

19 September 19

Mr David Gibson
Department of Planning and Environment
Level 22, 320 Pitt Street
GPO Box 39
SYDNEY NSW 2001

Via email david.gibson@planning.nsw.gov.au

Dear Sir,

**RE: UNIVERSITY OF NEWCASTLE - BIO-RESOURCES FACILITY SSD8937
RESPONSE TO AUDIT FINDINGS**

In relation to the above project, please find below proponent response to initial independent audit report findings identified in AQUAS Assessment of Richard Crookes Constructions Environmental System Compliance Against the SSD 8937 Conditions of Consent (Audit reference AQ124801) dated 9 September 2019.

Proponent Audit Response

DA Consent Condition	Action / Note	Timing
B30	Bioresources Facility Compliance monitoring and reporting program issued to DoPE to Teresa.Gizzi@planning.nsw.gov.au 9/5/19. Commencement of construction was reported by the contractor to the DoPE to be 13th of May however this was inaccurate as initial demolition works conducted were under an existing REF. Works under this SSD8937 did not officially commence until 30th of May 2019.	N/A
B31	Submission of the Pre-Construction Compliance Report was not conducted in adherence with Bioresources facility and compliance reporting program submitted to DoPE 9/5/19. UON/APP will endeavour to ensure that subsequent reports are submitted in accordance with timings set out in the Compliance Reporting Post Approval Requirements. Please see Attachment C for preconstruction compliance report.	Future submissions to adhere to Compliance Post Approval Requirements

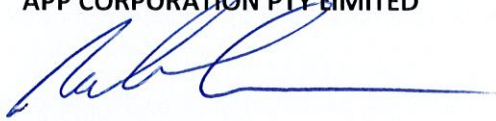
Contractor Audit Response

Please refer to letter from Richard Crookes Construction dated 19th of September 2019 in Attachment A.

If you have any queries or would like any further information, please do not hesitate to contact the undersigned.

Yours sincerely

APP CORPORATION PTY LIMITED



Nathan Law

Project Manager

Attachment A: *Richard Crookes Construction Audit response dated 19/9/19*

Attachment B: *AQUAS Audit Report dated 9/9/19*

Attachment C: *Pre-Construction Compliance Report dated 19/9/19*

Attachment A: *Richard Crookes Construction Audit response dated 19/9/19*

19 September 2019

To Whom it May Concern,

RE: SSD 8937 – BIO RESOURCES; RESPONSE TO AUDIT FINDINGS

In response to the recent audit completed by Aquas on July 4th 2019 (Ref: AQ1248.01), Richard Crookes Constructions has prepared the below response to the audit findings detailing actions and timing required to close out the audit's non-compliances.

Richard Crookes Constructions references section 5 Recommendations of the Aquas report;

Finding	Condition	Action	Timing
N-01	A2	Richard Crookes to close out non-compliances in accordance with conditions of consent and IAPAR document. This will be subject to timing of remaining design coordination.	As per below nominated dates
N-02	A11	Richard Crookes to submit updated Construction Soil and Water Management Plan and Noise and Vibration Management Plan to Planning Secretary or Certifying Authority. Richard Crookes has updated Construction Traffic Management Plan and submitted to Certifying Authority.	Completed by 1/11/2019
N-03	B3	Richard Crookes to provide the Certifying Authority with appropriate documentation to make assessment that the external walls and cladding systems comply with the requirements of the BCA. This will be achieved within CC4 preparation.	Completed by 1/11/2019
N-04	B4	Richard Crookes to update the landscape design and address requirements of condition B4 and submit to the Certifying Authority for approval and Planning Secretary for information purposes.	Completed by 1/11/2019
N-05	B15	Richard Crookes has actioned requirements under condition B15 and re-submitted amended plans to auditor for review. Richard Crookes is awaiting approval. Once approval is achieved Richard Crookes to issue over to Planning Secretary and Certifying Authority	Awaiting review by Auditor, submission to Planning Secretary and Certifying Authority thereafter
N-06	B16	Richard Crookes to update Construction Environmental Management Plan to capture community consultation	Completed by 1/11/2019

requirement under condition B16 and re-submit to Planning Secretary & Certifying Authority

N-07	B18	Richard Crookes has since updated Construction Pedestrian & Traffic Management Plan and submitted to the Certifying Authority and DoPE.	Closed
N-08	B19	Richard Crookes to capture further information as to how Richard Crookes will manage and report failure to comply with statutory requirements and community consultation required under consent B19. Richard Crookes to facilitate coordination meeting with client regarding community consultation.	Completed by 1/11/2019
N-09	B20	Richard Crookes has since updated Construction Waste Management Plan and submitted to the Certifying Authority and DoPE for information.	Closed
N-10	B21	Richard Crookes to capture further information regarding periodic review of plan, provide evidence of consultation with council (completed 27/08/19) and measures to manage stormwater events. Richard Crookes to re-submit to Council and Certifying Authority.	Completed by 1/11/2019
N-11	B26	Richard Crookes has provided stormwater management system for development to the Certifying Authority on July 9 th 2019.	Closed
N-12	B28	Richard Crookes to capture the noise mitigation recommendations of the noise and vibration assessment under condition B28 into the design drawings. Design drawings to be submitted to certifying Authority for approval under CC4	Completed by 1/11/2019
N-13	B30	Not the responsibility of Richard Crookes Constructions	NA
N-14	B31	Not the responsibility of Richard Crookes Constructions	NA
N-15	C2	Richard Crookes Constructions has since installed the Certifying Authority signage and Structural Engineer signage and updated Richard Crookes signage to include working hours and address. This information was passed on to the auditor.	Closed
N-16	C18	Richard Crookes has live noise and vibration monitoring alerts in which a register is maintained of exceedances. This register is provided to the Noise and Vibration Consultant on an on-going basis to determine if further action is required by Richard Crookes. Furthermore weekly disruption meetings are held with the client and surrounding stakeholders.	Closed

N-17	C19	Richard Crookes has live noise and vibration monitoring alerts in which a register is maintained of exceedances. This register is provided to the Noise and Vibration Consultant on an on-going basis to determine if further action is required by Richard Crookes. Furthermore weekly disruption meetings are held with the client and surrounding stakeholders.	Closed
N-18	C44	Not the responsibility of Richard Crookes Constructions	NA
OFI-01	B13	Richard Crookes to capture external lighting requirements under condition B13 within electrical design and provide to the Certifying Authority to achieve CC4	Completed by 1/11/2019
OFI-02	B29	Richard Crookes to capture mechanical ventilation requirements under condition B29 within the mechanical design and provide to the Certifying Authority to achieve CC4	Completed by 1/11/2019
OFI-03	C10	Traffic Management Plan has been updated to accommodate vehicle movements. This is provided to all companies before works commence.	Closed
OFI-04	C22	Richard Crookes to update waste register at the time of collection to maintain an accurate waste register.	On-going

If you have any questions please do not hesitate to contact the undersigned.

Thank you.

Yours faithfully

RICHARD CROOKES CONSTRUCTIONS PTY LIMITED

Rhys Maybury – Site Engineer

0437 817 927

Attachment B: *AQUAS Audit Report dated 9/9/19*

University of Newcastle Bioresources Facility Independent Environmental Audit



Assessment of Richard Crookes Constructions Environmental System Compliance Against the SSD 8937 Conditions of Consent

Audit Reference:	AQ1248.01
Audit Organisation:	Richard Crookes Constructions
Auditors:	James Hart, Lead Auditor, AQUAS
Date of Audit:	4 July 2019 and 19 July 2019
Draft Report Submitted:	5 August 2019
Final Report Submitted:	9 September 2019

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This report has been prepared and reviewed in accordance with our Quality control system.

This report has been prepared by:

JAMES HART
Environmental Auditor

Date: 10/09/2019

Reviewed by:

ANNABELLE TUNGOL
Lead Environmental Auditor

Date: 5/08/19

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1. Introduction

1.1 Background

RCC has been appointed by the University of Newcastle (UoN) for the construction of a new Bioresources Building on the University's Callaghan campus. APP Corporation have been engaged by the UoN as project managers for the construction.

APP has engaged AQUAS to undertake the initial independent environmental audit on 4 July 2019 during construction phase of the Nepean Hospital Redevelopment project in compliance with the following Development Consent Conditions:

Condition C45

- (a) An initial construction Independent Audit must be undertaken within eight weeks of the notified commencement date of construction.

Condition C46

Independent Audits of the development must be carried out in accordance with:

- (a) the Independent Audit Program submitted to the Department and the Certifier 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).

1.2 Project Details

Project Name	Development of new Bioresources Facility
Project Application Number	SSD 8937
Project Address	The University of Newcastle, Callaghan Campus (Part Lot 1 DP 1188100)
Project Phase	Construction
Project Activity Summary	Current site works included bulk earthworks and truck and dogs only (which commence two weeks prior to audit).

1.3 Audit Team

Details of the AQUAS environmental auditor for this audit were submitted to the Department of Planning by APP. Endorsement by Planning of the following auditors was granted prior to the conduct of the audit:

Name	Company	Position	Certification
James Hart	AQUAS	Lead Environmental Auditor	Exemplar Global Lead Environmental Auditor – Certificate No. 12105

1.4 Audit Objectives

The objective of this audit was to undertake the initial independent environmental audit in compliance with the Development Consent Condition SSD 8937. C46, specifically:

- (c) the Independent Audit Program submitted to the Department and the Certifier under condition C44 of this consent; and
- (d) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).

1.5 . Audit Scope

The scope of this audit comprised of review of implementation of the following RCC Project documentation:

- UoN Bioresources Project Management Plan , Rev 04, 24 May 2019;
- Construction Environmental Management Plan, rev 2, 3/05/19;
- Construction Noise and Vibration Management Sub-Plan, MAC190862NMP1V1, May 2019;
- Construction Soil and Water Management Plan;
- Construction Waste Management Plan Rev. 1 – 15/04/19;
- Construction Traffic Management Plan (CTMP, SECO Solutions Ver02 – 6/05/19;
- Erosion and Sediment Control Plan CC-C2.0 , Northrup, 25/10/18;
- Site inspection conducted on 4 July 2019;
- Review of environmental records;
- Interview of site personnel; and
- Consultation with stakeholders.

The follow documentation provided by APP Corporation was also considered during the audit:

- Compliance Monitoring and Reporting Program – 8/05/19.

1.6 Audit Period

This was the first independent environmental audit carried out by AQUAS on the project which covers the review of environmental documentation and records for the construction works commencing in May 2019 up to 4 July 2019. Due to the unavailability of site personnel, the audit was unable to be completed on 4 July 2019. The audit was completed on the 19 July 2019 at the RCC offices in Broadmeadow, NSW.

It should be noted that this report is based on the result of sampling and supplied documentation/records, as well as site activities on the initial day of the audit (4 July 2019).

2. Audit Methodology

2.1 Approval of Auditors

Letter from the Planning Secretary agreeing to the auditors is attached as **Appendix A**.

2.2 Audit scope development

AQUAS developed the audit scope and a checklist based on the Project Development Consent Requirements Application No. SSD 8937. Refer to **Appendix D** of this report.

2.3 Audit Process

2.3.1 Opening Meeting

An opening meeting was held on 4 July 2019 at 8:30am with UoN, APP, RCC project personnel and the AQUAS auditor as per the Audit Attendance Sheet. Refer to **Appendix B** of this report.

Key items were discussed, including:

- Confirmation of the purpose and scope of the audit
- Overview of the Project and status of the works
- Occurrence of Environmental incidents
- Overview of the audit process in accordance with the proposed Audit Program

2.3.2 Conduct of Audit

Audit activities included the following:

- Reviewed the project documentation (EMP and its sub-plans and EWMS) to verify compliance with the Development Consent Conditions SSD 8937;
- Conducted a site walk to review implementation of mitigation measures and environmental controls;
- Conducted the audit following the checklist that was prepared based on the Development Consent Conditions by interviewing personnel and review of records provided as evidence of compliance; and
- Any identified findings were discussed during closing meeting and any actions noted during site inspection were clearly communicated to the site personnel and addressed immediately.

2.3.3 Closing Meeting

The closing meeting was held on 19 July 2019 at 4:30pm with representatives of RCC, APP and AQUAS. General feedback and the findings of the audit were discussed during the closing meeting.

AQUAS auditors acknowledged the cooperation, openness and hospitality of RCC staff during the conduct of this audit.

2.4 Interviewed Persons

Name and position of persons interviewed:

Name	Organisation	Position
Bear Melvey	RCC	Project Manager
Rhys Maybury	RCC	Site Engineer
David	RCC	WHS Advisor
Jeremy Blakely	RCC	Cadet Engineer
David Espert	APP	Project Manager
Nathan Law	APP	Project Manager
Mark Taylor	UoN	Senior Project Manager

2.5 Details of Site Inspection

A site walk around the construction area was conducted with focus on the following controls:

- Erosion and sedimentation controls including sediment fences and controls around pits.
- Stabilised access/egress;
- Roads surrounding the site for dust/mud tracking;
- Chemical storage;
- Dust management;
- Wastes management;
- Site fence/screening;
- Traffic management,
- Noise management;
- Site signage; and
- General housekeeping.

Photos taken during site inspection are included in the **Appendix E**.

2.6 Consultation

Newcastle Council, Roads and Maritime Services, NSW EPA and Department of Planning, Industry and Environment were contacts to provide feedback on the project.

NSW EPA responded verbally that they do not comment on matters in which they are not directly involved. No issues were raised by other agencies contacted, hence there was no requirement to review specific areas of the project as part of various SSD Conditions. Refer to **Appendix F** for consultation records provided.

2.7 Audit Compliance Status Descriptors

The following audit criteria were used for the rating of audit findings.

Audit Compliance Status		
C	-	Compliant
NC	-	Non-Compliant
OFI	-	Opportunity for Improvement
NT	-	Not Triggered

3. Document Review

The following documents were reviewed and/or sighted as part of this audit:

- UoN Bioresources Project Management Plan , Rev 04, 24 May 2019;
- Construction Environmental Management Plan, rev 2, 3/05/19;
- Construction Noise and Vibration Management Sub-Plan, MAC190862NMP1V1, May 2019;
- Construction Soil and Water Management Plan;
- Construction Waste Management Plan Rev. 1 – 15/04/19;
- Construction Traffic Management Plan (CTMP, SECO Solutions Ver02 – 6/05/19);
- Compliance Monitoring and Reporting Program – 8/05/19;
- Erosion and Sediment Control Plan CC-C2.0 , Northrup, 25/10/18;
- UoN Bioresources Environmental Risk Matrix – Construction, May 2018;
- UoN Bioresources Appendix 4b - Environmental Actions and Monitoring Table, Rev 1 15/04/19;
- RCC Environmental Policy, 26/02/18;
- Environmental Impact Statement, Proposed Bioresources Facility, University Drive, Callaghan, Lot 1 DP 1188100
- Long Service Levy Receipt No 00379177, 6/05/19;
- Email Notification of Commencement - SSD 8937 Item B1, 7/05/19;
- Pre-construction dilapidation report for University of Newcastle Biosciences Research Facility, NL171955, Ver 01, 24/04/19;
- Bioresources Facility Strategic Communications Plan, Ver 08, May 2019;
- Approval of Exemption form the requirements of Condition B12, DP&E, 17/05/19;
- Letter from UoN to DP&E confirming compliance with Condition B35 (Bioresources Facility Ecological and Diversity Measures), 17/05/29;
- Demolition Plan for Bioresources Facility, University of Newcastle, DEMEX, 10/05/19.
- Independent Audit Program for Bioresources Facility, 30 May 2019

4. Audit Findings

This audit was completed to assess the implementation of CEMP and environmental controls established by RCC against the requirements of Development Consent SSD 8937. The audit found that, while management plans had been developed for the project, the management plans did not meet all the requirements of the conditions of consent. Management plans should be reviewed to address the findings of this audit to enable compliance with the conditions of consent.

The following table summarises the audit findings by rating category:

Findings Rating	Descriptor	Findings
Compliant	C	56
Non-Compliant	NC	18
Not Triggered	NT	36

4.1 Assessment of Compliance

The audit determined that RCC has generally implemented the controls for environmental management within the construction activities that are currently being undertaken. The development has been undertaken within the physical boundaries of the development, and no impacts associated with air or water emissions have occurred. Isolated instances of exceedances of noise and vibration management levels have occurred, which occurred for very short duration as the result of specific activities. As such, actual impacts of the development were considered consistent with the predicted impacts. The comparison of audit requirements against the compliance ratings is as follows:

SSD Requirements	Requirements	Findings
Part A – Administrative Controls	23	C – 12
		NC – 2
		OFI – 2
		NT – 9
Part B – Prior to commencement of Construction	35	C – 17
		NC – 12
		OFI – 2
		NT – 6
Part C – During Construction Appendix 1 – Incident Notification	52	C – 27
		NC – 4
		NT – 21
SSD Requirements	Requirements	Findings
Total Requirements	110	C – 56
		NC – 18
		OFI – 4
		NT – 36

4.2 Notices, Incidents and Complaints

RCC noted that no agency notices, orders, penalty notices or prosecutions have been issued, and no reportable environmental incidents have occurred to date.

A Complaints Register has been developed for recording of complaint details including resolution reached. No complaints had been received.

4.3 Previous Audit Recommendations

This was the first independent environmental audit of the project.

4.4 Audit Findings

There was eighteen (18) non-compliances and four (4) opportunities for improvement identified during this audit. Details of the audit findings are included in the table following. It was noted that additional information was provided to the auditor subsequent to the onsite audit, which provided adequate information to enable close out of three of the findings.

Finding No.	Condition No.	Audit Findings	
N-01		<p>The development may only be carried out: in compliance with the conditions of this consent; in accordance with all written directions of the Planning Secretary; generally in accordance with the EIS as amended by the Response to Submissions and Supplementary Response to Submissions; in accordance with the management and mitigation measures; and in accordance with the approved plans in the table below:</p>	<p>Based on the number of non-compliant items the project is non-compliant to the requirement of A2 (a). No written directions have been issued by the Planning Secretary Project has been carried out generally in accordance with the EIS and the management and mitigation measures and approved plans. No environmental incidents or non-compliances have been raised.</p>
N-02	A11	<p>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.</p>	<p>Where requirements for consultation was included for management plans, evidence of consultation, including the outcome of that consultation had not been included in the plans.</p>
N-03	B3	<p>Prior to the commencement of construction, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use construction of external walls including finishes and claddings such as synthetic or aluminium</p>	<p>The Applicant has not provided the Certifying Authority with documented evidence that the products and systems proposed for use construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the</p>

Finding No.	Condition No.	Audit Findings
	<p>composite panels comply with the requirements of the BCA. The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it</p>	<p>requirements of the BCA prior to the commencement of construction.</p>
<p>N-04</p>	<p style="text-align: center;">B4</p> <p>Prior to the commencement of construction, the Applicant must revise the landscape plan to:</p> <ul style="list-style-type: none"> (a) incorporate three additional trees within the northern and/or western setback, being locally indigenous canopy trees with a mature height of at least 12 metres and a minimum pot size at least 200L at installation; (b) incorporate two additional trees consistent in species, size and location as detailed in condition B4(a) above should tree numbers 31 and 32 be required to be removed as a consequence of the detailed design of the adjacent access path and first floor entry ramp (respectively); and (c) ensure compliance with Planning for Bushfire Protection 2006. <p>The revised landscape plan must be submitted to the satisfaction of the Certifying Authority and submitted to the Planning Secretary for information.</p>	<p>The landscape plan has not been revised and submitted to the Certifying Authority, or submitted to the Planning Secretary for information.</p>
<p>N-05</p>	<p style="text-align: center;">B15</p> <p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <ul style="list-style-type: none"> (a) detailed baseline data; (b) details of: <ul style="list-style-type: none"> (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures and criteria; and (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; (d) a program to monitor and report on the: <ul style="list-style-type: none"> (i) impacts and environmental performance of the development; (ii) effectiveness of the management measures set out pursuant to paragraph (c) above; 	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines.</p>

Finding No.	Condition No.	Audit Findings
	(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible; (f) a program to investigate and implement ways to improve the environmental performance of the development over time; (g) a protocol for managing and reporting any: <ul style="list-style-type: none"> (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria); (ii) complaint; (iii) failure to comply with statutory requirements; and (h) a protocol for periodic review of the plan. <i>Note: the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</i>	
N-06	B16 Prior to the commencement of construction the Applicant must prepare a Construction Environmental Management Plan (CEMP) and it must include, but not be limited to, the following: <ul style="list-style-type: none"> (a) Details of: <ul style="list-style-type: none"> (i) hours of work; (ii) 24-hour contact details of site manager; (iii) management of dust and odour to protect the amenity of the neighbourhood; (iv) stormwater control and discharge; (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject site; (vi) groundwater management plan including measures to prevent groundwater contamination; (vii) external lighting in compliance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting; (viii) community consultation and complaints handling (b) Construction Traffic and Pedestrian Management Sub-plan (see Condition B18); (c) Construction Noise and Vibration Management Sub-plan (see Condition B19); (d) Construction Waste Management Sub-plan (see Condition B20); (e) Construction Soil and Water Management Sub-plan (see Condition B21); 	The Construction Environmental Management Plan provided does not include all the requirements of consent condition B16.

Finding No.	Condition No.	Audit Findings
	<ul style="list-style-type: none"> (f) an unexpected finds protocol for contamination, Aboriginal and non-Aboriginal heritage and associated communications procedure; and (g) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site. 	
<p>N-07</p>	<p style="text-align: center;">B18</p> <p>The Construction Traffic and Pedestrian Management Sub-plan must address, but not be limited to, the following:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with Council and RMS; (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services; (d) detail heavy vehicle routes, access and parking arrangements; (e) include a Driver Code of Conduct to: <ul style="list-style-type: none"> (i) minimise the impacts of earthworks and construction on the local and regional road network; (ii) minimise conflicts with other road users; (iii) minimise road traffic noise; and (iv) ensure truck drivers use specified routes; (f) include a program to monitor the effectiveness of these measures; and (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes 	<p>The Construction Traffic and Pedestrian Management Sub-plan does not address all the requirements of consent condition B18.</p>
<p>N-08</p>	<p style="text-align: center;">B19</p> <p>The Construction Noise and Vibration Management Sub-plan must address, but not be limited to, the following:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced noise expert; (b) incorporate recommendations of the Noise and Vibration Impact Assessment dated August 2018 and prepared by Muller Acoustic Consulting (c) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009); (d) outline how noise and vibration impacts would be monitored during construction 	<p>The Construction Noise and Vibration Management Sub-plan does not address all the requirements of consent condition B19.</p>

Finding No.	Condition No.	Audit Findings
	<ul style="list-style-type: none"> (e) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers; (f) include strategies that have been developed with the community for managing high noise generating works; and (g) describe the community consultation undertaken to develop the strategies; and (h) include a complaints management system that would be implemented for the duration of the construction 	
N-09	<p style="text-align: center;">B20</p> <p>The Construction Waste Management Sub-plan must address, but not be limited to, the following:</p> <ul style="list-style-type: none"> (a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations; (b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facilities in accordance with the requirements of the relevant legislation, codes, standards and guideline, prior to the commencement of any building works. 	<p>The Construction Waste Management Sub-plan does not address all the requirements of consent condition B20.</p>
N-10	<p style="text-align: center;">B21</p> <p>The Construction Soil and Water Management Sub-plan must address, but not be limited to, the following:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified expert, in consultation with Council; (b) describe all erosion and sediment controls to be implemented during construction; (c) provide a plan of how all construction works will be managed in wet weather events (i.e. storage of equipment, stabilisation of the Site); (d) detail all off-Site flows from the Site; and (e) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1 year ARI, 1 in 5 year ARI and 1 in 100 year ARI. 	<p>The Construction Soil and Water Management Sub-plan does not address all the requirements of consent condition B21.</p>
N11	<p style="text-align: center;">B26</p> <p>Prior to the commencement of construction, the Applicant must design a stormwater management system for the development and submit it to the satisfaction of the Certifying Authority. The system must:</p>	<p>A stormwater management system for the development has not been designed and submitted to the satisfaction of the Certifying Authority prior to the commencement of construction.</p>

Finding No.	Condition No.	Audit Findings
	<p>(a) be designed by a suitably qualified and experienced person(s);</p> <p>(b) be generally in accordance with the conceptual design in the EIS;</p> <p>(c) demonstrate the three pits which are located at the end of the stormwater drainage lines (two along the western property and one at the north eastern corner) before the discharge outlet location (KIP on existing road) are fitted with pit inserts (SPEL StormSack or similar);</p> <p>(d) be in accordance with applicable Australian Standards; and</p> <p>be in accordance with the requirements of Section 7.06 'Stormwater' of the Newcastle Development Control Plan 2012.</p>	
N-12	<p>B28</p> <p>Prior to the commencement of construction, the Applicant must incorporate the noise mitigation recommendations of the Noise and Vibration Assessment dated 6 August 2018 by Muller Acoustic Consulting, into the detailed design drawings. The Certifying Authority must verify that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in Noise and Vibration Assessment.</p>	<p>The noise mitigation recommendations of the Noise and Vibration Assessment dated 6 August 2018 by Muller Acoustic Consulting have not been incorporated into the detailed design drawings and verified by the Certifying Authority prior to the commencement of construction.</p>
N-13	<p>B30</p> <p>No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.</p>	<p>The Compliance Monitoring and Reporting Program had not been completed at least two weeks prior to the date notified for the commencement of construction.</p>
N-14	<p>B31</p> <p>Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).</p>	<p>Preconstruction Compliance Report had not been submitted to the Planning Secretary prior to the commencement of construction.</p>
N-15	<p>C2</p> <p>A site notice(s):</p> <p>(a) must be prominently displayed at the boundaries of the Subject site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer.</p> <p>(b) is to satisfy all but not be limited to, the following requirements:</p>	<p>While a site notice had been erected, the site notice did not include all information required by consent condition C2.</p>

Finding No.	Condition No.	Audit Findings
	<ul style="list-style-type: none"> (i) minimum dimensions of the notice must measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size; (ii) the notice is to be durable and weatherproof and is to be displayed throughout the works period; (iii) the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice; and (c) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the Subject site is not permitted. 	
N-16	<p style="text-align: center;">C18</p> <p>Any noise generated during construction of the development must not be offensive noise within the meaning of the Protection of the Environment Operations Act 1997 or exceed approved noise limits for the subject site.</p>	<p>No evidence of investigation of noise level alerts to determine the cause or identify corrective actions. (No noise complaints have been received).</p>
N17	<p style="text-align: center;">C19</p> <p>Vibration caused by construction at any residence or structure outside the site must be limited to:</p> <ul style="list-style-type: none"> (a) for structural damage, the latest version of <i>DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures</i> (German Institute for Standardisation, 1999); and (b) for human exposure, the acceptable vibration values set out in the <i>Environmental Noise Management Assessing Vibration: a technical guideline</i> (DEC, 2006) (as may be updated or replaced from time to time). 	<p>No evidence of investigation of vibration level alerts to determine the cause or identify corrective actions. (No vibration complaints have been received).</p>
N18	<p style="text-align: center;">C44</p> <p>No later than four weeks before the date notified for the commencement of construction an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.</p>	<p>The independent audit program had not been submitted at least 4 weeks before the date notified for the commencement of construction.</p>
OFI-01	<p style="text-align: center;">B13</p> <p>Details demonstrating compliance with the requirements outdoor lighting must be submitted to the satisfaction of the Certifying Authority.</p>	<p>Ensure details demonstrating compliance with the requirements for outdoor lighting are be submitted to the satisfaction of the Certifying Authority prior to the commencement of building works.</p>
OFI-02	<p style="text-align: center;">B29</p>	<p>Ensure details demonstrating compliance with the requirements for installation of</p>

Finding No.	Condition No.	Audit Findings
	Details showing that mechanical ventilation systems will be installed in accordance with Part F4.5 of the 8CA and must comply with the AS 1668.2-2012 have not been submitted to the Certifying Authority for approval prior to the commencement of building works	mechanical ventilation systems are be submitted to the satisfaction of the Certifying Authority prior to the commencement of building works.
OFI-03	C10 All construction vehicles are to be contained wholly within the Site, except if located in an approved on street work zone, and vehicles must enter the Site before stopping.	While controls for the management of construction vehicles had been implemented, it was not clear how these requirements were communicated to delivery drivers who do not attend site inductions.
OFI-04	C22 Following the relocation or demolition of any existing structures, infrastructure and in ground utilities, and excavation works, the Applicant is to carry out further investigation of soil contamination (including within the footprint and immediate surrounds of those structures, infrastructures and utilities prior to undertaking any construction) to address any contamination with regard to the following: (a) NSW EPA Sampling Design Guidelines; (b) Guidelines for the NSW Site Auditor Scheme (3rd edition) 2017; (c) Guidelines for Consultants Reporting on Contamination Sites, 2011; and The National Environment Protection (Assessment of Contamination) Measure.	While waste tracking records are available from the waste removalist, the site waste register has not been populated

4.5 Audit Site Inspection

The site inspection was conducted at 9:30am on 4 July 2019 by the AQUAS auditor and RCC project staff. The audit reviewed implementation of site facilities and environmental controls, including:

- Site signage and site sheds;
- Silt fence along the boundary of the site;
- Erosion and sediment controls for pits outside and inside the site;
- Suitable storage for hazardous materials;
- Traffic signage well implemented;
- Scaffold and electrical equipment were appropriately tagged;
- Skip bins for waste and recycling in various locations; and
- Housekeeping.

Issues noted during the site inspection were rectified the day pf the audit. Please refer to photos of the site inspection in **Appendix E**.

4.6 Suitability of Plans and the EMS

Review of the CEMP and sub-plans found that the plans did not comply with all of the requirements of the Development Consent.

The RCC Environmental Management System (EMS) and sub plans should be reviewed against the requirements of conditions B15 and B16 to B21 and updated to ensure that management plans address all the requirements of the conditions of consent.

Subsequent to the audit, updated documentation was provided to the auditor. Review of updated documentation established that the updated Construction Waste Management Plan was compliant with requirements of the conditions of consent.

4.7 Key Strengths

Overall, general project environmental performance was in compliance with Development Consent SSD 8937 with the following key strengths noted:

- Environmental inspections have been undertaken weekly;
- Internal and external communication mechanisms have been established;
- Consultation with the community and sensitive receivers have been managed well;
- The process for reporting incidents, complaints and non-conformances has been implemented and recorded; and
- Environmental controls have been implemented such as:
 - erosion and sedimentation had been installed around stormwater inlets;
 - Equipment being removed from site was being inspected and cleaned;
 - Continuous noise and vibration monitoring was being conducted;
 - Controls had been provided for managing dust generation on site; and
 - Spill response equipment had been made available on site.

5. Recommendations

The table below outlines the identified audit findings raised during this audit.

There was eighteen (18) non-compliances and four (4) opportunities for improvement identified. Recommendations to address the non-compliance's are included in the table following.

Finding No.	Condition No.	Audit Findings	Recommendations
N-01	A2	Based on the number of non-compliant items the project is non-compliant to the requirement of A2 (a)	The proponent needs to ensure that all the non-compliances raised are addressed in accordance with the conditions of consent and IAPAR Document 2018.
N-02	A11	Where requirements for consultation was included for management plans, evidence of consultation, including the outcome of that consultation had not been included in the plans.	RCC to ensure that information required as per conditions A11 is included in documentation submitted the Planning Secretary or Certifying Authority. Note: 27/08/19 - Construction Traffic Management Plan updated to include evidence of consultation. Closed Construction Soil and Water Management Plan does not include evidence of consultation. Noise and Vibration Management Plan does not include evidence of consultation.

Finding No.	Condition No.	Audit Findings	Recommendations
N-03	B3	The Applicant has not provided the Certifying Authority with documented evidence that the products and systems proposed for use construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA prior to the commencement of construction. Submit a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.	Provide evidence to the certifying authority that the products and systems proposed for use construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA. Submit a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.
N-04	B4	The landscape plan has not been revised must be submitted to address the requirements of Condition B4 to the satisfaction of the Certifying Authority and submitted to the Planning Secretary for information.	Update the Landscape Plan to address the requirements of Condition B4 and submit to the Certifying Authority for approval and submitted to the Planning Secretary for information.
N-05	B15	Management plans required under this consent must be prepared in accordance with relevant guidelines.	RCC should review the management plans against the requirements of B15 and update the plans to ensure all requirements are addressed.
N-06	B16	The Construction Environmental Management Plan provided does not include all the requirements of consent condition B16.	The Construction Environmental Management Plan should be updated to address all the requirements of condition B16. The updated plan should be submitted to the certifying authority for approval and DP&E for information. 27/08/19 - Construction Environmental Management Plan updated. Community consultation section does not describe how and when consultation with the community will be conducted.
N-07	B18	The Construction Traffic and Pedestrian Management Sub-plan does not address all the requirements of consent condition B18.	The Construction Traffic and Pedestrian Management Sub-plan should be reviewed against the requirements of B18 and updated to ensure that all requirements are included in the sub-plan. The updated plan should be submitted to the certifying authority for approval and DP&E for information. 27/08/19: Updated Construction Traffic and Pedestrian Management Sub-plan provided which addresses requirements of B18. Closed

Finding No.	Condition No.	Audit Findings	Recommendations
N-08	B19	The Construction Noise and Vibration Management Sub-plan does not address all the requirements of consent condition B19.	<p>The Construction Noise and Vibration Management Sub-plan should be reviewed against the requirements of B19 and updated to ensure that all requirements are included in the sub-plan. The updated plan should be submitted to the certifying authority for approval and DP&E for information.</p> <p>16/08/19: Noise and Vibration Plan updated. Does not include:</p> <ul style="list-style-type: none"> • A description of the community consultation undertaken to develop the strategies or the strategies developed with the community for managing high noise generating works • Clear process for how RCC will manage and report any failure to comply with statutory requirements
N09	B20	The Construction Waste Management Sub-plan does not address all the requirements of consent condition B20.	<p>The Construction Waste Management Sub-plan should be reviewed against the requirements of B20 and updated to ensure that all requirements are included in the sub-plan. The updated plan should be submitted to the certifying authority for approval and DP&E for information.</p> <p>Note: Construction Waste Management Sub-plan updated 20/08/19 to address deficiencies.</p> <p>Closed.</p>
N-10	B21	The Construction Soil and Water Management Sub-plan does not address all the requirements of consent condition B21.	<p>The Construction Soil and Water Management Sub-plan should be reviewed against the requirements of B21 and updated to ensure that all requirements are included in the sub-plan.</p> <p>27/08/19: Plan updated. Does not adequately address:</p> <ul style="list-style-type: none"> • Protocol for periodic review of the plan; • Evidence of consultation with Council; • All measures to manage stormwater events.
N11	B26	Prior to the commencement of construction, A stormwater management system for the development has not been	Design a stormwater management system for the development and

Finding No.	Condition No.	Audit Findings	Recommendations
		designed and submitted to the satisfaction of the Certifying Authority prior to the commencement of construction.	submit it to the satisfaction of the Certifying Authority.
N12	B28	The noise mitigation recommendations of the Noise and Vibration Assessment dated 6 August 2018 by Muller Acoustic Consulting have not been incorporated into the detailed design drawings and verified by the Certifying Authority prior to the commencement of construction.	Incorporate noise mitigation recommendations of the Noise and Vibration Assessment dated 6 August 2018 by Muller Acoustic Consulting into the detailed design drawings and provide to the certifying authority for verification.
N-13	B30	The Compliance Monitoring and Reporting Program had not been completed at least two weeks prior to the date notified for the commencement of construction.	Compliance Monitoring and Reporting Program provided 9/05/19.
N-14	B31	The Pre-Construction Compliance Report had not been submitted prior to the commencement of construction.	Provide compliance reports in accordance with the requirements of the Compliance Monitoring and Reporting Program.
N-15	C2	While a site notice had been erected, the site notice did not include all information required by consent condition C2.	<p>The site notice should be reviewed and updated to include all information required by consent condition C2.</p> <p>Note: Evidence provided (27/08/19) that the following had been provided:</p> <ul style="list-style-type: none"> • Sign erected identifying Certifying Authority • Sign erected identifying Structural Engineer. • Sign erected identifying approved hours of work and address <p>Closed</p>
N-16	C18	<p>No evidence of investigation of noise level alerts to determine the cause or identify corrective actions.</p> <p>No noise complaints have been received</p>	Where noise level exceedance alerts are received, the exceedance should be investigated and findings of the investigation recorded. Where exceedance is the result of on-site activities, corrective actions implemented should be documented.
N17	C19	<p>No evidence of investigation of vibration level alerts to determine the cause or identify corrective actions.</p> <p>No vibration complaints have been received</p>	Where vibration level exceedance alerts are received, the exceedance should be investigated and findings of the investigation recorded. Where exceedance is the result of on-site activities, corrective actions implemented should be documented.
N18	C44	The independent audit program had not been submitted at least 4 weeks before the date notified for the commencement of construction. It was noted that the	Submitted 30/05/19.

Finding No.	Condition No.	Audit Findings	Recommendations
		submission was delayed awaiting approval of the environmental auditor.	
OFI-01	B13	Details demonstrating compliance with the requirements outdoor lighting must be submitted to the satisfaction of the Certifying Authority.	Ensure details demonstrating compliance with the requirements for outdoor lighting are be submitted to the satisfaction of the Certifying Authority prior to the commencement of building works.
OFI-02	B29	Details showing that mechanical ventilation systems will be installed in accordance with Part F4.5 of the 8CA and must comply with the AS 1668.2-2012 have not been submitted to the Certifying Authority for approval prior to the commencement of building works	Ensure details demonstrating compliance with the requirements for installation of mechanical ventilation systems are be submitted to the satisfaction of the Certifying Authority prior to the commencement of building works.
OFI-03	C10	While controls for the management of construction vehicles had been implemented, it was not clear how these requirements were communicated to delivery drivers who do not attend site inductions.	Consider providing information on site vehicle movements (vehicle movement plan, etc.) to delivery drivers prior to coming to site.
OFI-04	C22	While waste tracking records are available from the waste removalist, the site waste register has not been populated	Consider recording waste deliveries in the waste register at the time of collection to ensure the waste register is up to date.

Appendix A. Auditors Approval



Mr Mark Maund
Principal Town Planner
De Witt Consulting
7 Canberra St
CHARLESTOWN NSW 2290
Email: mark.maund@dewittconsulting.com.au
CC: david.espert@app.com.au

Contact: Heidi Watters
Phone: (02) 6575 3401
Email: heidi.watters@planning.nsw.gov.au
compliance@planning.nsw.gov.au
Our Ref: SSD 8937

Dear Mr Maund

**University of Newcastle Bioresources Facility Building (SSD 8937)
Request for agreement of Independent Auditor**

I refer to your submission dated 28 May 2019 seeking the agreement of the Planning Secretary of the Department of Planning and Environment (the Department) of a suitably qualified, experienced and independent audit team to undertake independent audits of the University of Newcastle Bioresources Facility Building.

In accordance with C43 of SSD 8937 (the consent) and the *Independent Audit Post Approvals Requirements* dated June 2018 (IA PAR), I, as the Planning Secretary's nominee, agree to the following audit team:

- James Hart – Lead Environmental Auditor (AQUAS Pty Ltd)
- Ana Maria Munoz – Environmental Auditor (AQUAS Pty Ltd)
- Nilda Soto – Environmental Auditor (AQUAS Pty Ltd)
- Luis Garzon – Environmental Auditor (AQUAS Pty Ltd)

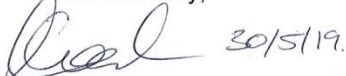
The Department reserves the right to request an alternate team for future audits.

The Independent Audit must be prepared, undertaken and finalised in accordance with the IA PAR. Failure to meet these requirements will require revision and resubmission.

Finally, please ensure this correspondence is appended to the Independent Audit Report.

Should you need to discuss the above, please contact Heidi Watters, Senior Compliance Officer at the Department as per the details provided above.

Yours sincerely,



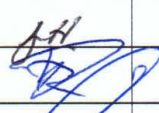

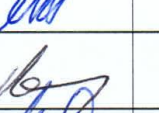
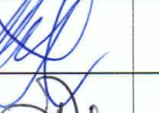
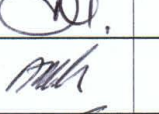
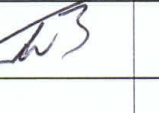
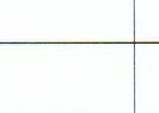
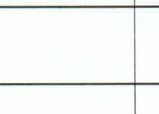
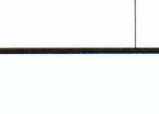
Leah Cook
Team Leader – Compliance
As nominee of the Secretary

Appendix B. Audit Attendance Sheet

Audit Attendance Sheet



PROJECT: UON Bioresources Facility AUDIT No.: 1248.01
 AUDITEE: Richard Crookes Constructions LEAD AUDITOR: J Hart
 MEETING LOCATION: Site Office, UON Campus
 OPENING MEETING DATE AND TIME: 4.07.19 8.45am
 CLOSING MEETING DATE AND TIME: 19.07.19 4.30pm

NAME	ORGANISATION	POSITION	SIGNATURE	
			OPENING MEETING	CLOSING MEETING
JAMES HART	AQUAS	Lead Auditor		✓
Dave Esport	APP	Project Manager		✓
Mark Law	APP	"Project manager"		✓
Mark Taylor	IFS	UON		
Dave Melroy	RCC	Project Manager		✓
Maxwell Taylor	UON	SPM		
Rhys Haydon	RCC	SE		✓
DAVE KELLY	RCC	WHSA		
Jeremy Blahely	RCC	CADET		

Appendix C. Independent Audit Declaration Form

Independent Audit Declaration Form

Project Name: University of Newcastle Bioresources Facility

Consent Number: SSD 8937

Description of Project: Design and Construction of the Bioresources Facility for the University of Newcastle

Project Address: 130 University Drive, Callaghan, NSW

Proponent: Richard Crookes Constructions Pty Ltd

Title of Audit: Independent Environmental Audit Date: 4 July 2019

I declare that, to the best of my knowledge:

- I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- neither I nor any technical specialist that may take part in the Independent Audits are an Environmental Representative for the project; and
- I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.
- I am an employee of AQUAS, are fully owned by APP Corporation, the Principal's Authorised Representative for the project. AQUAS operates independently under its own certified management systems. AQUAS share and office with APP in Newcastle.
- The following works are planned to be undertaken by the James Hart for the project:
 - Review of Quality, WHS and Environmental management plans to assess compliance with project specific requirements;
 - Monthly quality, WHS and environmental inspections of works on site;
 - Six monthly quality and WHS audits of the project.

Notes:

- a) 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) 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
- b) 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)

Name of Auditor: James Hart

Signature: 

Qualification: Lead Environmental Auditor

Company: AQUAS Pty Ltd

Company Address: Level 7, 116 Miller Street, North Sydney NSW 2060

Appendix D. Audit Checklist and Audit Findings

Audit Checklist – SSD8937 Conditions of Consent

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
PART A – Administrative Controls					
Obligation to Minimise Harm to the Environment					
1.	A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	<p>Management plans have been documented and controls implemented on site for preventing or minimising environmental impacts of the project.</p> <p>No material harm to the environment has occurred for the development.</p>	C	
Terms of Consent					
2.	A2	<p>The development may only be carried out:</p> <ul style="list-style-type: none"> (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 Response to Submissions and Supplementary Response to Submissions; (d) in accordance with the management and mitigation measures; and (e) in accordance with the approved plans in the table below: 	<p>Based on the number of non-compliant items the project is non-compliant to the requirement of A2 (a). No written directions have been issued by the Planning Secretary</p> <p>Project has been carried out generally in accordance with the EIS and the management and mitigation measures and approved plans.</p> <p>No environmental incidents or non-compliances have been raised.</p>	NC	01

Architectural Drawings prepared by Denton Corker Marshall			
DwgNo.	Rev	Name of Plan	Date
A01_0100	D3	SITE PLAN	07.09.2018
A03_0000	T2	DEMOLITION PLAN	04.02.2019
A10_0000	T1	GROUND LEVEL- OVERALL PLAN	25.10.2018
A10_0100	T2	LEVEL 1 - OVERALL PLAN	30.10.2018
A10_0200	T2	LEVEL 2- OVERALL PLAN	29.10.2018
A10_0300	T2	ROOF LEVEL - OVERALL PLAN	29.10.2018
A11_0000	T1	GA ELEVATIONS- NORTH	25.10.2018
A11_0001	T1	GA ELEVATIONS- SOUTH	25.10.2018
A11_0002	T1	GA ELEVATIONS- EAST	25.10.2018
A11_0003	T1	GA ELEVATIONS- WEST	25.10.2018
A12_0000	T1	GA SECTIONS - SHEET 00	25.10.2018
A12_0001	T1	GA SECTIONS- SHEET 01	25.10.2018
A12_0002	T1	GA SECTIONS -SHEET 02	25.10.2018
A12_0003	T1	GA SECTIONS- SHEET 03	25.10.2018
A12_0004	T1	GA SECTIONS- SHEET 04	25.10.2018
A13_0300	A	FAÇADE TYPES SHEET 03	31.01.2018
-	-	DESIGN PRINCIPLES- EXTERNAL MATERIAL	undated
Landscape Drawings prepared by Denton Corker Marshall and Landarche			
Dwg No.	Rev	Name of Plan	Date
A04 0000	T3	LANDSCAPE OVERALL PLAN	29.11.2018
ASC_0002 Sheets 3-5	T2	LANDSCAPE MATERIALS SCHEDULE	29.11.2018
SK_201811 29_YC01	P01	LANDSCAPE CROSS SECTION -WEST	20.11.2018
SK_201811 29_YC02	P01	LANDSCAPE CROSS SECTION - NORTH	20.11.2018
Civil and Stormwater Management Plans prepared by Northrop			
DwgNo.	Rev	Name of Plan	Date
C10	1	EROSION AND SEDIMENT CONTROL PLAN	23.05.18
	1	EROSION AND SEDIMENT CONTROL DETAILS	23.05.18
CCC-C3.0	1	BULK EARTHWORKS PLAN	18.07.18
C20	1	CONCEPT STORMWATER MANAGEMENT PLAN	23.05.18

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
3.	A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in (a) above.	No written directions have been issued by the Planning Secretary.	NT	
4.	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.	No inconsistency, ambiguity or conflict has been identified.	NT	
Limits of Consent					
5.	A5	This consent lapses five years after the date from which it operates, unless the works associated with the development have physically commenced.	Construction commenced 13 May 2019.	C	
6.	A6	This consent does not include approval of signage. Separate approval must be obtained for any signs which do not meet exempt development provisions.	No signs installed which required development consent.	NT	
Prescribed Conditions					
7.	A7	The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.	Results of this audit show that the development has been carried out in general accordance with requirements. Where compliance has not been verified, a non-compliance has been raised	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Planning Secretary as Moderator					
8.	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.	No disputes have arisen with public authorities	NT	
Long Service Levy					
9.	A9	For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.	Long service levy paid 6/05/19. Levy Receipt 00379177	C	
Legal Notices					
10.	A10	Any advice or notice to the consent authority must be served on the Planning Secretary.	Notice of commencement of works sent to planning Secretary.	C	
Evidence of Consultation					
11.	A11	Where conditions of this consent require consultation with an identified party, the Applicant must: <ul style="list-style-type: none"> (c) consult with the relevant party prior to submitting the subject document to the Planning Secretary or Certifying Authority for information or approval; and (d) provide details of the consultation undertaken including: <ul style="list-style-type: none"> (iii) the outcome of that consultation, matters resolved and unresolved; and (iv) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved. 	CTMP prepared and submitted to RMS and Council for review prior to completion. Evidence of consultation not included in plan. The Construction Soil and Water Management Sub-plan does not include evidence of consultation with Council. Where requirements for consultation is included for management plans, evidence of consultation, including the outcome of that consultation had not been included.	NC	02

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Staging, Combining and Updating Strategies, Plans or Programs					
12.	A12	With the approval of the Planning Secretary, the Applicant may: <ul style="list-style-type: none"> (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). 	Staged certificate - PCA Crown Checklist sighted which identifies staging and requirements for each stage. Approval has not been requested or provided by the Planning Secretary for staged preparation and submission of ant strategy, plan or program.	C	
13.	A13	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	Approval has not been requested or provided by the Planning Secretary for staged preparation and submission of ant strategy, plan or program.	NT	
14.	A14	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	Approval has not been requested or provided by the Planning Secretary for staged preparation and submission of ant strategy, plan or program.	NT	

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Structural Adequacy					
15.	16	<p>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:</p> <p>(a) the relevant requirements of the BCA;</p> <p>(b) any additional requirements of the Subsidence Advisory NSW where the building or structure is located on land within a declared Mine Subsidence District.</p> <p>Notes:</p> <ul style="list-style-type: none"> Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the development. 	<p>Building and Structures reported to be designed in accordance with BCA requirements.</p> <p>Certifier sign-off to verify compliance with BCA requirements.</p>	C	
External Walls and Cladding					
16.	A16	The external walls of all buildings including additions to existing building must comply with the relevant requirements of the BCA.	<p>Design not finalised at this stage.</p> <p>Compliance with BCA requirements will be provided with ISC drawings and design certificates</p>	NT	
Bush Fire Protection					
17.	A17	Water, electricity and gas are to comply with sections 4.1.3 of <i>Planning for Bush Fire Protection 2006</i> .	<p>Bush Fire Threat Assessment Completed by Anderson Environment and Planning.</p> <p>Not in a bush fire zone. Recommendations provided which were reported to be incorporated into the design documentation.</p>	C	

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Applicability of Guidelines					
18.	A18	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.		NT	
19.	A19	Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	No directions have been issued by the Planning Secretary.	NT	
Monitoring and Environmental Audits					
20.	A20	<p>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.</p> <p><i>Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i></p>	<p>Environmental audit conducted in accordance with conditions of consent.</p> <p>Noise and vibration monitoring conducted by specialist consultant</p>	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Access to Information					
21.	A21	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ul style="list-style-type: none"> (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 <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>	<p>Website available.</p> <p>https://www.newcastle.edu.au/current-staff/working-here/our-work-environment/current-projects/bioresources-facility/planning</p> <p>Includes development consent approved drawings;</p> <p>Development Consent Management plans (EMP, CEMP, CPTMP, NVMP, CWMP, and SWMP).</p> <p>Monitoring – no records uploaded at this stage- reports not provided.</p> <p>Registers and Reports – no records uploaded at this stage.</p>	C	

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Compliance					
22.	A22	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Environmental requirements for the project were included in site inductions.	C	
ADVISORY NOTES					
23.	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.	Applicable Development Approval obtained. Traffic Control Plans developed and approved by RMS registered subcontractor	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
PART B – PRIOR TO COMMENCEMENT OF CONSTRUCTION					
Notification of Commencement					
24.	B1	<p>The Department must be notified to the Department in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.</p> <p>If the construction of the development is to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.</p>	<p>Notification of commencement provided 7/05/19 for work to commence on 13/05/19.</p>	C	
Certified Drawings					
25.	B2	<p>Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifying Authority structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with:</p> <ul style="list-style-type: none"> (a) the relevant clauses of the BCA; and (b) this development consent. 	<p>BCA Crown Certificate 19-030-CR1 provided by certifying authority.</p> <p>Letter of submission to DP&E 7/07/19.</p> <p>For Stage 1 – Demolition and bulk earthworks.</p> <p>Reported that documentation for Stage 2 – In ground services and substructure under development.</p>	C	
External Walls and Cladding					
26.	B3	<p>Prior to the commencement of construction, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA. The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.</p>	<p>Reported that requirements for external walls and cladding will be included in the Stage 3 – Structure above ground floor slab.</p> <p>Not provided prior to the commencement of construction.</p>	NC	03

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Design Modification - Landscape					
27.	B4	<p>Prior to the commencement of construction, the Applicant must revise the landscape plan to:</p> <ul style="list-style-type: none"> (d) incorporate three additional trees within the northern and/or western setback, being locally indigenous canopy trees with a mature height of at least 12 metres and a minimum pot size at least 200L at installation; (e) incorporate two additional trees consistent in species, size and location as detailed in condition B4(a) above should tree numbers 31 and 32 be required to be removed as a consequence of the detailed design of the adjacent access path and first floor entry ramp (respectively); and (f) ensure compliance with Planning for Bushfire Protection 2006. <p>The revised landscape plan must be submitted to the satisfaction of the Certifying Authority and submitted to the Planning Secretary for information.</p>	<p>Report that the revised landscape plan will be provided prior to commencement of Stage 4.</p> <p>Not provided prior to the commencement of construction.</p>	NC	04
Protection of Public Infrastructure					
28.	B5	<p>Before the commencement of construction, the Applicant must:</p> <ul style="list-style-type: none"> (g) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; (h) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and (i) submit a copy of the dilapidation report to the Certifying Authority and Council. 	<p>Pre-construction dilapidation report for University of Newcastle Biosciences Research Facility. NL171955 / 24 April 2019 / Version 1.0. Prepared by Northrup</p> <p>Submitted to Certifying Authority on 29/04/19.</p> <p>Submitted to Council 29/04/19</p>	C	

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Utilities and Services					
29.	B6	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	To be provided prior to Construction Certificate 2 – In ground Substructure and ground floor slab and retaining walls. Section 50 certificate obtained from Hunter Water. 2018-741/1.001 UoN IFS HV service provider (Private provider).	C	
30.	B7	Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.	To be provided prior to Construction Certificate 2. No above ground works had been conducted.	NT	
Community Communication Strategy					
31.	B8	A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction.	Bioresources Facility Strategic Communications Plan, V8, May 2019 provided. Approved by Director, Research and Innovation Services , Deputy Vice Chancellor, Research and Innovation	C	
32.	B9	The Community Communication Strategy must: (a) identify people to be consulted during the design and construction phases; (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development; (c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development; and (d) set out procedures and mechanisms:	a. Table 3 – Target audiences for this project by type b. 2D – Strategic Communication Tools c. Section 3B. Senior Users Group, External construction Contractor. Table 9 – Process and timings for acknowledging concerns and complaints d. Section 3B – Managing feedback, concerns and disputes	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		<ul style="list-style-type: none"> (i) through which the community can discuss or provide feedback to the Applicant; (ii) through which the Applicant will respond to enquiries or feedback from the community; and (iii) to resolve any issues and mediate any disputes that may arise in relation to construction; and operation of the development, including disputes regarding rectification or compensation. 	<p>Noted that the development is within the UoN campus, and is unlikely to affect residential areas or businesses.</p> <p>Figure 2 – UON's three-tiered process for resolving issues and complaints.</p>		
33.	B10	The Community Communications Strategy must be submitted to the Planning Secretary for approval no later than one month before the commencement of any work.	<p>Community Communications Strategy submitted to DP&E 19/03/19.</p> <p>Approval of the Community Communications Strategy provided 6/05/19.</p>	C	
34.	B11	Work for the purposes of the development must not commence until the Community Communication Strategy has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.	<p>Community Communications Strategy approved 6/05/19.</p> <p>Construction commenced 13/05/19.</p>	C	
Ecologically Sustainable Development					
35.	B12	Within six months of commencement of construction, the Applicant must register for a minimum 4 star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifying Authority, unless otherwise agreed by the Planning Secretary.	<p>Response from DP&E on 17/05/19 advising the requirements of condition B12 had been satisfied (the 'Bioresources Facility Independent Green Star Review' dated 11 April 2019, prepared by WSP demonstrates the development would achieve 48.6 Green Star credits which exceeds the requirement for a 4 star Green Star rating).</p>	C	
Outdoor Lighting					
36.	B13	Prior to commencement of building works, all outdoor lighting within the Subject site must comply with AS 1158.3.1:2005 Lighting for roads and public spaces- Pedestrian area (Category P) lighting - Performance and design requirements and AS 4282-1997 Control of the obtrusive effects of outdoor lighting. Details demonstrating compliance with these	<p>Outdoor lighting will be submitted with CC4.</p> <p>Building works yet to commence.</p>	<p>NT</p> <p>OFI</p>	01

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		requirements must be submitted to the satisfaction of the Certifying Authority.			
Access for People with Disabilities					
37.	B14	The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of any work, the Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.	Final design not completed. To be provided at Construction Certificate 4. Not provided prior to the commencement of any works.	NT	
Environmental Management Plan Requirements					
38.	B15	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <ul style="list-style-type: none"> (a) detailed baseline data; (b) details of: <ul style="list-style-type: none"> (iv) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (v) any relevant limits or performance measures and criteria; and (vi) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; (d) a program to monitor and report on the: <ul style="list-style-type: none"> (i) impacts and environmental performance of the development; (ii) effectiveness of the management measures set out pursuant to paragraph (c) above; (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that 	Management Plans do not include all required information.	NC	05

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		<p>ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <p>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</p> <p>(ii) complaint;</p> <p>(iii) failure to comply with statutory requirements; and</p> <p>(h) a protocol for periodic review of the plan.</p> <p><i>Note: the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</i></p>			
Construction Environmental Management Plan					
39.	B16	<p>Prior to the commencement of construction the Applicant must prepare a Construction Environmental Management Plan (CEMP) and it must include, but not be limited to, the following:</p> <p>(a) Details of:</p> <p>(i) hours of work;</p> <p>(ii) 24-hour contact details of site manager;</p> <p>(iii) management of dust and odour to protect the amenity of the neighbourhood;</p> <p>(iv) stormwater control and discharge;</p> <p>(v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject site;</p> <p>(vi) groundwater management plan including measures to prevent groundwater contamination;</p> <p>(vii) external lighting in compliance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting;</p> <p>(viii) community consultation and complaints handling</p> <p>(b) Construction Traffic and Pedestrian Management Sub-plan (see Condition B18);</p> <p>(c) Construction Noise and Vibration Management Sub-plan (see Condition B19);</p>	<p>CEMP provided.</p> <p>(i) Section 1.1;</p> <p>(ii) Section 1.2;</p> <p>(iii) Section 1.3;</p> <p>(iv) Section 1.4;</p> <p>(v) Section 1.5;</p> <p>(vi) Section 1.6;</p> <p>(vii) Section 1.7;</p> <p>(viii) Section 1.8;</p> <p>(b) Construction Traffic and Pedestrian Management ;</p> <p>(c) Construction Noise and Vibration Management Sub-plan</p> <p>(d) Construction Waste Management Sub-plan</p> <p>(e) Construction Soil and Water Management Sub-plan</p> <p>(f) Section 1.12.</p> <p>(g) Section 1.11. References waste management, but not classification. Requires soil waste to be</p>	NC	06

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		(d) Construction Waste Management Sub-plan (see Condition B20); (e) Construction Soil and Water Management Sub-plan (see Condition B21); (f) an unexpected finds protocol for contamination, Aboriginal and non-Aboriginal heritage and associated communications procedure; and (g) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site.	<p style="text-align: center;">classified in accordance with NSW EPA requirements.</p> Does not include: The CEMP provided does not include reference to erosion and sediment control plan developed for the project. CEMP did not includes reference to controls for managing development consent conditions as required by CEMP CI 4.6.		
40.	B17	The Applicant must not commence construction of the development until the CEMP is approved by the Certifying Authority and submitted to the Planning Secretary.	CEMP approval by certify provided – Email from NewCert 1/05/19. CEMP submitted via Email to DP&E 2/05/19.	C	
41.	B18	The Construction Traffic and Pedestrian Management Sub-plan must address, but not be limited to, the following: (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with Council and RMS; (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services; (d) detail heavy vehicle routes, access and parking arrangements; (e) include a Driver Code of Conduct to: (i) minimise the impacts of earthworks and construction on the local and regional road network; (ii) minimise conflicts with other road users; (iii) minimise road traffic noise; and (iv) ensure truck drivers use specified routes; (f) include a program to monitor the effectiveness of these measures; and	a. Prepared by SECA Solution. b. Draft report submitted to Newcastle Council 10/05/19, submission to RMS 10/05/19. Submitted for review. No comments received. c. Section 2 Construction Activities, Section 4 Traffic Control Plan. d. Figure 3-1 - Overview of primary heavy vehicle route associated with the construction works e. Driver Code of Conduct not included f. Not included g. Section 2.3 states residents will be notified at least 48 hours prior to commencement of out of hours works. No process for notification identified.	NC	07

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		(g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.			
42.	B19	<p>The Construction Noise and Vibration Management Sub-plan must address, but not be limited to, the following:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced noise expert; (b) incorporate recommendations of the Noise and Vibration Impact Assessment dated August 2018 and prepared by Muller Acoustic Consulting (c) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009); (d) outline how noise and vibration impacts would be monitored during construction (e) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers; (f) include strategies that have been developed with the community for managing high noise generating works; and (g) describe the community consultation undertaken to develop the strategies; and (h) include a complaints management system that would be implemented for the duration of the construction. 	<p>a. Prepared by Muller Acoustic Consulting, AC190862NMP1V1 9 May 2019.</p> <p>b. Verified</p> <p>c. Section 5 – Noise mitigation of construction activities.</p> <p>5.1 Noise Management Recommendations</p> <p>d. 5.4 – Noise and Vibration Monitoring; 5.6 Attended Noise Monitoring</p> <p>e. Undertake noise intensive construction or demolition activities outside of campus hours, or in holiday periods where practicable and feasible.</p> <p>f. Does not include evidence of consultation with the community for managing high noise generating works.</p> <p>g. Community consultation undertaken not included.</p> <p>h. Section 5.2.2 Complaints Handling</p> <p>The following issues were identified in relation to conformance with the Noise and Vibration Management Plan:</p> <ul style="list-style-type: none"> • Site Induction does not include noise control measures. • No attended noise monitoring has been conducted as a result of exceedances from the unattended noise monitor. 	NC	08

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			<ul style="list-style-type: none"> Where vibration exceedances had occurred during tree removal, no additional mitigation measures had been identified. 		
43.	B20	<p>The Construction Waste Management Sub-plan must address, but not be limited to, the following:</p> <p>(a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations;</p> <p>(b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facilities in accordance with the requirements of the relevant legislation, codes, standards and guideline, prior to the commencement of any building works.</p>	<p>UoN Bioresources 1167 Construction Waste Management Plan Dated 15 April 2019.</p> <p>a. Section 4 – Estimated quantities</p> <p>Section 2 – RCC Objectives and Targets identifies proposed reuse, recycling options. Disposal locations not identified.</p> <p>b. Section 2 – Demolition Plan identifies asbestos to be removed in accordance with WHS Act and Regulation and EPA requirements.</p> <p>Does not identify any specific method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facilities.</p> <p>Lead paints and dusts to be removed using sanding and vacuuming. Waste contained in sealed plastic bags for disposal.</p> <p>Daily inspections by the Site Manager.</p> <p>The following issues were identified in relation to conformance with the Site Waste Management Plan:</p> <p>Inspections records did not clearly demonstrate that inspections include the site is litter free. Environmental inspection checklist not completed daily.</p>	NC	09
44.	B21	<p>The Construction Soil and Water Management Sub-plan must address, but not be limited to, the following:</p> <p>(a) be prepared by a suitably qualified expert, in consultation with Council;</p> <p>(b) describe all erosion and sediment controls to be implemented during construction;</p> <p>(c) provide a plan of how all construction works will be managed in wet weather events (i.e. storage of equipment, stabilisation of the Site);</p> <p>(d) detail all off-Site flows from the Site; and</p>	<p>a. Does not identify author. Does not included evidence of consultation with Council.</p> <p>b. Erosion and Sediment Controls plans prepared by Northrup, although not referenced in the Management Plan</p> <p>c. Section 1.4 – Measures against storms. Does not identify requirements for storage of equipment.</p>	NC	10

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		(e) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1 year ARI, 1 in 5 year ARI and 1 in 100 year ARI.	<p>d. Erosion and Sediment Controls plans prepared by Northrup. Does not clearly identify off-site flows.</p> <p>e. Section 1.4 Measures against storms. Does not clearly identify measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1 year ARI, 1 in 5 year ARI and 1 in 100 year ARI.</p>		
Unexpected Contamination Procedure					
45.	B22	Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material (including asbestos containing materials and lead based paint) is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition 816 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.	<p>Section 1.12 of the CEMP.</p> <p>Unexpected find- Asbestos in soil – site closed 14/06/19. Identified as friable by Occupational Hygienist.</p> <p>Demolition Contractor SEMEX Asbestos Removal Control Plan provided.</p> <p>Material disposed to Summerhill Waste Management Facility.</p> <p>Records of waste certificates and tracking verified.</p> <p>All undertaken by DEMEX.</p> <p>Sighted 24/06/19 – ACM to Summerhill, 3 deliveries for Vehicle CH86DY. E.g. Delivery docket No – 30069309-SH.</p>	C	
Construction Parking					
46.	B23	Prior to the commencement of construction, the Applicant must demonstrate to the satisfaction of the Certifying Authority that sufficient off-street parking has been provided for heavy vehicles and for site personnel, to ensure that construction traffic associated with the development does not utilise on-street parking or public parking facilities.	Request to certifying authority sighted. Response from the certifying authority has been provided 8/07/18 showing close out of condition B23.	C	

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Roof Water to Tank					
47.	B24	<p>Roof water from the proposed new work is to be directed to the proposed rainwater tank and be reticulated there from to toilet water cisterns, cold water washing machine taps and irrigation for landscaping, with a mains water top up being installed to maintain between 10% and 15% of the tank capacity. Alternatively, an electronically activated mechanical valve device is to be installed to switch cisterns, laundry taps and irrigation to mains water when the tank falls below 10% capacity. The water tank and plumbing is to be installed in accordance with Australian Standard AS3500, the relevant plumbing regulations and the requirements of the Hunter Water Corporation. Full details are to be submitted to the satisfaction of the Certifying Authority prior to commencement of work.</p>	<p>Letter from certifying authority 14/06/19 sighted showing the certifying authority were satisfied with the rainwater collection system proposed.</p>	C	
Rainwater Tank Water Quality					
48.	B25	<p>All downpipes discharging to the rainwater tanks are to have pre-storage insect, debris and vermin control (e.g. a rainwater head being leaf screened and vermin and insect proof) to minimise the contamination of captured roof water A first flush device is to be provided for the inlet to the tank and a backflow prevention device is to be installed in the tank overflow outlet before connecting to the stormwater drainage system. If the roof downpipes are charged to the rainwater tank, all pipes are to be chemically welded and the stormwater system is to be designed such that the system is capable of being flushed in the event of a pipe blockage (e.g. capped relief access points at the lowest level stormwater drainage). Full details are to be submitted to the satisfaction of the Certifying Authority prior to commencement of work.</p>	<p>Letter from certifying authority 14/06/19 sighted showing the certifying authority were satisfied with the rainwater collection system proposed.</p>	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Stormwater Management					
49.	B26	<p>Prior to the commencement of construction, the Applicant must design a stormwater management system for the development and submit it to the satisfaction of the Certifying Authority. The system must:</p> <ul style="list-style-type: none"> (e) be designed by a suitably qualified and experienced person(s); (f) be generally in accordance with the conceptual design in the EIS; (g) demonstrate the three pits which are located at the end of the stormwater drainage lines (two along the western property and one at the north eastern corner) before the discharge outlet location (KIP on existing road) are fitted with pit inserts (SPEL StormSack or similar); (h) be in accordance with applicable Australian Standards; and (i) be in accordance with the requirements of Section 7.06 'Stormwater' of the Newcastle Development Control Plan 2012. 	<p>Design by Northrup Engineers.</p> <p>Design and implementation of the stormwater management system will be included to Construction Certificate 2.</p> <p>Not provided prior to the commencement of construction.</p>	NC	11
50.	B27	<p>Stormwater is to be conveyed to the existing property stormwater drains by way of a sealed pipe system. Prior to commencement of works, the existing drains are to be checked for adequacy and cleared of any obstructions.</p>	<p>Dilapidation survey conducted on existing stormwater pits.</p> <p>Letter from Certifying authority 29/05/19 providing conditional acceptance of evidence of compliance with B27. Noted that this was an ongoing issue which would require further checking during the works.</p>	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Operational Noise – Design of Mechanical Plant and Equipment					
51.	B28	Prior to the commencement of construction, the Applicant must incorporate the noise mitigation recommendations of the Noise and Vibration Assessment dated 6 August 2018 by Muller Acoustic Consulting, into the detailed design drawings. The Certifying Authority must verify that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in Noise and Vibration Assessment.	To be incorporated in Construction Certificate 3. Not provided prior to the commencement of construction.	NC	12
Mechanical Ventilation					
52.	B29	All mechanical ventilation systems must be installed in accordance with Part F4.5 of the 8CA and must comply with the AS 1668.2-2012 <i>The use of air-conditioning in buildings - Mechanical ventilation in buildings</i> and AS/NZS 3666.1:2011 <i>Air handling and water systems of buildings-Microbial control</i> to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details must be submitted to the satisfaction of the Certifying Authority prior to the commencement of building works.	To be incorporated at in Construction Certificate 3. Building works have not commenced.	C OFI	02
Compliance Reporting					
53.	B30	No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	BIORESOURCES FACILITY - Compliance Monitoring & Reporting Programme, Rev 3 prepared 30/04/19. Submitted to DP&E 9/05/19. Date notified for commencement of Construction Not submitted at least two weeks prior to the date notified for the commencement of construction. Noted that the date notified for commencement of construction had not been correctly identified. The date	NC	13

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
			notified was for commencement of demolition works. However, work under this development consent did not commence until early July 2019.		
54.	B31	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	Preconstruction Compliance Report not submitted	NC	14
55.	B32	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing when this has been done.	Preconstruction Compliance Report not uploaded at this stage (Within 60 days).	NT	
56.	B33	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.		NT	
Reflectivity					
57.	B34	The building materials used on the facades of the buildings must be designed so as not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers. A statement demonstrating compliance with these requirements must be submitted to the satisfaction of the Certifying Authority prior to the commencement of above ground building works.	No above ground building works had commenced at the time of audit.	NT	
Ecological and Biodiversity Measures					
58.	B35	Prior to the commencement of construction, relevant recommendations of the Ecological Assessment Report, Dated April 2018 and prepared by Anderson Environment and Planning are to be implemented, including contribution of funds	Letter from UoN 17/05/29 to DP&E stating compliance with Condition B35.	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		to the University's bushland regeneration budget and installation of 15 nest boxes.	Installation of the nest boxes was undertaken by two ecologists from AEP on 17, 19 and 21 May 2019		


AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
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PART C – DURING CONSTRUCTION

Approved Plans to be On-site

59.	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.	Copies of plans available on site. Specifications, documents and conditions of approval are available on site electronically through Aconex and on the company 'Q' drive.	C	
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Site Notice

60.	C2	<p>A site notice(s):</p> <ul style="list-style-type: none"> (a) must be prominently displayed at the boundaries of the Subject site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer. (b) is to satisfy all but not be limited to, the following requirements: <ul style="list-style-type: none"> (iv) 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; (v) the notice is to be durable and weatherproof and is to be displayed throughout the works period; (vi) the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24-hour 	<p>Site notice provided. 800mm x 1200mm.</p>  <p>Does not include the Certifying authority or Structural Engineer</p>	NC	15
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AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		<p>contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice; and</p> <p>(vii) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the Subject site is not permitted.</p>	<p>iii) Does not include Address, approved hours of work.</p>		
Operation of Plant and Equipment					
61.	C3	<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>	<p>Daily prestart inspections conducted.</p> <p>Stickers placed on plant with monthly checks required.</p> <p>Plant and Equipment Register maintained. Plant risk assessment and maintenance records obtained and 25.3 – Plant and Equipment Induction checklist completed.</p> <p>Sighted for:</p> <p>Plant 003 – 55t capacity mobile crane;</p> <p>Plant No 12 – Goldsprings Excavator;</p> <p>Plant No 8 – Tox Free Vac Truck.</p> <p>Noted records were provided in both soft and hard copy, with soft copy records maintained</p>	C	
Demolition					
62.	C4	<p>Demolition work must comply with <i>Australian Standard AS 2601-2001</i> The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.</p>	<p>Demolition by DEMEX.</p> <p>Compliance statement included in DEMEX Demolition Plan</p> <p>Evidence of approval by the certifying authority of the Demolition plan and compliance with condition C4 sighted (14/06/19).</p>	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Construction Hours					
63.	C5	<p>Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:</p> <ul style="list-style-type: none"> (a) between 7am and 6pm, Mondays to Fridays inclusive; and (b) between 8am and 1pm, Saturdays. <p>No work may be carried out on Sundays or public holidays.</p>	<p>Current site work hours 7am to 6pm.</p> <p>Site induction identifies site hours as 7am and 6pm, Mondays to Fridays and between 8am and 1pm, Saturdays</p>	C	
64.	C6	<p>Activities may be undertaken outside of the hours in condition C5 if required:</p> <ul style="list-style-type: none"> (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or (b) in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; or (c) where the works are inaudible at the nearest sensitive receivers; or (d) where a variation is approved in advance in writing by the Secretary or her nominee if appropriate justification is provided for the works. <p>Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.</p>	<p>No instances where activities outside of nominated work hours have occurred.</p>	NT	
65.	C7	<p>Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:</p> <ul style="list-style-type: none"> (a) 9am to 12pm, Monday to Friday; (b) 2pm to 5pm Monday to Friday; and (c) 9am to 12pm, Saturday. 	<p>No rock breaking, rock hammering, sheet piling, pile driving and similar activities have been conducted.</p>	NT	
Implementation of Management Plans					
66.	C8	<p>The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans).</p>	<p>Current versions of the management plans were available on site.</p>	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
67.	C9	If directed by RMS, the Applicant must make changes to the Construction Traffic and Pedestrian Management sub-plan as accordance with RMS directions in order to maintain road safety and network efficiency.	No directions have been received from RMS to make changes to the Construction Traffic and Pedestrian Management sub-plan.	NT	
Construction Traffic					
68.	C10	All construction vehicles are to be contained wholly within the Site, except if located in an approved on street work zone, and vehicles must enter the Site before stopping.	<p>Vehicle movement plan provided for the site.</p> <p>Offsite parking provided for construction workers.</p> <p>During the site inspection, no construction vehicles were parked outside of the work zone.</p> <p>During the audit, it was noted that a delivery vehicle which had turned up unannounced was turned away from site until the site was ready for their entry.</p> <p>It was not clear how requirements are communicated to delivery drivers who do not attend site inductions.</p>	C OFI	03
Road Occupancy Licence					
69.	C11	A Road Occupancy Licence must be obtained from the relevant transport authority for any works that impact on traffic flows during construction activities.	Not required for the works being conducted (wholly within the UoN Campus)	NT	
SafeWork Requirements					
70.	C12	To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.	Site security fencing has been provided. The whole site had been fenced to prevent unauthorised access.	C	
Hoarding Requirements					
71.	C13	The following hoarding requirements must be complied with:	No third party signs or graffiti were present on hoardings sighted.	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		(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.	Hoardings were not provided over Council footways or road reserves.		
No Obstruction of Public Way					
72.	C14	The public way (outside of any construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under and circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all works on site.	During the audit, no public ways were being obstructed. All materials and equipment were stored within the site compound.	C	
Construction Noise Limits					
73.	C15	The development must be constructed to achieve the construction noise management levels detailed in the <i>Interim Construction Noise Guideline</i> (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan	Noise Management Plan developed and implemented for the project. No complaints regarding noise have been received.	C	
74.	C16	The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the Subject site or surrounding residential precincts outside of the construction hours of work outlined under condition C5.	All deliveries are required to be booked in with RCC to allow coordination with works on site. Requirements included in site induction and contractor agreements.	C	
75.	C17	The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use audible movement alarms of a type that	Plant precommencement inspections include verification of audible movement alarms. Checked daily during prestart inspections of plant.	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		would minimise noise impacts on surrounding noise sensitive receivers.			
76.	C18	Any noise generated during construction of the development must not be offensive noise within the meaning of the Protection of the Environment Operations Act 1997 or exceed approved noise limits for the subject site.	<p>Noise monitoring conducted at the nearest sensitive receiver.</p> <p>Monitor sends alerts when identified noise levels are exceeded. Records show noise notifications had been received.</p> <p>No evidence of investigation of noise level alerts to determine the cause or identify corrective actions.</p> <p>No noise complaints have been received.</p>	NC	16
Vibration Criteria					
77.	C19	<p>Vibration caused by construction at any residence or structure outside the site must be limited to:</p> <p>(c) for structural damage, the latest version of <i>DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures</i> (German Institute for Standardisation, 1999); and</p> <p>(d) for human exposure, the acceptable vibration values set out in the <i>Environmental Noise Management Assessing Vibration: a technical guideline</i> (DEC, 2006) (as may be updated or replaced from time to time).</p>	<p>No residential buildings within 30m of the worksite.</p> <p>One sensitive receiver in close proximity to the works. Continuous vibration monitoring conducted in close proximity to the building.</p> <p>Vibration monitoring conducted by consultant – Muller Acoustic Consultants.</p> <p>An alert is sent to the site manager if an exceedance of the vibration limits is recorded to enable a quick response.</p> <p>One reported notification (exceeded first action level). 25/05/19 during tree felling operation 3 exceedances of 10mm/sec action level. One recording of 67.3mm/sec.</p> <p>See noise report. Intermittent levels to be <100mm/sec.</p> <p>No evidence of investigations or actions to address alerts.</p>	NC	17
78.	C20	Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C19.	<p>No vibratory rollers used on site at this stage of the works.</p> <p>Vibratory roller to be used. Continuous vibration monitoring conducted. NVMP requires that where vibration exceeds site limits, works will be stopped or modified to reduce impact.</p>	NT	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
79.	C21	The limits in Condition C19 and C20 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by Condition B17 of this consent.	Construction Noise and Vibration Management Plan had been submitted and approved.	C	
Contamination					
80.	C22	<p>Following the relocation or demolition of any existing structures, infrastructure and in ground utilities, and excavation works, the Applicant is to carry out further investigation of soil contamination (including within the footprint and immediate surrounds of those structures, infrastructures and utilities prior to undertaking any construction) to address any contamination with regard to the following:</p> <ul style="list-style-type: none"> (d) NSW EPA Sampling Design Guidelines; (e) Guidelines for the NSW Site Auditor Scheme (3rd edition) 2017; (f) Guidelines for Consultants Reporting on Contamination Sites, 2011; and (g) The National Environment Protection (Assessment of Contamination) Measure. 	<p>Soil contamination assessment has not been conducted at this stage of the works (demolition complete, ground preparation underway)</p> <p>Asbestos found in fill material used on site. Deemed friable</p> <p>DEMEX provided an Asbestos Removal Control Plan 17/06/19 for removal of asbestos contaminated soil.</p> <p>Occupational Hygienist – Practical Environmental Solutions engaged to supervise works.</p> <p>While waste tracking records are available from the waste removalist, the waste register has not been populated.</p>	C OFI	04
81.	C23	Any contaminated material identified as a result of the above investigations is to be removed in accordance with the guidelines in condition C22 and the unexpected contamination procedure required by condition B22.	<p>Asbestos removed from site by DEMEX.</p> <p>Records of loads being taken to Summerhill Waste Management Facility sighted.</p> <p>Removal works between 22/05/19 to 27/06/19.</p> <p>Asbestos clearance certificate sighted – provided 27/05/19.</p> <p>Waste records maintained by DEMEX.</p>	C	
82.	C24	A site auditor accredited under the Contaminated Land Management Act 1997 is to be engaged to review the adequacy of the site investigations and actions taken to address contamination in accordance with condition C22 and condition B22.	Not applicable at this stage of the works. No contaminated land identified.	NT	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Tree Protection					
83.	C25	<p>For the duration of the construction works:</p> <p>(a) all trees on the Subject site that are not approved for removal must be suitably protected during construction in accordance with AS 4970 2009: Protection of trees on development sites; and</p> <p>(b) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater.</p>	<p>All trees remaining are not within the works area.</p> <p>The work area had been delineated by the site security fencing</p>	C	
Tree Removal					
84.	C26	<p>An experienced and qualified ecologist is to be on site to supervise tree felling and to manage any displaced fauna on site during tree felling of any tree with habitat features.</p>	<p>Report from RPA sighted for removal of trees.</p> <p>Shows ecologist on site for the works</p> <p>Closed out by certifier 3/06/19</p>	C	
Dust Minimisation					
85.	C27	<p>The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.</p>	<p>Dust mitigation measures included in Appendix 4b - Environmental Actions and Monitoring Table.</p> <p>Dust suppression on site through use of hosing.</p> <p>No dust generated by works being conducted on the day of audit.</p>	C	
86.	C27	<p>During construction, the Applicant must ensure that:</p> <p>(a) exposed surfaces and stockpiles are suppressed by regular watering;</p> <p>(b) all trucks entering or leaving the site with loads have their loads covered;</p>	<p>Hose available on site for dust suppression.</p> <p>Reported that a water cart was available during demolition works.</p> <p>No visible dust emissions were present on the day of audit (overcast and intermittent showers).</p>	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		(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.			
Erosion and Sediment Control					
87.	C29	All erosion and sediment control measures, must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment.	Erosion and sediment controls had been established. Some minor improvements were identified during the site inspection which were corrected immediately.	C	
Imported Soil					
88.	C30	The Applicant must ensure that only VENM, ENM, or other material approved in writing by the EPA is brought onto the site and keep accurate records of the volume and type of fill used.	No material has been imported to the site at this stage of the works.	NT	
Disposal of Seepage and Stormwater					
89.	C31	Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the Environment Protection Authority in accordance with the <i>Protection of the Environment Operations Act 1997</i> .	No water has been removed from site.	NT	
Unexpected Finds Protocol – Aboriginal Heritage					
90.	C32	In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The Site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the Site included in	No aboriginal objects have been identified	NT	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		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.			
Unexpected Finds Protocol – Historic Heritage					
91.	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.	No archaeological relics have been discovered.	NT	
Waste Storage and Processing					
92.	C34	Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.	Waste storage bins have been provided. Putrescible waste stored in a covered bin.	C	
93.	C35	All waste generated during construction (including excavated material being removed from the site) must be assess, classified and managed in accordance with the <i>Waste Classification Guidelines Part 1: Classifying Waste</i> (EPA, 2014).	Asbestos contaminated waste removed from site. Transport dockets sighted showing delivery to Summerhill Waste Management Facility by Demex. E.g. 24/06/19 11.58T At 8.50.57am. Asbestos Clearance Certificate provided.	C	
94.	C36	The body of any vehicle or trailer used to transport waste or excavation spoil must be covered before leaving the premises to prevent any spillage or escape of any dust, waste of spoil. Mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the site must be removed before leaving the premises.	During the site inspection ,it was noted that an excavator being removed from site was being cleaned to remove spoil prior to leaving site	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
95.	C37	The Applicant must ensure that concrete waste and rinse water are not disposed of on the Subject site and are prevented from entering any natural or artificial watercourse.	No concrete waste at this stage of the project. Environmental Actions and Monitoring Table identifies controls, including requiring concrete washout pit for washout, away from stormwater drains. Send back to batch plant where possible.	NT	
Handling of Asbestos					
96.	C38	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 <i>Environment Operations (Waste) Regulation 2014</i> with particular reference to Part 7- 'Transportation and management of asbestos waste' must also be complied with.	Clearance certificate provided by Hygienist which verifies that asbestos waste was removed in accordance with SafeWork NSW and may be encountered during construction. The requirements of the Protection of the <i>Environment Operations (Waste) Regulation 2014</i> requirements.	C	
Incident Notification, Reporting and Response					
97.	C39	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident. Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1 .	No incidents have been recorded for the site at the time of audit.	NT	
Non-Compliance Notification					
98.	C40	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance. The notification must identify the development and the application number for it, set out the condition of consent that	No non-compliances had been identified at this stage of the works.	NT	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		<p>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.</p> <p>A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.</p>			
Revision of Strategies, Plans and Programs					
99.	C41	<p>Within three months of:</p> <ul style="list-style-type: none"> (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, <p>the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.</p>		NT	
100.	C42	<p>If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Certifying Authority. Where revisions are required, the revised document must be submitted to the Planning Secretary for information within six weeks of the review.</p> <p><i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development</i></p>		NT	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
Independent Environmental Audit					
101.	C43	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.	Approval of the independent auditor provided 30/05/2019.	C	
102.	C44	No later than four weeks before the date notified for the commencement of construction an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	Independent audit program- University of Newcastle Bioresources Facility, 30 May 2019. Not submitted four weeks prior due to prolonged process for approval of auditor. Submitted upon approval of independent environmental auditor.	NC	18
103.	C45	Table 1 of the Independent Audit Post Approval Requirements (Department 2018) is amended so that the frequency of audits required during the construction phase is: (a) An initial construction Independent Audit must be undertaken within eight weeks of the notified commencement date of construction; and (b) A subsequent Independent Audit of construction must be undertaken no later than six months from the date of the initial construction 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.	Independent audit program requires audits in compliance with these requirements. Initial audit planned for 4/07/19.	C	
104.	C46	Independent Audits of the development must be carried out in accordance with: (a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C44 of this consent; and (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the	Independent audit conducted by James Hart of AQUAS on 4/07/19 and 19/07/19, which included Conditions of consent parts A, B and C accordance with the conditions consent and requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).	C	

AQUAS Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
		Independent Audit Post Approval Requirements (Department 2018).			
105.	C47	<p>In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:</p> <ul style="list-style-type: none"> (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. 	This was the initial audit of the project.	NT	
106.	C48	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary, may approve a request for ongoing annual operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.	Not applicable at this stage of the project.	NT	

AQUAS Audit Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
APPENDIX 1 – INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS					
WRITTEN INCIDENT NOTIFICATION REQUIREMENTS					
107.	1	A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C40 or, having given such notification, subsequently forms the view that an incident has not occurred.	It was reported that no incidents have occurred on the project.	NT	
108.	2	Written notification of an incident must: <ul style="list-style-type: none"> a. identify the development and application number; b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); c. identify how the incident was detected; d. identify when the applicant became aware of the incident; e. identify any actual or potential non-compliance with conditions of consent; f. describe what immediate steps were taken in relation to the incident; g. identify further action(s) that will be taken in relation to the incident; and h. identify a project contact for further communication regarding the incident. 	It was reported that no incidents have occurred on the project.	NT	

AQUAS Audit Ref No	Cond. No.	Condition	Finding and Recommendations	Compliance rating	Assessment Issue #
109.	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.	It was reported that no incidents have occurred on the project	NT	
110.	4	The Incident Report must include: <ul style="list-style-type: none"> 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. 	It was reported that no incidents have occurred on the project	NT	

Appendix E. Audit Photos



Photo 1 – Cleaning excavator prior to removal from site



Photo 2 – Emergency response board



Photo 3 – Flammables goods cupboard



Photo 4 – Spill kit provided



Photo 5 - Drains were covered to prevent sediment entering



Photo 6 – Site was maintained in a neat and tidy condition

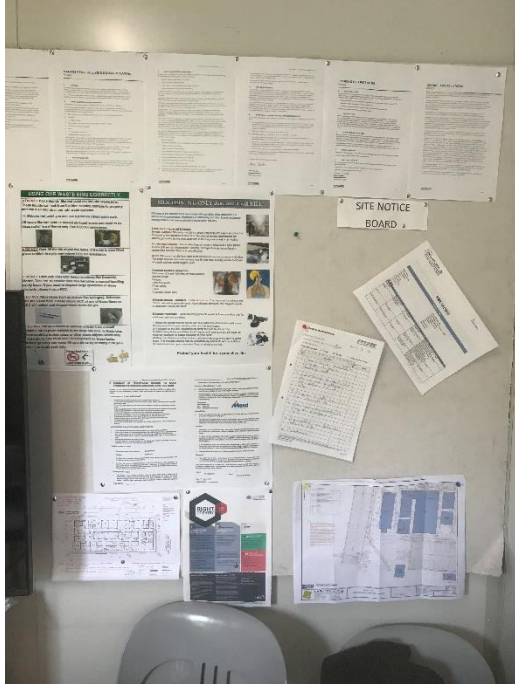


Photo 7 – Range of information displayed in site amenities



Photo 8 – Sediment controls provided in stormwater drains



Photo 9 – Tree stumps and roots removed by hydrovac.

Appendix F. Consultation Records

From: [Brendan Mee](#)
To: [Hart, James](#)
Subject: Independent Environmental Audit - University of Newcastle bioresources facility
Date: Friday, 12 July 2019 10:21:02 AM
Attachments: [image003.jpg](#)

Hi James,

I am currently acting in the Senior Team Leader Planning position in Newcastle. Steven Cox has passed on your voice message regarding the Independent Environmental Audit you are undertaking for the University of Newcastle bioresources facility.

In response to your query, we do not have any specific issues regarding the project or that we would require be addressed in the audit.

Please feel free to give me a call if you wish to discuss.

Kind regards,

Brendan Mee

A/Senior Team Leader Planning, Hunter Central Coast Branch

Biodiversity and Conservation Division | Department of Planning, Industry and Environment

T 02 49042730 **M** 0438 106 129 | **E** Brendan.mee@environment.nsw.gov.au

Level 4, 26 Honeysuckle Drive, Newcastle, NSW 2300

www.dpie.nsw.gov.au

The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

This email is intended for the addressee(s) named and may contain confidential and/or privileged information. If you are not the intended recipient, please notify the sender and then delete it immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: Development hunter
To: Hart, James
Subject: RMS Response - RE: Independent Environmental Audit - BIORESOURCES FACILITY BUILDING (SSD 8937) 8 UNIVERSITY DRIVE
Date: Thursday, 18 July 2019 9:02:24 AM

Hi James,

Roads and Maritime have no further concerns regarding this development.

Thanks,

Kate

Land Use Assessment Hunter

Customer Services Hunter | Regional & Outer Metropolitan

T 02 4908 7688

development.hunter@rms.nsw.gov.au

www.rms.nsw.gov.au

Every journey matters

Roads and Maritime Services

Level 8, 266 King St, Newcastle NSW 2300

Locked Bag 2030, Newcastle NSW 2300

From: Hart, James [mailto:james.hart@aquas.com.au]

Sent: Thursday, 11 July 2019 4:28 PM

To: Development hunter

Subject: Independent Environmental Audit - BIORESOURCES FACILITY BUILDING (SSD 8937) 8 UNIVERSITY DRIVE

AQUAS has been engaged to undertake an Independent Environmental Audit of the Bioresources Facility Building on the University of Newcastle's Callaghan campus. As a requirement of the Independent Environmental Audit process I am seeking feedback from various agencies in regard to any issues that may have arisen or concerns which you may have in relation to the construction operations. These will be included in the audit. I would appreciate it if you would respond to this email identifying any issues or concerns you have, or if you have none, please respond and let me know.

If you have any questions or prefer to talk to someone about issues regarding the development, you can contact me on 0408238682.

Regards

James Hart | Management Consultant

Certified Exemplar Global Lead OHS Auditor

Certified Exemplar Global Lead Environmental Auditor

Certified Exemplar Global Lead Quality Management System Auditor

AQUAS | Level 2, 426 King Street, Newcastle NSW 2300 | PO Box 2195, Dangar NSW 2309 |

phone: +61 2 4928 7600 | fax: +61 2 4927 0930 | Mobile: +61 408 238 682

email: james.hart@aquas.com.au | ABN 40050539010 |

www.aquas.com.au

AQUAS: enables compliance ~ verifies compliance

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Logo

Before printing, please consider the environment

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Attachment C: *Pre-Construction Compliance Report dated 19/9/19*



STRATEGY > DEFINITION > DELIVERY > TRANSITION

BIORESOURCES FACILITY

Pre-Construction Compliance Report



Prepared for: University of Newcastle
APP Corporation Pty Limited
APP Project Number 11660

19 September 2019

Amendment, Distribution & Authorisation Record

Amendment Record


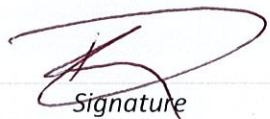
Revision	Description / Details	Date
1	Upload to Capture	September 2019

Distribution

This Project Plan Is Prepared For Distribution to:

Copy No	Name / Location	Position	Organisation
1	David Gibson	Team Leader – Social Infrastructure Assessments	Department of Planning and Environment
2	Damian Burke	Associate Director	IFS - University of Newcastle
3			
4			
5			
6			
7			
8			

Authorisation Record

Prepared by Project Manager	Nathan Law (APP Corporation Pty Ltd) <i>Name</i>	 <i>Signature</i>	19 September, 2019 <i>Date</i>
Review by Project Director	David Espert (APP Corporation Pty Ltd) <i>Name</i>	 <i>Signature</i>	19 September, 2019 <i>Date</i>

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

Contents

1. Executive Summary	4
2. Bioresources Facility Project and Planning Approvals	5
3. Pre-Construction Compliance Reporting Table	6
Appendices	7
Appendix A. Pre-Construction Compliance Reporting Table	8



1. Executive Summary

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

This document has been developed to satisfy requirements of development consent condition B31. of the State Significant Development Application SSD 8937 requiring that a Pre-Construction Compliance Report is prepared and submitted in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).

2. Bioresources Facility Project and Planning Approvals

The Bioresources Facility Development Consent was approved by the Department of Planning and Environment on the 20th February 2019. Details of the Development Consent are detailed below:

Application No	SSD 8937
Applicant:	The University of Newcastle
Consent Authority:	Minister for Planning
Land:	The University Of Newcastle, Callaghan Campus (Part Lot1 DP 1188100)
Development:	Development of new Bioresources Facility, Including: <ul style="list-style-type: none">• Site excavation and earthworks;• Construction of a new three storey building;• Use of building for education and research;• Single story plant and storage enclosure;• Landscaping works including:<ul style="list-style-type: none">○ New pathways and furniture○ Tree removal and replacement planting and;• Utilities and infrastructure connection



3. Pre-Construction Compliance Reporting Table

Please refer to appendix A for SSD State Significant Development Application SSD 8937 Pre-construction compliance reporting table for full details of compliance with consent conditions prior to commencement of construction.



Appendices



Appendix A. Pre-Construction Compliance Reporting Table

Item	Description	Responsibility		Target Date for Completion	Date Completed / Submitted	Approval Type	Approval Received	Monitoring Methodology	Evidence/ Notes	Compliance Status	Resolution / Action Date																																																																																																																				
		Principal	Contractor																																																																																																																												
PART A - ADMINISTRATIVE CONDITIONS																																																																																																																															
Obligation to Minimise Harm to the Environment																																																																																																																															
A1.	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.		X	At all times	N/A	N/A	N/A	N/A	N/A	Compliant	N/A																																																																																																																				
Terms of Consent																																																																																																																															
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 Response to Submissions and Supplementary Response to Submissions; (d) in accordance with the management and mitigation measures; and (e) in accordance with the approved plans in the table below: <table border="1" style="width: 100%; font-size: 8px;"> <thead> <tr> <th colspan="4">Architectural Drawings prepared by Denton Corker Marshall</th> </tr> <tr> <th>Draw No.</th> <th>Rev</th> <th>Name of Plan</th> <th>Date</th> </tr> </thead> <tbody> <tr><td>A01_0100</td><td>D3</td><td>SITE PLAN</td><td>07.09.2018</td></tr> <tr><td>A03_0000</td><td>T2</td><td>DEMOLITION PLAN</td><td>04.02.2019</td></tr> <tr><td>SK10-0000</td><td>-</td><td>GROUND FLOOR PLAN</td><td>15.02.2018</td></tr> <tr><td>SK10-0100</td><td>-</td><td>FIRST FLOOR PLAN</td><td>15.02.2018</td></tr> <tr><td>A10_0300</td><td>D3</td><td>ROOF LEVEL - OVERALL PLAN</td><td>07.09.2018</td></tr> <tr><td>A11_0000</td><td>T1</td><td>GA ELEVATIONS - NORTH</td><td>25.10.2018</td></tr> <tr><td>A11_0001</td><td>T1</td><td>GA ELEVATIONS - SOUTH</td><td>25.10.2018</td></tr> <tr><td>A11_0002</td><td>T1</td><td>GA ELEVATIONS - EAST</td><td>25.10.2018</td></tr> <tr><td>A11_0003</td><td>T1</td><td>GA ELEVATIONS - WEST</td><td>25.10.2018</td></tr> <tr><td>A12_0001</td><td>T1</td><td>GA SECTIONS - SHEET 1</td><td>25.10.2018</td></tr> <tr><td>A12_0002</td><td>T1</td><td>GA SECTIONS - SHEET 2</td><td>25.10.2018</td></tr> <tr><td>A12_0003</td><td>T1</td><td>GA SECTIONS - SHEET 3</td><td>25.10.2018</td></tr> <tr><td>A12_0004</td><td>T1</td><td>GA SECTIONS - SHEET 4</td><td>25.10.2018</td></tr> <tr><td>A13_0300</td><td>A</td><td>FAÇADE TYPES SHEET 03</td><td>31.01.2018</td></tr> <tr><td>-</td><td>-</td><td>DESIGN PRINCIPLES - EXTERNAL MATERIAL SCHEDULE</td><td>undated</td></tr> </tbody> </table> <table border="1" style="width: 100%; font-size: 8px;"> <thead> <tr> <th colspan="4">Landscape Drawings prepared by Denton Corker Marshall and Landarche</th> </tr> <tr> <th>Draw No.</th> <th>Rev</th> <th>Name of Plan</th> <th>Date</th> </tr> </thead> <tbody> <tr><td>A04_0000</td><td>T3</td><td>LANDSCAPE OVERALL PLAN</td><td>29.11.2018</td></tr> <tr><td>ASC_0002</td><td>T2</td><td>LANDSCAPE MATERIALS SCHEDULE</td><td>29.11.2018</td></tr> <tr><td>SK_201811</td><td>-</td><td>LANDSCAPE CROSS SECTION - WEST</td><td>20.11.2018</td></tr> <tr><td>SK_201811</td><td>-</td><td>LANDSCAPE CROSS SECTION - NORTH</td><td>20.11.2018</td></tr> </tbody> </table> <table border="1" style="width: 100%; font-size: 8px;"> <thead> <tr> <th colspan="4">Civil and Stormwater Management Plans prepared by Northrop</th> </tr> <tr> <th>Draw No.</th> <th>Rev</th> <th>Name of Plan</th> <th>Date</th> </tr> </thead> <tbody> <tr><td>C10</td><td>1</td><td>EROSION AND SEDIMENT CONTROL PLAN</td><td>23.05.18</td></tr> <tr><td>C11</td><td>1</td><td>EROSION AND SEDIMENT CONTROL DETAILS</td><td>23.05.18</td></tr> <tr><td>CCC-C3.0</td><td>1</td><td>BULK EARTHWORKS PLAN</td><td>18.07.18</td></tr> <tr><td>C20</td><td>1</td><td>CONCEPT STORMWATER MANAGEMENT PLAN</td><td>23.05.18</td></tr> </tbody> </table>	Architectural Drawings prepared by Denton Corker Marshall				Draw No.	Rev	Name of Plan	Date	A01_0100	D3	SITE PLAN	07.09.2018	A03_0000	T2	DEMOLITION PLAN	04.02.2019	SK10-0000	-	GROUND FLOOR PLAN	15.02.2018	SK10-0100	-	FIRST FLOOR PLAN	15.02.2018	A10_0300	D3	ROOF LEVEL - OVERALL PLAN	07.09.2018	A11_0000	T1	GA ELEVATIONS - NORTH	25.10.2018	A11_0001	T1	GA ELEVATIONS - SOUTH	25.10.2018	A11_0002	T1	GA ELEVATIONS - EAST	25.10.2018	A11_0003	T1	GA ELEVATIONS - WEST	25.10.2018	A12_0001	T1	GA SECTIONS - SHEET 1	25.10.2018	A12_0002	T1	GA SECTIONS - SHEET 2	25.10.2018	A12_0003	T1	GA SECTIONS - SHEET 3	25.10.2018	A12_0004	T1	GA SECTIONS - SHEET 4	25.10.2018	A13_0300	A	FAÇADE TYPES SHEET 03	31.01.2018	-	-	DESIGN PRINCIPLES - EXTERNAL MATERIAL SCHEDULE	undated	Landscape Drawings prepared by Denton Corker Marshall and Landarche				Draw No.	Rev	Name of Plan	Date	A04_0000	T3	LANDSCAPE OVERALL PLAN	29.11.2018	ASC_0002	T2	LANDSCAPE MATERIALS SCHEDULE	29.11.2018	SK_201811	-	LANDSCAPE CROSS SECTION - WEST	20.11.2018	SK_201811	-	LANDSCAPE CROSS SECTION - NORTH	20.11.2018	Civil and Stormwater Management Plans prepared by Northrop				Draw No.	Rev	Name of Plan	Date	C10	1	EROSION AND SEDIMENT CONTROL PLAN	23.05.18	C11	1	EROSION AND SEDIMENT CONTROL DETAILS	23.05.18	CCC-C3.0	1	BULK EARTHWORKS PLAN	18.07.18	C20	1	CONCEPT STORMWATER MANAGEMENT PLAN	23.05.18		X	At all times	N/A	N/A	N/A	N/A	Construction Soil and Water Management Plan does not include evidence of consultation. Noise and Vibration Management Plan does not include evidence of consultation.	Non-Compliant	As per Richard Crookes Construction letter dated 19th of September 2019 to DoPE. Contractor to update management plans in accordance with condition requirements no later than 1/11/19
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A3.	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in (a) above.	X	X	At all times	N/A	N/A	N/A	N/A	N/A	Not Triggered	N/A																																																																																																																				
A4.	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.		X	At all times	N/A	N/A	N/A	N/A	N/A	Not Triggered	N/A																																																																																																																				
Limits of Consent																																																																																																																															
A5.	This consent lapses five years after the date from which it operates, unless the works associated with the development have physically commenced.		X	At all times	N/A	N/A	N/A	As per consent condition	N/A	Not Triggered	N/A																																																																																																																				
A6.	This consent does not include approval of signage. Separate approval must be obtained for any signs which do not meet exempt development provisions.		X	At all times	N/A	N/A	N/A	As per consent condition	N/A	Not Triggered	N/A																																																																																																																				
Prescribed Conditions																																																																																																																															
A7.	The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.		X	At all times	N/A	N/A	N/A	As per consent condition	As per independent audit findings	Compliant	N/A																																																																																																																				
A8.	In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval	Not Triggered																																																																																																																													
Long Service Levy																																																																																																																															
A9.	For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.		X	Prior to Commencement	6/05/2019	N/A	N/A	Contractor shall provide receipt evidencing payment of LSL.	LSL Receipt No. 00379177 dated 6 May 2019 Submitted to Principal	Compliant	N/A																																																																																																																				
Legal Notices																																																																																																																															
A10.	Any advice or notice to the consent authority must be served on the Planning Secretary.		X	If Required	Only When Required	Secretary	N/A	If received legal notices are to be submitted to Planning Secretary	Notice of commencement issued to DoPE	Compliant	N/A																																																																																																																				
Evidence of Consultation																																																																																																																															
A11.	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary or Certifying Authority for information or approval; and (b) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.		X	If Required	Only When Required	Secretary	N/A	As per consent condition	Construction Soil and Water Management Plan does not include evidence of consultation. Noise and Vibration Management Plan does not include evidence of consultation.	Non-Compliant	As per Richard Crookes Construction letter dated 19th of September 2019 to DoPE. Contractor to update management plans in accordance with condition requirements no later than 1/11/19																																																																																																																				
Staging, Combining and Updating Strategies, Plans or Programs																																																																																																																															
A12.	With the approval of the Planning Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).		X	If Required	Only When Required	Secretary	N/A	As per consent condition	Approval has not been requested or provided by the Planning Secretary for staged preparation and submission of any strategy, plan or program.	Compliant	N/A																																																																																																																				
A13.	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in this consent.		X	If Required	Only When Required	Secretary	N/A	As per consent condition	N/A	Not Triggered	N/A																																																																																																																				
A14.	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.		X	If Required	Only When Required	Secretary	N/A	As per consent condition	N/A	Not Triggered	N/A																																																																																																																				
Structural Adequacy																																																																																																																															

A15.	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with: (a) the relevant requirements of the BCA; (b) any additional requirements of the Subsidence Advisory NSW where the building or structure is located on land within a declared Mine Subsidence District. Notes: - Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. - Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.		X	As required	7/06/2019	Certifying Authority	N/A	As per consent condition	Certifier has signed off to verify compliance with BCA	Compliant	N/A
External Walls and Cladding											
A16.	The external walls of all buildings including additions to existing building must comply with the relevant requirements of the BCA.		X	At all times		Certifying Authority		Contractor to provide documentary evidence of compliance	To form part of Staged Construction Certificate No. 4. Anticipated Submission November 2019.	Non Compliant	As per Richard Crookes Construction letter dated 19th of September 2019 to DoPE. RCC to provide the Certifying Authority with appropriate documentation to make assessment that the external walls and cladding systems comply with the requirements of the BCA. This will be achieved within CC4 preparation and submitted to DoPE NLT 1/11/19
Bush Fire Protection											
A17.	Water, electricity and gas are to comply with sections 4.1.3 of Planning for Bush Fire Protection 2006.		X	At all times	25/05/2019	Certifying Authority	N/A	Contractor to provide documentary evidence of compliance	Bush Fire Threat Assessment Completed by Anderson Environment and Planning. Not in a bush fire zone. Recommendations provided which were reported to be incorporated into the design documentation.	Compliant	N/A
Applicability of Guidelines											
A18.	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.		X	If Required	N/A	Note	N/A	N/A	N/A	Not Triggered	N/A
A19.	Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.		X	If Required	N/A	Note	N/A	N/A	N/A	Not Triggered	N/A
Monitoring and Environmental Audits											
A20.	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification and independent environmental auditing. Note: <i>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.</i> Note: <i>Principal to coordinate Independent Environmental Audits in accordance with C43-C48. Any monitoring or auditing requirements outside of the Clauses C43.-C48. will be the responsibility of the Contractor.</i>	X	X	Ongoing	Ongoing	Secretary FYI Only	N/A	Principal to engage independent environmental audit to fulfil the requirements set out in consent condition C43 and C48. Principal to complete Compliance Mentoring Post Approval Requirements as per DPE (2018)	Independent Auditor Team approved by DoPE. Letter titled Request for agreement of Independent Auditor received 30/5/2019 signed by Leah Cook (DoPE).	Compliant	N/A
Access to Information											
A21.	At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (i) the documents referred to in condition A2 of this consent; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent; (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; (vi) a summary of the current stage and progress of the development; (vii) contact details to enquire about the development or to make a complaint; (viii) a complaints register, updated monthly; (ix) audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report; (x) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.	X	X	48 Hours Before Commencement and until all works are completed	24/05/2019	Secretary FYI Only	N/A	As per consent condition	See link below: https://www.newcastle.edu.au/current-staff/working-here/our-work-environment/current-projects/bioresources-facility/planning	Compliant	N/A
Compliance											
A22.	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.		X	At all times	Ongoing	N/A	N/A	Contractor to provide documentary evidence of compliance.	Environmental requirements for the project were included in site inductions.	Compliant	N/A
ADVISORY NOTES											
A23	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.		X	At all times	Ongoing	Any Relevant Authority	Ongoing	Contractor to provide documentary evidence of compliance	Applicable Development Approval obtained. Traffic Control Plans developed and approved by RMS registered subcontractor	Compliant	N/A
PART B - PRIOR TO COMMENCEMENT OF CONSTRUCTION											
Notification of Commencement											
B1.	The Department must be notified to the Department in writing of the dates of commencement of physical work and operation at least 48 hours before those dates. If the construction of the development is to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.		X	May-19	7/05/2019	Secretary FYI Only	N/A	Contractor to provide the Department and Certifying Authority written notification of the dates of commencement of physical works at least 48 hours before those works.	Notification of commencement issued to DoPE david.gibson@planning.nsw.gov.au on 7th May 2019. Issued to Certifying Authority 7th May to antony@newcert.com.au. Commencement of construction reported to be 13th of May however initial demolition works conducted were under an existing REF. Works under this DA consent condition did not commence till 30th of May 2019.	Compliant	N/A

Certified Drawings											
B2.	Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifying Authority structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with: (a) the relevant clauses of the BCA; and (b) this development consent.		X	May-19	7/07/2019	Certifying Authority	7/07/2019	Contractor to provide structural drawings and certification by structural engineer that demonstrates compliance with relevant clauses of the BCA and this development consent.	BCA Crown Certificate 19-030-CR1 provided by certifying authority. Letter of submission to DP&E 7/07/19. For Stage 1 – Demolition and bulk earthworks. Reported that documentation for Stage 2 – In ground services and substructure under development.	Compliant	N/A
External Walls and Cladding											
B3.	Prior to the commencement of construction, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA. The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.		X	May-19		Certifying Authority		Contractor to provide documentary evidence of compliance.	To form part of Staged Construction Certificate No. 4. Anticipated Submission November 2019.	Non Compliant	As per Richard Crookes Construction letter dated 19th of September 2019 to DoPE. RCC to provide the Certifying Authority with appropriate documentation to make assessment that the external walls and cladding systems comply with the requirements of the BCA. This will be achieved within CC4 preparation and submitted to DoPE NLT 1/11/19
Design Modification - Access											
B4.	Prior to the commencement of construction, the Applicant must revise the landscape plan to: (a) incorporate three additional trees within the northern and/or western setback, being locally indigenous canopy trees with a mature height of at least 12 metres and a minimum pot size at least 200L at installation; (b) incorporate two additional trees consistent in species, size and location as detailed in condition B4(a) above should tree numbers 31 and 32 be required to be removed as a consequence of the detailed design of the adjacent access path and first floor entry ramp (respectively); and (c) ensure compliance with Planning for Bushfire Protection 2006. The revised landscape plan must be submitted to the satisfaction of the Certifying Authority and submitted to the Planning		X	May-19		Secretary		Contractor to provide documentary evidence of compliance	To form part of Staged Construction Certificate No. 4. Anticipated Submission November 2019.	Non Compliant	As per Richard Crookes Construction letter dated 19th of September 2019 to DoPE. RCC to update the landscape design and address requirements of condition B4 and submit to the Certifying Authority for approval and Planning Secretary for information purposes NLT 1/11/19.
Protection of Public Infrastructure											
B5.	Before the commencement of construction, the Applicant must: (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and (c) submit a copy of the dilapidation report to the Certifying Authority and Council.		X	May-19	29/04/2019	Certifying Authority & Council	29/04/2019	Contractor to provide documentary evidence of compliance.	Pre-Construction Dilapidation report dated 24/4/19 developed by Northrop Engineers. Email issued to antony@newcert.com.au email sent to Newcastle City Council officemail@ncc.nsw.gov.au 29/4/19	Compliant	N/A
Utilities and Services											
B6.	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.		X	May-19	10/07/2019	Service Providers	10/07/2019	Contractor to provide documentary evidence of compliance	Section 50 Certificate obtained from Hunter Water 10/7/19 UON iFS is HV service provider therefore private provider	Compliant	N/A
B7.	Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.		X	Sep-19		Service Providers		Contractor to provide documentary evidence of compliance.	Above ground works have not commenced	Not Triggered	N/A
Community Communication Strategy											
B8.	A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction.	X		Apr-19	6/05/2019	Secretary	6/05/2019	Principal to provide documentary evidence of compliance	Bioresources Facility Communication Plan v7- April 2019. Sent to DPE on 17/4/19 via email. Response to DoPE comments received on 6/5/19 and updated communications strategy issued to DoPE to Teresa.Gizzi@planning.nsw.gov.au	Compliant	N/A
B9.	The Community Communication Strategy must: (a) identify people to be consulted during the design and construction phases; (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development; (c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development; and (d) set out procedures and mechanisms: (i) through which the community can discuss or provide feedback to the Applicant; (ii) through which the Applicant will respond to enquiries or feedback from the community; and (iii) to resolve any issues and mediate any disputes that may arise in relation to construction; and operation of the development, including disputes regarding rectification or compensation.	X		Apr-19	6/05/2019	Secretary	6/05/2019	Principal to provide documentary evidence of compliance	Bioresources Facility Communication Plan v7- April 2019. Sent to DPE on 17/4/19 via email. Response to DoPE comments received on 6/5/19 and updated communications strategy issued to DoPE to Teresa.Gizzi@planning.nsw.gov.au	Compliant	N/A
B10.	The Community Communications Strategy must be submitted to the Planning Secretary for approval no later than one month before the commencement of any work.	X		Apr-19	6/05/2019	Secretary	6/05/2019	Principal to provide documentary evidence of compliance	Bioresources Facility Communication Plan v7- April 2019. Sent to DPE on 17/4/19 via email. Response to DoPE comments received on 6/5/19 and updated communications strategy issued to DoPE to Teresa.Gizzi@planning.nsw.gov.au	Compliant	N/A
B11.	Work for the purposes of the development must not commence until the Community Communication Strategy has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.	X		Apr-19	6/05/2019	Secretary	6/05/2019	Principal to provide documentary evidence of compliance	Bioresources Facility Communication Plan v7- April 2019. Sent to DPE on 17/4/19 via email. Response to DoPE comments received on 6/5/19 and updated communications strategy issued to DoPE to Teresa.Gizzi@planning.nsw.gov.au	Compliant	N/A
Ecologically Sustainable Development											
B12.	Within six months of commencement of construction, the Applicant must register for a minimum 4 star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifying Authority, unless otherwise agreed by the Planning Secretary.		X	Nov-19	17/05/2019	Secretary	N/A	The Principal has requested the DPE approval to utilise the Universities' ESD Guidelines Tool to meet the minimum requirements equivalent to 4 star Green Star rating. This will be verified through the engagement of an independent ESD consultant (WSP) to provide independent audit of the ESD initiatives in the project to confirm that design is equivalent with a minimum 4 Star Green Star rating.	Exemption for B12 granted by DPE on the 17/05/2019. Letter titled Conditions B12 and E14 Ecological Sustainable Development for Bioresources Facility, signed 17/05/2019 Karen Harragon, Director, Social and Other Infrastructure Assessments.	Compliant	N/A
Outdoor Lighting											

B13.	Prior to commencement of building works, all outdoor lighting within the Subject site must comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-1997 Control of the obtrusive effects of outdoor lighting. Details demonstrating compliance with these requirements must be submitted to the satisfaction of the Certifying Authority.		X	Nov-19			Certifying Authority		Contractor to provide the certifying authority certification that designs for the outdoor lighting within the site will be compliant to the standards referenced in B13 consent conditions.	To form part of Staged Construction Certificate No. 4. Anticipated Submission November 2019.	Not Triggered	RCC to action by 1/11/19
Access for People with Disabilities												
B14.	The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of any work, the Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.		X	Nov-19			Certifying Authority		Contractor to provide the certifying authority evidence of compliance with the conditions from an appropriately qualified person in accordance with B14 consent conditions.	To form part of Staged Construction Certificate No. 4. Anticipated Submission November 2019.	Not Triggered	RCC to action by 1/11/19
Environmental Management Plan Requirements												
B15.	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: (a) detailed baseline data; (b) details of: (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures and criteria; and (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; (d) a program to monitor and report on the: (i) impacts and environmental performance of the development; (ii) effectiveness of the management measures set out pursuant to paragraph (c) above; (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible; (f) a program to investigate and implement ways to improve the environmental performance of the development over time; (g) a protocol for managing and reporting any: (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria); (ii) complaint; (iii) failure to comply with statutory requirements; and (h) a protocol for periodic review of the plan. Note: the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans		X	May-19			N/A	N/A	Contractor to provide documentary evidence of compliance.	Contractor to review the management plans against the requirements of B15 and update the plans to ensure all requirements are addressed.	Non Compliant	As per Richard Crookes Construction letter dated 19th of September 2019 to DoPE. RCC to submit to Planning Secretary and Certifying Authority NLT 1/11/19
Construction Environmental Management Plan												
B16.	Prior to the commencement of construction the Applicant must prepare a Construction Environmental Management Plan (CEMP) and it must include, but not be limited to, the following: (a) Details of: (i) hours of work; (ii) 24-hour contact details of site manager; (iii) management of dust and odour to protect the amenity of the neighbourhood; (iv) stormwater control and discharge; (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject site; (vi) groundwater management plan including measures to prevent groundwater contamination; (vii) external lighting in compliance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting; (viii) community consultation and complaints handling (b) Construction Traffic and Pedestrian Management Sub-plan (see Condition B19); (c) Construction Noise and Vibration Management Sub-plan (see Condition B20); (d) Construction Waste Management Sub-plan (see Condition B21); (e) Construction Soil and Water Management Sub-plan (see Condition B22); (f) an unexpected finds protocol for contamination, Aboriginal and non-Aboriginal heritage and associated communications procedure; and (g) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site.		X	May-19			N/A	N/A	Contractor to provide Construction Environmental Management Plan (CEMP) in accordance with consent condition B16.	27/08/19 - Construction Environmental Management Plan updated. Community consultation section does not describe how and when consultation with the community will be conducted.	Non Compliant	As per Richard Crookes Construction letter dated 19th of September 2019 to DoPE. RCC to update the environmental management plan to include community consultation requirements as set out in condition B16.
B17.	The Applicant must not commence construction of the development until the CEMP is approved by the Certifying Authority and submitted to the Planning Secretary.		X	May-19	2/05/2019		Certifying Authority	1/05/2019	Contractor to provide documentary evidence of the Certifying Authority approval of the CEMP.	Email issued to DoPE teresa.gizzi@planning.nsw.gov.au on 2nd of May 2019. Certifying Authority approved 1st of May by antony@newcert.com.au.	Compliant	N/A
B18.	The Construction Traffic and Pedestrian Management Sub-plan must address, but not be limited to, the following: (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with Council and RMS; (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services; (d) detail heavy vehicle routes, access and parking arrangements; (e) include a Driver Code of Conduct to: (i) minimise the impacts of earthworks and construction on the local and regional road network; (ii) minimise conflicts with other road users; (iii) minimise road traffic noise; and (iv) ensure truck drivers use specified routes; (f) include a program to monitor the effectiveness of these measures; and (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.		X	May-19	10/05/2019		N/A	N/A	Contractor to provide Construction Traffic and Pedestrian Management Sub-plan in accordance with consent condition B18	Construction Pedestrian & Traffic Management Plan dated 4th of May developed by Seca Solutions. Submitted to RMS/ NCC via email dated 10th of May 2019.	Compliant.	N/A
B19.	The Construction Noise and Vibration Management Sub-plan must address, but not be limited to, the following: (a) be prepared by a suitably qualified and experienced noise expert; (b) incorporate recommendations of the Noise and Vibration Impact Assessment dated August 2018 and prepared by Muller Acoustic Consulting (c) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009); (d) outline how noise and vibration impacts would be monitored during construction (e) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers; (f) include strategies that have been developed with the community for managing high noise generating works; and (g) describe the community consultation undertaken to develop the strategies; and (h) include a complaints management system that would be implemented for the duration of the construction.		X	May-19			N/A	N/A	Contractor to provide Construction Noise and Vibration Management Sub-plan in accordance with consent condition B19	16/08/19: Noise and Vibration Plan updated. Does not include: -A description of the community consultation undertaken to develop the strategies or the strategies developed with the community for managing high noise generating works - Clear process for how RCC will manage and report any failure to comply with statutory requirements	Non Compliant	As per Richard Crookes Construction letter dated 19th of September 2019 to DoPE. Richard Crookes to capture further information as to how Richard Crookes will manage and report failure to comply with statutory requirements and community consultation required under consent B19. Richard Crookes to facilitate coordination meeting with client regarding community consultation. RCC to action NLT 1/11/19

B20.	The Construction Waste Management Sub-plan must address, but not be limited to, the following: (a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations; (b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facilities in accordance with the requirements of the relevant legislation, codes, standards and guideline, prior to the commencement of any building works.		X	May-19	15/04/2019	N/A	N/A	Contractor to provide Construction Waste Management Sub-plan in accordance with consent condition B20	RCC Construction Environmental Management Plan dated 15/4/19. Prior to removal of ACM from site commencing 21/6/19 RCC issued email to DPE Teresa.Gizzi@planning.nsw.gov.au 20/6/19 with location of disposal and classification.	Compliant	N/A
B21.	The Construction Soil and Water Management Sub-plan must address, but not be limited to, the following: (a) be prepared by a suitably qualified expert, in consultation with Council; (b) describe all erosion and sediment controls to be implemented during construction; (c) provide a plan of how all construction works will be managed in wet weather events (i.e. storage of equipment, stabilisation of the Site); (d) detail all off-Site flows from the Site; and (e) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1 year ARI, 1 in 5 year ARI and 1 in 100 year ARI.		X	May-19		N/A	N/A	Contractor to provide Construction Soil and Water Management Sub-plan in accordance with consent condition B21	27/08/19: Plan updated. Does not adequately address: - Protocol for periodic review of the plan; - Evidence of consultation with Council; - All measures to manage stormwater events	Non Compliant	As per Richard Crookes Construction letter dated 19th of September 2019 to DoPE. RCC to capture further information regarding periodic review of plan, provide evidence of consultation with council (completed 27/08/19) and measures to manage stormwater events. Richard Crookes to re-submit to Council and Certifying Authority NLT 1/11/19
Unexpected Contamination Procedure											
B22.	Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material (including asbestos containing materials and lead based paint) is appropriately managed. The procedure must form part of the CEMP in accordance with condition B17 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.		X	May-19	20/06/2019	Submit to Secretary if required	20/06/2019	Contractor to include an unexpected contamination procedure as part of their CEMP to ensure that potentially contaminated material (including asbestos containing materials and lead based paint) is appropriately managed.	RCC Construction Environmental Management Plan dated 15/4/19. Prior to removal of ACM from site commencing 21/6/19 RCC issued email to DPE Teresa.Gizzi@planning.nsw.gov.au 20/6/19 with location of disposal and classification.	Compliant	N/A
Construction Parking											
B23.	Prior to the commencement of construction, the Applicant must demonstrate to the satisfaction of the Certifying Authority that sufficient off-street parking has been provided for heavy vehicles and for site personnel, to ensure that construction traffic associated with the development does not utilise on street parking or public parking facilities.		X	May-19	8/07/2019	Certifying Authority	8/07/2019	Contractor to provide documentary evidence of compliance	Email received from Newcert confirming B23 is adequately addressed	Compliant	N/A
Roof Water to Tank											
B24.	Roof water from the proposed new work is to be directed to the proposed rainwater tank and be reticulated therefrom to toilet water cisterns, cold water washing machine taps and irrigation for landscaping, with a mains water top up being installed to maintain between 10% and 15% of the tank capacity. Alternatively, an electronically activated mechanical valve device is to be installed to switch cisterns, laundry taps and irrigation to mains water when the tank falls below 10% capacity. The water tank and plumbing is to be installed in accordance with Australian Standard AS3500, the relevant plumbing regulations and the requirements of the Hunter Water Corporation. Full details are to be submitted to the satisfaction of the Certifying Authority prior to commencement of work.		X	May-19	14/06/2019	Certifying Authority	14/06/2019	Contractor to provide documentary evidence of compliance.	Letter from Certifying Authority Newcert titled DA SSD - DA Condition B24 dated 14/06/2019 confirming condition intent has been satisfied in design.	Compliant	N/A
Rainwater Tank Water Quality											
B25.	All downpipes discharging to the rainwater tank/s are to have pre-storage insect, debris and vermin control (e.g. a rainwater head being leaf screened and vermin and insect proof) to minimise the contamination of captured roof water. A first flush device is to be provided for the inlet to the tank and a backflow prevention device is to be installed in the tank overflow outlet before connecting to the stormwater drainage system. If the roof downpipes are charged to the rainwater tank, all pipes are to be chemically welded and the stormwater system is to be designed such that the system is capable of being flushed in the event of a pipe blockage (e.g. capped relief access points at the lowest level stormwater drainage). Full details are to be submitted to the satisfaction of the Certifying Authority prior to commencement of work.		X	May-19	14/06/2019	Certifying Authority	14/06/2019	Contractor to provide documentary evidence of compliance.	Letter from certifying authority 14/06/19 sighted showing the certifying authority were satisfied with the rainwater collection system proposed	Compliant	N/A
Stormwater Management											
B26.	Prior to the commencement of construction, the Applicant must design a stormwater management system for the development and submit it to the satisfaction of the Certifying Authority. The system must: (a) be designed by a suitably qualified and experienced person(s); (b) be generally in accordance with the conceptual design in the EIS; (c) demonstrate the three pits which are located at the end of the stormwater drainage lines (two along the western property and one at the north eastern corner) before the discharge outlet location (KIP on existing road) are fitted with pit inserts (SPEL StormSack or similar); (d) be in accordance with applicable Australian Standards; and (e) be in accordance with the requirements of Section 7.06 'Stormwater' of the Newcastle Development Control Plan 2012.		X	May-19	16/07/2019	Certifying Authority	16/07/2019	Contractor to provide appropriate details in CC designs to comply with B26.	Submitted as part of crown certificate 2 dated 16/7/19.	Compliant	N/A
B27.	Stormwater is to be conveyed to the existing property stormwater drains by way of a sealed pipe system. Prior to commencement of works, the existing drains are to be checked for adequacy and cleared of any obstructions.		X	May-19	3/05/2019	N/A	3/05/2019	Contractor to provide documentary evidence of compliance	Photographic evidence submitted by RCC 03/05/2019	Compliant	N/A
Operational Noise – Design of Mechanical Plant and Equipment											
B28.	Prior to the commencement of construction, the Applicant must incorporate the noise mitigation recommendations of the Noise and Vibration Assessment dated 6 August 2018 by Muller Acoustic Consulting, into the detailed design drawings. The Certifying Authority must verify that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in Noise and Vibration Assessment.		X	Nov-19		Certifying Authority		Contractor to provide documentary evidence of compliance	To form part of Staged Construction Certificate No. 4. Anticipated Submission November 2019.	Non Compliant	As per Richard Crookes Construction letter dated 19th of September 2019 to DoPE. RCC to include the noise mitigation recommendations of the noise and vibration assessment under condition B28 into the design drawings. Design drawings to be submitted to certifying Authority for approval under CC4 NLT 1/11/19
Mechanical Ventilation											
B29.	All mechanical ventilation systems must be installed in accordance with Part F4.5 of the BCA and must comply with the AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings and AS/NZS 3666.1:2011 Air handling and water systems of buildings–Microbial control to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details must be submitted to the satisfaction of the Certifying Authority prior to the commencement of building works.		X	May-19		Certifying Authority		Contractor to provide documentary evidence of compliance.	To form part of Staged Construction Certificate No. 4. Anticipated Submission November 2019.	Not Triggered	N/A
Compliance Reporting											

B30.	No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	X		Apr-19	9/05/2019	Secretary FYI Only	N/A	Principal to submit Compliance Monitoring and Reporting Programme	Bioresources Facility Compliance monitoring and reporting program (April 2019) issued to DoPE to Teresa.Gizzi@planning.nsw.gov.au 9/5/19. Commencement of construction reported to be 13th of May however initial demolition works conducted were under an existing REF. Works under this DA consent condition did not commence till 30th of May 2019.	Compliant	N/A
B31.	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	X		Ongoing		N/A		As per consent condition	Construction compliance report not submitted in accordance with compliance reporting program. Initial Report submitted 19/9/19.	Non Compliant	N/A
B32.	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing when this has been done.	X		Ongoing		N/A		As per consent condition	N/A	Not Triggered	N/A
B33.	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	X		N/A	N/A	N/A	N/A	N/A	N/A	Not Triggered	N/A
Reflectivity											
B34.	The building materials used on the facades of the buildings must be designed so as not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers. A statement demonstrating compliance with these requirements must be submitted to the satisfaction of the Certifying Authority prior to the commencement of above ground building works.		X	Nov-19		Certifying Authority		Contractor to provide documentary evidence of compliance	To form part of Staged Construction Certificate No. 4. Anticipated Submission September 2019.	Not Triggered	N/A
Ecological and Biodiversity Measures											
B35.	Prior to the commencement of construction, relevant recommendations of the Ecological Assessment Report, Dated April 2018 and prepared by Anderson Environment and Planning are to be implemented, including contribution of funds to the University's bushland regeneration budget and installation of 15 nest boxes.	X		May-19	21/05/2019	Secretary FYI Only	N/A	Principal to provide documentary evidence of compliance	Email issued to DoPE teresa.gizzi@planning.nsw.gov.au Nest box compliance report and letter from UON confirming contribution to bush regeneration fund	Compliant	N/A



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