

STRATEGY > DEFINITION > DELIVERY > TRANSITION

BIORESOURCES FACILITY

Construction Compliance Report 2



Prepared for: University of Newcastle
SSD Application No: SSD 8937
July 2020

Version Control

Application Number of the Project: SSD 8937

Amendment Record

Revision	Description / Details	Date
1	Upload to Capture	December 2019

Distribution

This Project Plan Is Prepared For Distribution to:

Copy No	Name / Location	Position	Organisation
1	David Gibson	Team Leader – Social Infrastructure Assessments	Department of Planning Industry and Environment
2	Heidi Watters	Team Leader Northern Compliance, Planning & Assessments	Department of Planning Industry and Environment
3	Damian Burke	Associate Director	IFS - University of Newcastle

Authorisation Record

Prepared by Project Manager	Jade Moss (APP Corporation Pty Ltd)	<i>JMoss</i>	July, 2020
	<i>Name</i>	<i>Signature</i>	<i>Date</i>
Review by Project Director (Principal Authorised Person)	David Espert (APP Corporation Pty Ltd)	<i>[Signature]</i>	July, 2020
	<i>Name</i>	<i>Signature</i>	<i>Date</i>
Approval by Principal – University of Newcastle	Damian Burke (IFS UON)		
	<i>Name</i>	<i>Signature</i>	<i>Date</i>

Only the Principal - University of Newcastle is authorised to approve amendments to this plan. The APP **Project Manager** is responsible for control, maintenance and issue of this plan, for disposal of any superseded documentation, and for informing other project participants of changes to the project plan in accordance with the Department of Planning Industry and Environment Compliance Reporting Post Approval Requirements.

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1. Executive Summary

This report has been developed in order to satisfy the conditions of the NSW Government Department of Planning and Environment (2018) Compliance Reporting Post Approval Requirements that apply to the State significant development, Bioresources Facility at the Callaghan Campus, University of Newcastle.

This document has been developed to satisfy requirements of development consent condition C46. of the State Significant Development Application SSD 8937 requiring that a Construction Compliance Report is prepared and submitted in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).

2. Introduction

2.1 Project Name and project application number

Development of new Bioresources Facility – University of Newcastle

2.2 Project Address

The University of Newcastle, Callaghan Campus (Part Lot1 DP 1188100)

2.3 Project Phase

Construction

2.4 Compliance reporting period

This is the second Construction Compliance Report on the project which covers the construction period from January 2020 – June 2020.

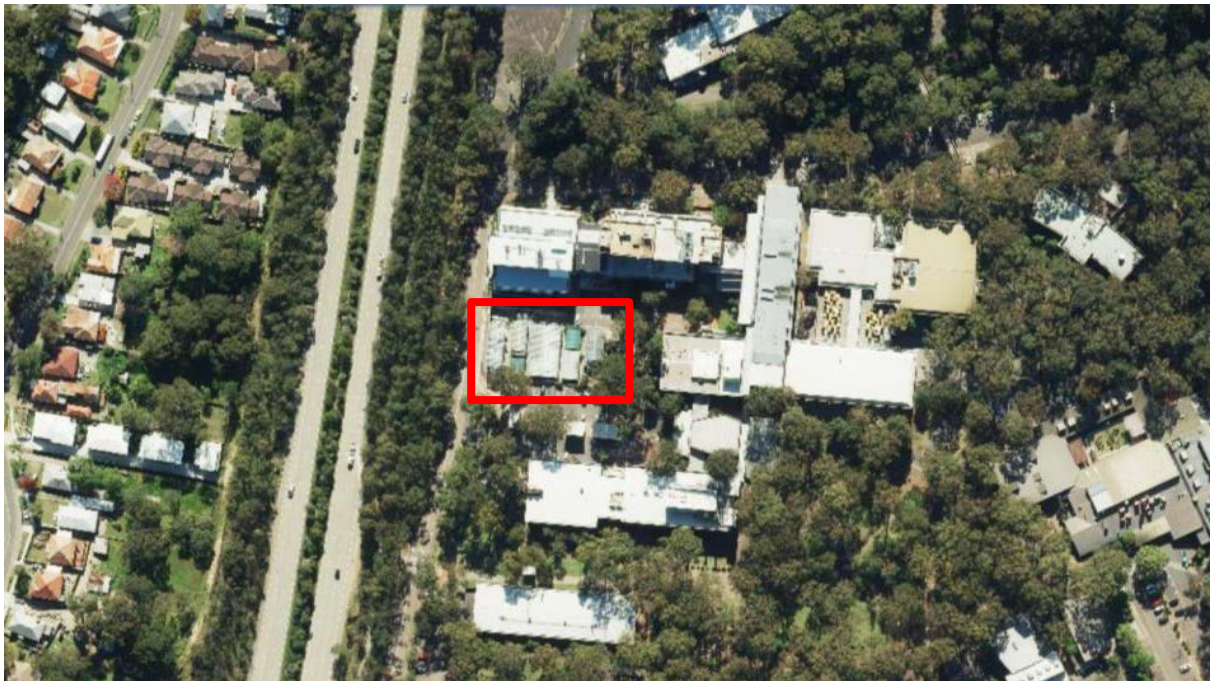
2.5 Project activity summary

A summary of project activities that occurred during the reporting period:

- Structure complete and formwork stripped
- Internal high level rough ins on GF and Level 1
- Internal walls on GF and Level 1 with service wall rough ins completed
- Ceiling framing and linings complete
- Level 2 Plantroom roof steel and roofing complete
- Speed panel external walls and louvre installation
- Installation of major services plant on Level 2
- Service Pavilion slab and structural steel complete
- Lift installations
- Wet Areas completed
- Final fit off and painting
- Installation of joinery and FF&E
- Power on MSB and DB installations
- Water Main reticulation and connection

2.6 Project Footprint

The below figure outlines the extent of the project footprint.



2.7 Key project personnel

Details of the key personnel who are responsible for the environmental management of the development:

Name	Organisation	Position
Bear Melvey	Richard Crookes Construction – Principal Contractor	Senior Project Manager
Rhys Maybury	Richard Crookes Construction – Principal Contractor	Project Engineer

3. Compliance status descriptors

The following descriptors were used to record the status of each compliance requirement

Status	Description
Compliant	The proponent has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with.

Status	Description
Non-compliant	The proponent has identified a non-compliance with one or more elements of the requirement.
Not triggered	A requirement has an activation or timing trigger that has not been met at the phase of the development when the compliance assessment is undertaken, therefore an assessment of compliance is not relevant

4. Total number of non-compliances

Status	Findings
Compliant	86
Non-compliant	2
Not triggered	22

5. Non-compliances

Refer to Appendix A for any non-compliances identified during the reporting period including;

1. Relevant Compliance requirement and its ID
2. Details of the non-compliance, the date it occurred and the detail it was identified
3. The proponent’s response that have been, or are proposed to be, taken to address the non-compliance, including details of timing for undertaking such actions

Below table summarises the non-compliances for this reporting period.

Condition No.	Findings	Recommendation
A2	Based on the number of non-compliant items the project is non-compliant to the requirement of A2 (a)	Ensure that all the non-compliances raised are addressed in accordance with the conditions of consent and IAPAR Document 2018.
B41	The Department had not been notified in writing that a review of the strategies, plans and programs had been undertaken following previous audit and submission of the compliance report.	Ensure that documentation is reviewed in accordance with the requirements of C41 and that the Department is notified of the review.

6. Previous Report actions

The below table summarises the previous report actions and close out.

Condition No.	Findings	Recommendation and Actions
A2	Based on the number of non-compliant items the project is non-compliant to the requirement of A2 (a)	<p>Ensure that all the non-compliances raised are addressed in accordance with the conditions of consent and IAPAR Document 2018.</p> <p>18/06/2020 – Evidence provided to show that previous non-compliances had been actioned.</p> <p>Closed</p>
A21	Website had not been maintained to ensure that all current information and documents are available on the website	<p>Ensure that documents are uploaded and available on the project website in accordance with Condition A21.</p> <p>Documentation was available on the project website. Closed</p>

Condition No.	Findings	Recommendation and Actions
B31	The initial Construction Compliance Report had not been submitted within the agreed timeframe.	<p>Compliance reports should be submitted in accordance with the Compliance Reporting – Post Approval Requirements, June 2018 or timeframes as agreed with DPI&E.</p> <p>Compliance report submitted 16 January 2020. Closed</p>
B20	While waste segregation practices had been implemented and a waste contractor engaged to segregate waste offsite, signs had not been provided for all waste containers identifying the type of waste to be disposed of in each container.	<p>Waste signs should be displayed to show what types of waste can be disposed of in waste bins.</p> <p>Waste was collected in bins and segregated offsite, hence signs for segregating waste not required. Closed</p>

7. Incidents

No incidents have been reported. Refer to Appendix B for Incidents Register

8. Complaints

One complaint has been received during the reporting period.

Refer to Appendix C for Complaints Register

9. Compliance Table

Please refer to Appendix A for SSD State Significant Development Application SSD 8937 construction compliance reporting table for full details of compliance with consent conditions for reporting period between January 2020 – June 2020.

10. Compliance Report Declaration

Please refer to Appendix D for Compliance Report Declaration Form.



Appendix A. Construction Compliance Reporting Table

Item	Description	Responsibility		Monitoring Methodology	Evidence/ Notes	Resolution / Action Date	Compliance Status																																																																																																																				
		Principal	Contractor																																																																																																																								
PART A - ADMINISTRATIVE CONDITIONS																																																																																																																											
Obligation to Minimise Harm to the Environment																																																																																																																											
A1.	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.		X	N/A	N/A	N/A	Compliant																																																																																																																				
Terms of Consent																																																																																																																											
A2.	<p>The development may only be carried out:</p> <p>(a) in compliance with the conditions of this consent;</p> <p>(b) in accordance with all written directions of the Planning Secretary;</p> <p>(c) generally in accordance with the EIS as amended by the Response to Submissions and Supplementary Response to Submissions;</p> <p>(d) in accordance with the management and mitigation measures; and</p> <p>(e) in accordance with the approved plans in the table below:</p> <table border="1"> <thead> <tr> <th colspan="4">Architectural Drawings prepared by Denton Corker Marshall</th> </tr> <tr> <th>Dwg No.</th> <th>Rev</th> <th>Name of Plan</th> <th>Date</th> </tr> </thead> <tbody> <tr><td>A01_0100</td><td>D3</td><td>SITE PLAN</td><td>07.09.2018</td></tr> <tr><td>A03_0000</td><td>T2</td><td>DEMOLITION PLAN</td><td>04.02.2019</td></tr> <tr><td>SK10_0000</td><td>-</td><td>GROUND FLOOR PLAN</td><td>15.02.2018</td></tr> <tr><td>SK10_0100</td><td>-</td><td>FIRST FLOOR PLAN</td><td>15.02.2018</td></tr> <tr><td>A10_0500</td><td>D3</td><td>ROOF LEVEL - OVERALL PLAN</td><td>07.09.2018</td></tr> <tr><td>A11_0000</td><td>T1</td><td>GA ELEVATIONS - NORTH</td><td>25.10.2018</td></tr> <tr><td>A11_0001</td><td>T1</td><td>GA ELEVATIONS - SOUTH</td><td>25.10.2018</td></tr> <tr><td>A11_0002</td><td>T1</td><td>GA ELEVATIONS - EAST</td><td>25.10.2018</td></tr> <tr><td>A11_0003</td><td>T1</td><td>GA ELEVATIONS - WEST</td><td>25.10.2018</td></tr> <tr><td>A12_0001</td><td>T1</td><td>GA SECTIONS - SHEET 1</td><td>25.10.2018</td></tr> <tr><td>A12_0002</td><td>T1</td><td>GA SECTIONS - SHEET 2</td><td>25.10.2018</td></tr> <tr><td>A12_0003</td><td>T1</td><td>GA SECTIONS - SHEET 3</td><td>25.10.2018</td></tr> <tr><td>A12_0004</td><td>T1</td><td>GA SECTIONS - SHEET 4</td><td>25.10.2018</td></tr> <tr><td>A13_0300</td><td>A</td><td>FAÇADE TYPES SHEET 03</td><td>31.01.2018</td></tr> <tr><td>-</td><td>-</td><td>DESIGN PRINCIPLES - EXTERNAL MATERIAL SCHEDULE</td><td>undated</td></tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="4">Landscape Drawings prepared by Denton Corker Marshall and Landerche</th> </tr> <tr> <th>Dwg No.</th> <th>Rev</th> <th>Name of Plan</th> <th>Date</th> </tr> </thead> <tbody> <tr><td>A04_0000</td><td>T3</td><td>LANDSCAPE OVERALL PLAN</td><td>29.11.2018</td></tr> <tr><td>ASC_0002</td><td>T2</td><td>LANDSCAPE MATERIALS SCHEDULE</td><td>29.11.2018</td></tr> <tr><td>SK_201811_29_YC01</td><td>P01</td><td>LANDSCAPE CROSS SECTION - WEST</td><td>20.11.2018</td></tr> <tr><td>SK_201811_29_YC02</td><td>P01</td><td>LANDSCAPE CROSS SECTION - NORTH</td><td>20.11.2018</td></tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="4">Civil and Stormwater Management Plans prepared by Northrop</th> </tr> <tr> <th>Dwg No.</th> <th>Rev</th> <th>Name of Plan</th> <th>Date</th> </tr> </thead> <tbody> <tr><td>C10</td><td>1</td><td>EROSION AND SEDIMENT CONTROL PLAN</td><td>23.05.18</td></tr> <tr><td>C11</td><td>1</td><td>EROSION AND SEDIMENT CONTROL DETAILS</td><td>23.05.18</td></tr> <tr><td>CCC-C3.0</td><td>1</td><td>BULK EARTHWORKS PLAN</td><td>18.07.18</td></tr> <tr><td>C20</td><td>1</td><td>CONCEPT STORMWATER MANAGEMENT PLAN</td><td>23.05.18</td></tr> </tbody> </table>	Architectural Drawings prepared by Denton Corker Marshall				Dwg No.	Rev	Name of Plan	Date	A01_0100	D3	SITE PLAN	07.09.2018	A03_0000	T2	DEMOLITION PLAN	04.02.2019	SK10_0000	-	GROUND FLOOR PLAN	15.02.2018	SK10_0100	-	FIRST FLOOR PLAN	15.02.2018	A10_0500	D3	ROOF LEVEL - OVERALL PLAN	07.09.2018	A11_0000	T1	GA ELEVATIONS - NORTH	25.10.2018	A11_0001	T1	GA ELEVATIONS - SOUTH	25.10.2018	A11_0002	T1	GA ELEVATIONS - EAST	25.10.2018	A11_0003	T1	GA ELEVATIONS - WEST	25.10.2018	A12_0001	T1	GA SECTIONS - SHEET 1	25.10.2018	A12_0002	T1	GA SECTIONS - SHEET 2	25.10.2018	A12_0003	T1	GA SECTIONS - SHEET 3	25.10.2018	A12_0004	T1	GA SECTIONS - SHEET 4	25.10.2018	A13_0300	A	FAÇADE TYPES SHEET 03	31.01.2018	-	-	DESIGN PRINCIPLES - EXTERNAL MATERIAL SCHEDULE	undated	Landscape Drawings prepared by Denton Corker Marshall and Landerche				Dwg No.	Rev	Name of Plan	Date	A04_0000	T3	LANDSCAPE OVERALL PLAN	29.11.2018	ASC_0002	T2	LANDSCAPE MATERIALS SCHEDULE	29.11.2018	SK_201811_29_YC01	P01	LANDSCAPE CROSS SECTION - WEST	20.11.2018	SK_201811_29_YC02	P01	LANDSCAPE CROSS SECTION - NORTH	20.11.2018	Civil and Stormwater Management Plans prepared by Northrop				Dwg No.	Rev	Name of Plan	Date	C10	1	EROSION AND SEDIMENT CONTROL PLAN	23.05.18	C11	1	EROSION AND SEDIMENT CONTROL DETAILS	23.05.18	CCC-C3.0	1	BULK EARTHWORKS PLAN	18.07.18	C20	1	CONCEPT STORMWATER MANAGEMENT PLAN	23.05.18		X	N/A	One non-compliance was identified during this audit. (a) No written directions have been issued by the Planning Secretary. Project has been carried out generally in accordance with the EIS and the management and mitigation measures and approved plans. No environmental incidents or non-compliances have been raised	Ensure that all non-compliances raised are addressed in accordance with the conditions of consent and IAPAR Document 2018.	Non-compliant
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A3.	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in (a) above.	X	X	Review and coordinate written directions Planning Secretary with the relevant project parties.	No written directions have been issued by the Planning Secretary.	N/A	Not Triggered																																																																																																																				
A4.	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.		X	Review and coordinate written directions Planning Secretary with the relevant project parties.	No inconsistency, ambiguity or conflict has been identified.	N/A	Not Triggered																																																																																																																				
Limits of Consent																																																																																																																											
A5.	This consent lapses five years after the date from which it operates, unless the works associated with the development have physically commenced.		X	As per consent condition	Construction commenced associated with CC1 on 13 May 2019 – Verified previously by independent auditor	N/A	Compliant																																																																																																																				
A6.	This consent does not include approval of signage. Separate approval must be obtained for any signs which do not meet exempt development provisions.		X	As per consent condition	No signs installed which required development consent	N/A	Not Triggered																																																																																																																				
Prescribed Conditions																																																																																																																											
A7.	The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.		X	As per consent condition	Design certificates provides stating compliance with BCA requirements (e.g. Crown BCA Certificate 19-030-CR4). Principal contractor and principal certifier signage has been displayed at entry to the site. Building and Structures reported to be designed in accordance with BCA requirements.	N/A	Compliant																																																																																																																				
Planning Secretary as Moderator																																																																																																																											
A8.	In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.			As per consent condition	No disputes have arisen with public authorities		Not Triggered																																																																																																																				
Long Service Levy																																																																																																																											
A9.	For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.		X	Contractor shall provide receipt evidencing payment of LSL.	LSL Receipt No. 00379177 dated 6 May 2019 Submitted to Principal	N/A	Compliant																																																																																																																				
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A10.	Any advice or notice to the consent authority must be served on the Planning Secretary.		X	If received legal notices are to be submitted to Planning Secretary	Notice of commencement issued to DPIE Evidence of PCA submission of Crown Certificate submissions to DPIE as follows: - CC1 - Newcrest letter dated 7/6/19 - CC2 - Newcrest letter dated 16/7/19 - CC3 - Newcrest letter dated 8/10/19 - CC4 - Newcrest letter dated 17/12/19	N/A	Compliant
Evidence of Consultation							
A11.	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary or Certifying Authority for information or approval; and (b) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.		X	As per consent condition	RCC have issued updated Version of the following management documentation: - Construction Soil and Water Management Plan - Noise and Vibration Management Plan These documents were issued to both DPIE and PCA from the Contractor via email on 14th Nov 2019. Independent Auditor received and confirmed evidence of consultation included.	N/A	Compliant
Staging, Combining and Updating Strategies, Plans or Programs							
A12.	With the approval of the Planning Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and (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).		X	As per consent condition	DPIE (Heidi Watters) have advised via telephone on 14th Nov 19 that staging is not applicable to RCC approach of providing staged Crown Certificates. No request for staging of the project has been submitted.	N/A	Not Triggered
A13.	If the Planning Secretary agrees, a strategy, 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.		X	As per consent condition	As above. Approval has not been requested or provided by the Planning Secretary for staged preparation and submission of ant strategy, plan or program	N/A	Not Triggered
A14.	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.		X	As per consent condition	As above. Approval has not been requested or provided by the Planning Secretary for staged preparation and submission of ant strategy, plan or program	N/A	Not Triggered
Structural Adequacy							
A15.	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with: (a) the relevant requirements of the BCA; (b) any additional requirements of the Subsidence Advisory NSW where the building or structure is located on land within a declared Mine Subsidence District. Notes: - Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. - Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.		X	As per consent condition	PCA has signed off to verify compliance with BCA. All Crown Certificates (CC1 -4) have been provided by the PCA for the construction of the Bioresources Facility. CC received on the following dates; - CC1 (Bulk execution): 7th June 19 - CC2 (in-ground services & in-ground structure including round floor slab & site retaining wall): 16th July 19 - CC3 (structure above ground floor slab): 8th October 2019 - CC4 (remaining works including fit out, services, building envelope & external works): 17th December 2019.	N/A	Compliant
External Walls and Cladding							
A16.	The external walls of all buildings including additions to existing building must comply with the relevant requirements of the BCA.		X	Contractor to provide documentary evidence of compliance with requirements of the BCA once the installation of the external walls are completed .	CC4 issued to DPIE on 17th December 2019 includes design certification for the building designs.	N/A	Compliant
Bush Fire Protection							
A17.	Water, electricity and gas are to comply with sections 4.1.3 of Planning for Bush Fire Protection 2006.		X	Contractor to provide documentary evidence of compliance	Contractor provided the following design certification as part of CC4 submission to DPIE on 17th December 2019; - Electrical Works design certification dated 11/12/19 - Hydraulic Services - Statement of Design compliance dated 12/10/19 Bush Fire Threat Assessment Completed by Anderson Environment and Planning. Not in a bush fire zone. Recommendations provided which were reported to be incorporated into the design documentation.	N/A	Compliant
Applicability of Guidelines							
A18.	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.		X	As per consent condition	Construction has been conducted in accordance with guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	N/A	Compliant
A19.	Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.		X	Review and coordinate written directions Planning Secretary with the relevant project parties.	No directions have been issued by the Planning Secretary.	N/A	Not Triggered
Monitoring and Environmental Audits							

A20.	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification and independent environmental auditing. Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development. Note: Principal to coordinate Independent Environmental Audits in accordance with C43-C48. Any monitoring or auditing requirements outside of the Clauses C43.-C48. will be the responsibility of the Contractor.	X	X	Principal to engage independent environmental audit to fulfil the requirements set out in consent condition C43 and C48. Principal to complete Compliance Mentoring Post Approval Requirements as per DPE (2018)	Independent Auditor Team approved by DPIE. Letter titled Request for agreement of Independent Auditor received 30/5/2019 signed by Leah Cook (DPIE). Environmental audit conducted in accordance with conditions of consent. Noise and vibration monitoring conducted by specialist consultant	N/A	Compliant
Access to Information							
A21.	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; (ix) audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report; (x) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.	X	X	As per consent condition	See link below: https://www.newcastle.edu.au/current-staff/working-here/our-work-environment/current-projects/bioresources-facility/planning . Includes development consent approved drawings; Development Consent Management plans (EMP, CEMP, CPTMP, NVMP, CWMP, and SWMP). Monitoring – Bioresources Facility Pre-construction Compliance Report 0919 available.	N/A	Compliant
Compliance							
A22.	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.		X	Contractor to provide documentary evidence of compliance.	Environmental requirements for the project were included in site inductions and included as part of steh Contractor's subcontract contracts.	N/A	Compliant
ADVISORY NOTES							
A23	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.		X	Contractor to provide documentary evidence of compliance	Applicable Development Approval obtained. Traffic Control Plans developed and approved by RMS registered subcontractor	N/A	Compliant
PART B - PRIOR TO COMMENCEMENT OF CONSTRUCTION							
Notification of Commencement							
B1.	The Department must be notified to the Department in writing of the dates of commencement of physical work and operation at least 48 hours before those dates. If the construction 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.		X	Contractor to provide the Department and Certifying Authority written notification of the dates of commencement of physical works at least 48 hours before those works.	Notification of commencement issued to DPIE david.gibson@planning.nsw.gov.au on 7th May 2019. Issued to Certifying Authority 7th May to antony@newcert.com.au. Commencement of construction reported to be 13th of May however this was for preliminary works not part of the SSD consent (i.e. works conducted under separate REF) Works under this DA consent condition did not commence till receipt of Crown Certificate (CC1) dated & issued on 7th June 19. Contractor provided DPIE notification of commencement associated with the following CC works: - CC1 (Bulk execution): Dated 7th June 19 - CC2 (in-ground services & in-ground structure including round floor slab & site retaining wall): Notified DPIE on 2nd July 19 - CC3 (structure above ground floor slab): Notified DPIE on 8th Oct 19 - CC4 (remaining works including fit out, services, building envelope & external works): 17th December 2019.	N/A	Compliant
Certified Drawings							
B2.	Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifying Authority structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with: (a) the relevant clauses of the BCA; and (b) this development consent.		X	Contractor to provide structural drawings and certification by structural engineer that demonstrates compliance with relevant clauses of the BCA and this development consent.	Contractor submitted the following Crown Certificates to DPIE associated with structural drawings and certification to demonstrate compliance with BCA and development consent B2: - CC2 (in-ground services & in-ground structure including round floor slab & site retaining wall): Notified DPIE on 2nd July 19 - CC3 (structure above ground floor slab): Notified DPIE on 8th Oct 19	N/A	Compliant
External Walls and Cladding							
B3.	Prior to the commencement of construction, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA. The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.		X	Contractor to provide documentary evidence of compliance.	Contractor submitted Materials schedule detailing the products and systems proposed for use construction of external walls including finishes and claddings. This formed part of the PCA Crown Certificate (CC) 4 determination. CC4 issued to DPIE on 17th December 2019	N/A	Compliant
Design Modification - Landscape							

B4.	Prior to the commencement of construction, the Applicant must revise the landscape plan to: (a) incorporate three additional trees within the northern and/or western setback, being locally indigenous canopy trees with a mature height of at least 12 metres and a minimum pot size at least 200L at installation; (b) incorporate two additional trees consistent in species, size and location as detailed in condition B4(a) above should tree numbers 31 and 32 be required to be removed as a consequence of the detailed design of the adjacent access path and first floor entry ramp (respectively); and (c) ensure compliance with Planning for Bushfire Protection 2006. The revised landscape plan must be submitted to the satisfaction of the Certifying Authority and submitted to the Planning Secretary for information.		X	Contractor to provide documentary evidence of compliance	As part of CC4, the Contractor submitted the revised land Plan and Material schedule with amendments to accommodate the additional trees in response to DA consent B4. Revised Landscape Plan prepared (Drawing No A04_000), Rev C2, 16/12/19. Submitted to certifying authority as part of BCA Crown Certificate 19-030-CR4. Construction Certificate CC-4 issued to Department of Planning 17/12/19.	N/A	Compliant
Protection of Public Infrastructure							
B5.	Before the commencement of construction, the Applicant must: (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and		X	Contractor to prepare and provide a dilapidation report and submit a copy to PCA and council in accordance within B5.	Pre-Construction Dilapidation report dated 24/4/19 developed by Northrop Engineers. Email issued to antony@newcert.com.au and Newcastle City Council officemail@ncc.nsw.gov.au 29/4/19	N/A	Compliant
Utilities and Services							
B6.	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.		X	Contractor to provide documentary evidence of compliance from relevant service providers	Section 50 Certificate obtained from Hunter Water 10/7/19. Email sighted from University of Newcastle Infrastructure and Facility Services Resources Division stating satisfactory arrangements for supply of water and electricity.	N/A	Compliant
B7.	Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.		X	Contractor to provide documentary evidence of compliance.	UoN are private network with supply authority agreements. IFS asset Engineer provided written advice (email dated 9th Dec 19) advising satisfactory arrangements have been made to ensure provisions of adequate services. This formed part of CC4.	N/A	Compliant
Community Communication Strategy							
B8.	A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction.	X		Principal to provide Project specific Community Communication Strategy for submission to DPIE	Bioresources Facility Communication Plan v7- April 2019. Sent to DPE on 17/4/19 via email. Response to DPIE comments received on 6/5/19 and updated communications strategy issued to DPIE to Teresa.Gizzi@planning.nsw.gov.au	N/A	Compliant
B9.	The Community Communication Strategy must: (a) identify people to be consulted during the design and construction phases; (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development; (c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development; and (d) set out procedures and mechanisms: (i) through which the community can discuss or provide feedback to the Applicant; (ii) through which the Applicant will respond to enquiries or feedback from the community; and (iii) to resolve any issues and mediate any disputes that may arise in relation to construction; and operation of the development, including disputes regarding rectification or compensation.		X	Principal to provide Project specific Community Communication Strategy for submission to DPIE	Bioresources Facility Communication Plan v7- April 2019. Sent to DPE on 17/4/19 via email. Response to DPIE comments received on 6/5/19 and updated communications strategy issued to DPIE to Teresa.Gizzi@planning.nsw.gov.au	N/A	Compliant
B10.	The Community Communications Strategy must be submitted to the Planning Secretary for approval no later than one month before the commencement of any work.	X		Principal to submit Project specific Community Communication Strategy to DPIE 1 month prior to commencement of works	Bioresources Facility Communication Plan v7- April 2019. Sent to DPE on 17/4/19 via email. Response to DPIE comments received on 6/5/19 and updated communications strategy issued to DPIE to Teresa.Gizzi@planning.nsw.gov.au	N/A	Compliant
B11.	Work for the purposes of the development must not commence until the Community Communication Strategy has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.		X	Principal to provide documentary evidence of compliance	Bioresources Facility Communication Plan v7- April 2019. Sent to DPE on 17/4/19 via email. Response to DPIE comments received on 6/5/19 and updated communications strategy issued to DPIE to Teresa.Gizzi@planning.nsw.gov.au	N/A	Compliant
Ecologically Sustainable Development							
B12.	Within six months of commencement of construction, the Applicant must register for a minimum 4 star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifying Authority, unless otherwise agreed by the Planning Secretary.		X	The Principal requested the DPE approval to utilise the Universities' ESD Guidelines Tool to meet the minimum requirements equivalent to 4 star Green Star rating. This will be verified through the engagement of an independent ESD consultant (WSP) to provide independent audit of the ESD initiatives in the project to confirm that design is equivalent with a minimum 4 Star Green Star rating.	Exemption for B12 granted by DPE on the 17/05/2019. Letter titled Conditions B12 and E14 Ecological Sustainable Development for Bioresources Facility, signed 17/05/2019 Karen Harragon, Director, Social and Other Infrastructure Assessments.	N/A	Compliant
Outdoor Lighting							
B13.	Prior to commencement of building works, all outdoor lighting within the Subject 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.		X	Contractor to provide the certifying authority certification that designs for the outdoor lighting within the site will be compliant to the standards referenced in B13 consent conditions.	Contractor provided Certificate of Design - Electrical Works included in CC4 confirming with AS 1158.3.1:2005 (Category P) lighting and AS/NZ 4282-1997 Submitted to certifying authority as part of BCA Crown Certificate 19-030-CR4.	N/A	Compliant
Access for People with Disabilities							
B14.	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 any work, 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.		X	Contractor to provide the certifying authority evidence of compliance with the conditions from an appropriately qualified person in accordance with B14 consent conditions.	Contractor provided Disabled Access & Egress - Design Statement prepared by Iaccess Consultants. This was included in CC4 issued to DPIE on 17th Dec 19	N/A	Compliant
Environmental Management Plan Requirements							

B15.	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) details of:</p> <p>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p> <p>(ii) any relevant limits or performance measures and criteria; and</p> <p>(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;</p> <p>(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;</p> <p>(d) a program to monitor and report on the:</p> <p>(i) impacts and environmental performance of the development;</p> <p>(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;</p> <p>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <p>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</p> <p>(ii) complaint;</p> <p>(iii) failure to comply with statutory requirements; and</p> <p>(h) a protocol for periodic review of the plan.</p> <p>Note: the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</p>		X	Contractor to provide management plans in accordance with B15 requirements	Contractor submitted updated management plans to address the Independent Auditor comments and B15 requirements. The following revised Management Plans were resubmitted on 14th Nov 19: - Noise & Vibration Management Plan - Soil & Water Management Plan - Construction Environmental Management Plan - Stormwater Management Design	N/A	Compliant
Construction Environmental Management Plan							
B16.	<p>Prior to the commencement of construction the Applicant must prepare a Construction Environmental Management Plan (CEMP) and it must include, but not be limited to, the following:</p> <p>(a) Details of:</p> <p>(i) hours of work;</p> <p>(ii) 24-hour contact details of site manager;</p> <p>(iii) management of dust and odour to protect the amenity of the neighbourhood;</p> <p>(iv) stormwater control and discharge;</p> <p>(v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject site;</p> <p>(vi) groundwater management plan including measures to prevent groundwater contamination;</p> <p>(vii) external lighting in compliance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting;</p> <p>(viii) community consultation and complaints handling</p> <p>(b) Construction Traffic and Pedestrian Management Sub-plan (see Condition B19);</p> <p>(c) Construction Noise and Vibration Management Sub-plan (see Condition B20);</p> <p>(d) Construction Waste Management Sub-plan (see Condition B21);</p> <p>(e) Construction Soil and Water Management Sub-plan (see Condition B22);</p> <p>(f) an unexpected finds protocol for contamination, Aboriginal and non-Aboriginal heritage and associated communications procedure; and</p> <p>(g) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site.</p>		X	Contractor to provide Construction Environmental Management Plan (CEMP) in accordance with consent condition B16.	Contractor submitted updated Environmental management plan to capture communication consultation in accordance with B16 consent. A copy issued to Issued to both the Certifying Authority and DPIE via email on 14th Nov 19.	N/A	Compliant
B17.	The Applicant must not commence construction of the development until the CEMP is approved by the Certifying Authority and submitted to the Planning Secretary.		X	Contractor to provide documentary evidence of the Certifying Authority approval of the CEMP.	Email issued to DPIE teresa.gizzi@planning.nsw.gov.au on 2nd of May 2019. Certifying Authority approved 1st of May by antony@newcert.com.au .	N/A	Compliant
B18.	<p>The Construction Traffic and Pedestrian Management Sub-plan must address, but not be limited to, the following:</p> <p>(a) be prepared by a suitably qualified and experienced person(s);</p> <p>(b) be prepared in consultation with Council and RMS;</p> <p>(c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services;</p> <p>(d) detail heavy vehicle routes, access and parking arrangements;</p> <p>(e) include a Driver Code of Conduct to:</p> <p>(i) minimise the impacts of earthworks and construction on the local and regional road network;</p> <p>(ii) minimise conflicts with other road users;</p> <p>(iii) minimise road traffic noise; and</p> <p>(iv) ensure truck drivers use specified routes;</p> <p>(f) include a program to monitor the effectiveness of these measures; and</p> <p>(g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.</p>		X	Contractor to provide Construction Traffic and Pedestrian Management Sub-plan in accordance with consent condition B18	Construction Pedestrian & Traffic Management Plan dated 4th of May developed by Seca Solutions. Submitted to RMS/ NCC via email dated 10th of May 2019.	N/A	Compliant.


B19.	The Construction Noise and Vibration Management Sub-plan must address, but not be limited to, the following: (a) be prepared by a suitably qualified and experienced noise expert; (b) incorporate recommendations of the Noise and Vibration Impact Assessment dated August 2018 and prepared by Muller Acoustic Consulting (c) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009); (d) outline how noise and vibration impacts would be monitored during construction (e) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers; (f) include strategies that have been developed with the community for managing high noise generating works; and (g) describe the community consultation undertaken to develop the strategies; and (h) include a complaints management system that would be implemented for the duration of the construction.		X	Contractor to provide Construction Noise and Vibration Management Sub-plan in accordance with consent condition B19	Contractor submitted updated Construction Noise & Vibration Management Plan to capture communication consultation in accordance with B19 consent. A copy issued to both the Certifying Authority and DPIE via email on 14th Nov 19. a. Prepared by Muller Acoustic Consulting, AC190862NMP1V2 25 July 2019. b. Verified c. Section 5 – Noise mitigation of construction activities. 5.1 Noise Management Recommendations d. 5.4 – Noise and Vibration Monitoring; 5.6 Attended Noise Monitoring e. Undertake noise intensive construction or demolition activities outside of campus hours, or in holiday periods where practicable and feasible. f. Section 6.6. g. Reference to Report MAC170588RP1 for results of Community consultation undertaken. h. Section 5.2.2 Complaints Handling	N/A	Compliant
B20.	The Construction Waste Management Sub-plan must address, but not be limited to, the following: (a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations; (b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facilities in accordance with the requirements of the relevant legislation, codes, standards and guideline, prior to the commencement of any building works.		X	Contractor to provide Construction Waste Management Sub-plan in accordance with consent condition B20	RCC Construction Environmental Management Plan . Prior to removal of ACM from site commencing 21/6/19 RCC issued email to DPE Teresa.Gizzi@planning.nsw.gov.au 20/6/19 with location of disposal and classification. Updated 20/08/19 to address findings from initial independent environmental audit. a. Section 4 – Estimated quantities Section 2 – RCC Objectives and Targets identifies proposed reuse, recycling options. b. Section 2 – Demolition Plan identifies asbestos to be removed in accordance with WHS Act and Regulation and EPA requirements.	N/A	Compliant
B21.	The Construction Soil and Water Management Sub-plan must address, but not be limited to, the following: (a) be prepared by a suitably qualified expert, in consultation with Council; (b) describe all erosion and sediment controls to be implemented during construction; (c) provide a plan of how all construction works will be managed in wet weather events (i.e. storage of equipment, stabilisation of the Site); (d) detail all off-Site flows from the Site; and (e) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1 year ARI, 1 in 5 year ARI and 1 in 100 year ARI.		X	Contractor to provide Construction Soil and Water Management Sub-plan in accordance with consent condition B21	Contractor submitted updated Construction Soil & Water Management plan and evidence of consultation with Council on 14th Nov 19. A copy issued to both the Certifying Authority and DPIE via email on 14th Nov 19.	N/A	Compliant
Unexpected Contamination Procedure							
B22.	Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material (including asbestos containing materials and lead based paint) is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition B17 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.		X	Contractor to include an unexpected contamination procedure as part of their CEMP to ensure that potentially contaminated material (including asbestos containing materials and lead based paint) is appropriately managed.	RCC Construction Environmental Management Plan dated 15/4/19. Prior to removal of ACM from site commencing 21/6/19 RCC issued email to DPE Teresa.Gizzi@planning.nsw.gov.au 20/6/19 with location of disposal and classification.	N/A	Compliant
Construction Parking							
B23.	Prior to the commencement of construction, the Applicant must demonstrate to the satisfaction of the Certifying Authority that sufficient off-street parking has been provided for heavy vehicles and for site personnel, to ensure that construction traffic associated with the development does not utilise on street parking or public parking facilities.		X	Contractor to provide documentary evidence of compliance	Email received from Newcrest confirming B23 is adequately addressed	N/A	Compliant
Roof Water to Tank							
B24.	Roof water from the proposed new work is to be directed to the proposed rainwater tank and be reticulated therefrom to toilet water cisterns, cold water washing machine taps and irrigation for landscaping, with a mains water top up being installed to maintain between 10% and 15% of the tank capacity. Alternatively, an electronically activated mechanical valve device is to be installed to switch cisterns, laundry taps and irrigation to mains water when the tank falls below 10% capacity. The water tank and plumbing is to be installed in accordance with Australian Standard AS3500, the relevant plumbing regulations and the requirements of the Hunter Water Corporation. Full details are to be submitted to the satisfaction of the Certifying Authority prior to commencement of work.		X	Contractor to provide documentary evidence of compliance.	Letter from Certifying Authority Newcrest titled DA SSD - DA Condition B24 dated 14/06/2019 confirming condition intent has been satisfied in design.	N/A	Compliant
Rainwater Tank Water Quality							
B25.	All downpipes discharging to the rainwater tank/s are to have pre-storage insect, debris and vermin control (e.g. a rainwater head being leaf screened and vermin and insect proof) to minimise the contamination of captured roof water A first flush device is to be provided for the inlet to the tank and a backflow prevention device is to be installed in the tank overflow outlet before connecting to the stormwater drainage system. If the roof downpipes are charged to the rainwater tank, all pipes are to be chemically welded and the stormwater system is to be designed such that the system is capable of being flushed in the event of a pipe blockage (e.g. capped relief access points at the lowest level stormwater drainage). Full details are to be submitted to the satisfaction of the Certifying Authority prior to commencement of work.		X	Contractor to provide documentary evidence of compliance.	Letter from certifying authority 14/06/19 sighted showing the certifying authority were satisfied with the rainwater collection system proposed	N/A	Compliant
Stormwater Management							

B26.	Prior to the commencement of construction, the Applicant must design a stormwater management system for the development and submit it to the satisfaction of the Certifying Authority. 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) demonstrate the three pits which are located at the end of the stormwater drainage lines (two along the western property and one at the north eastern corner) before the discharge outlet location (KIP on existing road) are fitted with pit inserts (SPEL StormSack or similar); (d) be in accordance with applicable Australian Standards; and (e) be in accordance with the requirements of Section 7.06 'Stormwater' of the Newcastle Development Control Plan 2012.		X	Contractor to provide appropriate details in CC designs to comply with B26.	Design by Northrop Engineers. Design and implementation of the stormwater management system included to Construction Certificate 2, dated 16/07/19	N/A	Compliant
B27.	Stormwater is to be conveyed to the existing property stormwater drains by way of a sealed pipe system. Prior to commencement of works, the existing drains are to be checked for adequacy and cleared of any obstructions.		X	Contractor to provide documentary evidence of compliance	Photographic evidence submitted by RCC 03/05/2019	N/A	Compliant
Operational Noise – Design of Mechanical Plant and Equipment							
B28.	Prior to the commencement of construction, the Applicant must incorporate the noise mitigation recommendations of the Noise and Vibration Assessment dated 6 August 2018 by Muller Acoustic Consulting, into the detailed design drawings. The Certifying Authority must verify that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in Noise and Vibration Assessment.		X	Contractor to provide documentary evidence of compliance with B28	Acoustic consultation (Marshall Day Acoustics) provided Design Certification - Consultants statement of compliance for IFC - Acoustic Services as part of CC4	N/A	Compliant
Mechanical Ventilation							
B29.	All mechanical ventilation systems must be installed in accordance with Part F4.5 of the BCA and must comply with the AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings and AS/NZS 3666.1:2011 Air handling and water systems of buildings–Microbial control to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details must be submitted to the satisfaction of the Certifying Authority prior to the commencement of building works.		X	Contractor to provide documentary evidence of compliance.	CC4 includes certificate of design from Contractor's mechanical consultant confirming compliance with BCA and AS requirements identified in B28 consent condition.	N/A	Compliant
Compliance Reporting							
B30.	No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	X		Principal to submit Compliance Monitoring and Reporting Programme	Bioresources Facility Compliance monitoring and reporting program (April 2019) issued to DPIE to Teresa.Gizzi@planning.nsw.gov.au 9/5/19. Commencement of construction reported to be 13th of May however initial demolition works conducted were under an existing REF. Works under this DA consent condition did not commence until 7th June 19 in accordance with Crown Certificate 1 (CC1)	N/A	Compliant
B31.	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	X		As per consent condition	Pre-Construction Compliance Report submitted to DPIE on 19/9/19. DPIE provide acceptance letter of the Pre-Construction Compliance Report on 3/12/19. DPIE correspondence stated the first CCR was due on 11/10/19, based on Notification of Commencement stating 13th May 19. Refer to email response to DPIE dated 15/1/20 clarifying Notification of commencement ated 7/5/19 was associated with preliminary works not part of the SSD consent. Construction works associated with CC1 did not commence until receipt of CC1 for Certifying Authority dated 7/6/19. Considering this it is understood the first CCR was not due until December 19. Notwithstanding this, the initial 6 month Construction Compliance Report was not submitted in accordance with the time frames stipulated in the Compliance Reporting Post Approval Requirements (Department 2018). Request for Extension of Time for submission of the initial 6 month Construction Compliance Report issued to DPIE on 18/12/19.	N/A	Complaint
B32.	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 when this has been done.	X		As per consent condition	Pre-Construction Compliance Report made publicly available via the project website on 18/12/19	N/A	Compliant
B33.	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction than an operational compliance report has demonstrated operational compliance.	X		N/A	N/A	N/A	Not Triggered
Reflectivity							
B34.	The building materials used on the facades of the buildings must be designed so as not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers. A statement demonstrating compliance with these requirements must be submitted to the satisfaction of the Certifying Authority prior to the commencement of above ground building works.		X	Contractor to provide documentary evidence of compliance	CC4 includes certificate and performance data from Contractor's Glazing Contractor (G.James) confirming the performance characteristics of the glass types being used for the external façade have visible light reflectance values in accordance with Australia local authorities. Refer to attachment to RCC Notification of commencement CC4 - UoN Bioresources letter to David Gibson of DPIE dated 9 December 2019.	N/A	Compliant
Ecological and Biodiversity Measures							
B35.	Prior to the commencement of construction, relevant recommendations of the Ecological Assessment Report, Dated April 2018 and prepared by Anderson Environment and Planning are to be implemented, including contribution of funds to the University's bushland regeneration budget and installation of 15 nest boxes.	X		Principal to provide documentary evidence of compliance	Email issued to DPIE teresa.gizzi@planning.nsw.gov.au. Nest box compliance report and letter from UON confirming contribution to bush regeneration fund	N/A	Compliant
PART C - DURING CONSTRUCTION							
Approved Plans to be On-Site							

C1.	A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on the Site At all times and must be readily available for perusal by any officer of the Department, Council or the Certifying Authority.		X	Review documentary evidence on site.	Copies of plans available on site. Specifications, documents and conditions of approval are available on site electronically through Aconex and on the Contractors server.		Compliant
Site Notice							
C2.	A site notice(s): (a) must be prominently displayed at the boundaries of the Subject 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. (b) is to satisfy all but not be limited to, the following requirements: (i) minimum dimensions of the notice must measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size; (ii) the notice is to be durable and weatherproof and is to be displayed throughout the works period; (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; and (iv) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the Subject site is not permitted.		X	Contractor to provide documentary evidence of compliance including photos. Principal representatives to verify installation of site notice/s on regular basis to ensure compliance with C2 is maintained throughout construction.	Contractor (RCC) have installed the Certifying Authority signage & structural engineer signage & updated Contractor's signage to include working hours and address. This information has also been passed onto the Independent Auditor.		Compliant
Operation of Plant and Equipment							
C3.	All plant and equipment used on site, or to monitor the performance of the development must be: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.		X	The Contractor's WHS officer to undertake regular reviews of site WHS, including plant and equipment in accordance with statutory regulations. WHS consultant is engaged by the Principal to undertake independent inspections and audits of the Contractors WHS management systems.	Daily prestart inspections conducted. Verified for plant 122, 123, 51 on site at time of inspection. Maintenance verified at commencement of works on site - sighted for - Plant No 123 (105T Crane) 01/06/2020 - Plant No 138 Maeda Crawler Crane 17/06/2020 (previous plant no 74) - Plant No 51 - Kato Crane 16/10/19 - Plant No 122 Scissor Lift 18/03/2020 Plant and		Compliant
Demolition							
C4.	Demolition work must comply with Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.		X	Contractor to provide documentary evidence of compliance	Contractor's Demolition Contractor provided Demolition Plan & Statement. This was accepted by the PCA via aconex NewCert-GCOR-000004 dated 14/06/19. Demolition works completed		Compliant
Construction Hours							
C5.	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 1pm, Saturdays. No work may be carried out on Sundays or public holidays.		X	As per consent condition	Contractor's (RCC) working and delivery hours aligns with the DA condition of consent times. Contractor confirmed all works conducted within approved consent hours.		Compliant
C6.	Activities may be undertaken outside of the hours in condition C5 if required: (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or (b) in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; or (c) where the works are inaudible at the nearest sensitive receivers; or (d) where a variation is approved in advance in writing by the Secretary or her nominee if appropriate justification is provided for the works. Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.		X	As per consent condition	Out of hours works have not been required to date.		Not Triggered
C7.	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.		X	As per consent condition	Works referenced in C7 N/A to project.		Not Triggered
Implementation of Management Plans							
C8.	The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans).		X	As per consent condition	Contractor (RCC) undertaking construction works in accordance with resubmitted CEMP issued on 14th Nov 19. This is being reviewed by the Independent Auditor ongoing audits.		Compliant
C9.	If directed by RMS, the Applicant must make changes to the Construction Traffic and Pedestrian Management sub plan as accordance with RMS directions in order to maintain road safety and network efficiency.		X	As per consent condition	Contractor reported that no direction from RMS to make any changes to the Construction Traffic and Pedestrian Management sub plan to date.		Not Triggered

Construction Traffic							
C10.	All construction vehicles are to be contained wholly within the Site, except if located in an approved on street work zone, and vehicles must enter the Site before stopping.		X	Contractor to provide Project Management Plan (PMP) confirming site establishment including construction vehicle access to site.	Construction vehicles being contained within the site and allocated working zones within the University Campus as approved by Principal. Contractors (RCC) TMP, developed by independent Traffic Consultant, identifies the construction vehicle entry points to the site.		Compliant
Road Occupancy Licence							
C11.	A Road Occupancy Licence must be obtained from the relevant transport authority for any works that impact on traffic flows during construction activities.		X	Contractor to provide documentary evidence of compliance	N/A. Construction works being undertaken on UoN campus where road network is maintained by the University. Contractor (RCC) undertaking works in accordance with Traffic Management Plan		Not Triggered
Safe Work Requirements							
C12.	To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted At all times in accordance with relevant Safe Work requirements.		X	Contractor to provide Project Management Plan (PMP) confirming extend of site boundary and security measures to restrict access by unauthorised personnel. This will be reviewed by Principal.	Site secured by A Class hoarding & ATF fencing. Additionally entry points are secured with security code access or manned to prevent unauthorised access.		Compliant
Hoarding Requirements							
C13.	The following hoarding requirements must be complied with: a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; 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 application; and c) the Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.		X	Contractor to provide Project Management Plan (PMP) confirming extend of site boundary and hoarding construction. This will be reviewed by Principal.	No third party signs or graffiti were present on hoardings sighted. Hoardings were not provided over council footpaths or road reserves.		Compliant
No Obstruction of Public Way							
C14.	The public way (outside of any construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under and circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all works on site.		X	Contractor to provide Project Management Plan (PMP) confirming site establishment including site layout and vehicle/pedestrian access around site. The Contractor Contractual obligation is to maintain vehicle/pedestrian access to surrounding buildings throughout the construction phase.	RCC maintaining public way in accordance with PMP and traffic/pedestrian management plans.		Compliant
Construction Noise Limits							
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.		X	As per consent condition	Noise Management Plan developed and implemented for the project. Noise monitoring installed in accordance with Acoustic consultant report provided with EIS. No complaints regarding noise have been received.		Compliant
C16.	The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the Subject site or surrounding residential precincts outside of the construction hours of work outlined under condition C5.		X	Contractor to provide Project Management Plan (PMP) confirming management of construction vehicle movements to and around the site.	All deliveries are required to be booked in with RCC to allow coordination with works on site Requirements included in site induction and contractor agreements. The Contractor confirmed all construction traffic complies with consent hours		Compliant
C17.	The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.		X	As per consent condition	Plant recommencement inspections include verification of audible movement alarms. Checked daily during prestart inspections of plant. RCC managing noise generating construction in accordance with approved noise and vibration management plan.		Compliant
C18.	Any noise generated during construction of the development must not be offensive noise within the meaning of the Protection of the Environment Operations Act 1997 or exceed approved noise limits for the subject site.		X	As per consent condition	Contractor (RCC) Noise & Vibration management plan identifies process for managing construction noise & vibration process. Contractor (RCC) has live noise and vibration monitoring alerts in which a register is maintained of exceedances. This register is provided to the Noise and Vibration Consultant on an on-going basis to determine if further action is required by Richard Crookes. Furthermore weekly disruption meetings are held with the client and surrounding stakeholders.		Compliant
Vibration Criteria							
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 Standardisation, 1999); and (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).		X	As per consent condition	No residential buildings within 30m of the worksite. One sensitive receiver in close proximity to the works. Continuous vibration monitoring conducted in close proximity to the building. Vibration monitoring conducted by consultant – Muller Acoustic Consultants. An alert is sent to the site manager if an exceedance of the vibration limits is recorded to enable a quick response.		Compliant

C20.	Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C19.		X	As per consent condition	Continuous vibration monitoring conducted. Vibration limits had not been exceeded, and no vibration complaints had been received.		Compliant
C21.	The limits in conditions C19 and C20 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B17 of this consent.		X	As per consent condition	Construction Noise and Vibration Management Plan had been submitted and approved. This complies with consent C21.		Compliant
Contamination							
C22.	Following the relocation or demolition of any existing structures, infrastructure and in ground utilities, and excavation works, the Applicant is to carry out further investigation of soil contamination (including within the footprint and immediate surrounds of those structures, infrastructures and utilities prior to undertaking any construction) to address any contamination with regard to the following: (a) NSW EPA Sampling Design Guidelines; (b) Guidelines for the NSW Site Auditor Scheme (3rd edition) 2017; (c) Guidelines for Consultants Reporting on Contamination Sites, 2011; and (d) The National Environment Protection (Assessment of Contamination) Measure.		X	Contractor to provide documentary evidence of compliance	Contractor (RCC) maintaining a waster Tracking for Offsite material on site. Contractor engaged Hygienist (Practical Environmental Solutions) to investigate soil contamination and provide classification certificate. Contractor's consultant provided validation report (Sept 2019). This report also cited by Independent Auditor		Compliant
C23.	Any contaminated material identified as a result of the above investigations is to be removed in accordance with the guidelines in condition C22 and the unexpected contamination procedure required by condition B22.		X	Contractor to provide documentary evidence of compliance	Asbestos removed by Demac.(Contractor's Qualified removal subcontractor). Independent Auditor sited asbestos clearance certificate and dockets of disposal.		Compliant
C24.	A site auditor accredited under the Contaminated Land Management Act 1997 is to be engaged to review the adequacy of the site investigations and actions taken to address contamination in accordance with condition C22 and condition B22.		X	Contractor to provide documentary evidence of compliance	Accredited site auditor engaged to review adequacy of site investigations. Contractor awaiting final report from site auditor (Rambol)		Compliant
Tree Protection							
C25.	For the duration of the construction works: (a) all trees on the Subject site that are not approved for removal must be suitably protected during construction in accordance with AS 4970 2009: Protection of trees on development sites; and (b) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater.		X	As per consent condition	All trees remaining are not within the works area. The work area had been delineated by the site security fencing. No access to the area within any protective barrier has been required during the works.		Compliant
Tree Removal							
C26.	An experienced and qualified ecologist is to be on site to supervise tree felling and to manage any displaced fauna on site during tree felling of any tree with habitat features.		X	Contractor to provide documentary evidence of compliance	Refer to letter dated 30/5/19 from the Contractors ecologist (RPS Australia) confirming site attendance and supervision of the tree felling associated with the project. This was issued to and accepted by the PCA (email dated 3/6/19).		Compliant
Dust Minimisation							
C27.	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.		X	As per consent condition	Dust mitigation measures included in Appendix 4b - Environmental Actions and Monitoring Table. Contractor confirmed correct tools and equipment used for respective tasks (Vacuum), dust suppression used during ground works via hosing waste/debris/soil etc. in accordance with approved CEMP		Compliant
C28.	During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering; (b) all trucks entering or leaving the site with loads have their loads covered; (c) trucks associated with the development do not track dirt onto the public road network; (d) public roads used by these trucks are kept clean; and (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.		X	As per consent condition	Minimal areas of exposed surfaces on site. Where required Contractor utilised water suppression during ground works and for stockpiles, all trucks covered, cobble installed to exits during ground works in accordance with approved CEMP		Compliant
Erosion & Sediment Control							
C29.	All erosion and sediment control measures, must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment.		X	Contractor CEMP required to include erosion and sediment control measures. Independent consultant to be engaged by Principal to undertake regular site inspections and audits of the Contractors works to ensure compliance with CEMP.	Erosion and sediment controls had been established verified during the recent inspection.		Compliant
Imported Soil							
C30.	The Applicant must ensure that only VENM, ENM, or other material approved in writing by the EPA is brought onto the site and keep accurate records of the volume and type of fill used.		X	Contractor to provide documentary evidence of compliance	N/A. Contractor has advised no material referenced in C30 has been brought onto site to date.		Not Triggered
Disposal of Seepage and Stormwater							
C31.	Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the Environment Protection Authority in accordance with the Protection of the Environment Operations Act 1997.		X	Contractor to provide documentary evidence of compliance	Reported that no water has been removed from site.		Compliant
Unexpected Finds Protocol - Aboriginal Heritage							

C32.	In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The Site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the Site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and OEH to develop and implement management strategies for all objects/Sites. Works shall only recommence with the written approval of OEH.		X	Contractor to provide documentary evidence of compliance.	No Aboriginal objects have been identified during surface disturbances works to date.		No Triggered
Unexpected Finds Protocol - Historic Heritage							
C33.	If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the OEH Heritage Division contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of Heritage Division of the Office of Environment and Heritage.		X	Contractor to provide documentary evidence of compliance.	No unexpected archaeological relics have been uncovered during the works to date.		Not Triggered
Waste Storage and Processing							
C34.	Waste must be secured and maintained within designated waste storage areas At all times and must not leave the site onto neighbouring public or private properties.		X	As per consent condition	Waste storage bins have been provided. Putrescible waste stored in a covered bin. All waste disposed of at licenced facilities in accordance with waste management plan. WRAP reports and contaminated soil disposal dockets provided.		Compliant
C35.	All waste generated during construction (including excavated material being removed from the site) must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).		X	As per consent condition	Asbestos contaminated waste removed from site. Transport dockets sighted showing delivery to Summerhill Waste Management Facility by Demex. E.g. 24/06/19 11.58T At 8.50.57am. Asbestos Clearance Certificate provided.		Compliant
C36.	The body of any vehicle or trailer used to transport waste or excavation spoil must be covered before leaving the premises to prevent any spillage or escape of any dust, waste of spoil. Mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the site must be removed before leaving the premises.		X	As per consent condition	Waste transported from site by waste contractor in skip bins . All vehicles removing waste are covered in accordance with approved waste management plan which complies with consent		Compliant
C37.	The Applicant must ensure that concrete waste and rinse water are not disposed of on the Subject site and are prevented from entering any natural or artificial watercourse.		X	As per consent condition	Contractor (RCC) advised concrete waste and wash out is not undertaken on site. Concrete bin on site for any excess and is disposed off site. Concrete works has been completed for the project.		Compliant
Handling of Asbestos							
C38.	The Applicant is to consult with Safe Work NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.		X	Contractor to provide documentary evidence of compliance.	Clearance certificate provided by Hygienist which verifies that asbestos waste was removed in accordance with SafeWork NSW. Evidence of SafeWork notice of intent to remove friable asbestos sighted. 		Compliant
Incident Notification, Reporting and Response							
C39.	The Department must be notified in writing to compliance@planning.nsw.gov.au 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. Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1 of the Conditions of Consent.		X	Contractor to provide documentary evidence of compliance	No incidents have been reported		Not Triggered
Non-Compliance Notification							
C40.	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. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the noncompliance (if known) and what actions have been, or will be, undertaken to address the non-compliance. A non-compliance which has been notified as an incident does not need to also be notified as a non compliance.		X	Contractor to provide documentary evidence of compliance	Non-compliances raised in previous audit notified to the departement via submission of audit report. No other non-compliances have been identified.		Compliant
Revision of Strategies, Plans and Programs							

C41.	<p>Within three months of:</p> <p>(a) the submission of a compliance report under condition B31; (b) the submission of an incident report under condition C39; (c) the submission of an Independent Audit under condition C44; (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 A3 which requires a review,</p> <p>the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.</p>	X	X	Contractor/ Principal to provide documentary evidence of compliance	<p>IA report issued to DPIE in Sept 19. Management Plans updated , reviewed and resubmitted into DPIE by Contractor on 14th Nov 19., including;</p> <p>Soil & Water Management Plan Construction Traffic & Pedestrian Management Plan Noise & Vibration Management Plan Waste Management Plan</p> <p>No change to the CEMP or specific plans The Department had not been notified in writing that a review of the strategies, plans and programs had been undertaken.</p>	Not Compliant
C42.	<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 for information 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>		X	Contractor/ Principal to provide documentary evidence of compliance		Not Triggered
Independent Environmental Audit						
C43.	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.	X		Principal to provide documentary evidence of compliance	Refer to Letter from DPIE titled "University of Newcastle Bioresources Facility Building (SSD 8937) Request for agreement of Independent Auditor dated 30/5/19, confirming DPIE acceptance of proposed independent auditor	Compliant
C44.	No later than four weeks before the date notified for the commencement of construction an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	X		Principal to provide documentary evidence of compliance	Document titled "Independent Environmental Auditor Services for Construction of the University of Newcastle Bioresources Facility includes preliminary audit program including compliance and environmental requirements to be monitored. Refer to email sent to DPE -david.gibson@planning.nsw.gov.au on 19/3/19	Compliant
C45.	Table 1 of the Independent Audit Post Approval Requirements (Department 2018) is amended so that the frequency of audits required during the construction phase is: (a) An initial construction Independent Audit must be undertaken within eight weeks of the notified commencement date of construction; and (b) A subsequent Independent Audit of construction must be undertaken no later than six months from the date of the initial construction	X		Principal to provide documentary evidence of compliance	Document titled "Independent Environmental Auditor Services for Construction of the University of Newcastle Bioresources Facility includes Table 1 amended to reflect frequency of audits required during the construction phase. Email sent to david.gibson@planning.nsw.gov.au on 19/3/19	Compliant
C46.	Independent Audits of the development must be carried out in accordance with: (a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C44 of this consent; and (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).	X		As per consent condition	Independent Auditor undertaking audits in accordance with the Independent Audit Program submitted under C44. Refer to email titled SSD8937 - Bioresources Facility Development Consent - Proponent Response to Independent Audit Report dated 20/9/19 as example of compliance	Compliant
C47.	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: (a) review and respond to each Independent Audit Report prepared under condition C44 of this consent; (b) submit the response to the Department and the Certifying Authority; and (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 when this has been done.	X		As per consent condition	Refer to email titled SSD8937 - Bioresources Facility Development Consent - Proponent Response to Independent Audit Report dated 20/9/19 as example of compliance with C47.	Compliant
C48.	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary, may approve a request for ongoing annual operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.	X		As per consent condition	N/A at this stage of project	Not Triggered
PART D - PRIOR TO OCCUPATION OR COMMENCEMENT OF USE						
Notification of Occupation						
D1.	The date of commencement of the occupation of the development must be notified to the Department in writing, at least one month before occupation. If the operation of the development is to be staged, the Department 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.	X		Principal to provide documentary evidence of compliance	Project not at stage for one month notification.	Not Triggered
External Walls and Cladding						
D2.	Prior to the occupation of the building, the Applicant must provide the Certifying Authority with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.		X	Contractor to provide documentary evidence of compliance.	Project not at this stage at this reporting period.	Not Triggered
D3.	The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.		X	Contractor to provide documentary evidence of compliance	Project not at this stage at this reporting period.	Not Triggered
Protection of Public Infrastructure						
D4.	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development. Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required this consent.		X	As per consent condition	Project not at this stage at this reporting period.	Not Triggered
Post-construction Dilapidation Report						

D5.	Prior to occupation of the building, the Applicant must engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is: a) to ascertain whether the construction works created any structural damage to adjoining buildings or infrastructure. b) to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifying Authority must: i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads. c) to be forwarded to Council.		X	Contractor to prepare a post construction dilapidation report at the completion of the construction. This is to be prepared by a qualified person with evidence submitted to the Principal.	Project not at this stage at this reporting period.		Not Triggered
Utilities and Services							
D6.	Before occupation of the building, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 50 of the Hunter Water Corporation Act 1991.		X	Contractor to provide documentary evidence of compliance	Project not at this stage at this reporting period.		Not Triggered
Mechanical Ventilation							
D7.	Following completion, installation and testing of all mechanical ventilation systems, the Applicant must provide evidence to the satisfaction of the Certifying Authority, prior to the final occupation, that the installation and performance of the mechanical systems complies with: a) the BCA; b) AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings and other relevant codes; c) the development consent and any relevant modifications; and d) any dispensation granted by the NSW Fire Brigade.		X	Contractor to provide documentary evidence of compliance	Project not at this stage at this reporting period.		Not Triggered
Fire Safety Certificate							
D8.	Prior to the occupation of the building, 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.		X	Contractor to provide documentary evidence of compliance	Project not at this stage at this reporting period.		Not Triggered
Structural Inspection Certificate							
D9.	A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to the occupation of the relevant parts of any new or refurbished buildings. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after: a) the site has been periodically inspected and the Certifying Authority is satisfied that the structural works is deemed to comply with the final design drawings; and b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s. c) person/s authorised to, for the life of the development.		X	Contractor to provide a Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to the occupation of the relevant parts of any new or refurbished buildings.	Project not at this stage at this reporting period.		Not Triggered
Rainwater Harvesting							
D10.	A signed works-as-executed Rainwater Re-use Plan must be provided to the Certifying Authority prior to the issue of the final Occupation Certificate.		X	Contractor to provide documentary evidence of compliance	Project not at this stage at this reporting period.		Not Triggered
Water Quality Maintenance							
D11.	A maintenance manual for all water quality devices and rainwater tank devices is to be prepared in accordance with Newcastle City Council's 'Stormwater and Water Efficiency for Development Technical Manual' (updated July 2017). The maintenance manual is to address maintenance issues concerning the water quality devices and rainwater tank devices including routine monitoring and regular maintenance and be kept on site At all times. Establishment and maintenance of the water quality devices in accordance with the maintenance manual is to be completed prior to occupation of the Bioresources Facility Building.		X	Contractor to provide documentary evidence of compliance	Project not at this stage at this reporting period.		Not Triggered
Warm Water Systems and Cooling Systems							
D12.	The installation, operation and maintenance of warm water systems and water cooling systems (as defined under the Public Health Act 2010) must comply with the Public Health Act 2010, Public Health Regulation 2012 and Parts 1 and 2 (or Part 3 if a Performance-based water cooling system) of AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires' Disease.		X	Contractor to provide documentary evidence of compliance	Project not at this stage at this reporting period.		Not Triggered
Outdoor Lighting							
D13.	The Applicant must ensure the installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers. Outdoor lighting must: (a) comply with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and (b) be mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network. Upon installation of outdoor lighting, but before it is finally commissioned, the Applicant must submit to the Certifying Authority evidence from a qualified practitioner demonstrating compliance in accordance with this condition.		X	Contractor to provide the certifying authority certification that the lighting has been installed in accordance with the requirements specified under consent condition D13.	Project not at this stage at this reporting period.		Not Triggered
Signage							
D14.	'Do not drink' signage on non-potable water used for toilet flushing and to new hose taps and irrigation systems for landscaped areas must be installed within the site prior to occupation.		X	Contractor to provide documentary evidence of compliance	Project not at this stage at this reporting period.		Not Triggered
Operational Waste Management Plan							
D15.	Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifying Authority. The Waste Management Plan must: (a) detail the type and quantity of waste to be generated during construction and operation of the development; (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (Department of Environment, Climate Change and Water, 2009); (c) detail the materials to be reused or recycled, either on or off site; and (d) include the Management and Mitigation Measures included in the EIS.	X		Principal to provide documentary evidence of compliance	Project not at this stage at this reporting period.		Not Triggered

Site Audit Report and Site Audit Statement							
D16.	Prior to occupation of the building, 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).		X	Contractor to provide documentary evidence of compliance	Project not at this stage at this reporting period.		Not Triggered
Landscaping							
D17.	Prior to occupation of the building, the Applicant must prepare a Landscape Management Plan to manage the landscaping works on-site, to the satisfaction of the Certifying Authority. The plan must: (a) Include updated landscape plan including the modifications as per condition B5; (b) identify that all trees are established on site prior to occupation of the premises; (c) ensure landscaping of the site remains compliant with the principles of Appendix 5 of Planning for Bush Fire Protection 2006; (d) provide an ongoing weed control and maintenance program to maintain the existing and new vegetation; (e) describe the monitoring and maintenance measures to manage revegetation and landscaping works.		X	Contractor to provide documentary evidence of compliance	Project not at this stage at this reporting period.		Not Triggered
Evacuation and Emergency Management							
D18.	Prior to occupation of the building, the existing evacuation and emergency plan for the University shall be updated to include the Bioresources Facility and be consistent with Development Planning – A guide to developing bush fire emergency management and evacuation plan December 2014.	X		Contractor to provide documentary evidence of compliance	Project not at this stage at this reporting period.		Not Triggered
Asset Protection Zones							
D19.	Prior to occupation of the building, the property around the building to a distance of 20 metres on the northern, western and southern elevations and 25 metres on the eastern elevation shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of Planning for Bush Fire Protection 2006 and the NSW Rural Fire Service's document Standards for Asset Protection Zones.		X	Contractor to provide documentary evidence of compliance	Project not at this stage at this reporting period.		Not Triggered
Evacuation and Emergency Management							
D20.	Prior to occupation of the building, the existing evacuation and emergency plan for the University shall be updated to include the Bioresources Facility and be consistent with Development Planning – A guide to developing bush fire emergency management and evacuation plan December 2014.	X		Contractor to provide documentary evidence of compliance	Project not at this stage at this reporting period.		Not Triggered
Ecologically Sustainable Development							
D21.	Within 6 months of commencement of operation, or timing otherwise agreed to by the Planning Secretary, Green Star certification must be obtained demonstrating the development achieves a minimum 4 star Green Star As Built rating. Evidence of the certification must be provided to the Certifying Authority and the Planning Secretary.		X	Contractor to provide documentary evidence of compliance.	Project not at this stage at this reporting period.		Not Triggered
PART E - POST OCCUPATION							
Operation of Plant and Equipment							
E1.	All plant and equipment used on site, or to monitor the performance of the development must be: a) maintained in a proper and efficient condition; and b) operated in a proper and efficient manner.	X		As per consent condition	Project not at this stage at this reporting period.		Not Triggered
Community Communication Strategy							
E2.	The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following completion of construction.	X		As per consent condition	Project not at this stage at this reporting period.		Not Triggered
Operational Noise Limits							
E3.	The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in the Noise and Vibration Impact Assessment dated August 2018 by Muller Acoustic Consulting.		X	As per consent condition	Project not at this stage at this reporting period.		Not Triggered
E4.	Noise associated with the operation of any plant, machinery, or other equipment on the site, must not exceed 5 dB(A) above the rating background noise level when measured at the boundary of any sensitive receiver.		X	As per consent condition	Project not at this stage at this reporting period.		Not Triggered
E5.	The Applicant must undertake short term noise monitoring in accordance with the Noise Policy for Industry, to collect valid data and provide a quantitative assessment of operational noise impacts following occupation of the building. The noise monitoring must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within three months of full occupation of the building. Should the noise monitoring identify any exceedance of the recommended noise levels, the Applicant must implement appropriate on-site noise attenuation measures to ensure operational noise levels do not exceed the recommended noise levels and/or provide noise attenuation measures at the affected noise sensitive receivers.		X	As per consent condition	Project not at this stage at this reporting period.		Not Triggered
Unobstructed Driveways and Parking Areas							
E6.	All driveways, footways and parking areas must be unobstructed At all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.	X	X	As per consent condition	Project not at this stage at this reporting period.		Not Triggered
Outdoor Lighting							
E7.	Notwithstanding Condition D13, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.		X	As per consent condition	Project not at this stage at this reporting period.		Not Triggered
Odour Management							
E8.	The following odour management measures are to be adhered to for the duration of occupation of the development: (a) The autoclaving cycle is not to be conducted in the early mornings (prior to 9:00 am) during the winter months (b) All wastes are to be covered and all waste management practices and protocols followed.	X		As per consent condition	Project not at this stage at this reporting period.		Not Triggered
Hazards Management							
E9.	The Applicant must ensure that the quantities of dangerous goods stored within the development or transported to and from the development will remain below the screening threshold quantities listed in the Department's Applying SEPP 33 guideline (January 2011) At all times.	X		As per consent condition	Project not at this stage at this reporting period.		Not Triggered

E10.	The Applicant must store and handle all chemicals, fuels and oils within the development in accordance with: (a) the requirements of all relevant Australian Standards; and (b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids. In the event of an inconsistency between the requirements listed from (a) to (b) above, the most stringent requirement shall prevail to the extent of the inconsistency.	X		As per consent condition	Project not at this stage at this reporting period.		Not Triggered
Fire Safety Certificate							
E11.	The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement. Note: Contractor is responsible to provide the first Annual Fire Safety Certificate at the conclusion of the Post-Completion period.	X		As per consent condition	Project not at this stage at this reporting period.		Not Triggered
Landscaping							
E12.	The landscaping is to be maintained At all times following its installation in accordance with the approved Landscape Management Plan. Note: Contractor is responsible to maintain landscape within the Post-Completion period in accordance with the Landscape Management Plan.	X		As per consent condition	Project not at this stage at this reporting period.		Not Triggered
Asset Protection Zones							
E13.	The asset protection zones required by Condition D19 shall be maintained for the duration of occupation of the development.	X		As per consent condition	Project not at this stage at this reporting period.		Not Triggered
Ecologically Sustainable Development							
E14.	Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 4 star Green Star As built rating. If required to be obtained, evidence of the certification must be provided to the Certifying Authority and the Planning Secretary.		X	The Principal has requested the DPE approval to utilise the Universities' ESD Guidelines Tool to meet the minimum requirements equivalent to 4 star Green Star rating. This will be verified through the engagement of an independent ESD consultant (WSP) to provide independent audit of the ESD initiatives in the project to confirm that design is equivalent with a minimum 4 Star Green Star rating.	Refer to WSP Bioresources Facility Independent Green Star Review dated 11 April 2019, issued to DPIE by Dewitt Consulting on 17 April 2019.		Not Triggered
APPENDIX 1 - INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS							
Written Incident Notification Requirements							
1	A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C40 or, having given such notification, subsequently forms the view that an incident has not occurred.		X	Contractor to provide documentary evidence of compliance	It was reported that no incidents have occurred on the project.		Not Triggered
2	Written notification of an incident must: a. identify the development and application number; b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); c. identify how the incident was detected; d. identify when the applicant became aware of the incident; e. identify any actual or potential non-compliance with conditions of consent; f. describe what immediate steps were taken in relation to the incident; g. identify further action(s) that will be taken in relation to the incident; and h. identify a project contact for further communication regarding the incident.		X	Contractor to provide documentary evidence of compliance	It was reported that no incidents have occurred on the project.		Not Triggered
3	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.		X	Contractor to provide documentary evidence of compliance	It was reported that no incidents have occurred on the project.		Not Triggered
4	The Incident Report must include: a. a summary of the incident; b. outcomes of an incident investigation, including identification of the cause of the incident; c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and d. details of any communication with other stakeholders regarding the incident.		X	Contractor to provide documentary evidence of compliance	It was reported that no incidents have occurred on the project.		Not Triggered



Appendix B. Incidents Register



Appendix C. Complaints Register



No.	Issue Date	Complaint Description	Reason	Actions/Resolution	Action Date
1	10/06/2020	Complaint of Littering outside of the Contractors Site (Carpark Area, footpath and waterway), Ring Road.	Increased litter within University carpark where subcontractors park.	RCC inspected the area of concern, although the area is open to the public. RCC will continue to monitor the area for compliance with the university regulations. RCC addressed no littering and no smoking within the weekly toolbox. RCC also provided a written response to the complainant and University.	10/06/2020

Complaints to be addressed to:
Phone Number: (02) 4921 5000
Email: bioresources@newcastle.edu.au



Appendix D. Compliance Photos



Evidence of Plant Registrations



Evidence of Erosion and Sediment Controls



Evidence of Sediment Controls in place




Evidence of Spill Kits on site



Evidence of storage for oils and fuels

Appendix E.

Compliance Report Declaration Form	
Project Name:	Bioresources Facility
Project Application Number:	SSD 8937
Description of Project	<ul style="list-style-type: none"> • Site excavation and earthworks; • Construction of a new three storey building • Use of the building for education and research • Single storey plant enclosure • Landscaping works including: <ul style="list-style-type: none"> ○ New pathways & furniture ○ Tree removal and replacement planting; and • Utilities and infrastructure connection works
Project Address	The University of Newcastle, Callaghan Campus (Part Lot 1 DP 1188100)
Proponent	University of Newcastle
Title of Compliance Report	Bioresources Facility – Construction Compliance Report 1
Date	29 July 2020
I declare that I have reviewed relevant evidence and prepared the contents of the attached Compliance Report and to the best of my knowledge:	
<ul style="list-style-type: none"> • the Compliance Report has been prepared in accordance with all relevant conditions of consent; • the Compliance Report has been prepared in accordance with the Compliance Reporting Post Approval Requirements; • the findings of the Compliance Report are reported truthfully, accurately and completely; • due diligence and professional judgement have been exercised in preparing the Compliance Report; and • the Compliance Report is an accurate summary of the compliance status of the development. 	
Notes:	
<ul style="list-style-type: none"> • Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and • The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years' imprisonment or 200 penalty units, or both). 	
Reporting Officer	David Espert
Title	Principals Authorised Person
Signature	
Qualification	Bachelor of Construction Management
Company	APP Corporation
Company Address	Level 2, 426 King Street, Newcastle NSW



Adelaide

61 8 8409 4280

Level 1
151 South Terrace
Adelaide SA 5000

Brisbane

61 7 3238 0400

Ground Floor
143 Coronation Drive
Milton QLD 4064

Canberra

61 2 9957 6211

Level 9
121 Marcus Clarke Street
Canberra ACT 2600

Melbourne

61 3 8866 0200

Level 7
420 St Kilda Road
Melbourne VIC 3004

Newcastle

61 2 4928 7600

Level 2
426 King Street
Newcastle NSW 2300

Perth

61 8 9224 6300

Level 4
181 Adelaide Terrace
Perth WA 6004

Sydney

61 2 9957 6211

Level 7
116 Miller Street
North Sydney NSW 2060

Tamworth

61 421 959 484

Suite 6
493 Peel Street
Tamworth NSW 2340

Wollongong

61 2 4220 6300

Suite 3, Level 1
6-8 Regent Street
Wollongong NSW 2500