audit findings must be submitted to the Department within 21 days of the date referenced in the Independent Audit Schedule,</p>	<p>Email DPIE 27/7/2020</p> <p>DPIE Automated Response SSD10339-PA-18 (18/12/2020)</p> <p>Proponent Response to Independent Audit Findings</p>	<p>The first Audit and Audit Response was sent on 27/7/2020. This is within 21 days of the Final Audit Report.</p> <p>The second Audit and Audit Response was sent on 18/12/2020. This is within 21 days of the Final Audit Report.</p>	Non-Compliant	<p>Previous audit reports (1-4) and proponents' responses submitted and available on the project website.</p> <p>No further action required.</p>	Closed.

Condition of Consent	Requirement (exact wording)	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status	Proponents Response Action/Timing	Status
	unless otherwise agreed by the Planning Secretary.	Randwick Campus Redevelopment Project Integrated Acute Services] Building State Significant Development (SSD) 10339, 4/02/2023	The third audit was sent 15/7/2021. This is within 21 days of the Final Audit Report. The fourth Audit Response was prepared dated 4 February 2023 and submitted. This is greater than 21 days of the Final Audit Report (4 November 2022). Proponent to submit future response(s) to audit findings in accordance with the requirements of this condition.			
Condition D1	Notification of Occupation At least one month before commencement of operation, the date of commencement of the operation of the development must be notified to the Planning Secretary in writing. If the operation of the development is to be staged, the Planning Secretary must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	SSD-10339-PA-46 (notification)	A notice of occupation was sent to DPE on 9 March 2023. Notification in writing occurred three weeks before date of commencement, rather than one month.	Non-Compliant	No further action required.	Closed.
Condition D13	Prior to commencement of occupation, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.	Fire Safety Certificate 4/5/2023	The Fire Safety Certificate was obtained for all the Essential Fire or Other Safety Measures forming part of this consent, however evidence that a copy of the Fire Safety Certificate was submitted to the relevant authority and Council was not provided as evidence at the time of audit 5.	Non-Compliant	Fire Safety Certificate provided, and the Certifying Authority has closed this condition, and issued the Interim Building Completion Certificate.	Closed.
Condition D18	Prior to commencement of operation, the Applicant must prepare a Traffic management Plan to the satisfaction of the Planning Secretary in relation to the operation of the Hospital	Traffic and Pedestrian Management Plan IASB Rev5 June 2020	The audit found that a TMP was prepared prior to the commencement of Operations, however evidence the TMP was prepared to the satisfaction of the Department was not provided.	Non-Compliant (Proponent considers Compliant)	Proponent disagrees with this non-compliance. The TMP was submitted and approved by DPHI (refer SSD-10339-PA-41) and letter dated 06/06/2023. The TMP v4 was	Ongoing

Condition of Consent	Requirement (exact wording)	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status	Proponents Response Action/Timing	Status
	<p>Road/Magill Street intersection. The Plan must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with Council; (c) detail the measures to ensure road safety and network efficiency, particularly in relation to the entry/exits points to the hospital car park; (d) details of the operation of the boom gate; and (e) contain a Traffic Monitoring Program to monitor the impact of increased traffic using the intersection. 		Proponent to submit the Traffic Management Plan to the satisfaction of the Planning Secretary.		<p>prepared in consultation with RCC as evidenced through monthly Council meetings and email correspondence.</p> <p>An updated TMP (v5) was produced following additional comments from RCC.</p> <p>Updated TMP (v5) will be issued to DPPI and will be made available via the project website.</p>	
Condition D20	Prior to the commencement of operation, the Applicant must obtain from an EPA accredited Site Auditor, a Site Audit Statement and a Site Audit Report which demonstrates that the site is suitable for its intended use(s).		Site Audit Statement and Report were not available at the time of Operational Audit reporting (February 2023).	Non-Compliant	<p>Site Audit report being finalised at the time of the audit.</p> <p>Site Audit Statement and Report completed and obtained from an EPA accredited Site Auditor confirming the site is suitable for its intended use(s).</p>	Closed.
Condition D21	Prior to the commencement of operation, the Applicant must prepare an Operational Landscape Management Plan to manage the landscaping on-site, to the satisfaction of the Certifier. The plan must describe the ongoing monitoring and maintenance measures to manage landscaping.	Landscape Maintenance Manual (12/9/2022)	Landscape Maintenance Manual was prepared prior to commencement of operation, however evidence could not be sourced to confirm this was to the satisfaction of the Certifier.	Non-Compliant (Proponent considers Compliant)	<p>Documentation provided and the Certifying Authority has closed this condition.</p> <p>No further action required.</p>	Closed.

Attachments

1. Attachment 1 – Independent Operational Audit Report No.1 (Audit No. 5) for SSD 10339

Project Website link:

<https://randwickcampusredevelopment.health.nsw.gov.au/projects/acute-services-building/integrated-acute-services-building-addition/ssd-10339-documentation>