

Proponent's Response to Audit Recommendations

Independent Environmental Audit 2, Health Translation Hub
Non-Compliances

Date Issued: 23/02/2024

FNIAL F1

NC#	Condition ID	Compliance Requirement	Independent Audit Finding (Summary)	Independent Audit Recommendation	Proponent's Proposed Action/Action taken/Response (as applicable)	Proposed Action Due Date
NC1	A29	Within three months of: (a) the submission of a compliance report under condition A32; (b) the submission of an incident report under condition A25; (c) the submission of an Independent Audit under condition C41 or C42; (d) the approval of any modification of the conditions of this consent; or (e) the issue of a direction of the Planning Secretary under condition A2 which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.	No correspondence has been provided to confirm submission of the notification of a review to DPE.	Prepare and implement a process to ensure that DPE is notified of a review within 3 months of: the submission of a Compliance Report, incident report or IEA; approval of a modification; or issue of a direction of the Planning Secretary.	Notification was made to the developer/applicant, who communicates on HY's behalf to the Planning Secretary. Due to a misunderstanding, the subsequent notification was not made to the Planning Secretary. Future notifications will be clearly marked "Request for Notification to Planning Secretary", and confirmation will be sought within 5 working days that the notification was made. This process will be implemented	15-Mar
NC2	B33	Prior to the commencement of construction, the Applicant must obtain agreement from Council for the design of the operational waste storage area (where waste removal will be undertaken by Council). Where waste removal will be undertaken by a third party, the design of the operational waste storage area must be in accordance with Council's standards. Evidence of the design and Council endorsement (where waste removal is undertaken by Council) must be	The Operational Waste Management Plan (OWMP0 and the design statements provided do not reference specific Randwick City Council (RCC) guidelines / standards or make provision for a separate and secure clinical waste storage area.	Review and revise the OWMP to so that the design of the operational waste storage area is in accordance with Council's standards. Note, the OWMP is also required to meet the requirements of Condition D27.	The OWMP will be revised to make specific reference to the presently noted construction requirements being in line with Randwick City Council's requirements	15-Mar
NC3	C3	Construction, including the delivery of materials to and from the site, may only be carried out between the following hours: (a) between 7am and 6pm, Mondays to Fridays inclusive; and (b) between 8am and 5pm, Saturdays. No work may be carried out on Sundays or public holidays.	Concreting works were extended outside the approved hours on one occasion due to earlier inclement weather and because Hansen Yuncken considered that the circumstances of Condition C4(b) had been triggered. However, the Auditor consider that Condition C4(b) circumstances were not triggered and construction activities should be planned considering foreseeable weather conditions as necessary. The Auditors acknowledge, as noted by Hansen Yuncken, that the decision was made to avoid structural inadequacies, as well as	Plan construction activities taking weather forecasts into consideration and adhere to the approved construction hours at all times in accordance with Conditions C3 to C6.	HY has planned and will continue to plan construction activities with due regard for weather forecasts. Unforeseen circumstances intervened in the instance noted by the Auditor.	--
NC4	C6	Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours: (a) 9am to 12pm, Monday to Friday; (b) 2pm to 5pm Monday to Friday; and (c) 9am to 12pm, Saturday.	An out of hours noise complaint has been recorded on the complaints register for 'rock breaking, hammering and similar works after 5pm on weekdays'. The response provided for the complaint recorded advised 'Workforce notified and ceased working that day.'	Ensure all work personnel understand the high noise level construction hours as specified in the consent condition.	Approved working hours for both general construction activities and rock-breaking etc. have been reiterated to the workforce on a daily basis since the incident. HY notes that no further complaints of this nature have been received in the six months since the	27-Feb
NC5	C9	The following hoarding requirements must be complied with: (a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; and (b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its	Graffiti was not successfully removed from hoarding within 48 hours of its application at one location on the site.	Ensure that all graffiti is successfully removed within 48 hours of its application by vandals. Consider recording the application of graffiti in the incident register as a means of tracking when it was applied and when its removal was actioned and successful	Any future graffiti will be removed within 48 hours, or patched/covered if chemical/abrasive cleaning is ineffective at removal (as for the previous instance). Graffiti on hoarding will be recorded in an	27-Feb
NC6	C24	Within three months of the commencement of construction, the Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Certifier. The system must: (a) be designed by a suitably qualified and experienced person(s); (b) be generally in accordance with the conceptual design in the EIS; (c) be in accordance with applicable Australian Standards; and (d) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook	Hansen Yuncken provided documentation previously submitted for Condition B32 requirements in the 1st IEA, which does not certify compliance with the requirements of Condition C24, particularly the stormwater management system capacity in Condition C24(d)	Prepare an operational stormwater management system that meets the requirements of Condition C24 and submit it to the satisfaction of the Certifier.	The project's operational stormwater management system has been designed, and in accordance with the noted requirements of the SSDA. The finalisation of the report on the design was overlooked during a changeover of personnel. It will now be completed and submitted accordingly.	15-Mar
NC7	C30	The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.	Bingo's Monthly Waste Report does not record the proposed reuse, recycling and disposal locations for the duration of construction. It is understood that the waste materials are sorted off-site before being transferred to the ultimate 'reuse, recycling and disposal' locations.	In addition to recording the quantities of each waste type generated, record and report the 'reuse, recycling and disposal' locations for the duration of construction.	Details of the waste contractor's range of available licensed disposal facilities were provided to the Auditor. It is noted that the audit recommendation is to record the specific disposal location for each bin. This information will be requested	15-Mar

Observations & Opportunities for Improvement

Condition ID	Compliance Requirement	Independent Audit Observation/Opportunity for Improvement (Summary)	Independent Audit Recommendation	Proponent's Proposed Action or reason to not implement measures / change	
A15	If the Planning Secretary agrees, a strategy, plan (including management plan, architectural or design plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	Hansen Yuncken did not seek to consult directly with the Sydney Light Rail Operator, Transdev, regarding the CTPMP Addendum.	Where a strategy, plan (including management plan, architectural or design plan), or program is updated, ensure that required consultation occurs unless the Department has agreed otherwise.	Noted. Required consultation will be undertaken where stipulated in the Conditions of Consent.	
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: (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;	Only the current project update was publicly available on the website at the time of the site visit. Similarly the Complaints Register is a single document and it does not appear to be updated on a monthly basis, as required.	Ensure all project updates (previous months and current) are maintained on the website. Update the Complaints Register on a monthly basis, even if there have been no complaints during the previous month.	As discussed in the previous audit, project updates are issued on a quarterly basis. The uploading of the complete history of the ongoing report documents was completed in the week after the audit. Images attached of current project website. This will be maintained in addition to all future uploads. The complaints register is updated on a monthly basis, even if no new complaints have been made. As a progressive register, the previous versions of the complaints register are superseded and unnecessary.	<div>plenary.com/project/health-translation-hub</div> <div>Noise Monitoring Reports<ul style="list-style-type: none">Noise Monitoring Report January 2024Noise Monitoring Report December 2023Noise Monitoring Report November 2023Noise Monitoring Report October 2023Noise Monitoring Report September 2023Noise Monitoring Report August 2023Vibration Monitoring Reports<ul style="list-style-type: none">Vibration Monitoring Report January 2024Vibration Monitoring Report December 2023Vibration Monitoring Report November 2023Vibration Monitoring Report October 2023Vibration Monitoring Report September 2023Vibration Monitoring Report August 2023</div> <div>plenary.com/project/health-translation-hub</div> <div>Project Updates<ul style="list-style-type: none">Project Update February 2024Project Update November 2023Project Update August 2023Contacts and feedback</div>
B4	Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with this development consent.	The structural drawings were checked and intialled by a practicing structural engineer but they were not signed.	For future CWCs, submit certified structural drawings that have been signed by a suitably qualified structural engineer to the Certifier.	Compliance certificate and list of applicable drawings was signed by a suitable qualified practising Structural Engineer, as an equivalent to signed each individual page. The Auditor's interpretation of the wording of	
B36	Prior to the commencement of any construction works associated with the Botany Street Pedestrian Bridge, appropriate arrangements are to be made to the satisfaction of Council (including arrangements in relation to stratum subdivision and any necessary arrangements) to enable the construction of the bridge.	RCC was satisfied with arrangements to enable the construction of the Botany Street Pedestrian Bridge, subject to a number of requirements and comments.	Ensure RCC's requirements and comments are addressed to the satisfaction of RCC prior to the construction of the bridge.	RCC's requirements and comments have all been closed out.	
C5	Notification of such construction activities as referenced in condition C4 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.	The notification of the delivery and erection of Tower Crane 1 did not indicate that work would be conducted out of hours. However, the notification of the second tower crane delivery and erection did refer to out of hours work.	Ensure that notifications for out of hours work clearly indicate when the work involves out of hours work, as applicable.	Noted. All future notifications for out-of-hours work will indicate when the work involves out-of-hours work.	
C7	The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP, CTPMP, CNVMP, CWMP, CSWMP, AHMP and FERP.	During the site visit the Auditors observed a number of empty chemical containers stored outside bunded areas or an appropriate waste bin.	Ensure all chemical containers are stored within dedicated chemical storage areas or in an appropriate and segregated waste bin for disposal as a trackable waste in accordance with Part 4 of the Protection of the Environment Operations (Hazardous Waste) Regulation 2006.	Noted. This is checked during regular Health, Safety & Environment site inspections by our site management team.	
C11	Construction must be undertaken in accordance with 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 data was reported as "1d averages", which is not in accordance with the CNVMP, where noise levels and construction Noise Management Levels (NMLs) are based on L _{Aeq,15min} noise levels. Noise monitoring data indicated that the noise levels were less than the Highly Noise Affected NML of 75 dB(A) but appeared to exceed the Noise Affected NML for NCA 4 (R3 Residential) of 57 dB(A) most of the time during working hours although it is difficult to assess accurately due to the resolution and scale of the trends (1 graph per month). Noise monitoring data was unavailable from about the 02-27/11/23 that Hansen Yuncken advised was due to a power supply failure to the monitor.	Provide noise monitoring data that reports LAeq,15min noise levels in accordance with the CNVMP and compare the noise monitoring data to both the Noise Affected NML and the Highly Noise Affected NML. The trends should be provided with sufficient resolution (e.g. 1 week per trend) and a regular Y axis scale (e.g. 5 dB(A) intervals) to readily discern the noise level performance relative to the NMLs and show when additional mitigation respite periods are implemented, as appropriate. Implement additional mitigations measures, as recommended in the CNVMP (e.g. acoustic screening and respite periods) for noisier activities where feasible and reasonable. Implement an improved process to regularly check	Noted. The required information was submitted to the Auditor in HY-GCOR-010487 (19/02/24). Noise monitoring data will continue to be reported in the requested format. Additional acoustic initiation measures will be implemented if they are found to be necessary. The interruption to monitoring was not detected as our contractor's nominated recipient for notifications of service interruptions had left the company without updating those details. While HY receives	
C28	All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).	The Bingo Industries, Monthly Waste Report, listed "Recyclable Soil / Sand / Rubble Fines", which is inconsistent with the <i>in situ</i> waste classifications for General Solid Waste (Non-putrescible) and VENM. The fill /soil that was classified as General Solid Waste (Non-putrescible), some which contained plastic, glass and textile material,	Segregate soil/sand/rubble/fill classified as General Solid Waste (Non-putrescible) from recyclable materials such as VENM. Ensure that the VENM waste stream is referred to as VENM in the Bingo reports to distinguish it from General Solid Waste (Non-	Noted. This detail will be requested from the waste contractor on future monthly waste reports.	