

STRATEGY &gt; DEFINITION &gt; DELIVERY &gt; TRANSITION

# HONEYSUCKLE CITY CAMPUS DEVELOPMENT – STAGE 1A

## Pre-Operational Compliance Report



Prepared for: University of Newcastle  
APP Corporation Pty Limited  
SSD 9510

March 2023  
Version 01

## Amendment, Distribution & Authorisation Record

### Amendment Record

Revision	Description / Details	Date
1	Upload to SharePoint	2 March 2023

### Distribution

This Pre-operational Audit is prepared for distribution to:

Copy No	Name / Location	Position	Organisation
1	Jim Betts	Secretary	DPE
2	Joel Curran	Compliance	DPE
3	Jake Hofner	Certifier	BM+G
4	Matt Lee	Deputy Director Campus Services	University of Newcastle
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### Authorisation Record

Prepared by Project Manager	Mathew Watson		2 March 2023
	APP Corporation Pty Ltd	<i>Name</i>	<i>Signature</i>
Review by Project Director	Ethan Clark		2 March 2023
	APP Corporation Pty Ltd	<i>Name</i>	<i>Signature</i>

The APP **Project Manager** is responsible for control, maintenance and issue of this plan, for disposal of any superseded documentation, and for informing other project participants of changes to the project plan in accordance with the Department of Planning and Environment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

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## 1. Executive Summary

APP Corporation Pty Limited (APP) acting on behalf of the University of Newcastle (the University) have conducted a Compliance Assessment of the University of Newcastle Campus Honeysuckle Stage 1A Building (the 'Project') located at 16 Honeysuckle Drive, Newcastle (Lot 1 in Deposited Plan 1163346) in New South Wales (the 'Site'). The building accommodates the University's School of Creative Industries and the Innovation Hub.

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 applies to the State Significant Development: SSD-9510 UON Honeysuckle Campus Stage 1A.

This document satisfies the condition set out in item B28 of the associated SSD-9510 conditions requiring:

*Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).*

The following previous Compliance Reports have been undertaken:

1. Pre-Construction Compliance Report (V02), completed on 17 June 2020.
2. Construction Compliance Report (V03), completed 21 December 2020.

This Pre-Operational Compliance report period relates to the June 2021 operational transition period. Note: this was identified as outstanding during an Independent Environmental Audit and as such has been completed retrospectively.

The Reviewers assessed the development to be generally compliant with the conditions of Development Consent SSD 9510. 7 non-compliance issues were identified relating to seven conditions, which are considered to be of an administrative nature. In addition, the audit also found 5 opportunities for improvement.

The non-compliances identified were:

1. Condition A2 (Terms of Consent). A non-compliance is raised against condition A2 based on the non-compliances raised against conditions B28.
2. Condition B28 (Compliance Reporting). A Pre-Operational Compliance Report was not completed and issued to the Department prior to commencement of operation. This non-compliance is being resolved through this reporting.

## 2. Introduction

### 2.1 Project Name and Project Application Number

#### **The University of Newcastle Honeysuckle Campus Stage 1A – SSD 9510.**

The Project involves the construction, delivery and operation of a four storey building known as Q Building (formally Stage 1A), to be used for academic and ancillary uses. The Project also includes:

- Internal fit out works including workspaces and smaller enclosed studios, including staff meeting rooms, student common area, specialised suites and offices
- Opportunities for ground floor pedestrian access along the Honeysuckle Drive and Wright Lane frontages
- Bicycle Hub located to the south east of the building
- Landscaping works

Each floor of the building would be characterised by the following uses:

- Ground floor: student learning spaces, flexible event spaces, lab/tech maker space, café, meeting rooms, building services and amenities, bike hub and waste and switch room.
- First floor: blackbox studio, meeting rooms, student workspaces, student breakout areas and social spaces and amenities.
- Second floor: creative studio suite, meeting rooms, academic and technical staff workspaces, meeting and seminar rooms, break out areas and amenities.
- Third floor: innovation hub workplace, kitchen, meeting rooms, amenities.
- Fourth floor: plant/services and amenities.

The building transitioned into operation from 7 June 2021.

### 2.2 Project Address

#### **16B Honeysuckle Drive, Newcastle (Lot 1 DP 1163346)**

Figure 1 below shows the Project layout in context of the Concept Plan, whilst figure 2 shows an aerial view of the operational Stage 1A Building site.



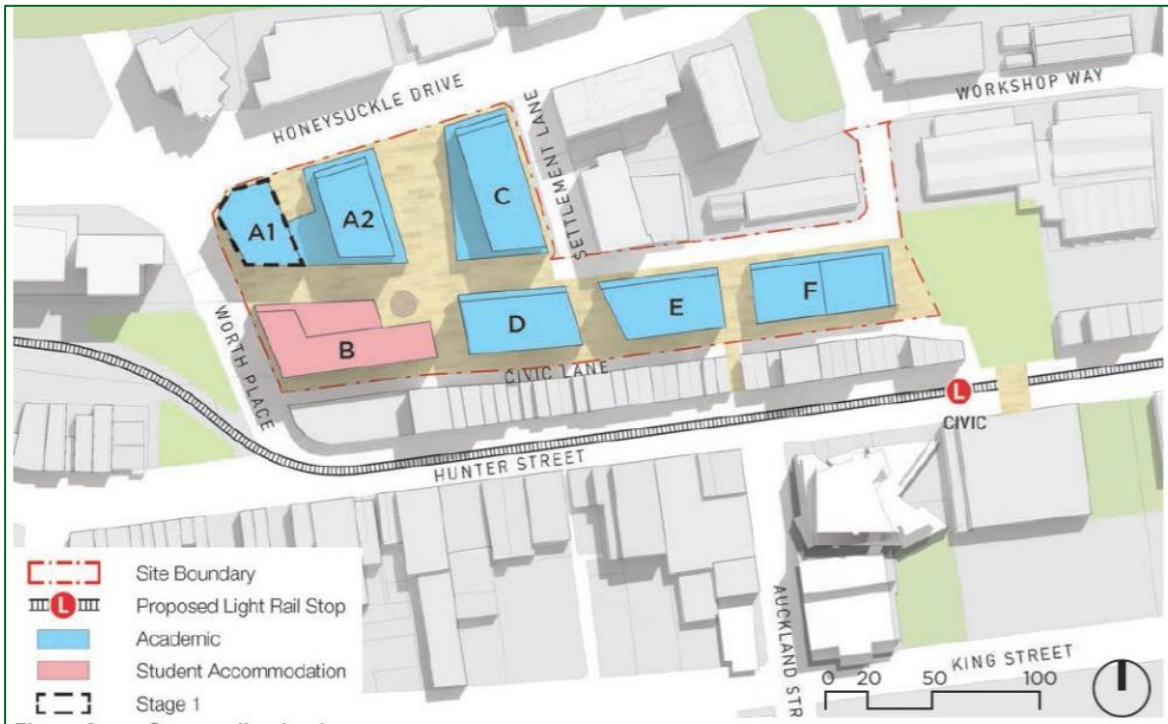


Figure 1: Project layout as illustrated from the Concept Plan



Figure 2: Project site outlined in red, image from NearMaps

## 2.3 Project Phase

### Pre-operational Compliance Report.

The compliance assessment has been undertaken as required under Conditions B27 to B30 of SSD 9510 as follows:

***“Compliance Reporting***

*B27. Prior to 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.*

*B28. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).*

*B29. 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.*

*B30. 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 that an operational compliance report has demonstrated operational compliance.”*

## 2.4 Compliance Reporting Period

The Pre-Operational Compliance Report covers the period of operational transition to the 7<sup>th</sup> June 2021.

## 2.5 Project Activity Summary

Note: the Pre-Operational Compliance Report was identified as outstanding during an Independent Environmental Audit and as such has been completed retrospectively. However, at the time of pre-operation, the Project Team / Principal Contractor / Certifier were compiling appropriate documentation for review and assessment for compliance.

## 2.6 Key Project Personnel

Details of the key personnel who are responsible for the environmental management of the building during the pre-operational period:

Name	Organisation	Position
Jonathan Russell	Hansen Yuncken – Principal Contractor	Project Manager
Tim Everett	Hansen Yuncken – Principal Contractor	Project Engineer
Dale Reith	Hansen Yuncken – Principal Contractor	Site Manager

Name	Organisation	Position
Jake Hofner	Blackett Maguire + Goldsmith	Certifier
Mathew Watson	APP Corporation	External Project Manager

### 3. Compliance Status Summary

#### 3.1 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.
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

#### 3.2 Total Number of Non-Compliances

Compliance performance with the Project Approval was determined from a review of project documentation, observations and interviews with site representatives. The below table provides a summary of the compliance performance. Full details of the findings are documented within Appendix A of this report. Non-compliances are identified in Section 4.

Status	Findings
Compliant	94
Non-Compliant	2
Not Triggered	36



## 4. 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 agency, or agencies to whom the non-compliance was reported; and
4. 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.

ID	Findings	Proponents Response	Date of NC	Date NC Identified	Agency NC was reported
A2	A non-compliance is raised against condition A2 based on the non-compliances raised against conditions B28.	Addressing the non-compliances raised against these conditions will automatically address this non-compliance.	As below	24 November 2022	AQUAS
B28	A Pre-Operational Compliance Report was not completed and issued to the Department prior to commencement of operation.	A Pre-Operational Compliance Report should be actioned without delay to address this condition.  This non-compliance is being resolved through this reporting.	June 2021	24 November 2022	AQUAS

## 5. Previous Report Actions

Actions noted within the Construction Compliance Report for the project are summarised below.

Condition/s	Non-compliance	Non-compliance recommendation	Response / Action	Outcome
A19a(iv), A19a(ix)	The University website does not include the previous Independent Environmental Audit and response to recommendations.	Upload the previous Independent Environmental Audit to the University website and provide notification to the Department and the Certifying Authority in writing when this has been done.  Action by 1 <sup>st</sup> February 2021.	The previous Independent Environmental Audit is to be uploaded onto the University website. Action by 20th January 2021.	Closed
A19a(viii)	The complaints register summary for the project was not available on the University website.	Upload a summary of the complaints register to the University website and ensure this is updated on a monthly basis.  Action by 1st February 2021.	The current Complaints Register is to be uploaded onto the University website. Action by 20th January 2021.	Closed
B15g, B15h	The Construction Noise and Vibration Management Sub-Plan has not been prepared in consultation with the community.	The CNVMSP should be updated to include a description of any community consultation undertaken to develop mitigation strategies for high noise generating works once completed.  Action by 1st February 2021.	The Contractor to update CNVMSP to resolve non-compliance. Action by 20th January 2021.	Closed
B17f(ii)	The CSWMSP does not include details of any water licensing requirements.	The CSWMSP should address any water licensing requirements, including if these are not required for the Project.	The Contractor to update CSWMSP to resolve non-compliance. Action by 20th January 2021.	Closed

Condition/s	Non-compliance	Non-compliance recommendation	Response / Action	Outcome
		Action by 1 <sup>st</sup> February 2021.		
B20	The unexpected finds protocol for contamination does not include notification of unexpected finds to the Planning Secretary prior to removal of the material from site. Three instances of unexpected contamination finds occurred in the audit period.	Update the unexpected finds protocol in the CEMP for contamination to include notification to the Planning Secretary for any unexpected contamination finds including details of the disposal location and testing results prior to removing any materials from site.  Action by 1 <sup>st</sup> February 2021.	The Contractor to update CEMP to resolve non-compliance. Action by 20th January 2021.  Notice to DPE to be provided once CEMP is revised.	Closed
C14b	Graffiti was observed on a site sign during the site visit on 11 November 2020.	Seek to have the graffitied sign replaced as soon as possible. Ensure any future graffiti is removed within 48 hours.  Action by 23 <sup>rd</sup> December 2020.	The Contractor to replace sign or remove graffiti. Action by 11th December 2020.	Closed
C25c, C25d	There was some dirt/gravel that had been tracked onto the foot path and public road (Wright Lane) observed during the site inspection.	Vehicles should be inspected prior to leaving site and cleaned if required to ensure dirt is not tracked onto the public road and foot path.  Regular inspection of the public roads should be undertaken to ensure they are kept clean. Cleaning of the roads and footpath should be undertaken if required.  Action by 23 <sup>rd</sup> December 2020.	The Contractor to check/clean vehicles prior to leaving site. Contractor to sweep roads on a weekly basis and as required. Action by 11th December 2020.	Closed

Condition/s	Non-compliance	Non-compliance recommendation	Response / Action	Outcome
C42c	The CEMP and sub-plans were not revised within the three-month period following submission of the previous Independent Audit.	The CEMP and sub-plans should be reviewed within three months following submission of this audit and written notification provided to the Planning Secretary that this review is being undertaken.  Action by 1 <sup>st</sup> March 2021.	The Contractor to review the CEMP and sub-plans with notice provided to DPIE confirming this has been completed. Action by 9th March 2021.	Closed

## 6. Incidents

Refer to Appendix B for a register of all incidents, as defined by the conditions of consent, with the following information:

1. The cause and nature of the incident, the date it occurred and the date it was identified;
2. Location of the incident;
3. How the incident was identified;
4. The agency, or agencies to whom the incident was reported;
5. Details of any corrective and preventative action required by agencies and any undertaken by the proponent; and
6. The response to the incident, including details of timing for undertaking such actions (i.e. that corrective and preventative action is not required, has commenced or is completed)

A reportable incident was raised to the reviewer’s attention.

Description	Finding
<b>How identified</b>	<p>The Principal Contractor advised that a steel fixing subcontractor suffered a cardiac arrest on the site, despite receiving CPR and defibrillator immediately following the alarm being raised, the worker passed away.</p> <p>The alarm was raised by surrounding workers at approximately 1230pm. The site first aid officers attended to the individual and commenced CPR immediately. Emergency services were contacted and arrived at site around 1240pm. SafeWork NSW were notified of the occurrence and attended site on 21st December 2020.</p> <p>Emergency services continued to work on the individual for some time until the worker was confirmed as dead. The site was concurrently evacuated, and witness statements were taken from those involved.</p> <p>Hansen Yuncken elected to close the site on Saturday 19th December. Mates in Construction and a trained psychologist attended site Monday 21st December where the site was addressed, and counselling sessions offered.</p>
<b>Cause</b>	Cardiac arrest, and was not directly related to any work being undertaken on the site and is a medical occurrence.
<b>Location</b>	Q Building
<b>Agency incident was reported</b>	SafeWork NSW investigator David Ward (02 4921 2971 david.ward@safework.nsw.gov.au)

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## 7. Complaints

Refer to Appendix C for a list of complaints received during the reporting period, with the following information:

1. The number of complaints received; and
2. A summary of the main areas of complaint.

A statement must also be provided as to any emerging trends identified in complaints received and proposed action for addressing complaints or reducing the recurrence of complaints or that 'no further action is required'.

Three complaints were received since the mobilisation and commencement of the project. Nil complaints were raised to the reviewer's attention for this reporting period.

1. Vibration related complaint from the mobilisation of the contractor.
2. Noise related complaint during weekend works.
3. The third complaint was not related to the project.

## 8. Compliance Table

Refer to Appendix A for SSD State Significant Development Application SSD 9510 Construction Compliance Reporting table for full details of compliance with consent conditions prior to commencement of construction.

## 9. Compliance Report Declaration

Refer to Appendix E for Compliance Report Declaration Form.





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## Appendix A. Compliance Reporting Table

The University of Newcastle - Honeysuckle City Campus  
Development Stage 1A

Development Conditions of Consent - Responsibility Matrix



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
<b>PART A - ADMINISTRATIVE CONDITIONS</b>				
<b>Obligation to Minimise Harm to the Environment</b>				
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.	Management plans and site observations	There have been one incident during this audit period, however reported as per requirements, findings noted medical occurrence and not related to the Works. There have been no complaints during this audit period. During the site inspection the facility was found to be well run, quiet, tidy, with waste and hazardous substance storage being very well managed. The inspector found no issues of concern, nor any risk of material harm to the environment.	Compliant
<b>Terms of Consent</b>				
A2.	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) generally in accordance with the EIS as amended by the RTS and RFIR; and (d) in accordance with the approved plans in the table below (except as may be amended by the conditions of consent):	This table	Non-compliances were identified during the audit as noted in this checklist. It is noted that the non-compliances identified were considered administrative in nature.	Non-Compliant
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; (b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and (c) the implementation of any actions or measures contained in any such document referred to in (a) above.	Review and coordinate written directions Planning Secretary with the relevant project parties.	Nil written instructions during this reporting period.	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.	Review and coordinate written directions Planning Secretary with the relevant project parties.	No inconsistency, ambiguity or conflict has been identified.	Not Triggered
<b>Limits of Consent</b>				
A5.	This consent lapses five years after the date from which it operates, unless the works associated with the development have physically commenced.	Development consent	Construction associated with CC1 planned to commence on 10 June 2020. Notice of commencement provided via planning portal SSD-9510-PA-1.	Compliant
A6.	Separate approval must be obtained for any works or uses which do not meet exempt development provisions. This consent does not include approval of the following: (a) site preparation and remediation works (b) installation of a substation (c) use of the building for events, with the exception of events directly associated with the building's University function (d) digital display, projection or any other means of lighting or animation onto the façades of the building.	Development consent and site observations	Site preparatory works were undertaken at the site under DA2018/00933 (as modified), granted by Council on 1 July 2019. These works have been completed with the exception of Lot 2 and 3 remediation (outside the works area relevant to the Stage 1A building). The reporter was advised that remediation of Lot 2 and 3 will be completed following completion of the Stage 1A building construction activities. Installation of a kiosk substation forms part of DA2018/00933 granted by Council on 1 July 2019. Construction of the building had not been completed in in the audit period.	Compliant
<b>Prescribed Conditions</b>				
A7.	The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.	Crown certificates	The relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation to the Project are Clause 98 and Clause 98A. Clause 98 of the EP&A Regulation requires Compliance with Building Code of Australia (BCA). - Crown Certificate 1 for the Project was issued by Blackett Maguire and Goldsmith on 5 June 2020. Crown Certificate 1 includes: "In-ground structure and services works only...". - Crown Certificate 2 was issued on 10 July 2020 for "Services and structure to core and mass timber only...". - Crown Certificate 3 was issued on 13 November 2020 for "Remaining Building works...".	Compliant
<b>Planning Secretary as Moderator</b>				

The University of Newcastle - Honeysuckle City Campus  
Development Stage 1A

Development Conditions of Consent - Responsibility Matrix



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
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.	Site observations (including project team interviews)	There have been no disputes or matters requiring resolution.	Not Triggered
<b>Legal Notices</b>				
A9.	Any advice or notice to the consent authority must be served on the Planning Secretary.	Site observations (including project team interviews)	The Notification of Occupation dated 11 March 2021 was addressed to Mr Joel Curran, Planning and Assessments, Department of Planning, Industry and Environment. No other legal notices have been issued to the consent authority to date.	Compliant
<b>Evidence of Consultation</b>				
A10.	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.	Submission of evidence of consultation	Consultation with parties has been undertaken with evidence appended to respective reports / documents.	Compliant
<b>Staging, Combining and Updating Strategies, Plans or Programs</b>				
A11.	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).	Management plans and site observations	No request for staging for the project which differs from the consent has been submitted.	Compliant
A12.	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.	Management plans and site observations	No request for staging for the project which differs from the consent has been submitted.	Not Triggered
A13.	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.	B13 of this consent	Approval of the CEMP and sub-plans is not required by the Planning Secretary.	Not Triggered
<b>Structural Adequacy</b>				
A14.	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. Note 1: Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works Note 2: Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.	Contractor to provide documentary evidence of compliance	PCA has signed off to verify compliance with BCA. - Crown Certificate 1 for the Project was issued by Blackett Maguire and Goldsmith on 5 June 2020. Crown Certificate 1 includes: "In-ground structure and services works only...". - Crown Certificate 2 was issued on 10 July 2020 for "Services and structure to core and mass timber only...". - Crown Certificate 3 was issued on 13 November 2020 for "Remaining Building works...". - SANSW approval 31st March 2020.	Compliant
<b>External Walls and Cladding</b>				
A15.	The external walls of all buildings including additions to existing building must comply with the relevant requirements of the BCA.	Contractor to provide documentary evidence of compliance	The external wall system disclosure statement dated 14 September 2020 prepared by Rod Meneses (Builders Licence 220417C) confirming materials proposed for construction meet the requirements of the BCA.	Compliant
<b>Applicability of Guidelines</b>				
A16.	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.	As per consent condition	Construction activities have generally been conducted in accordance with guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	Not Triggered
A17.	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.	Site observations (including project team interviews)	No directions have been issued by the Planning Secretary, other than enquiring about the overdue operational independent environmental audit, did not stipulate any updated or revised version of a guideline, protocol, Standard or policy, or replacement of them.	Not Triggered
<b>Monitoring and Environmental Audits</b>				

The University of Newcastle - Honeysuckle City Campus  
Development Stage 1A

Development Conditions of Consent - Responsibility Matrix



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
A18.	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 1: 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.	Principal to engage independent environmental audit to fulfil the requirements set out in consent conditions C44 to C49. Principal to complete Compliance Monitoring requirements as per B27 to B30.	Principal has engaged an independent environmental audit to fulfil the requirements set out in consent condition C44 and C49. Audit team accepted by DPIE as per planning portal SSD-9510-PA-2 and subsequent program. Audit 1 was submitted in August with the second audit to be submitted December 2020. With transition to operation June 2021, no further construction audit is needed.  Principal to complete Compliance Monitoring Program submitted via planning portal SSD-9510-PA-3. Pre-Construction Compliance Report submitted in June. This report to meet Construction Compliance and Monitoring and was submitted December 2020. With transition to operation June 2021, no further construction audit is needed.	Compliant
<b>Access to information</b>				
A19.	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.	University website: <a href="https://www.newcastle.edu.au/about-uon/our-environments/honeysuckle-city-campus-development/public-documents">https://www.newcastle.edu.au/about-uon/our-environments/honeysuckle-city-campus-development/public-documents</a>	All documents up to date at the time of this report.	Compliant
<b>Compliance</b>				
A20.	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.	Contractor to provide documentary evidence of compliance.	It was confirmed that the relevant development consent conditions were provided to contractors prior to commencement of works. Conditions relating to environmental management of the site were included in the site induction and recorded in the site Induction Register. An updated Incident Register was provided to the assessor.	Compliant
<b>PART B - PRIOR TO COMMENCEMENT OF CONSTRUCTION</b>				
<b>Compliance Reporting</b>				
B27.	Prior to 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.	Principal to submit Compliance Monitoring and Reporting Programme	Compliance Monitoring and Reporting Programme submitted via the planning portal on 4/06/2020 SSD-9510-PA-3.	Compliant
B28.	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	As per consent condition	Pre-Operational report was not undertaken at the appropriate time. This is being completed retrospectively to respond to this non-compliance.	<b>Non-Compliant</b>
B29.	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.	As per consent condition	Previous reports are on the University website. The Pre-Operational report was not completed on time, however was not submitted to DPE and thus the timing for this condition did not commence. Therefore only B28 identified as a non-compliant.	Compliant
B30.	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 that an operational compliance report has demonstrated operational compliance.	As per consent condition	The Project is still in the construction phase and we understand no requests have been made in this regard.	Not Triggered
<b>PART C - DURING CONSTRUCTION</b>				
<b>Approved Plans to be On-Site</b>				

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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
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.	Review documentary evidence on site.	The reporter observed a sign inside the site entrance noting these were available.	Compliant
<b>Site Notice</b>				
C2.	A site notice(s): (a) must be prominently displayed at the boundaries of the site during construction for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifier and Structural Engineer is to satisfy the following requirements; (b) 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; (c) the notice is to be durable and weatherproof and is to be displayed throughout the works period; (d) 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 (e) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.	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.	A site notice was posted at the site entrance and observed during the site visit as compliant with this condition.	Compliant
<b>Operation of Plant and Equipment</b>				
C3.	All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.	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.	The equipment maintenance register (included in BIM360 Field) was observed during the site visit. The register includes details of all plant and equipment on site, any maintenance that had been undertaken and when the next maintenance is due. The reporter viewed the maintenance records for a CAD Scissor lift during the site inspection.	Compliant
<b>Construction Hours</b>				
C4.	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. (c) No work may be carried out on Sundays or public holidays.	As per consent condition	The reporter understands that all activities (with the exception of 1st August) have been undertaken during standard construction hours as confirmed in the site interview. The reporter viewed the site personnel sign-on register in BIM360 Field during the site visit to demonstrate compliance with this. This is consistent with Section 1.5 of the CNVMSP. On 1st August works commenced at 7am outside of the statutory timeframes. This was resolved with the contractor to maintain compliance with the statutory timeframes.  The above was addressed in previous compliance reports and has been compliant for this reporting period.	Compliant
C5.	Notwithstanding condition C4, provided noise levels do not exceed the existing background noise level plus 5 dB, works may also be undertaken during the following hours: (a) between 6pm and 7pm, Mondays to Fridays inclusive; and (b) between 1pm and 4pm, Saturdays.	As per consent condition	The reporter understands from the site interview that no activities have been undertaken outside the standard construction hours with the exception of that specified in condition C4.	Not Triggered
C6.	Construction activities may be undertaken outside of the hours in condition C4 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 or to prevent environmental harm; or (c) where the works are inaudible at the nearest sensitive receivers.	As per consent condition	The reporter understands from the site interview that no activities have been undertaken outside the standard construction hours with the exception of that specified in condition C4.	Not Triggered
C7.	Notification of such construction activities as referenced in condition C5 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.	As per consent condition	The reporter understands from the site interview that no activities have been undertaken outside the standard construction hours with the exception of that specified in condition C4.	Not Triggered
C8.	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.	As per consent condition	The reporter understands from the site interview that no rock breaking, rock hammering, sheet piling, pile driving and similar activities activities have been undertaken.	Not Triggered
<b>Implementation of Management Plans</b>				



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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
C9.	The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans).	As per consent condition	Examples of compliance with the CEMP are described in the response to conditions B12 to B18. The Site HSE Inspection Checklist serves as a process to undertake regular inspections of the construction of the development in accordance with the CEMP and sub-plans. An example of a completed checklist was viewed by the reporters.	Compliant
C10.	If directed by TfNSW, the Applicant must make changes to the Construction Traffic and Pedestrian Management sub-plan as accordance with TfNSW directions in order to maintain road safety and network efficiency.	As per consent condition	TfNSW was provided a copy of the CTPMSP on 10 June 2020 and provided comments on 10 June 2020. No comments were provided on the contents of the CTPMSP triggering this condition.	Not Triggered
<b>Construction Traffic</b>				
C11.	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.	Contractor to provide Project Management Plan (PMP) confirming site establishment including construction vehicle access to site.	The reporter observed the following whilst on site: •A designated on site car parking area was provided with adequate car parking spaces. •Works were contained within the site boundary with no obstructions of public footpaths or roads. •A designated loading bay was available for trucks entering the site and no trucks were obstructing public roads. Site personnel confirmed during the site interview that trucks use the loading bay and are contained within the site.	Compliant
<b>Road Occupancy Licence</b>				
C12.	A Road Occupancy Licence must be obtained from the relevant transport authority for any works that impact on traffic flows during construction activities.	Contractor to provide documentary evidence of compliance	A road occupancy permit was granted by the City of Newcastle for watermain connection between 12 and 31 October 2020.	Compliant
<b>SafeWork Requirements</b>				
C13.	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 SafeWork requirements.	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.	The reporter confirmed that the site was appropriately secured during the site visit (fenced around the perimeter with lock on front entrance).	Compliant
<b>Hoarding Requirements</b>				
C14.	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.	Contractor to provide Project Management Plan (PMP) confirming extend of site boundary and hoarding construction. This will be reviewed by Principal.	Graffiti was observed on a site sign during a previous site visit.  The above was identified in a previous Compliance report and has since been addressed and is now compliant.	Compliant
<b>No Obstruction of Public Way</b>				
C15.	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.	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.	The works were observed to be contained wholly within the site boundary during the site visit. No items were observed to be obstructing the public way.  Observation: It was observed during the site inspection that a small amount of gravel from the site car park was tracking onto the footpath. Although not obstructing the public way, this could create a potential slip hazard to pedestrians.  Recommendation: Undertake regular inspections of the foot path to ensure no materials have been tracked from the site. If materials are found to be on the footpath, they should be cleaned up as soon as practical.	Compliant
<b>Construction Noise Limits</b>				

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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
C16.	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 CNVMP.	As per consent condition	<p>A construction noise and vibration assessment was undertaken for the Project by AECOM, University of Newcastle - HCCD Stage 1A SSD Noise and Vibration Impact Assessment (February 2020) (NVIA). Noise and vibration criteria were established for the Project. Noise and vibration generating activities associated with the construction works were predominately from heavy vehicles entering or exiting the site and machinery operation (large excavators, backhoe, grader, water cart, dump truck). The equipment and machinery inventory included in the NVIA also included a vibratory roller however this was not used during the audit period. For this reason, it is considered that the noise and vibration impacts from the Project are likely less than those predicted in the NVIA.</p> <p>A noise monitoring report was prepared by ama Monitoring Services for attended monitoring undertaken on 29 July 2020. The monitoring identified some exceedances of the project specific noise management levels but notes these are likely contributed from other major noise sources in the area including other construction works, delivery trucks idling near monitors and bootcamp training that was being undertaken during the monitoring.</p> <p>No complaints have been received during the audit period relating to noise.</p>	Compliant
C17.	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 Conditions C4 to C8.	Contractor to provide Project Management Plan (PMP) confirming management of construction vehicle movements to and around the site.	The reporter understands that all construction vehicles arrived at the site during standard construction hours as confirmed in the site interview. The reporter viewed the site sign on register in BIM360 Field during the site visit to demonstrate compliance with this. This is consistent with Section 1.5 of the CNVMSP.	Compliant
C18.	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.	As per consent condition	Vehicle alarms encountered during the site inspection were considered by the reporter to be within acceptable noise levels. Vibratory rollers are not being used for the construction to minimise noise impacts to nearby receivers.	Compliant
C19.	The Applicant must ensure that any work generating high noise impact (i.e. work exceeding a NML of LAeq 75dBA) as measured at the sensitive receiver must only be undertaken in continuous blocks of no more than 3 hours, with at least a 1 hour respite between each block of work generating high noise impact, where the location of the work is likely to impact the same receivers. For the purposes of this condition 'continuous' includes any period during which there is less than one hour respite between ceasing and recommencing any of the work the subject of this condition.	As per consent condition	The reporter understands from the site interview that high noise generating works were not undertaken during the audit period.	Not Triggered
C20.	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 site.	As per consent condition	Refer to response to condition C16.	Compliant
<b>Vibration Criteria</b>				

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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
C21.	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).	As per consent condition	Construction vibration criteria are outlined in Section 2.4.1 of the CNVMSP and includes consideration of: •British Standard BS 7385:1993 Evaluation and Measurement for Vibration in Buildings – Part 2: Guide to Damage Levels from Ground Borne Vibration for guidance on cosmetic damage to residential/commercial buildings •German Standard DIN 4150-3:1999-02 Structural Vibration – Part 3: Effects of vibration on structures for guidance on cosmetic damage to heritage buildings. Site personnel confirmed during the site interview that vibration monitoring had not been undertaken given the low potential for impact from the works (no vibratory roller in use). Vibration criteria have been developed in accordance with the NSW EPA guideline Assessing Vibration: A Technical Guideline (AVTG) as stated in Section 2.4.2 of the CNVMSP. Site personnel confirmed during the site interview that vibration monitoring had not been undertaken given the low potential for impact from the works (no vibratory roller in use).	Compliant
C22.	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 C21.	As per consent condition	Vibratory roller was used initially in the site mobilisation phase and was compliant with this condition. Due to a complaint the no vibratory rollers had been used since.	Compliant
C23.	The limits in Conditions C21 and C22 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by Condition B13 of this consent.	As per consent condition	The vibration limits specified in the CNVMSP are in accordance with the relevant limits as described in condition C21 and C22.	Compliant
<b>Air Quality</b>				
C24.	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	As per consent condition	“Dust nuisance to neighbours is minimized; Water carts are adequately used; Sprinkler/spray system has been established and is in use; Suitable respiratory protection is being worn by relevant workers.” No excessive dust was observed during the site inspection. A sprinkler was being used during the site visit to suppress dust on the exposed area of the site.	Compliant
C25.	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.	As per consent condition	A cattle grid was observed at the site entrance during the site visit to prevent dirt tracking from vehicles on the road. There was some dirt/gravel that had been tracked onto the foot path and public road (Wright Lane) observed during the site inspection. Recommendation: Vehicles should be inspected prior to leaving site and cleaned if required to ensure dirt is not tracked onto the public road and foot path. Regular inspection of the public roads should be undertaken to ensure they are kept clean. Cleaning of the roads should be undertaken if required.  The above was identified within a previous compliance report, with corrective actions undertaken and has since been identified as compliant.	Compliant
<b>Erosion and Sediment Control</b>				

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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
C26.	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. Erosion and sediment control techniques, as a minimum, are to be in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004) commonly referred to as the 'Blue Book'.	As per consent condition	Evidence of erosion and sediment controls were observed during the site visit and was evident in the Site HSE Inspection Checklist . This included the following: <ul style="list-style-type: none"> <li>•Spill kits</li> <li>•Sediment fencing along the site perimeter</li> <li>•Coir logs used at key locations along the site perimeter</li> <li>•Diversion drains.</li> </ul> The sediment fencing around the soil stockpile and along the south-eastern corner of the site boundary were falling down during the site inspection. It is noted that in relation to the sediment fencing along the south-eastern corner boundary, this sediment fencing is unlikely to be mitigating any sediment and erosion impacts from the development, given its location proximate to the works being undertaken. Recommendation: Ensure sediment fencing is inspected on a regular basis and maintained or replaced as required. The sediment fencing around the soil stockpile and along the south-eastern corner of the site boundary should be fixed or, in the case of the south-eastern corner boundary, removed if deemed by site personnel to be unnecessary given it's location proximate to the works.	Compliant
<b>Excavated and Imported Soil</b>				
C27.	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.	Contractor to provide documentary evidence of compliance	The reporter understands from the site interview that no soil has been imported or exported. All excavated soil is contained within a stockpile area on site for future levelling works.	Not Triggered
C28.	Any excavated material to be removed from the site is to be assessed, classified, transported and disposed of in accordance with the Department of Environment and Climate Change's (DECC) 'Waste Classification Guidelines Part 1: Classifying Waste'.	Contractor to provide documentary evidence of compliance	Refer to the response to Condition B20 on the removal of unexpected contamination finds of asbestos. The materials were removed from site and disposed in accordance with SafeWork NSW & EPA requirements according to the clearance certificates and disposal dockets from SUEZ.	Compliant
C29	Documentation demonstrating the compliance with the conditions of the appropriate Resource Recovery Order and Resource Recovery Exemption must be maintained for any material received at the site and subsequently applied to land under the conditions of the Resource Recovery Order and Exemption. This documentation must be provided to City of Newcastle officers or the Principal Certifying Authority on request.	Contractor to provide documentary evidence of compliance	The reporter understands from the site interview that no soil has been imported or exported. All excavated soil is contained within a stockpile area on site for future levelling works.	Not Triggered
<b>Disposal of Seepage and Stormwater</b>				
C30.	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.	Contractor to provide documentary evidence of compliance	The reporter understands from the site interview that disposal of seepage or stormwater has not been required.	Not Triggered
<b>Unexpected Finds Protocol - Aboriginal Heritage</b>				
C31.	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.	Contractor to provide documentary evidence of compliance.	The reporter understands from the site interview that there have been no unexpected finds of Aboriginal heritage to date.	Not Triggered

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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
C32.	Construction works shall be carried out in accordance with the recommendations of the Aboriginal Cultural Heritage Assessment Report prepared by Curio Projects and dated February 2019.	Contractor to provide documentary evidence of compliance.	The recommendations included in the Aboriginal Cultural Heritage Assessment Report prepared by Curio Projects include (paraphrasing used): <ul style="list-style-type: none"> <li>•An Aboriginal Cultural Heritage Management Plan (ACHMP), should be prepared for the wider HCCD project, in order to provide a working framework and strategic advice for the appropriate and sensitive management of Aboriginal cultural heritage and archaeology going forward for the life of the project. Project RAPs, particularly identified cultural knowledge holders, should be involved in all stages of development of this ACHMP, ideally to be facilitated within a workshop environment. This is not relevant to the audit period.</li> <li>•An Aboriginal cultural induction should be developed to provide to all future employees and construction workers on the site, prior to the commencement of Stage 1A construction works. The induction was viewed by the reporters during the previous Independent Audit (Ramboll, 2020). No updates have been made in the audit period.</li> <li>•Opportunities to interpret Aboriginal cultural heritage values should be identified for implementation within Building 1A, to be integrated into an overall holistic approach to interpreting the University of Newcastle Honeysuckle City Campus site.</li> </ul>	Compliant
<b>Unexpected Finds Protocol - Historic Heritage</b>				
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.	Contractor to provide documentary evidence of compliance.	The reporter understands from the site interview that there have been no unexpected finds of historic heritage to date.	Not Triggered
<b>Waste Storage and Processing</b>				
C34.	All waste generated during construction 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.	As per consent condition	Skip bins were observed on site as available to site personnel.	Compliant
C35.	All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).	As per consent condition	The reporter viewed 'HCCD – Stage 1A Waste Report 2021'. The waste report included tipping dockets from Dump It Bins Pty Ltd. The register includes details of the waste classification e.g. vegetation, timber, glass, paper etc.	Compliant
C36.	The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse.	As per consent condition	The reporters viewed the concrete wash bay on the site..	Compliant
C37.	The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.	As per consent condition	Some waste is collected and disposed of by Dump It Bins Pty Ltd. The reporter viewed 'HCCD – Stage 1A Waste Report 2021'. The register includes details of the quantities, waste types and destinations.	Compliant
C38.	The Applicant must ensure that the 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 facility is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.	As per consent condition	Refer to the response to Condition B20 on the removal of unexpected contamination finds of asbestos. The materials were removed from site and disposed in accordance with SafeWork NSW & EPA requirements according to the clearance certificate and disposal dockets from SUEZ.	Compliant
<b>Handling of Asbestos</b>				
C39.	The Applicant is to consult with SafeWork 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.	Contractor to provide documentary evidence of compliance.	Refer to the response to Condition B20 on the removal of unexpected contamination finds of asbestos. The materials were removed from site and disposed in accordance with SafeWork NSW & EPA requirements according to the clearance certificate and disposal dockets from SUEZ. Pursuant to clause 79(2)(a) of the Protection of the Environment Operations (Waste) Regulation 2014 reporting on the transportation of asbestos waste does not apply to materials less than 100 kilograms or of less than 10 square metres as was the case for the unexpected finds.	Compliant
<b>Incident Notification, Reporting and Response</b>				

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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
C40.	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.	Contractor to provide documentary evidence of compliance	An incident occurred December 2020 with notification to the DPE and SafeWork NSW. A follow up report was completed in early-2021 and appended to this Compliance Report. The incident was caused by cardiac arrest and is of medical occurrence which was not related to the works.	Compliant
<b>Non-Compliance Notification</b>				
C41.	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 non-compliance (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	Contractor to provide documentary evidence of compliance	No reportable non-compliances were identified by the applicant or the Certifying Authority during the audit period requiring notification.	Not Triggered
<b>Revision of Strategies, Plans and Programs</b>				
C42.	Within three months of: (a) the submission of a compliance report under condition B30; (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, 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.	Contractor/ Principal to provide documentary evidence of compliance	Following from previous non-compliance for this condition, the associated reports and management plans were reviewed at the appropriate timings, and when required revised.	Compliant
C43.	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. Note 1: 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	Contractor/ Principal to provide documentary evidence of compliance	N/a	Not Triggered
<b>Independent Environmental Audit</b>				
C44.	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior commencement of an initial construction Independent Audit (Condition C46(a)).	Principal to provide documentary evidence of compliance	The Auditors were approved by the Planning Secretary on 5 June 2020. A copy of the approval letter is included in Appendix 3 to the Audit Report.	Compliant
C45.	Prior to commencement of an initial construction Independent Audit (Condition C46(a)) 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.	Principal to provide documentary evidence of compliance	The Audit Program was submitted by APP on 28 October 2020.	Compliant
C46.	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 Independent Audit. In all other respects, Table 1 remains the same. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least four weeks' notice to the applicant of the date upon which the audit must be commenced.	Principal to provide documentary evidence of compliance	Construction commenced on 10 June 2020 therefore submission of the first construction audit was required by 5 August 2020. The first construction audit was provided by the Auditors to APP on 4 August 2020 and submitted on 5 August 2020. Further construction audit was completed in January 2021. The project transitioned into Operation June 2021 and therefore no further construction audits were needed.	Compliant



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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
C47.	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).	As per consent condition	The audit has been undertaken consistent with the Independent Audit Post Approval Requirements (Department of Planning and Environment 2018) and the revised guidance Independent Audit: Post Approval Requirements (Department of Planning and Environment 2020)	Compliant
C48.	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.	As per consent condition	The Independent Audit Report and response to audit recommendations is available on the Department's Major Projects website. Observation: As identified in Condition A19a(ix), the University website does not include the previous Independent Environmental Audit (Ramboll, 2020) and response to recommendations. Recommendation: Upload the previous Independent Environmental Audit (Ramboll, 2020) to the University website and provide notification to the Department and the Certifying Authority in writing when this has been done.	Compliant
C49.	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.	As per consent condition	No request to the secretary has been made.	Not Triggered
<b>PART D - PRIOR TO OCCUPATION OR COMMENCEMENT OF USE</b>				
<b>Notification of Occupation</b>				
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.	Principal to provide documentary evidence of compliance	Sighted Notice of Occupation dated 11 March 2021, and response from department in writing. The Notice stated that the date of occupation would be 14 May 2021, but, occupation for the purposes of employee transition and commissioning occurred in June 2021 and full function of the building with access to public and students was in February 2022. This is corroborated by the dates of three consecutive BCA Completion Certificates issued by the Certifier Blackett, Maguire & Goldsmith: BCAC-21063, 28 May 2023, is for part, "External landscaping works only and to the exclusion of all remaining works associated with the four (4) storey education development for academic and ancillary uses associated with the School of Creative Industries (SOCI) and Innovation Hub" BCAC-21075, 7 June 2021, is for part, "Remaining building works and use for the purpose of staff transition and commissioning purposes only to the exclusion of external building signage and on-street servicing bay works(D17)" BCAC-22013, 15 February 2022, is for the whole development. Note: For the purposes of conditions that refer to Occupation, this Auditor considers 7 June 2021 as the commencement of occupation and commencement of operation with the exception of condition E5 "full occupation" (which requires noise assessment of the full use of the building).	Compliant
<b>External Walls and Cladding</b>				
D2.	Prior to commencement of operation, the Applicant must provide the Certifier 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.	Contractor to provide documentary evidence of compliance.	Acceptance of external wall schedule is listed in BCA Completion Certificate as item 32 and 103, 7 June 2021.	Compliant
D3.	The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.	Contractor to provide documentary evidence of compliance	Sighted acknowledgment of receipt email UON Honeysuckle Campus Stage 1A - Post Approval Document Received - (SSD-9510-PA-20) regarding the submission of the Acceptance of External Wall Schedule to DPE.	Compliant
<b>Protection of Public Infrastructure</b>				

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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
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 1: 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.	As per consent condition	Sighted Email confirmation from council, 16B Honeysuckle Dr, Newcastle - RA 2020/00447 - Final Inspection, dated 11 March 2021. No repairs were required. No relocation of infrastructure was required.	Compliant
D5.	Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications.	As per consent condition	No restoration of road and footway areas was required.	Compliant
<b>Post-construction Dilapidation Report</b>				
D6.	Prior to commencement of operation, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is: a) to ascertain whether the construction created any structural damage to adjoining buildings or infrastructure; b) to be submitted to the Certifier. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifier 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.	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.	Sighted HCCD Stage 1A - 210413 Dilapidation Report - Surrounding Roads and Footpaths, 13 April 2021. 21 April 2021 No structural damage by construction was identified. The dilapidation report is listed as Item 14 on the BCA Completion Certificate. The dilapidation report is listed as Item 14 on the BCA Completion Certificate. The dilapidation report is listed as Item 14 on the BCA Completion Certificate. Sighted Council email acknowledgement of receipt of the dilapidation report dated 21 April 2021. No further comment was received from Council. Sighted Council email acknowledgement of receipt of the dilapidation report dated 21 April 2021.	Compliant
D7.	Unless the Applicant and the applicable owner agree otherwise, the Applicant must repair, or pay the full costs associated with repairing any property that is damaged by carrying out the development.	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.	No repairs were required.	Compliant
<b>Green Travel Plan</b>				
D8.	Prior to the commencement of operation, a Green Travel Plan (GTP), must be submitted to the Certifier to promote the use of active and sustainable transport modes. The plan must: (a) be prepared by a suitably qualified traffic consultant in consultation with Council and Transport for NSW; (b) be based on the Honeysuckle City Campus Development University of Newcastle Green Travel Plan prepared by SECA solution and dated May 2019 (c) include objectives and modes share targets to define the direction and purpose of the GTP; (d) include specific tools and actions to help achieve the objectives and mode share targets; (e) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; (f) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development; and (g) include tools, actions and processes to address the scenario where the mode share targets are not achieved, including the approach to providing additional management and mitigation measures and infrastructure (where deemed necessary).	Principal to provide documentary evidence of compliance	Sighted Honeysuckle City Campus Development Q Building University of Newcastle Green Travel Plan, SECA solution, March 2021 The Green Travel Plan is item 65 on the BCA Completion Certificate, 20 May 2021. Sighted Email submission to council, FW: SSD 9510 - University of Newcastle Honeysuckle Green Travel Plan, 29 April 2021 "The report has been prepared by traffic engineers Tyler Neve and Sean Morgan, in conjunction with Cathy Thomas, who has undertaken courses in Sustainable Travel Plan Development (UTS Sydney), PWZTMP, road safety auditor." The Plan does not include evidence of consultation with TfNSW or Council. This audit cannot verify the means of consultation with TfNSW and Council. 1.2 Scope of Report "This document has been based on the Honeysuckle City Campus Development University of Newcastle Green Travel Plan 2019" Chapter 2 Priority actions and Measures of success Chapter 7 Mode split prediction, can be interpreted as a target. Chapter 8. 8.1 to 8.8 Actions and tools Chapter 8. 8.1 3. "Maintain the role of Transport Coordinator to oversee the ongoing implementation and management of this Green Travel Plan" The University has appointed a Transport Administrator who fulfils the role of "Transport Coordinator" in this plan.	Compliant
<b>Utilities and Services</b>				
D9.	Prior to the commencement of operation, 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.	Contractor to provide documentary evidence of compliance	Sighted Certificate of Compliance – for plumbing and Drainage Work, Serial No. E200673	Compliant

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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
<b>Mechanical Ventilation</b>				
D10.	Prior to commencement of operation and following completion, installation and testing of all mechanical ventilation systems, the Applicant must submit evidence to the Certifier demonstrating 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.	Contractor to provide documentary evidence of compliance	Sighted Installation Certificate, Mechanical, The University of Newcastle City Campus –Stage 1A, Benmax, 11 May 2021, submitted 19 May. The certificate lists the relevant BCA clauses that the development is in accordance with. The certificate states that the development complies with AS 1668.2-2012. The certificate lists the SSD conditions checked that the development is in compliance with.	Compliant
<b>Fire Safety Certificate</b>				
D11.	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.	Contractor to provide documentary evidence of compliance	The Fire Safety Certificate dated 19/5/2021 was submitted to the authority on 28/5/2021. That was after the notified occupation date of 14/5/2021, however occupation occurred in June 2021. That Fire Safety Certificate was observed prominently displayed in the building during the site inspection, however it has not been replaced by a subsequent Fire Safety Certificate obtained dated 18 October 2021 with various updates noted. See also item 1.13 above. Following the site inspection date of this audit, both Fire Safety Certificates were issued to Council on 8 December 2022.	Compliant
<b>Structural Inspection Certificate</b>				
D12.	Prior to the commencement of occupation of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the Certifier. 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 Certifier 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.	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.	Sighted Letter, Re: 16 Honeysuckle Drive, Newcastle- Structural Certification OC1, Northrop, 10 May 2021 It is listed as item 61 on the BCA Completion Certificate received 28 May 2021. Following inspection date of this audit, the Structural Inspection Certificate was submitted to Council and DPE. Sighted Email, SSD 9510 - University of Newcastle, 16 Honeysuckle Dr, Structural Certificate, 6 December 2022; and Email, UON Honeysuckle Campus Stage 1A - Post Approval Document Received - (SSD-9510-PA-23), 6 December 2022 The certificate notes that there had been periodic inspections. The certificate lists the drawings checked.	Compliant
<b>Warm Water Systems and Cooling Systems</b>				
D13.	The installation 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 Part 1 (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.	Contractor to provide documentary evidence of compliance	Sighted Installation Certificate, Mechanical, The University of Newcastle City Campus –Stage 1A, Benmax, 11 May 2021. Note that AS/NZS 3666.2:2011 Air handling and water systems of building not referenced in certificate sighted but does specifically certify compliance with Condition D13	Compliant
<b>Outdoor Lighting</b>				
D14.	Prior to the commencement of operation, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and: (a) complies with the latest version of AS 4282-2019 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and (b) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.	Contractor to provide the certifying authority certification that the lighting has been installed in accordance with the requirements	Sighted Installation Certificate, Electrical, Carter and Osborne Electrical, 22 April 2021 BCA Completion cert item 8 (12 May2021). The certificate states that the development complies with AS 4282-2019. The site inspection found that the lighting was directed correctly. There have been no complaints regarding light intrusion.	Compliant
<b>Operational Waste Management Plan</b>				

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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
D15.	<p>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:</p> <p>(a) detail the type and quantity of waste to be generated during construction and operation of the development;</p> <p>(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);</p> <p>(c) detail the materials to be reused or recycled, either on or off site; and</p> <p>(d) include the Management and Mitigation Measures included in the EIS.</p>	Principal to provide documentary evidence of compliance	<p>Sighted University of Newcastle Q Building Waste Management Plan Green Star, WSP, 21 April 2021 Email, RE: SSD 9510 - University of Newcastle 16B Honeysuckle Drive, 6 May 2021.</p> <p>Section 6.2 Operational Waste Performance Measurement Procedures, states that "A baseline value is to be established within the first three months of operation via a waste audit conducted by an accredited auditor. While the University produced tables of waste monitoring for the University divided by campus for the first three months of operation, the following is noted:</p> <ul style="list-style-type: none"> <li>•The data cannot be divided to show only Q Building usage.</li> <li>•No evidence of a waste audit by an accredited auditor has been provided.</li> </ul> <p>It is noted that condition D15 does not stipulate that a waste audit should be conducted for Q Building. It is also noted that the University's waste contractor, is implementing the Waste Management Plan for the delivery of Waste Management Services to The University of Newcastle, Spotless, 22 January 2020, and it refers to conducting monthly audits.</p> <p>Sighted consultation.</p> <p>Section 5.8 of plan.</p> <p>Section 5.8 commits to a private contractor for collection but does not commit to a specific supplier company.</p>	Compliant
<b>Site Audit Report and Site Audit Statement</b>				
D16.	<p>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).</p>	Principal to provide documentary evidence of compliance	Sighted Site Audit Report, University of Newcastle, Honeysuckle City Campus Development, Lot 1, Ramboll, 29 June 2020.	Compliant
<b>On-Street Servicing Bay</b>				
D17.	<p>Prior to the commencement of the operation, the Applicant shall submit evidence to the Certifier demonstrating that the following requirements are complied with:</p> <p>(a) all roads and traffic facilities outside the site boundary must be designed to meet the requirements of Council. The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road / pavement construction works</p> <p>(b) all required signage, associated pavement markings and kerbside parking controls for the servicing loading/unloading bay on Honeysuckle Drive must be installed, inspected by Council and handed over to Council</p> <p>(c) any works performed in, on or over a public road reserve pursuant to this consent must be carried out in accordance with the Road Opening Permit issued by Council as required under Sections 138 and 139 of the Roads Act 1993.</p>	Principal to provide documentary evidence of compliance	<p>Council didn't approve the on-street servicing bay till April 2021, but the contractor was already demobilising, so the servicing bay had to be pulled out of scope and added to landscaping scope for a separate project with its own SSD on adjacent land. This is reflected in Condition and Exclusion 8 in the BCA Completion Certificate.</p> <p>Sighted new cert completion certificate 23 March 2022 and email from NCC 25 January 2022 confirming acceptance RA2021/00509 package includes the loading zone. During operation the function of the loading zone was provided by the new waste collection driveway.</p> <p>The correspondence from Council has been submitted to DPE following the audit site inspection date, on 12 December 2022.</p> <p>The site inspection found the development to be consistent with the stamped plans and road opening permit.</p> <p>Signage viewed in the site inspection is compliant and is noted in the council inspection email.</p> <p>Road opening permit, email from council can be taken as section 138.</p>	Compliant
<b>Bicycle Parking and End-of-Trip Facilities</b>				

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D18.	<p>Prior to occupation, compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the satisfaction of the Certifier:</p> <p>a) the provision of a minimum 52 bicycle parking spaces including:</p> <p>i) 40 spaces for students and staff within the temporary single storey extension</p> <p>ii) 12 spaces for visitors within the public domain</p> <p>b) the layout, design and security of bicycle facilities must comply with the minimum requirements of the latest version of AS 2890.3:2015 Parking facilities - Bicycle parking, and be located in easy to access, well-lit areas that incorporate passive surveillance;</p> <p>c) the provision of end-of-trip facilities for staff, which provide for at two showers, a changing area and lockers;</p> <p>d) appropriate pedestrian and cyclist advisory signs are to be provided; and</p> <p>e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.</p>	Contractor to provide documentary evidence of compliance	<p>Item 71 on the BCA Completion Certificate received 14 April 2021.</p> <p>The site inspection confirmed that 52 bicycle parking spaces are present.</p> <p>The site inspection confirmed that 40 bicycle parking spaces are present in the temporary building.</p> <p>The site inspection confirmed that 12 bicycle parking spaces are present within the public domain.</p> <p>Sighted Letter, Re:Honeysuckle City Campus Development -Stage 1A, Certificate of Design, Architectural Design, Eje Architecture, 24 August 2020, which certifies that the bicycle parking complies with AS 2890.3:2015.</p> <p>End of trip facilities were viewed in the site inspection.</p> <p>Pedestrian and cyclist advisory signs were viewed in the inspection.</p> <p>There were no costs to the Council for signage.</p>	Compliant
D19.	Prior to the commencement of operation, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.	Contractor to provide documentary evidence of compliance	Bicycle wayfinding signage was viewed in the site inspection. Sighted Installation Certificate, Signage, Allpride Signs and Marketing, 12 May 2021.	Compliant
<b>Landscaping</b>				
D20.	Prior the commencement of the operation or the first planting season (whichever is the sooner), the landscaping (including hard and soft landscaping, paths and the like) must be installed in accordance with the landscaping drawings and the Landscape Document University of Newcastle HCCD Stage 1A Honeysuckle Drive, Newcastle prepared by Terras Landscape Architects and dated 28 February 2020.	Contractor to provide documentary evidence of compliance	Sighted Installation Certificate, Landscape Works, Descas Landscapes, 12 April 2021. This is listed as item 72 on the BCA Compliance Certificate.	Compliant
D21.	<p>Prior to the commencement of operation, the Applicant must prepare an Operational Landscape Management Plan (OLMP) to manage the landscaping on-site. The OLMP must:</p> <p>(a) describe the ongoing monitoring and maintenance measures to manage landscaping; and</p> <p>(b) identify that all trees are established on site prior to occupation of the premises.</p>	Principal to provide documentary evidence of compliance	<p>Sighted University of Newcastle Q Building – Honeysuckle Landscape Management Plan. This is item 73 in BCA Compliance certificate, 12 April 2021</p> <p>The plan states "The site will be inspected daily to ensure that the service standards listed below are met. This inspection will be undertaken by the staff contracted to maintain the area. Issues that are not able to be rectified immediately by the staff present will then be escalated via the University's maintenance request system.</p> <p>An independent site inspection will be undertaken twice weekly by the University's Facilities Officer based at the Newcastle City Campus.</p> <p>A formal audit of the site will be undertaken by the University's Precinct Facilities Manager on a monthly basis".</p> <p>Sighted Landscape maintenance monthly inspections April 21 to April22 during Defects Liability Period.</p> <p>Sighted spreadsheet, Building Q Maximo Work Orders May 22 to Dec 22, showing monthly work orders for inspection and maintenance of the grounds of Q Building.</p> <p>Sighted photo of trees established prior to occupation. The plan includes maintenance standards for trees as if they are already established.</p>	Compliant
D22.	The Applicant must not commence operation until the OLMP has been submitted to the Certifier.	Principal to provide documentary evidence of compliance	The Plan is Item 72 and 73 on BCA Completion Certificate 12 April 2021.	Compliant
<b>Mosquito Management</b>				
D23.	Prior to the commencement of the operation the Applicant shall prepare a Mosquito Management Plan (MMP), which addresses the spread and breeding of exotic mosquitos that may have arrived from the operational port. The MMP shall be prepared in consultation with Hunter New England Local Health District.	Principal to provide documentary evidence of compliance	Sighted Honeysuckle City Campus Development - Mosquito Management Plan, Eco Logical Australia, 11 May 2021, which complies with the condition.	Compliant
<b>Operational Flood Management</b>				

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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
D24.	<p>Prior the commencement of the operation, an Operational Flood Emergency Management Plan (OFEMP) must be submitted to the Certifier that:</p> <p>(a) is prepared by a suitably qualified and experienced person(s);</p> <p>(b) addresses the provisions of the Floodplain Risk Management Guidelines (EESG);</p> <p>(c) includes details of:</p> <p>(i) the flood emergency responses for operational phase of the development;</p> <p>(ii) likely flood behaviour and predicted flood levels;</p> <p>(iii) flood warning time and flood notification;</p> <p>(iv) assembly points and evacuation routes;</p> <p>(v) evacuation and refuge protocols; and</p> <p>(vi) awareness training for employees and contractors, and students</p> <p>(vii) how detailed evacuation procedures interface with the Bureau of Meteorology's flood warning system and the local State Emergency Services plan (where appropriate) and include provisions for any third parties likely to be involved.</p>	Principal to provide documentary evidence of compliance	<p>Sighted Operational Flood Emergency Management Plan for 16B Honeysuckle Drive, Newcastle, Northrop, 6 April 2021.</p> <p>The OFEMP is item 75 in the BCA Completion Certificate 6 April 2021.</p> <p>Produced by Northrop Consulting Engineers.</p> <p>Section 1 states that the plan is prepared to address the Floodplain Risk Management Guidelines (EESG).</p>	Compliant
D25.	The OFEMP shall be effectively updated and maintained by the occupiers.	N/A	<p>Section 11 of the plan, "This plan should be revised if the Honeysuckle Redevelopment Area Flood Study (BMT WBM, 2018), the Cottage Creek Flood Study or City Wide Flood Risk Management Study and Plan (BMT WBM, 2012) are reviewed to capture updated best practice guidelines and changes to the catchment since they were prepared.</p> <p>Notwithstanding the above, this plan should be revised every three years, or when there is a major flood event or operational change occurs within the facility."</p> <p>This has not been triggered yet.</p>	Compliant
D26.	Prior to the commencement of the operation a clear warning notice is to be erected and maintained at all points of entry to the site advising that the premises is subject to flooding and that caution should be observed at times of heavy or prolonged rainfall. Such notice is to also provide advice regarding the availability of further detail in respect of possible flooding, refuge areas and include an appropriate telephone number.	Contractor to provide documentary evidence of compliance	Two flood warning notices were viewed in the site inspection.	Compliant
<b>Stormwater Drainage</b>				
D27.	Prior the commencement of the operation a copy of the stormwater drainage design plans with 'work as executed' levels indicated, shall be submitted to the Certifier and to Council. The plans shall be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.	Contractor to provide documentary evidence of compliance	These are listed as item 76 and 77 on the BCA Completion Certificate, received April 2021.	Compliant
<b>Signage</b>				
D28.	Signage shall be installed in accordance with the specifications of the signage drawings listed at Condition A2.	Contractor to provide documentary evidence of compliance	Signage was viewed in the site inspection. Sighted Installation Certificate, Signage, Allpride Signs and Marketing, 12 May 2021. The Certificate does not reference condition D28. It References D18 and D19. This is likely a typographical error. Note: An update of the certificate with the correct condition reference will be requested from Allpride. It is item 71 and 78 on the BCA Completion certificate.	Compliant
<b>PART E - POST OCCUPATION</b>				
<b>Temporary Structures and Elements</b>				
E1.	<p>The temporary single storey extension containing the machine-room, bicycle and waste stores and the internal pump room shall be relocated, and incorporated into the Stage 1B redevelopment. The relocated facilities shall achieve the following requirements:</p> <p>(a) the occupants of Stage 1A shall be permitted to access the relocated facilities within Stage 1B</p> <p>(b) the relocated Stage 1A bicycle parking and waste storage capacity shall be in addition to the bicycle and waste storage requirements of the Stage 1B building</p> <p>(c) the space created by the relocation of the pump room shall provide for a direct connection (visual or physical) to the southern square / public domain.</p>	As per consent condition	<p>This condition was not triggered during the reporting period. This will be triggered during occupation anticipated from June-2021 onwards.</p>	Not Triggered
<b>Operation of Plant and Equipment</b>				
E2.	<p>All plant and equipment used on site, or to monitor the performance of the development must be:</p> <p>a) maintained in a proper and efficient condition; and</p> <p>b) operated in a proper and efficient manner.</p>	As per consent condition	<p>This condition was not triggered during the reporting period. This will be triggered during occupation anticipated from June-2021 onwards.</p>	Not Triggered
<b>Operational Noise Limits</b>				

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E3.	The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in the University of Newcastle HCCD Stage 1A SSD Noise and Vibration Impact Assessment, prepared by AECOM and dated 26 February 2020.	As per consent condition	This condition was not triggered during the reporting period. This will be triggered during occupation anticipated from June-2021 onwards.	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.	As per consent condition	This condition was not triggered during the reporting period. This will be triggered during occupation anticipated from June-2021 onwards.	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.	As per consent condition	This condition was not triggered during the reporting period. This will be triggered during occupation anticipated from June-2021 onwards.	Not Triggered
<b>Unobstructed Driveways and Parking Areas</b>				
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.	As per consent condition	This condition was not triggered during the reporting period. This will be triggered during occupation anticipated from June-2021 onwards.	Not Triggered
<b>Outdoor Lighting</b>				
E7.	Notwithstanding Condition D14, 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.	As per consent condition	This condition was not triggered during the reporting period. This will be triggered during occupation anticipated from June-2021 onwards.	Not Triggered
<b>Hazards Management</b>				
E8.	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.	As per consent condition	This condition was not triggered during the reporting period. This will be triggered during occupation anticipated from June-2021 onwards.	Not Triggered
E9.	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.	As per consent condition	This condition was not triggered during the reporting period. This will be triggered during occupation anticipated from June-2021 onwards.	Not Triggered
<b>Landscaping</b>				
E10.	The landscaping is to be maintained at all times following its installation in accordance with the approved Landscape Management Plan.	As per consent condition	This condition was not triggered during the reporting period. This will be triggered during occupation anticipated from June-2021 onwards.	Not Triggered
<b>Flooding and Stormwater</b>				
E11.	The operation of the building must be carried out at all times in accordance with the FERSP (Condition B18) and the OFEMP (Condition D24).	As per consent condition	This condition was not triggered during the reporting period. This will be triggered during occupation anticipated from June-2021 onwards.	Not Triggered
<b>Ecologically Sustainable Development</b>				
E12.	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 5-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.	As per consent condition	This condition was not triggered during the reporting period. This will be triggered during occupation anticipated from June-2021 onwards.	Not Triggered
<b>Warm Water Systems and Cooling Systems</b>				
E13.	The 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 Part 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.	As per consent condition	This condition was not triggered during the reporting period. This will be triggered during occupation anticipated from June-2021 onwards.	Not Triggered
<b>APPENDIX 1 - INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS</b>				
<b>General</b>				
AN1.	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.	As per consent condition	Refer to response to condition C1.	Compliant
<b>Long Service Levy</b>				

The University of Newcastle - Honeysuckle City Campus  
Development Stage 1A

Development Conditions of Consent - Responsibility Matrix



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
AN2.	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.	Contractor to provide documentary evidence of compliance.	The reporter viewed a receipt for the Long Service Levy for the amount of \$67,293 dated 18 February 2020.	Compliant
<b>Legal Notices</b>				
AN3.	Any advice or notice to the consent authority must be served on the Planning Secretary.	N/A	This has not yet occurred	Not Triggered
<b>EPA</b>				
AN4.	The EPA recommends the use of 'certified consultants'. Please note that the EPA's Contaminated Land Consultant Certification Policy, Ver 2, (dated November 2017) ( <a href="https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/clm/18520-contaminated-land-consultant-certification-policy.pdf?la=en&amp;hash=D56233C4833022719BCE0F40F870C19D C273A1F7">https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/clm/18520-contaminated-land-consultant-certification-policy.pdf?la=en&amp;hash=D56233C4833022719BCE0F40F870C19D C273A1F7</a> ) supports the development and implementation of nationally consistent certification schemes in Australia, and encourages the use of certified consultants by the community and industry. Note that the EPA requires all reports submitted to the EPA to comply with the requirements of the Contaminated Land Management Act 1997 to be prepared, or reviewed and approved, by a certified consultant.	N/A	A detailed site investigation was undertaken by Paul Wright of Coffey Services Australia Pty Ltd and submitted as part of the EIS (Appendix U). The report does not include certification of the author. A site audit was undertaken to assess the suitability of the site for redevelopment in accordance with DA2018/0093 by Ramboll Australia Pty Ltd (Ramboll). The Auditor, Fiona Robinson, is accredited under the Contaminated Land Management Act 1997 as evident by the Site Audit Statement attached to the report (site audit statement no. FR 045-001).	Compliant
<b>Access for People with Disabilities</b>				
AN5.	The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the Certifier 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.	N/A	Refer to response to condition B11.	Compliant
AN6.	Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of Planning for Bush Fire Protection 2006.	N/A	The letter prepared by AECOM confirms that: "The mechanical services design for project complies with the requirements in the project Fire Engineering Report. (Reference: 60579316-FRFE-0001_C.pdf)" in accordance with this condition.	Compliant
<b>Utilities and Services</b>				
AN7.	Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	N/A	Refer to response to condition B7.	Compliant
AN8.	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.	N/A	Refer to response to condition B8.	Compliant
<b>Road Design and Traffic Facilities</b>				
AN9.	All roads and traffic facilities must be designed to meet the requirements of Council or TfNSW (RMS) (whichever is applicable). The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works.	N/A	Refer to response to condition B14b.	Compliant
<b>Road Occupancy Licence</b>				
AN10.	A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.	N/A	Refer to response to condition C12.	Compliant
<b>SafeWork Requirements</b>				
AN11.	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 SafeWork requirements.	N/A	Refer to response to condition C13.	Compliant
<b>Hoarding Requirements</b>				
AN12.	The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.	N/A	Refer to response to condition C13.	Compliant
<b>Handling of Asbestos</b>				
AN13.	The Applicant must consult with SafeWork 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.	N/A	Refer to response to condition C39.	Compliant
<b>Fire Safety Certificate</b>				
AN14.	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.	N/A	A fire safety certificate is placed in a visual prominent position adjacent the FIP in preparation for occupation of the building.	Compliant
<b>APPENDIX 2 - INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS</b>				
<b>Written Incident Notification Requirements</b>				



The University of Newcastle - Honeysuckle City Campus  
Development Stage 1A

Development Conditions of Consent - Responsibility Matrix



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
1	A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> 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.	Contractor to provide documentary evidence of compliance	Completed based on December 2020 incident. Notifications issued to DPE via email and the portal.	Compliant
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; h. identify a project contact for further communication regarding the incident.	Contractor to provide documentary evidence of compliance	Completed based on December 2020 incident. Notifications issued to DPE via email and the portal.	Compliant
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.	Contractor to provide documentary evidence of compliance	Completed based on December 2020 incident. Report issued to DPE via email and the portal.	Compliant
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.	Contractor to provide documentary evidence of compliance	Completed based on December 2020 incident. Report issued to DPE via email and the portal.	Compliant

## Appendix B. Incidents Register

SITE MANAGEMENT DASHBOARD												
<u>Incident Report</u>	<u>Date of Incident</u>	<u>Incident Class</u>	<u>Incident Type</u>	<u>Company</u>	Review & Closeout							
					A	B	C	D	E	F	G	H
<a href="#">000415</a>	11/08/2020	3.3	NM	Hansen Yuncken	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Sub Contractor Incidents

22 December 2020

The Manager  
Planning and Assessments  
Department of Planning, Industry and Environment  
Via email: [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Dear Sir,

**RE: STATE SIGNIFICANT DEVELOPMENT CONSENT 9510  
CONDITION C40 and APPENDIX 2 – INCIDENT NOTIFICATION**

We inform the Department of an incident that has occurred on the University of Newcastle Honeysuckle Campus Stage 1A (SSD-9510) project site as follows.

<b>a. identify the development and application number;</b>	The University of Newcastle Honeysuckle Campus Stage 1A – SSD 9510
<b>b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);</b>	<p><i>Date and Time:</i> Friday 18<sup>th</sup> December 2020 1230pm</p> <p><i>Location:</i> 16B Honeysuckle Drive, Newcastle (Lot 1 DP 1163346)</p> <p><i>Why it is classified as an incident:</i> Material harm involving the health or safety of human beings.</p> <p><i>Brief Description:</i> The Principal Contractor advised a steel fixing worker has suffered a cardiac arrest on the site, despite receiving CPR (including defibrillator) immediately following the alarm being raised, the worker has passed away. At this stage it is anticipated the cardiac arrest was not directly related to any work being undertaken on the site.</p>
<b>c. identify how the incident was detected;</b>	The Principal Contractor advised a worker, who suffered the cardiac arrest on site, was seen by other workers approximately 1230pm.
<b>d. identify when the applicant became aware of the incident;</b>	Notification was provided by the Principal Contractor to the University and Project Managers at approximately 230pm on Friday 18 <sup>th</sup> December.
<b>e. identify any actual or potential non-compliance with conditions of consent;</b>	<p>Due to timing of the incident the applicant was unable to notify the Department in writing immediately after becoming aware of the incident under Condition C40 SSD-9510.</p> <p>The Principal Contractor advised of nil further non-compliances.</p>
<b>f. describe what immediate steps were taken in relation to the incident;</b>	<p>The Principal Contractor advised the following steps were taken:</p> <ul style="list-style-type: none"> <li>• Immediately upon the alarm being raised the site first aid officers attended to the individual and commenced CPR immediately.</li> <li>• Emergency services were contacted immediately upon the alarm being raised and arrived at site around 1240pm.</li> <li>• Emergency services continued to work on the individual for some time. The worker was confirmed as dead.</li> </ul>



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	<ul style="list-style-type: none"><li>• Concurrently Safework NSW were notified of the occurrence.</li><li>• The site was concurrently evacuated, and witness statements were taken from those involved.</li></ul>
<b>g. identify further action(s) that will be taken in relation to the incident; and</b>	<ul style="list-style-type: none"><li>• The Principal Contractor elected to close the site on Saturday 19<sup>th</sup> December.</li><li>• The Principal Contractor advised Mates in Construction and a trained psychologist attended site Monday morning 8am 21<sup>st</sup> December where the site was addressed, and counselling sessions offered.</li><li>• The Principal Contractor advised that Safework NSW attended site on 21<sup>st</sup> December 2020 to undertake their investigation.</li><li>• Further Incident Report to be developed and submitted to the Department as per Appendix 2 SSD-9510 requirements.<ul style="list-style-type: none"><li>○ We request that the 30 days are extended for the submission of this further report to allow for the appropriate investigations and inputs to be completed with the forthcoming Public Holidays.</li></ul></li></ul>
<b>h. identify a project contact for further communication regarding the incident.</b>	Mathew Watson, 0408 927 612, <a href="mailto:mathew.watson@app.com.au">mathew.watson@app.com.au</a> The University of Newcastle's Project Manager

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Yours sincerely,

Mathew Watson  
Project Manager  
(On behalf of the University of Newcastle)

16 February 2021

The Manager  
Planning and Assessments  
Department of Planning, Industry and Environment  
Via email: [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Dear Sir,

**RE: STATE SIGNIFICANT DEVELOPMENT CONSENT 9510  
CONDITION APPENDIX 2 – INCIDENT REPORT**

On the 22 December 2020 we formally notified the Department of an incident that occurred on the University of Newcastle Honeysuckle Stage 1A (SSD-9510) project site on the 18 December 2020.

Further to this incident notification please see attached for:

1. Contractors report
2. Correspondence relating to SafeWork NSW investigation
3. SafeWork NSW Section 155 notice to give information
4. SafeWork NSW Inspection Report

Summation of findings are as follows:

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<b>a. A summary of the incident;</b>	Project Name: The University of Newcastle Honeysuckle Campus Stage 1A – SSD 9510 Date and Time: Friday 18th December 2020 1230pm Location: 16B Honeysuckle Drive, Newcastle (Lot 1 DP 1163346)
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The Principal Contractor advised that a steel fixing subcontractor suffered a cardiac arrest on the site, despite receiving CPR and defibrillator immediately following the alarm being raised, the worker passed away.

The alarm was raised by surrounding workers at approximately 1230pm. The site first aid officers attended to the individual and commenced CPR immediately. Emergency services were contacted and arrived at site around 1240pm. SafeWork NSW were notified of the occurrence and attended site on 21st December 2020.

Emergency services continued to work on the individual for some time until the worker was confirmed as dead. The site was concurrently evacuated, and witness statements were taken from those involved.

Hansen Yuncken elected to close the site on Saturday 19th December. Mates in Construction and a trained psychologist attended site Monday

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	<p>21st December where the site was addressed, and counselling sessions offered.</p> <p>The investigation is still ongoing with SafeWork NSW still awaiting the coroner's report, however are indicating that the cardiac arrest was not directly related to any work being undertaken on the site and is a medical occurrence.</p>
<p><b>b. Outcomes of an incident investigation, including identification of the cause of the incident;</b></p>	<p>SafeWork NSW have released their inspection report, however advise they are still awaiting the coroner's report to finalise their investigation. The cause is currently believed to be of a medical nature and not associated with the construction works or any non-conformance.</p>
<p><b>c. Details of the corrective and preventative actions that have been, or will be implemented to address the incident and prevent recurrence; and</b></p>	<p>The Principal Contractor and SafeWork NSW have not identified any non-conformance or corrective actions required.</p> <p>The Principal Contractor continues to highlight the importance of personal health and not working alone during pre-start meetings and toolbox talks.</p>
<p><b>d. Details of any communication with other stakeholders regarding the incident.</b></p>	<p>SafeWork NSW investigator David Ward (02 4921 2971 <a href="mailto:david.ward@safework.nsw.gov.au">david.ward@safework.nsw.gov.au</a>) has been contacted periodically by the Principal Contractor and Client Project Manager between 21 December 2020 and 16 February 2021. No further information was available for release from SafeWork NSW at this time.</p>

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Yours sincerely,



Mathew Watson  
Project Manager  
(On behalf of the University of Newcastle)



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**ATTACHMENT 1: CONTRACTORS REPORT**

## Summary

Name	HSE Incident Report (C) Cardiac Arrest - 18 Dec 2020
Description	<ul style="list-style-type: none"><li>• Printable version of your QA/QC, Safety, and Commissioning Checklists with responses and comments</li><li>• Optionally include checklist attachments and details of issues generated from the checklist</li></ul>
Report run on	21 Dec 2020 2:53 PM
Number of pages	8 including this summary page

## Parameters

Show attachments: After each item, Large size, Yes

Include comments: Yes

Include additional standard and custom properties: Yes

Include issue details: Yes

Include n/a and blank responses: Yes

Include signatures: Yes

Hide signature name stamp: Yes

Show cover page: Yes

Report name: HSE Incident Report (C) Cardiac Arrest - 18 Dec 2020

Output format: PDF

Show related equipment as: Equipment Name, Equipment Name



**Details**

<b>ID</b>	001159	<b>Company</b>	Hansen Yuncken
<b>Name</b>	HSE Incident Report (C) Cardiac Arrest	<b>Priority</b>	Medium
<b>Description</b>	A worker, who suffered the cardiac arrest on site, was seen by other workers approx. 1230pm.	<b>Status</b>	Closed
<b>Author</b>	jrussell@hansenyuncken.com.au	<b>Location</b>	<Top level>
<b>Created On</b>	21 Dec 2020 1:51 PM		
<b>Tags</b>			



2020-12-21 14:52:51

Images for: HSE Incident Report (C) Cardiac Arrest - 001159 Checklist

Checklist Items

All HSE Incidents on all HY projects are to be recorded using this checklist. The initial Incident Notification for Class 1 & 2 Incidents is to be conducted using the relevant State HSE Incident Email Template from the Incident Procedure on the HYway (see link below). The email is to be attached to the Header of this Checklist.



Item #	Item Text	Response	# Issues
<i>Legislation, Standards, Codes of Practice, HY Procedures and other relevant data</i>			
	The attached or linked Legislation, Standards, Codes of Practice, HY Procedure(s) and other relevant data are applicable to this checklist	Yes	0
<i>INCIDENT REPORT PART A - This section of the report is to be completed for all incidents. For Class 1 or 2 incidents, the Significant HSE Incident Email template on HYway is to be completed emailed to relevant personnel within 4 hours of the Incident. Attach a copy of the email to this checklist.</i>			
	Date of Incident (Provide a brief description of the Incident in the comments section)	18 Dec 2020	0
<b>Comments</b>			
A worker, who suffered the cardiac arrest on site, was seen by other workers approx. 1230pm.			
<i>Legal Professional Privilege</i>			
	Has Legal Professional Privilege been enacted for this Incident? If so, obtain further advice for subsequent actions from your State HSE Manager	No	0
<i>Incident Classifications - CLASS 1 INCIDENTS - 1A.1 Fatality from a workplace incident or natural causes; 1A.2 Causes or has the potential to cause an injury or disease which permanently alters the future of the individual (quadriplegia, amputee, disabled back, deafness, blindness or psychological disturbance); 1A.3 Any injury or Near Miss to a member of the public; 1B.1 Causes or has the potential to cause an injury or disease resulting in a lost time Injury; 1B.2 Causes or has the potential to cause permanent environmental damage and results in remediation costs of &gt;\$10,000; 1B.3 Causes or has the potential to cause damage to plant/equipment and/or property &gt;\$100,000. CLASS 2 INCIDENTS - 2.1 Causes or has the potential to cause an injury or disease resulting in alternate duties; 2.2 Causes or has the potential to cause damage to the environment which can be rectified and results in remediation costs of &gt;\$3,500 &lt;\$10,000; 2,3 Causes or has the potential to cause damage to plant/equipment and/or property &gt;\$10,000 &lt;\$100,000. CLASS 3 INCIDENTS - 3.1 Causes or has the potential to cause an injury which inconveniences the individual such as minor cuts or sprains, but allows the person to continue to carry out normal duties; 3.2 Causes or has the potential to cause damage to the environment which can be easily rectified and results in remediation costs of &lt;\$3,500; 3.3 Causes or has the potential to cause damage to plant/equipment and/or property &lt;\$10,000; 3.4 Environmental complaint</i>			
	Class of Incident (select applicable incident code(s) from the drop down list). Refer to the HSE Incident Classification Tables on HYway which contains details of the Incident Class and requirements for Notification, Review & Closeout of HSE Incidents	1A.1	0
<b>Comments</b>			
Fatality from Natural Causes - Cardiac Arrest			
<i>Incident Type - Select the relevant Incident Type from the drop down list. Incident types are; FA = First Aid Treatment Only; NM = Near Miss Incident; MTI = Medical Treatment Injury; LTI = Lost Time Injury; Fatal = Fatality; ENV = Environmental Incident; PD = Property Damage; RO = Report Only</i>			
	Select the Incident type and add any comments to the comments section	RO	0
<b>Comments</b>			
Report Only			

*High Risk Construction Work (HRCW) - H.0 Not Applicable; H.1 Work where there is a risk of a person falling 2 metres or more; H.2 Work on telecommunications towers; H.3 Work*



*involving demolition of a load-bearing structure; H.4 Work involving the removal or disturbance of asbestos; H.5 Work involving structural alterations that require temporary support to prevent collapse; H.6 Work in a confined space; H.7 Work involving excavation to a depth greater than 1.5 metres or a tunnel; H.8 Work involving the use of explosives; H.9 Work on or near pressurized gas distribution mains or consumer piping; H.10 Work on or near chemical, fuel or refrigerant lines; H.11 Work on or near energized electrical installations and services; H.12 Work in an area that may have a contaminated or flammable atmosphere; H.13 Work with precast or tilt-up concrete; H.14 Work on or adjacent to roadways or railways used by road or rail traffic; H.15 Work in an area with movement of powered mobile plant; H.16 Work in an area where there are artificial extremes of temperature; H.17 Work in , over or adjacent to water or other liquids where there is a risk of drowning; H.18 Diving work*

Item #	Item Text	Response	# Issues
	HRCW category being undertaken at the time of the incident (select relevant code(s) from the drop down list) and provide a short description of the activity being undertaken in the comments section	H.0	0
<b>INCIDENT REPORT PART B - This section of the report is to be completed for all incidents where a person was injured</b>			
	Injured person's name and date of birth (select the date and provide the person's name in the comments section)	25 Dec 2020	0
<b>Comments</b>			
Robert Butterworth			
	Injured worker's Employer (select the HY direct Subcontractor in the header of the checklist and provide details of the worker's employer ie/ who pays the wages)	Refer Checklist Header	0
<b>Comments</b>			
Tim Pryor Reinforcing			
	Injury Treatment (select the treatment type from the drop down list and provide details of the treatment in the comments section including the name of the Hospital, Medical Centre and treating Doctor)	First aid at site	0
<b>Comments</b>			
CPR at site including defibrillator			
	Bodily Location(s) of Injury	Trunk	0
	Nature of Injury (select all applicable)	Internal organ(s)	0
	Number of Days Lost for Lost Time Injuries (If duration unknown, leave blank and enter Ongoing in the comments field. For a fatality enter 220)	0	0
<b>INCIDENT REPORT PART C - This section is to be completed for all Class 1 or 2 Incidents</b>			
	Witnesses? (If yes, attach signed witness statements to this line of the Incident Checklist if available) and provide relevant details in the comments section	Yes	0
<b>Comments</b>			
Refer to four attached witness statements.			
	Emergency Services (Select the relevant service(s) from the drop down list and provide any additional details in the comments section)	Ambulance Police	0



Item #	Item Text	State Emergency Services (SES) Response	# Issues
	Notifiable to HY Insurers? (see additional information for definition of Incidents required to be notified)	No	0
	Subcontractor Incident Report Provided? (Subcontractors are to provide a copy of their Incident Report which is to be included as an attachment to the HY Report) If the Subcontractor Incident Report has not been attached an issue is to be raised to prompt the Subcontractor to provide this information.	No	0
<i>Incident Investigation (see additional information for investigation requirements) - This section is to be completed by the person responsible for conducting the Incident Investigation shown in the attached Table.</i>			
	Was a Non Conforming Building Product involved in the incident? (If yes, include details in the comments section)	No	0
	Incident investigation conducted by (refer to attached table)	Jonathan Russell	0
	Events leading up to, during and after the incident (include details in the comments section). If event history is quite lengthy, add as an attachment to this line item.	Refer comments	0
<b>Comments</b>			
<p>A steel fixing worker has suffered a cardiac arrest on the site, despite receiving CPR (including defibrillator) immediately following the alarm being raised, the worker has passed away. At this stage it is anticipated the cardiac arrest was not directly related to any work being undertaken on the site.</p> <p>The site first aid officers attended to the individual and commenced CPR immediately. Emergency services were contacted and arrived at site around 1240pm. Safework NSW were notified of the occurrence. Emergency services continued to work on the individual for some time. The worker was confirmed as dead.</p> <p>The site was concurrently evacuated, and witness statements were taken from those involved.</p> <p>Hansen Yuncken elected to close the site on Saturday 19th December. Mates in Construction and a trained psychologist attended site Monday morning 8am where the site was addressed, and counselling sessions offered.</p>			
	Mechanism		0
<b>Comments</b>			
Nil mechanism applicable.			
	Agency		0
<b>Comments</b>			
Nil agency applicable.			





Item #	Item Text	Response	# Issues
	<p><i>Root Cause Analysis - The Incident Investigation should identify the root cause of the incident. The following root cause Classifications are from the Incident Cause Analysis Method (ICAM). The categories are People, Environment, Equipment, Procedures and Organisation otherwise known as PEEPO. Select the most appropriate Root Cause from the list below. Only one selection is allowed. Add any comments in the comments section.</i></p> <p><b>ROOT CAUSES</b>            People: A - Competence/Training; B - Fitness for Work; C - Language/Literacy; D - Supervision            Environment: E - Air Quality &amp; Dust; F - Inclement Weather; G - Noise &amp; Vibration; H - Work Area Condition            Equipment: I - Design; J - Construction/Modification; K - Inspection/Testing; L - Servicing/Maintenance; M - People/Equipment Interface            Procedures: N - Availability; O - Content; P - Control; Q - Compliance            Organisation: R - Communication; S - Training Programme; T - Operational Pressures; U - Planning/Programming; V - Resources</p>		
	Root Cause		0
	<p><b>Comments</b> Nil root cause applicable.</p>		
	<p><i>Prevention of Re-occurrence - Action(s) are to be implemented to prevent a recurrence of this incident where practicable. The actions should be developed in accordance with the Hierarchy of Controls. Where Design has been assessed as a contributing factor to the Incident, an Issue should be raised to require a review of that aspect of the Design which contributed to the Incident.</i></p>		
	Actions Recommended? If Yes, raise a HSE Incident issue type manually.	No	0
	<p><b>Comments</b> No, not applicable.</p>		
	<p><i>INCIDENT REPORT PART D - This section of the report is to be completed for all Incidents that are Notifiable to the HSE Regulator under the relevant HSE Legislation or to the Federal Safety Commission under the Australian Government OHS Accreditation Scheme.</i></p>		
	Hierarchy Levels Addressed		0
	<p><b>Comments</b> Not Applicable.</p>		
	State or Federal Authority Notification (For Notifiable incidents, select the relevant Authority(ies) from the drop down list and attach any relevant documents to the checklist. Provide any additional details in the comments section)	SafeWork NSW	0
	<p><b>Comments</b> SafeWork NSW notified.</p>		
	<p><i>INCIDENT REPORT PART E: REVIEW &amp; CLOSEOUT - A Review of all Incident Reports for all HSE Incidents is to be conducted. The responsibility for Review and Closeout is shown on the Incident Classification Table attached above. Details from this Incident report will be mapped to the Incident Register within the Project Site Management Dashboard on the HYway. The Review and Closeout of the Incident is to be conducted via the Incident Register. When all required reviews have been completed this checklist status can be changed to Closed. A Task Observation is to be conducted for all Class 1 &amp; 2 Incidents to verify that changed work practices have been implemented and effective in preventing a recurrence of this Incident. The Incident Checklist is not to be closed until the Task Observation has been completed.</i></p>		
	A Lessons Learnt has been submitted through the HYway Site Management Dashboard? This is applicable for all Class 2 Incidents.	N/A	0



Item #	Item Text	Response	# Issues
	A Safety Alert has been completed? This is applicable for all Class 1 incidents (refer to safety alert procedure on HYway). Prior to sending out any Safety Alerts this must be reviewed by the State HSE Manager, National HSE Chair , the National Governance & Compliance Manager and the Internal Legal Counsel.	N/A	0
	A Task Observation has been conducted (record Task ID in comments section)	N/A	0

Completed by Mike Stevens

# WHS FORM 10: INCIDENT AND INJURY REPORT

Details of injury (eg to a worker or visitor) and treatment			
Date of incident	18/12/20	Time of incident	12 <input checked="" type="checkbox"/> am <input type="checkbox"/> pm
Nature of incident	<input type="checkbox"/> Near miss <input type="checkbox"/> First aid <input checked="" type="checkbox"/> Medical treatment/doctor		
Name of injured person			
Address			
Occupation			
Date of birth			
Telephone			
Employer			
Activity in which the person was engaged at the time of injury			
Exact site location where injury occurred	Rooftop Level 4		
Nature of injury - eg fracture, burn, sprain, foreign body in eye	Heart attack		
Body location of injury (indicate location of injury on the diagram)			
Treatment given on site	CPR	Name of treating person	Dean Ward
Referral for further treatment? Yes <input type="checkbox"/> No <input type="checkbox"/>	Name of doctor or hospital	SafeWork NSW medical certificate received? Yes <input type="checkbox"/> No <input type="checkbox"/>	Attach copies
Injury management requirement? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Notify return to work coordinator	Name of return to work coordinator	

Witness to incident (each witness may need to provide an account of what happened)			
Witness name		Witness contact	
Witness name		Witness contact	




Details of incident (eg property, plant or environmental damage)			
Date of incident	18/12/20	Time of incident	am <input type="checkbox"/> pm <input type="checkbox"/>
Location of incident	L4 plantroom		
Details of damage to equipment or property			
Name of person who received the report		Telephone	

Description of incident
Was called up to the roof by Mark Freeman at around 12:30 for unconscious unresponsive casualty. On arrival Dean was doing chest compressions. I began to assist compression whilst Dale & Scott set up oxygen & Defib. CPR minus breathers cont for up to 20mins & in that time Defib read for pulse 4 times delivering no shock.
0455 545403

Immediate response actions (eg barricades, isolation of power) to stabilise the situation

Reported to	
Reported to principal contractor? Yes <input type="checkbox"/> No <input type="checkbox"/>	Provide details (when, reported to and reported by):
Reported to authorities (SafeWork NSW phone: 13 10 50)? Yes <input type="checkbox"/> No <input type="checkbox"/>	Provide details (when, reported to and reported by):
Reported to principal contractor? Yes <input type="checkbox"/> No <input type="checkbox"/>	Provide details (when, reported to and reported by):
Reported to workers compensation insurer? Yes <input type="checkbox"/> No <input type="checkbox"/>	Provide details (name of insurer and claim number):

Completed by			
Name	MICHAEL STEVENS	Position	FOREMAN
Signature		Date	18/12/20

Completed by Dean Ward

## WHS FORM 10: INCIDENT AND INJURY REPORT

Details of injury (eg to a worker or visitor) and treatment			
Date of incident	18/12/20	Time of incident	<del>am</del> <input type="checkbox"/> pm <input type="checkbox"/>
Nature of incident	<input type="checkbox"/> Near miss <input type="checkbox"/> First aid <input type="checkbox"/> Medical treatment/doctor		
Name of injured person			
Address			
Occupation			
Date of birth			
Telephone			
Employer			
Activity in which the person was engaged at the time of injury			
Exact site location where injury occurred			
Nature of injury - eg fracture, burn, sprain, foreign body in eye			
Body location of injury (indicate location of injury on the diagram)			
Treatment given on site		Name of treating person	
Referral for further treatment? Yes <input type="checkbox"/> No <input type="checkbox"/>	Name of doctor or hospital	SafeWork NSW medical certificate received? Yes <input type="checkbox"/> No <input type="checkbox"/>	Attach copies
Injury management requirement? Yes <input type="checkbox"/> No <input type="checkbox"/>	Notify return to work coordinator	Name of return to work coordinator	


Witness to incident (each witness may need to provide an account of what happened)			
Witness name		Witness contact	
Witness name		Witness contact	

Details of incident (eg property, plant or environmental damage)			
Date of incident	18/12/20	Time of incident	am <input type="checkbox"/> pm <input type="checkbox"/>
Location of incident	Newcastle Honey suckle Driv		
Details of damage to equipment or property			
Name of person who received the report		Telephone	

Description of incident
I was working on roof when I was told a man had collapsed & when I seen him he was not Breathing & No Pulse
I started CPR & Told people to CALL Ambulance & get help.
Michael & Dale arrived & Michael took over CPR we gave 15-20 cycles when Ambulance arrived & Took over

Immediate response actions (eg barricades, isolation of power) to stabilise the situation
<del>check</del> check vital signs then started CPR

Reported to	
Reported to principal contractor? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Provide details (when, reported to and reported by):
Reported to authorities (SafeWork NSW phone: 13 10 50)? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Provide details (when, reported to and reported by):
Reported to principal contractor? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Provide details (when, reported to and reported by):
Reported to workers compensation insurer? Yes <input type="checkbox"/> No <input type="checkbox"/>	Provide details (name of insurer and claim number):

Completed by			
Name	Dean WARD	Position	Glazier
Signature		Date	18/12/20

Completed by Made Freeman

## WHS FORM 10: INCIDENT AND INJURY REPORT

Details of injury (eg to a worker or visitor) and treatment			
Date of incident	18/12/20	Time of incident	am <input type="checkbox"/> pm <input type="checkbox"/>
Nature of incident	<input type="checkbox"/> Near miss <input type="checkbox"/> First aid <input type="checkbox"/> Medical treatment/doctor		
Name of injured person			
Address			
Occupation			
Date of birth			
Telephone			
Employer			
Activity in which the person was engaged at the time of injury			
Exact site location where injury occurred			
Nature of injury - eg fracture, burn, sprain, foreign body in eye			
Body location of injury (indicate location of injury on the diagram)			
Treatment given on site		Name of treating person	
Referral for further treatment? Yes <input type="checkbox"/> No <input type="checkbox"/>	Name of doctor or hospital	SafeWork NSW medical certificate received? Yes <input type="checkbox"/> No <input type="checkbox"/>	Attach copies
Injury management requirement? Yes <input type="checkbox"/> No <input type="checkbox"/>	Notify return to work coordinator	Name of return to work coordinator	

Witness to incident (each witness may need to provide an account of what happened)			
Witness name		Witness contact	
Witness name		Witness contact	



**Details of incident (eg property, plant or environmental damage)**

Date of incident	18.12.20	Time of incident	am <input type="checkbox"/> pm <input type="checkbox"/>
Location of incident			
Details of damage to equipment or property			
Name of person who received the report		Telephone	

**Description of incident**

A fellow worker brought to my attention that a worker was passed out I then went to check & found the worker in a bad way I then ran to edge of building and yelled out to site sled to get ambulance straight away ~~at that time I called ambulance~~ when they rang 000 and I spoke to 000 until ambulance turned up.

0402123344

**Immediate response actions (eg barricades, isolation of power) to stabilise the situation**


**Reported to**

Reported to principal contractor? Yes <input type="checkbox"/> No <input type="checkbox"/>	Provide details (when, reported to and reported by):
Reported to authorities (SafeWork NSW phone: 13 10 50)? Yes <input type="checkbox"/> No <input type="checkbox"/>	Provide details (when, reported to and reported by):
Reported to principal contractor? Yes <input type="checkbox"/> No <input type="checkbox"/>	Provide details (when, reported to and reported by):
Reported to workers compensation insurer? Yes <input type="checkbox"/> No <input type="checkbox"/>	Provide details (name of insurer and claim number):

**Completed by**

Name	Mark Freeman	Position	Glazier
Signature		Date	18/12/20

Completed by Greg Kiskarpati

## WHS FORM 10: INCIDENT AND INJURY REPORT

Details of injury (eg to a worker or visitor) and treatment			
Date of incident	18/12/20	Time of incident	<del>am</del> <input type="checkbox"/> <del>pm</del> <input type="checkbox"/>
Nature of incident	<input type="checkbox"/> Near miss <input type="checkbox"/> First aid <input type="checkbox"/> Medical treatment/doctor		
Name of injured person			
Address			
Occupation			
Date of birth			
Telephone			
Employer			
Activity in which the person was engaged at the time of injury			
Exact site location where injury occurred			
Nature of injury - eg fracture, burn, sprain, foreign body in eye			
Body location of injury (indicate location of injury on the diagram)			
Treatment given on site		Name of treating person	
Referral for further treatment? Yes <input type="checkbox"/> No <input type="checkbox"/>	Name of doctor or hospital	SafeWork NSW medical certificate received? Yes <input type="checkbox"/> No <input type="checkbox"/>	Attach copies
Injury management requirement? Yes <input type="checkbox"/> No <input type="checkbox"/>	Notify return to work coordinator	Name of return to work coordinator	

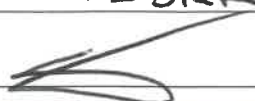
Witness to incident (each witness may need to provide an account of what happened)			
Witness name		Witness contact	
Witness name		Witness contact	

Details of incident (eg property, plant or environmental damage)			
Date of incident	18/12/20.	Time of incident	12.00 am <input type="checkbox"/> pm <input checked="" type="checkbox"/>
Location of incident			
Details of damage to equipment or property			
Name of person who received the report		Telephone	

Description of incident
Witnessed casualty laying in corner of room thought to be snoring, WENT TO CHECK ON HIM 10 MINUTES LATER & NOTICED LOSS OF COLOR TO FACE, ASKED FELLOW WORKERS TO CALL FOR HELP.
0402346599.

Immediate response actions (eg barricades, isolation of power) to stabilise the situation

Reported to	
Reported to principal contractor? Yes <input type="checkbox"/> No <input type="checkbox"/>	Provide details (when, reported to and reported by):
Reported to authorities (SafeWork NSW phone: 13 10 50)? Yes <input type="checkbox"/> No <input type="checkbox"/>	Provide details (when, reported to and reported by):
Reported to principal contractor? Yes <input type="checkbox"/> No <input type="checkbox"/>	Provide details (when, reported to and reported by):
Reported to workers compensation insurer? Yes <input type="checkbox"/> No <input type="checkbox"/>	Provide details (name of insurer and claim number):

Completed by			
Name	GREG KISKAPATEL	Position	ADD CON BEN - MAX.
Signature		Date	18/12/20.



THE UNIVERSITY OF  
**NEWCASTLE**  
AUSTRALIA

**ATTACHMENT 2: CORRESPONDANCE RELATING TO SAFEWORK NSW INVESTIGATION**



## **Watson, Mathew**

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**From:** Jonathan Russell <JRussell@hansenyuncken.com.au>  
**Sent:** Thursday, 11 February 2021 11:59 AM  
**To:** Watson, Mathew  
**Cc:** Michael Pratt; Patrick McAllister; Dale Reith; Mick Parker  
**Subject:** Fatality Incident - interactions with Safework NSW  
**Attachments:** S155 Notice.pdf; Inspection Report.pdf

Mat,

Attached is the Inspection Report and S155 Notice (requesting information) from Safework NSW. The request for information has been satisfied. The report is primarily observational only and does not make any conclusive remarks regarding cause or the like. It is however worth noting that Section 1, Notices Issued, only includes the request for information. If there were any WHS breaches determined onsite, further notices would have been provided.

A final report from Safework NSW and the associated coroners report will not be made available to Hansen Yuncken or the University. We will however receive a phone-call advising once it is released and that the matter is officially closed. This is not anticipated to occur until the end of March 2021.

If any of the above is unclear or needs further explanation, please feel free to contact David Ward, SafeWork NSW Inspector – 02 4921 2971. David has advised me that whilst his findings report is not available for review there is no further action required by HY and the matter is essentially deemed a Medical Occurrence unless we are advised otherwise.

Regards,

**Jonathan Russell**  
Project Manager

**HANSENYUNCKEN**

**Hansen Yuncken Pty Ltd**  
Suite 12/125 Bull Street, Newcastle NSW 2300  
PO Box 2200 Dangar NSW 2309  
**T** 02 4908 6300 **F** 02 4908 6301 **M** 0429 695 331  
hansenyuncken.com.au

This communication (which includes any attachments) is confidential. If you are not the intended recipient (i.e. you have received this communication in error) you must not use or disclose this communication and we ask that you delete it. Hansen Yuncken Pty Ltd does not guarantee that this communication is virus free.



THE UNIVERSITY OF  
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**ATTACHMENT 3: SAFEWORK NSW SECTION 155 NOTICE TO GIVE INFORMATION**



SafeWork New South Wales  
**Work Health and Safety Act**  
**Section 155(2)**  
**NOTICE TO GIVE INFORMATION TO**  
**SAFework NEW SOUTH WALES**

**ORIGINAL**  
Reference No:  
7-388864

Notice No: 7-388864

**To:** Hansen Yuncken Pty Ltd  
**ABN:** 38063384056 **ACN:**  
**Address:** 50 Honeysuckle Drive, NEWCASTLE NSW, 2300

I, David Ward holding a delegation from SafeWork NSW, pursuant to section 154 of the *Work Health and Safety Act 2011*, have reasonable grounds to believe that you are capable of giving information for the purposes of assisting the regulator to monitor or enforce compliance with the *Work Health and Safety Act 2011 or regulations*.

In relation to:

Incident at 16A Honey Suckle Drive Newcastle NSW 2300 on the 18th December 2020 involving Robert Butterworth

I require you to:

Produce the documents set out in the **attached schedule of documents** to me at Newcastle Office, Level 1, Suite C, Cnr Fitzroy & Cowper Sts, CARRINGTON NSW 2294 on or before 11/01/2021 at 3:00 PM.

**Signed:** ELECTRONICALLY ISSUED  
\_\_\_\_\_  
Authorised delegate of SafeWork NSW

**Issue Date:** 21/12/2020  
\_\_\_\_\_

**Enquiries should be made to Inspector David Ward on Tel: +61 (02) 4921 2971**

This warning and information forms part of the Notice under Section 155(2) of the *Work Health and Safety Act 2011*

**WARNING**

A person who refuses or fails to comply with this Notice without a reasonable excuse, may be liable to prosecution and, if found guilty, liable to a maximum penalty of \$11,730 for individuals and \$58,650 for a body corporate.

Under section 172 of the *Work Health and Safety Act 2011* (the WHS Act 2011), a person is not excused from answering a question or providing information or a document on the grounds of self incrimination or on the grounds that it may expose that person to a penalty. However, any information provided by an individual is not admissible as evidence in criminal or civil proceedings against that individual other than proceedings arising out of the false or misleading nature of the answer, information or document.

This Notice does not affect, and nothing in the WHS Act 2011 requires, a person to produce a document that would disclose information, or otherwise provide information, that is subject to legal professional privilege - see section 269 of the WHS Act 2011.

If this Notice requires a person to appear personally, the person may attend with a legal practitioner.

It is an offence under section 268 of the *Work Health and Safety Act 2011* to give false and misleading information and/or produce a document that is known to be false or misleading. Maximum penalty of \$11,730 for individuals and \$58,650 for a body corporate.

**Schedule of Documents:**

1. Induction Records for Robert Butterworth.
2. Hansen Yuncken Emergency Policy/Procedures for 16A Honey Suckle Drive, Newcastle NSW 2300.
3. Hansen Yuncken Investigation Report, including all statements obtained and any photographs taken.
4. Scaled drawing of level 4 and plant room.
5. Training records for all first aiders on site at time of incident.
6. All documentation for temp power boards on site, including inspection records.



THE UNIVERSITY OF  
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AUSTRALIA

**ATTACHMENT 4: SAFEWORK NSW INSEPCION REPORT**



**SafeWork NSW**  
**INSPECTION REPORT**  
Work Health and Safety Act 2011

**Date of Report:** 21-Dec-20 **Inspection Report Number:** 10-117571  
**Name of Inspector:** David Ward  
**Telephone number of Inspector:** +61 (02) 4921 2971  
**Email address of Inspector:** David.Ward@safework.nsw.gov.au

Site Entry Date	Site Entry Time	Site Departure Date	Site Departure Time
21-Dec-2020	9:00:00AM	21-Dec-2020	

**BUSINESS OR UNDERTAKING DEALT WITH**

**Legal name of business or undertaking:** Hansen Yuncken Pty Ltd  
**Trading name:** Hansen Yuncken Pty Ltd  
**ABN:** 38063384056 **ACN:**  
**Legal address of business or undertaking:** 50 Honeysuckle Drive  
NEWCASTLE NSW 2300

**PLACE ENTERED**

**Address of attendance:** 16A Honeysuckle Drive  
Newcastle  
NSW 2300

**OTHER PERSONS ATTENDING WITH INSPECTOR**

Name

**GIVING OF REPORT**

**Name of person given to:** Dale Reith  
**Person's position:** Management representative for Person with Management or Control of a Workplace (PMCW)  
**Method of giving:** Delivered directly to the person named by electronic transmission  
**Date of giving:** 21-Dec-2020 **Time of giving:** 5:00 pm

**Copy of Inspection Report Given To :**

Name	Position

**Inspector's Signature:** Electronically Issued

## INSPECTION OUTCOMES SUMMARY

### 1. Notices Issued by Inspector

Notice Number	Description	Status
7-388864	Notice to obtain information/documents/evidence (S155)	Complied

### 2. Decisions of Inspector Under Part 5 of the Work Health and Safety Act 2011

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### 3. Advice provided to the Duty Holder

--

## INSPECTION DETAILS

### 1. Purpose of Entry

I entered this place to enquire into or investigate a reported incident at the workplace
--

### 2. Summary of Inspector's Observations

1) I observed a commercial site the construction of the new Honeysuckle City Campus Development.
2) I observed the construction to consist of 4 levels. I observed scaffold installed on the southern side.
3) I observed a plant room located on level 4. I observed steel work completed on the landing, level 4, southern sided, external to the plant room. I observed a temporary power board installed on the slab, external to the plant room on the south east corner, level 4. I observed a water bubbler located on level 4, south side adjacent to the steel work. I observed stairs leading into the plant, level 4, south east side. I observed items of plant located in the plant room still wrapped in blue plastic. I observed air handling units positioned on the floor, northern end of plant room, on both the east and west sides. I was informed that there was no energised services in the plant room.
4) Whilst on site I obtained a voluntary statement from Dale Reith.
5) Whilst on site I sighted the following documents: 1. Site induction records for Robert Butterworth.

### 3. Compliance status of previously issued Notices (If any)

Notice Number	Description	Status

### 4. Persons spoken with during inspection

Name	Position Title
Dale Reith	Management representative for Person with Management or Control of a Workplace (PMCW)
Jonathan Russell	Management representative for Person with Management or Control of a Workplace (PMCW)

### 5. Information and documents given to duty holder

Title

## 6. Summary of Inspector Powers exercised

Section of Act	Nature of Inspector action/decision during inspection
Act	I exercised powers in accordance with the Work Health and Safety Act 2011 , Workers Compensation Act 1987 and the Workplace Injury Management and Workers Compensation Act 1998.



## **DISCLAIMER**

This report only deals with matters the subject of the specific inspection. It does not purport to indicate overall compliance status of the relevant duty holder(s) with work health and safety laws.

## **INTERNAL REVIEW OF CERTAIN INSPECTOR DECISIONS**

If you want to apply for internal review of a decision made by an inspector during this visit, you must do so with the Governance and Appeals Unit, SafeWork NSW within 14 days of the date the decision came to your notice or - in the case of an improvement notice - the lesser of 14 days or the period specified in the notice for compliance (or such longer period as the regulator allows). SafeWork NSW must conduct the internal review within 14 days (unless further information is required). If SafeWork NSW does not notify you of the internal review decision within the required time, SafeWork NSW is taken to have made a decision to affirm the reviewable decision. Not all decisions can be internally reviewed and in order to seek internal review of a decision you must be an eligible person. If you are not satisfied with an internal review decision you can apply for an external review to the Industrial Relations Commission.

Application forms for internal review, a list of reviewable decisions and a list of eligible persons are available upon request from the inspector, SafeWork NSW by telephoning 13 10 50, or they can be downloaded from our website [www.safework.nsw.gov.au](http://www.safework.nsw.gov.au).

You can contact the Governance and Appeals Unit by telephone (02) 4724 4920 or by email at [reviews@safework.nsw.gov.au](mailto:reviews@safework.nsw.gov.au).

## **FEEDBACK**

If you want to contact SafeWork NSW in relation to this inspection by our Inspector other than for Internal Review purposes (see above), please use the following guide:

- to clarify any matter that is covered by the Inspection Report and any associated Notices or Directions contact the issuing Inspector, whose name and contact details appear at the top of this Inspection Report.
- to make comment about any aspect of how this inspection was conducted, contact the inspector's senior management on telephone 13 10 50 or by writing to SafeWork NSW, Locked Bag 2906, Lisarow NSW 2252.

## **TO VIEW DOCUMENTS TAKEN BY THE INSPECTOR**

Contact the issuing Inspector, whose name and contact details appear at the top of this Inspection Report to make an appointment.

## **PRIVACY COLLECTION STATEMENT**

SafeWork NSW collects, uses, discloses and stores information in accordance with the Work Health and Safety Act 2011, other legislation administered by SafeWork NSW and all applicable privacy laws. This includes information collected by SafeWork NSW inspectors or authorised officers. Note that privacy laws do not apply if other laws conflict or allow or require the collection of information, and do not apply to the collection of information by SafeWork NSW to the extent that it is exercising its law enforcement functions and non-compliance with privacy legislation is deemed necessary to fulfil those functions.

SafeWork NSW privacy information is on our website at [www.safework.nsw.gov.au](http://www.safework.nsw.gov.au).

## **FURTHER INFORMATION**

SafeWork NSW has a range of publications to explain your legal responsibilities and help you make your premises/site safer. To inquire about these publications, telephone 1300 799 003 or visit our website [www.safework.nsw.gov.au](http://www.safework.nsw.gov.au).

## **RECEIVED BY EMAIL - PRIVACY AND CONFIDENTIALITY NOTICE**

The information contained in this email is intended for the named recipient(s) only and may contain privileged and confidential information and if you are not the intended recipient, you must not copy, distribute or take any action in reliance. If you have received this facsimile/email in error, please notify the sender immediately by telephone and if requested forward the original to the sender by mail. Views expressed in this message are those of the individual sender, and are not necessarily the views of the agency.

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## Appendix C. Complaints Register





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## Appendix D. Compliance Photos



Building façade viewed from South.



Temporary building extension for maker space and bike shed.



Servicing bay on road and street trees (landscaping) in good condition.



Loading zone sign.



Street trees (landscaping) and protection in good condition.

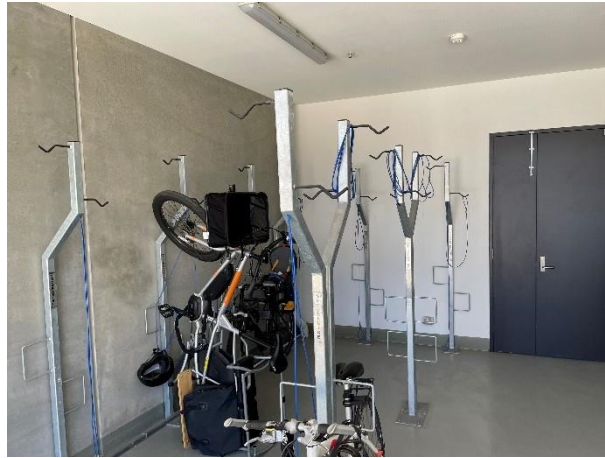


Flood warning sign in place.





Landscaping garden bed. Two small trees are not thriving.



Bicycle hub, indoors. Innovative rack design allows 40 bicycles to be stored in space.



Cardboard compactor in waste storage room.



Cardboard and paper recycling bins in waste storage room.



Commingled recycling bins in waste storage room



General waste bins in waste storage room.



Secure paper shredding waste bin in waste storage room



Food recycling bin in waste storage room (coffee cup belongs to auditor).



Bicycle parking wayfinding sign and one illegally parked car in deliveries and waste pick-up bay.



Evacuation diagram displayed.

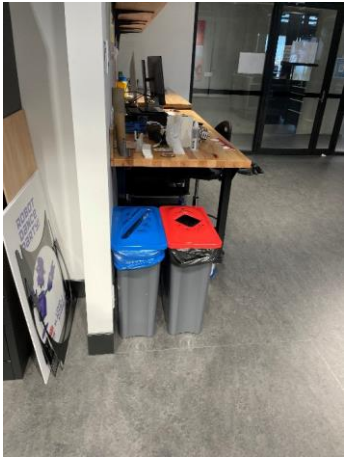


Fire safety door sign.

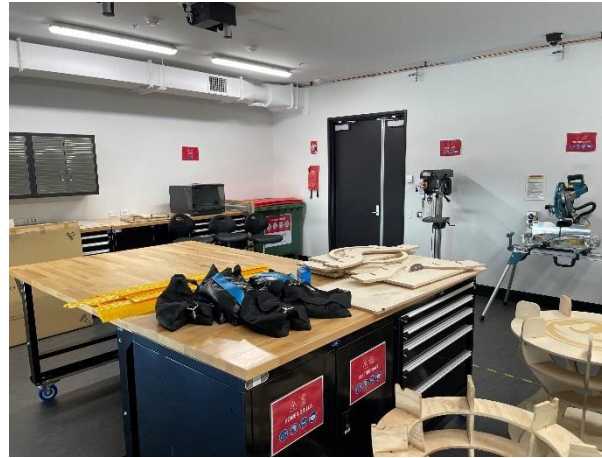


Hazchem cabinet in 3D printer workspace.

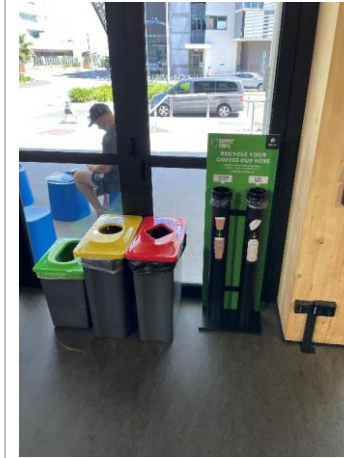




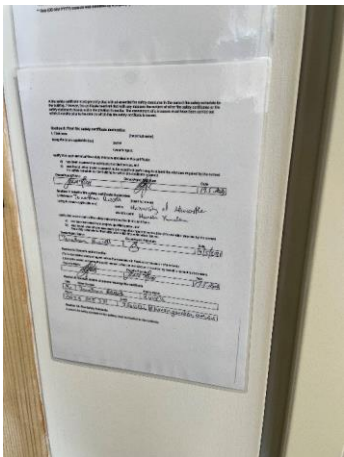
Recycling bins in maker space.



Workshop with general waste bin and signage for high risk tools requiring specific inductions.



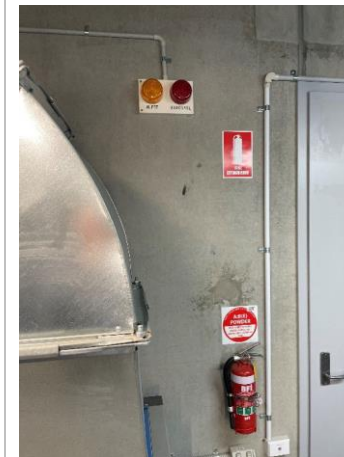
Recycling bins and coffee cup recycling initiative in Café.



Fire Safety Certificate displayed prominently near fire board.



Fire board. Restricted key access.



Fire extinguisher in plant room.

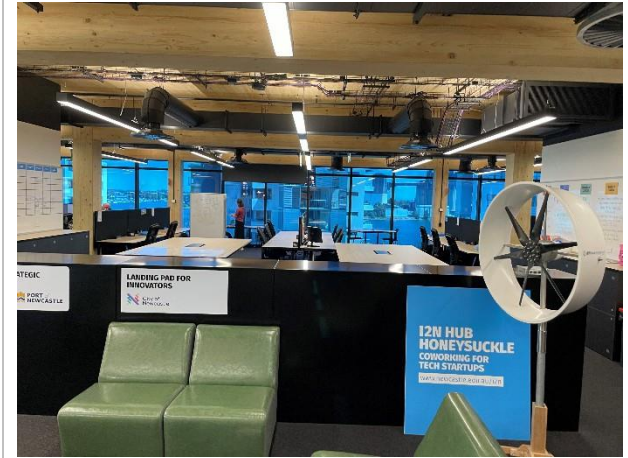




Air handling units and switch board in plant room.




Fire proof door to plant room service tag up to date.



Innovation hub.

## Appendix E. Compliance Report Declaration Form

Compliance Report Declaration Form	
Project Name:	UON Honeysuckle Campus Stage 1A
Project Application Number:	SSD-9510
Description of Project:	Development of the Stage 1A facility within the Honeysuckle City Campus: <ul style="list-style-type: none"> <li>• Construction of a four storey building,</li> <li>• Building to be used for academic and ancillary uses,</li> <li>• Single storey machine room, bike hub, and waste room,</li> <li>• Utilities an infrastructure,</li> <li>• Landscaping works.</li> </ul>
Project Address:	16B Honeysuckle Drive, Newcastle (Lot 1 DP 1163346)
Proponent:	The University of Newcastle
Title of Compliance Report:	Honeysuckle City Campus Development – Stage 1A Construction Compliance Report
Date:	3 March 2023
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"> <li>• the Compliance Report has been prepared in accordance with all relevant conditions of consent;</li> <li>• the Compliance Report has been prepared in accordance with the Compliance Reporting Post Approval Requirements;</li> <li>• the findings of the Compliance Report are reported truthfully, accurately and completely;</li> <li>• due diligence and professional judgement have been exercised in preparing the Compliance Report; and</li> <li>• the Compliance Report is an accurate summary of the compliance status of the development.</li> </ul>	
Notes: <ul style="list-style-type: none"> <li>• 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</li> <li>• 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).</li> </ul>	
Name of Reporting Officer:	Mathew Watson
Title:	Principals Authorised Person
Signature:	
Qualification:	Bachelor of Engineering in Mechanical Engineering with Honours Class I
Company:	The APP Group
Company Address:	Level 2, 426 King Street, Newcastle NSW



Property and Infrastructure Specialists

### **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

### **Wollongong**

61 2 4220 6300

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

APP Corporation Pty Limited ABN 29 003 764 770