

STRATEGY > DEFINITION > DELIVERY > TRANSITION

HONEYSUCKLE CITY CAMPUS DEVELOPMENT – STAGE 1A Operational Compliance Report



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

March 2023
Version 01

Amendment, Distribution & Authorisation Record

Amendment Record

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

Distribution

This Operational Audit is prepared for distribution to:

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Authorisation Record

Prepared by Project Manager	Mathew Watson		2 March 2023
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The APP **Project Manager** is responsible for control, maintenance and issue of this plan, for disposal of any superseded documentation, and for informing other project participants of changes to the project plan in accordance with the Department of Planning and Environment Compliance Reporting Post Approval Requirements.

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1. Executive Summary

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

This report has been developed in order to satisfy the conditions of the NSW Government Department of Planning and Environment (2018) Compliance Reporting Post Approval Requirements that applies to the State Significant Development: SSD-9510 UON Honeysuckle Campus Stage 1A.

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

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

The following previous Compliance Reports have been undertaken:

1. Pre-Construction Compliance Report (V02), completed on 17 June 2020.
2. Construction Compliance Report (V03), completed 21 December 2020.
3. Pre-Operational Report (V00), completed 3 March 2023. Note: this was identified as outstanding during an Independent Environmental Audit and as such has been completed retrospectively.

This Operational Compliance report period relates to the operational period which commenced from 7 June 2021. Note: this was identified as outstanding during an Independent Environmental Audit and as such has been completed retrospectively.

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

The non-compliance issues identified were:

1. Condition A2 (Terms of Consent). A non-compliance is raised against condition A2 based on the non-compliance issues raised against conditions A18, A19, B28, C47, E5 and E12.
2. Condition A18 (Monitoring and Environmental Audits). Monitoring and environmental audit have not been completed in accordance with conditions C47 and E5.
3. Condition A19 (Access to Information). Two Compliance Reports and the short-term noise monitoring report have not been made available on the website.
4. Condition B28 (Compliance Reporting). A Pre-Operational Compliance Report was not completed and issued to the Department prior to commencement of operation. An

Operation Compliance Report was not completed and issued to the Department within 52 weeks of commencement of operation. This non-compliance is being resolved through this reporting.

5. Condition C47 (Independent Environmental Audit). The initial operational independent environmental audit was not completed within 52 weeks of the commencement of operation, in accordance with Independent Audit Program and the Independent Audit Post-Approval Requirements (2018).
6. Condition E5 (Operational Noise Limits). No short-term noise monitoring and quantitative assessment of the operational noise impacts of the operation of the building has been completed.
7. Condition E12 (Ecologically Sustainable Development). While initial submission to Green Building Society Australia was within 6 months after commencement of operation, on 3 September 2021, Green Star certification was obtained more than six months after commencement of operation.

2. Introduction

2.1 Project Name and Project Application Number

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

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

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

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

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

The building transitioned into operation from 7 June 2021.

2.2 Project Address

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

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

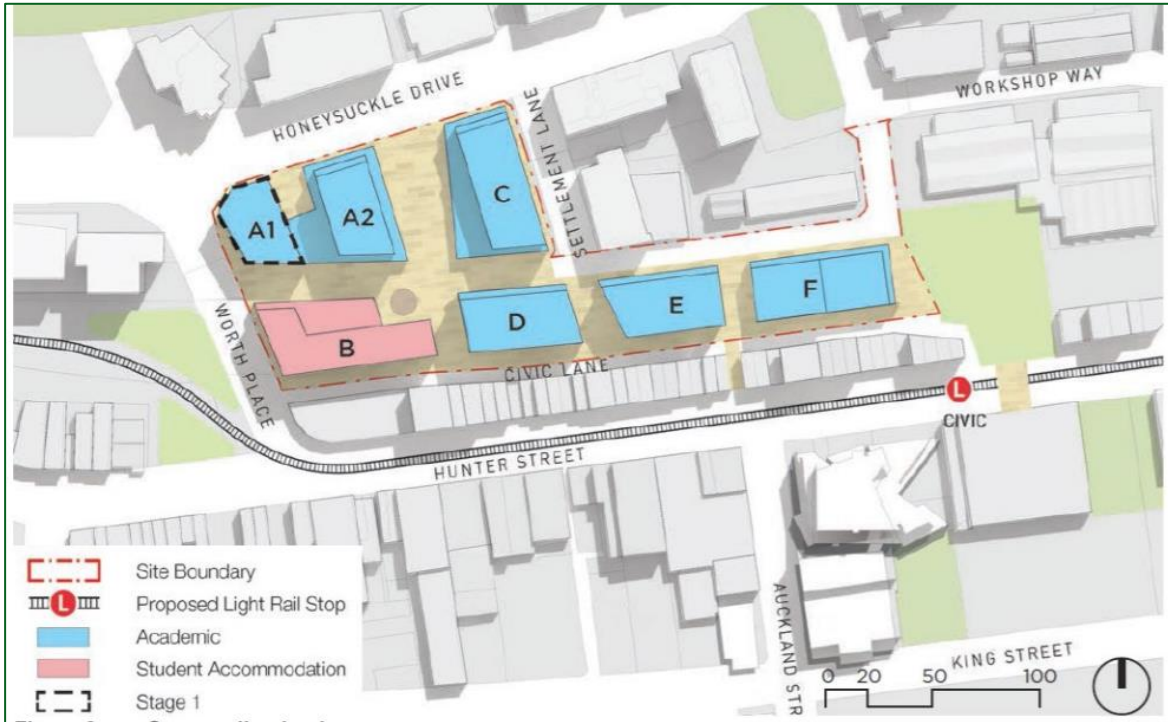


Figure 1: Project layout as illustrated from the Concept Plan



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

2.3 Project Phase

Operational Compliance Report.

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

“Compliance Reporting

B27. Prior to the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.

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

B29. The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing when this has been done.

B30. Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary’s satisfaction that an operational compliance report has demonstrated operational compliance.”

2.4 Compliance Reporting Period

The Operational Compliance Report covers the period of 7th June 2021 to the date of this report.

2.5 Project Activity Summary

Q Buildings Operation period is approaching 21 months and has been functioning well during this time. A summary of project activities that occurred during the reporting period:

- Commencement and ongoing teaching and learning activities.
- Innovation Hub commencement and ongoing operation.
- 6- Star Greenstar Certification
- 4 Quarters of Building Tuning Reports, Analysis and Optimisation
- Independent Operational Audit

2.6 Key Project Personnel

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

Name	Organisation	Position
Tim Dale	The University of Newcastle	Operations Manager

3. Compliance Status Summary

3.1 Compliance Status Descriptors

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

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

3.2 Total Number of Non-Compliances

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

Status	Findings
Compliant	58
Non-Compliant	7
Not Triggered	12

4. Non-Compliances

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

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

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

ID	Findings	Proponents Response	Date of NC	Date NC Identified	Agency NC was reported
A2a	A non-compliance is raised against condition A2 (a) based on the non-compliances raised against conditions A18, C47, E5 and E12.	Addressing the non-compliances raised against these conditions will automatically address this non-compliance.	As below	24 November 2022	AQUAS
A18	Monitoring and environmental audit have not been completed in accordance with conditions C47 and E5.	Addressing the non-compliances raised against conditions C47 and E5 and notifying DPE of the non-compliances (by submission of this audit report) will automatically address this non-compliance.	As below	24 November 2022	AQUAS

ID	Findings	Proponents Response	Date of NC	Date NC Identified	Agency NC was reported
A19	Two Compliance Reports and the short-term noise monitoring report have not been made available on the website.	Upload the Compliance Reports and short-term noise monitoring report to the website as soon as they are available.	September 2021 & June 2022	24 November 2022	AQUAS
B28	A Pre-Operational Compliance Report was not completed and issued to the Department prior to commencement of operation. An Operation Compliance Report was not completed and issued to the Department within 52 weeks of commencement of operation.	A Pre-Operational Compliance Report, and an Operational Compliance Report should be actioned without delay to address this condition.	June 2021 & June 2022	24 November 2022	AQUAS
C47	The initial operational independent environmental audit was not completed within 52 weeks of the commencement of operation, in accordance with Independent Audit Program and the Independent Audit Post-Approval Requirements (2018)	This non-compliance is addressed following the completion of this audit.	June 2022	24 November 2022	AQUAS
E5	No short-term noise monitoring and quantitative assessment of the operational noise impacts of the	Conduct the short-term noise monitoring and quantitative assessment of operational noise as soon as possible at an appropriate time, to	September 2021	24 November 2022	AQUAS

ID	Findings	Proponents Response	Date of NC	Date NC Identified	Agency NC was reported
	operation of the building has been completed.	confirm compliance with operational noise limits, and submit the monitoring report to DPE.			
E12	While initial submission to Green Building Society Australia was within 6 months after commencement of operation, on 3 September 2021, Green Star certification was obtained more than six months after commencement of operation.	Not applicable.	December 2021	24 November 2022	AQUAS

5. Previous Report Actions

Actions noted within the Pre-Operational Compliance Report for the project are summarised below.

Condition/s	Non-compliance	Non-compliance recommendation	Progress	Outcome
A2	A non-compliance is raised against condition A2 based on the non-compliances raised against conditions B28.	Addressing the non-compliances raised against these conditions will automatically address this non-compliance.	As below	Closed

Condition/s	Non-compliance	Non-compliance recommendation	Progress	Outcome
B28	A Pre-Operational Compliance Report was not completed and issued to the Department prior to commencement of operation.	A Pre-Operational Compliance Report should be actioned without delay to address this condition. This non-compliance is being resolved through this reporting.	Pre-Operational compliance report issued alongside this Operational Compliance report retrospectively	Closed

6. Incidents

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

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

Nil reportable incidents were raised to the reviewer's attention. For consistency the previously identified incidents were maintained in Appendix B.

7. Complaints

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

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

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

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

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

8. Compliance Table

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

9. Compliance Report Declaration

Refer to Appendix E for Compliance Report Declaration Form.

Appendix A. Compliance Reporting Table

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

Development Conditions of Consent - Responsibility Matrix



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
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.	Management plans and site observations	There have been one incident during this audit period, however reported as per requirements, findings noted medical occurrence and not related to the Works. There have been no complaints during this audit period. During the site inspection the facility was found to be well run, quiet, tidy, with waste and hazardous substance storage being very well managed. The inspector found no issues of concern, nor any risk of material harm to the environment.	Compliant
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 RTS and RFIR; and (d) in accordance with the approved plans in the table below (except as may be amended by the conditions of consent):	This table	Non-compliances were identified during the audit as noted in this checklist. It is noted that the non-compliances identified were considered administrative in nature.	Non-Compliant
A3.	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; (b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and (c) the implementation of any actions or measures contained in any such document referred to in (a) above.	Review and coordinate written directions Planning Secretary with the relevant project parties.	Nil written instructions during this reporting period.	Not Triggered
A4.	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	Review and coordinate written directions Planning Secretary with the relevant project parties.	No inconsistency, ambiguity or conflict has been identified.	Not Triggered
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.	Development consent	Construction associated with CC1 planned to commence on 10 June 2020. Notice of commencement provided via planning portal SSD-9510-PA-1.	Compliant
A6.	Separate approval must be obtained for any works or uses which do not meet exempt development provisions. This consent does not include approval of the following: (a) site preparation and remediation works (b) installation of a substation (c) use of the building for events, with the exception of events directly associated with the building's University function (d) digital display, projection or any other means of lighting or animation onto the façades of the building.	Development consent and site observations	Site preparatory works were undertaken at the site under DA2018/00933 (as modified), granted by Council on 1 July 2019. These works have been completed with the exception of Lot 2 and 3 remediation (outside the works area relevant to the Stage 1A building). The reporter was advised that remediation of Lot 2 and 3 will be completed following completion of the Stage 1A building construction activities. Installation of a kiosk substation forms part of DA2018/00933 granted by Council on 1 July 2019. Construction of the building had not been completed in in the audit period.	Compliant
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.	Crown certificates	The relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation to the Project are Clause 98 and Clause 98A. Clause 98 of the EP&A Regulation requires Compliance with Building Code of Australia (BCA). - Crown Certificate 1 for the Project was issued by Blackett Maguire and Goldsmith on 5 June 2020. Crown Certificate 1 includes: "In-ground structure and services works only...". - Crown Certificate 2 was issued on 10 July 2020 for "Services and structure to core and mass timber only...". - Crown Certificate 3 was issued on 13 November 2020 for "Remaining Building works...".	Compliant
Planning Secretary as Moderator				

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

Development Conditions of Consent - Responsibility Matrix



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
A8.	In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.	Site observations (including project team interviews)	There have been no disputes or matters requiring resolution.	Not Triggered
Legal Notices				
A9.	Any advice or notice to the consent authority must be served on the Planning Secretary.	Site observations (including project team interviews)	The Notification of Occupation dated 11 March 2021 was addressed to Mr Joel Curran, Planning and Assessments, Department of Planning, Industry and Environment. No other legal notices have been issued to the consent authority to date.	Compliant
Evidence of Consultation				
A10.	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary or Certifying Authority for information or approval; and (b) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Submission of evidence of consultation	Consultation with parties has been undertaken with evidence appended to respective reports / documents.	Compliant
Staging, Combining and Updating Strategies, Plans or Programs				
A11.	With the approval of the Planning Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).	Management plans and site observations	No request for staging for the project which differs from the consent has been submitted.	Compliant
A12.	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	Management plans and site observations	No request for staging for the project which differs from the consent has been submitted.	Not Triggered
A13.	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	B13 of this consent	Approval of the CEMP and sub-plans is not required by the Planning Secretary.	Not Triggered
Structural Adequacy				
A14.	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with: (a) the relevant requirements of the BCA; (b) any additional requirements of the Subsidence Advisory NSW where the building or structure is located on land within a declared Mine Subsidence District. Note 1: Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works Note 2: Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.	Contractor to provide documentary evidence of compliance	PCA has signed off to verify compliance with BCA. - Crown Certificate 1 for the Project was issued by Blackett Maguire and Goldsmith on 5 June 2020. Crown Certificate 1 includes: "In-ground structure and services works only...". - Crown Certificate 2 was issued on 10 July 2020 for "Services and structure to core and mass timber only...". - Crown Certificate 3 was issued on 13 November 2020 for "Remaining Building works...". - SANSW approval 31st March 2020.	Compliant
External Walls and Cladding				
A15.	The external walls of all buildings including additions to existing building must comply with the relevant requirements of the BCA.	Contractor to provide documentary evidence of compliance	The external wall system disclosure statement dated 14 September 2020 prepared by Rod Meneses (Builders Licence 220417C) confirming materials proposed for construction meet the requirements of the BCA.	Compliant
Applicability of Guidelines				
A16.	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	As per consent condition	Construction activities have generally been conducted in accordance with guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	Not Triggered
A17.	Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	Site observations (including project team interviews)	No directions have been issued by the Planning Secretary, other than enquiring about the overdue operational independent environmental audit, did not stipulate any updated or revised version of a guideline, protocol, Standard or policy, or replacement of them.	Not Triggered
Monitoring and Environmental Audits				

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

Development Conditions of Consent - Responsibility Matrix



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
A18.	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification and independent environmental auditing. Note 1: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.	Principal to engage independent environmental audit to fulfil the requirements set out in consent conditions C44 to C49. Principal to complete Compliance Monitoring requirements as per B27 to B30.	Non-compliance were identified during the audit with regard to monitoring and environmental auditing including monitoring required by plans that are conditions of the approval. Specifically: •The initial operational independent environmental audit was not completed within 52 weeks of the commencement of operation, in accordance with Independent Audit Program and the Independent Audit Post-Approval Requirements (2018) •The monitoring and review requirements of the Green Travel Plan have not been implemented •The monitoring and review requirements of the Operational Waste Management Plan have not been implemented •No short term noise monitoring and quantitative assessment of the operational noise impacts of the building has been completed •In addition, the University have not notified DPE of the above non-compliances in accordance with Condition C41	Non-Compliant
Access to information				
A19.	At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (i) the documents referred to in condition A2 of this consent; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent; (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; (vi) a summary of the current stage and progress of the development; (vii) contact details to enquire about the development or to make a complaint; (viii) a complaints register, updated monthly; (ix) audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report; (x) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.	University website: https://www.newcastle.edu.au/about-uon/our-environments/honeysuckle-city-campus-development/public-documents	Condition B28 and B29 of the consent require Compliance Reports are completed and made publicly available 60 days after submitting them to the Department. As noted below with regard to condition B28 and B29, no Pre-Operational or Operation Compliance Report has been conducted or uploaded. No short term noise monitoring has been completed in accordance with Condition E5 and no monitoring report has been submitted to the Planning Secretary or uploaded to the website.	Non-Compliant
Compliance				
A20.	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Contractor to provide documentary evidence of compliance.	It was confirmed that the relevant development consent conditions were provided to contractors prior to commencement of works. Conditions relating to environmental management of the site were included in the site induction and recorded in the site Induction Register. An updated Incident Register was provided to the assessor.	Compliant
PART B - PRIOR TO COMMENCEMENT OF CONSTRUCTION				
Compliance Reporting				
B27.	Prior to the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	Principal to submit Compliance Monitoring and Reporting Programme	Compliance Monitoring and Reporting Programme submitted via the planning portal on 4/06/2020 SSD-9510-PA-3.	Compliant
B28.	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	As per consent condition	The Compliance Reporting Post Approval Requirements (Department 2018) states that reporting required for the duration of operation to be at intervals, no greater than 52 weeks from the date of commencement of operation. No Compliance Report has been completed since the previous during construction December 2020. While pre-occupation compliance was checked through the process of receipt of Occupation Certificates from the Certifier, there has not been a Pre-Operational Compliance Report produced in accordance with the Compliance Monitoring and Reporting Program. As the commencement of operation was 7 June 2021, the Operation Compliance Report is also overdue.	Non-Compliant

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

Development Conditions of Consent - Responsibility Matrix



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
B29.	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing when this has been done.	As per consent condition	Previous reports are on the University website. The Pre-Operational report was not completed on time, however was not submitted to DPE and thus the timing for this condition did not commence. Therefore only B28 identified as a non-compliant.	Compliant
B30.	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	As per consent condition	The Project is still in the construction phase and we understand no requests have been made in this regard.	Not Triggered
PART C - DURING CONSTRUCTION				
Independent Environmental Audit				
C44.	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior commencement of an initial construction Independent Audit (Condition C46(a)).	Principal to provide documentary evidence of compliance	The Auditors were approved by the Planning Secretary on 5 June 2020. A copy of the approval letter is included in Appendix 3 to the Audit Report.	Compliant
C45.	Prior to commencement of an initial construction Independent Audit (Condition C46(a)) an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.	Principal to provide documentary evidence of compliance	The Audit Program was submitted by APP on 28 October 2020.	Compliant
C46.	Table 1 of the Independent Audit Post Approval Requirements (Department 2018) is amended so that the frequency of audits required during the construction phase is: (a) An initial construction Independent Audit must be undertaken within eight weeks of the notified commencement date of construction; and (b) A subsequent Independent Audit of construction must be undertaken no later than six months from the date of the initial construction Independent Audit. In all other respects, Table 1 remains the same. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least four weeks' notice to the applicant of the date upon which the audit must be commenced.	Principal to provide documentary evidence of compliance	Construction commenced on 10 June 2020 therefore submission of the first construction audit was required by 5 August 2020. The first construction audit was provided by the Auditors to APP on 4 August 2020 and submitted on 5 August 2020. Further construction audit was completed in January 2021. The project transitioned into Operation June 2021 and therefore no further construction audits were needed.	Compliant
C47.	Independent Audits of the development must be carried out in accordance with: (a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C44 of this consent; and (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).	As per consent condition	This audit fulfils the first operational independent environmental audit for the development. The Department of Planning and Environment (DPE) reminded the University that the initial operational independent environmental audit for the development was overdue, by email dated 25 August 2022. DPE have taken the notified Occupancy Date of 14 May 2021 as the start of operation, however the auditor considers 7 June 2021 to be the start of operation. Table 1 of the Independent Audit Post-Approval Requirements (2018) requires an initial operational IEA within 52 weeks of the commencement of operation, thus this audit is overdue.	Non-Compliant
C48.	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must: (a) review and respond to each Independent Audit Report prepared under condition C44 of this consent; (b) submit the response to the Department and the Certifying Authority; and (c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Department and notify the Department and the Certifying Authority in writing when this has been done.	As per consent condition	The Independent Audit Report and response to audit recommendations is available on the Department's Major Projects website. Observation: As identified in Condition A19a(ix), the University website does not include the previous Independent Environmental Audit (Ramboll, 2020) and response to recommendations. Recommendation: Upload the previous Independent Environmental Audit (Ramboll, 2020) to the University website and provide notification to the Department and the Certifying Authority in writing when this has been done.	Compliant
C49.	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary, may approve a request for ongoing annual operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.	As per consent condition	No request to the secretary has been made.	Not Triggered
PART D - PRIOR TO OCCUPATION OR COMMENCEMENT OF USE				
Notification of Occupation				

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Development Conditions of Consent - Responsibility Matrix



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
D1.	The date of commencement of the occupation of the development must be notified to the Department in writing, at least one month before occupation. If the operation of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Principal to provide documentary evidence of compliance	Sighted Notice of Occupation dated 11 March 2021, and response from department in writing. The Notice stated that the date of occupation would be 14 May 2021, but, occupation for the purposes of employee transition and commissioning occurred in June 2021 and full function of the building with access to public and students was in February 2022. This is corroborated by the dates of three consecutive BCA Completion Certificates issued by the Certifier Blackett, Maguire & Goldsmith: BCAC-21063, 28 May 2023, is for part, "External landscaping works only and to the exclusion of all remaining works associated with the four (4) storey education development for academic and ancillary uses associated with the School of Creative Industries (SOCI) and Innovation Hub" BCAC-21075, 7 June 2021, is for part, "Remaining building works and use for the purpose of staff transition and commissioning purposes only to the exclusion of external building signage and on-street servicing bay works(D17)" BCAC-22013, 15 February 2022, is for the whole development. Note: For the purposes of conditions that refer to Occupation, this Auditor considers 7 June 2021 as the commencement of occupation and commencement of operation with the exception of condition E5 "full occupation" (which requires noise assessment of the full use of the building).	Compliant
External Walls and Cladding				
D2.	Prior to commencement of operation, the Applicant must provide the Certifier with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.	Contractor to provide documentary evidence of compliance.	Acceptance of external wall schedule is listed in BCA Completion Certificate as item 32 and 103, 7 June 2021.	Compliant
D3.	The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.	Contractor to provide documentary evidence of compliance	Sighted acknowledgment of receipt email UON Honeysuckle Campus Stage 1A - Post Approval Document Received - (SSD-9510-PA-20) regarding the submission of the Acceptance of External Wall Schedule to DPE.	Compliant
Protection of Public Infrastructure				
D4.	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development. Note 1: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required this consent.	As per consent condition	Sighted Email confirmation from council, 16B Honeysuckle Dr, Newcastle - RA 2020/00447 - Final Inspection, dated 11 March 2021. No repairs were required. No relocation of infrastructure was required.	Compliant
D5.	Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications.	As per consent condition	No restoration of road and footway areas was required.	Compliant
Post-construction Dilapidation Report				

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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
D6.	<p>Prior to commencement of operation, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is:</p> <p>a) to ascertain whether the construction created any structural damage to adjoining buildings or infrastructure;</p> <p>b) to be submitted to the Certifier. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifier must:</p> <p>i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and</p> <p>ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.</p> <p>c) to be forwarded to Council.</p>	<p>Contractor to prepare a post construction dilapidation report at the completion of the construction. This is to be prepared by a qualified person with evidence submitted to the Principal.</p>	<p>Sighted HCCD Stage 1A - 210413 Dilapidation Report - Surrounding Roads and Footpaths, 13 April 2021.</p> <p>21 April 2021</p> <p>No structural damage by construction was identified. The dilapidation report is listed as Item 14 on the BCA Completion Certificate.</p> <p>The dilapidation report is listed as Item 14 on the BCA Completion Certificate.</p> <p>The dilapidation report is listed as Item 14 on the BCA Completion Certificate. Sighted Council email acknowledgement of receipt of the dilapidation report dated 21 April 2021. No further comment was received from Council.</p> <p>Sighted Council email acknowledgement of receipt of the dilapidation report dated 21 April 2021.</p>	Compliant
D7.	<p>Unless the Applicant and the applicable owner agree otherwise, the Applicant must repair, or pay the full costs associated with repairing any property that is damaged by carrying out the development.</p>	<p>Contractor to prepare a post construction dilapidation report at the completion of the construction. This is to be prepared by a qualified person with evidence submitted to the Principal.</p>	<p>No repairs were required.</p>	Compliant
Green Travel Plan				
D8.	<p>Prior to the commencement of operation, a Green Travel Plan (GTP), must be submitted to the Certifier to promote the use of active and sustainable transport modes. The plan must:</p> <p>(a) be prepared by a suitably qualified traffic consultant in consultation with Council and Transport for NSW;</p> <p>(b) be based on the Honeysuckle City Campus Development University of Newcastle Green Travel Plan prepared by SECA solution and dated May 2019</p> <p>(c) include objectives and modes share targets to define the direction and purpose of the GTP;</p> <p>(d) include specific tools and actions to help achieve the objectives and mode share targets;</p> <p>(e) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP;</p> <p>(f) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development; and</p> <p>(g) include tools, actions and processes to address the scenario where the mode share targets are not achieved, including the approach to providing additional management and mitigation measures and infrastructure (where deemed necessary).</p>	<p>Principal to provide documentary evidence of compliance</p>	<p>Sighted Honeysuckle City Campus Development Q Building University of Newcastle Green Travel Plan, SECA solution, March 2021</p> <p>The Green Travel Plan is item 65 on the BCA Completion Certificate, 20 May 2021.</p> <p>Sighted Email submission to council, FW: SSD 9510 - University of Newcastle Honeysuckle Green Travel Plan, 29 April 2021</p> <p>"The report has been prepared by traffic engineers Tyler Neve and Sean Morgan, in conjunction with Cathy Thomas, who has undertaken courses in Sustainable Travel Plan Development (UTS Sydney), PWZTMP, road safety auditor."</p> <p>The Plan does not include evidence of consultation with TfNSW or Council. This audit cannot verify the means of consultation with TfNSW and Council.</p> <p>1.2 Scope of Report "This document has been based on the Honeysuckle City Campus Development University of Newcastle Green Travel Plan 2019"</p> <p>Chapter 2 Priority actions and Measures of success Chapter 7 Mode split prediction, can be interpreted as a target.</p> <p>Chapter 8. 8.1 to 8.8 Actions and tools</p> <p>Chapter 8. 8.1 3. "Maintain the role of Transport Coordinator to oversee the ongoing implementation and management of this Green Travel Plan"</p> <p>The University has appointed a Transport Administrator who fulfils the role of "Transport Coordinator" in this plan.</p>	Compliant
Utilities and Services				
D9.	<p>Prior to the commencement of operation, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 50 of the Hunter Water Corporation Act 1991.</p>	<p>Contractor to provide documentary evidence of compliance</p>	<p>Sighted Certificate of Compliance – for plumbing and Drainage Work, Serial No. E200673</p>	Compliant
Mechanical Ventilation				
D10.	<p>Prior to commencement of operation and following completion, installation and testing of all mechanical ventilation systems, the Applicant must submit evidence to the Certifier demonstrating the installation and performance of the mechanical systems complies with:</p> <p>a) the BCA;</p> <p>b) AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings and other relevant codes;</p> <p>c) the development consent and any relevant modifications; and</p> <p>d) any dispensation granted by the NSW Fire Brigade.</p>	<p>Contractor to provide documentary evidence of compliance</p>	<p>Sighted Installation Certificate, Mechanical, The University of Newcastle City Campus –Stage 1A, Benmax, 11 May 2021, submitted 19 May.</p> <p>The certificate lists the relevant BCA clauses that the development is in accordance with.</p> <p>The certificate states that the development complies with AS 1668.2-2012.</p> <p>The certificate lists the SSD conditions checked that the development is in compliance with.</p>	Compliant
Fire Safety Certificate				

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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
D11.	Prior to the occupation of the building, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.	Contractor to provide documentary evidence of compliance	The Fire Safety Certificate dated 19/5/2021 was submitted to the authority on 28/5/2021. That was after the notified occupation date of 14/5/2021, however occupation occurred in June 2021. That Fire Safety Certificate was observed prominently displayed in the building during the site inspection, however it has not been replaced by a subsequent Fire Safety Certificate obtained dated 18 October 2021 with various updates noted. See also item 1.13 above. Following the site inspection date of this audit, both Fire Safety Certificates were issued to Council on 8 December 2022.	Compliant
Structural Inspection Certificate				
D12.	Prior to the commencement of occupation of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the Certifier. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after: (a) the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and (b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.	Contractor to provide a Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to the occupation of the relevant parts of any new or refurbished buildings.	Sighted Letter, Re: 16 Honeysuckle Drive, Newcastle- Structural Certification OC1, Northrop, 10 May 2021 It is listed as item 61 on the BCA Completion Certificate received 28 May 2021. Following inspection date of this audit, the Structural Inspection Certificate was submitted to Council and DPE. Sighted Email, SSD 9510 - University of Newcastle, 16 Honeysuckle Dr, Structural Certificate, 6 December 2022; and Email, UON Honeysuckle Campus Stage 1A - Post Approval Document Received - (SSD-9510-PA-23), 6 December 2022 The certificate notes that there had been periodic inspections. The certificate lists the drawings checked.	Compliant
Warm Water Systems and Cooling Systems				
D13.	The installation of warm water systems and water cooling systems (as defined under the Public Health Act 2010) must comply with the Public Health Act 2010, Public Health Regulation 2012 and Part 1 (or Part 3 if a Performance-based water cooling system) of AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires’ Disease.	Contractor to provide documentary evidence of compliance	Sighted Installation Certificate, Mechanical, The University of Newcastle City Campus –Stage 1A, Benmax, 11 May 2021. Note that AS/NZS 3666.2:2011 Air handling and water systems of building not referenced in certificate sighted but does specifically certify compliance with Condition D13	Compliant
Outdoor Lighting				
D14.	Prior to the commencement of operation, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and: (a) complies with the latest version of AS 4282-2019 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and (b) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.	Contractor to provide the certifying authority certification that the lighting has been installed in accordance with the requirements	Sighted Installation Certificate, Electrical, Carter and Osborne Electrical, 22 April 2021 BCA Completion cert item 8 (12 May2021). The certificate states that the development complies with AS 4282-2019. The site inspection found that the lighting was directed correctly. There have been no complaints regarding light intrusion.	Compliant
Operational Waste Management Plan				

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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
D15.	<p>Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifying Authority. The Waste Management Plan must:</p> <p>(a) detail the type and quantity of waste to be generated during construction and operation of the development;</p> <p>(b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (Department of Environment, Climate Change and Water, 2009);</p> <p>(c) detail the materials to be reused or recycled, either on or off site; and</p> <p>(d) include the Management and Mitigation Measures included in the EIS.</p>	<p>Principal to provide documentary evidence of compliance</p>	<p>Sighted University of Newcastle Q Building Waste Management Plan Green Star, WSP, 21 April 2021 Email, RE: SSD 9510 - University of Newcastle 16B Honeysuckle Drive, 6 May 2021.</p> <p>Section 6.2 Operational Waste Performance Measurement Procedures, states that "A baseline value is to be established within the first three months of operation via a waste audit conducted by an accredited auditor. While the University produced tables of waste monitoring for the University divided by campus for the first three months of operation, the following is noted:</p> <ul style="list-style-type: none"> •The data cannot be divided to show only Q Building usage. •No evidence of a waste audit by an accredited auditor has been provided. <p>It is noted that condition D15 does not stipulate that a waste audit should be conducted for Q Building. It is also noted that the University's waste contractor, is implementing the Waste Management Plan for the delivery of Waste Management Services to The University of Newcastle, Spotless, 22 January 2020, and it refers to conducting monthly audits.</p> <p>Sighted consultation.</p> <p>Section 5.8 of plan.</p> <p>Section 5.8 commits to a private contractor for collection but does not commit to a specific supplier company.</p>	<p>Compliant</p>
Site Audit Report and Site Audit Statement				
D16.	<p>Prior to occupation of the building, the Applicant must obtain from an EPA accredited Site Auditor, a Site Audit Statement and a Site Audit Report which demonstrates that the site is suitable for its intended use(s).</p>	<p>Principal to provide documentary evidence of compliance</p>	<p>Sighted Site Audit Report, University of Newcastle, Honeysuckle City Campus Development, Lot 1, Ramboll, 29 June 2020.</p>	<p>Compliant</p>
On-Street Servicing Bay				
D17.	<p>Prior to the commencement of the operation, the Applicant shall submit evidence to the Certifier demonstrating that the following requirements are complied with:</p> <p>(a) all roads and traffic facilities outside the site boundary must be designed to meet the requirements of Council. The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road / pavement construction works</p> <p>(b) all required signage, associated pavement markings and kerbside parking controls for the servicing loading/unloading bay on Honeysuckle Drive must be installed, inspected by Council and handed over to Council</p> <p>(c) any works performed in, on or over a public road reserve pursuant to this consent must be carried out in accordance with the Road Opening Permit issued by Council as required under Sections 138 and 139 of the Roads Act 1993.</p>	<p>Principal to provide documentary evidence of compliance</p>	<p>Council didn't approve the on-street servicing bay till April 2021, but the contractor was already demobilising, so the servicing bay had to be pulled out of scope and added to landscaping scope for a separate project with its own SSD on adjacent land. This is reflected in Condition and Exclusion 8 in the BCA Completion Certificate.</p> <p>Sighted new cert completion certificate 23 March 2022 and email from NCC 25 January 2022 confirming acceptance RA2021/00509 package includes the loading zone. During operation the function of the loading zone was provided by the new waste collection driveway.</p> <p>The correspondence from Council has been submitted to DPE following the audit site inspection date, on 12 December 2022.</p> <p>The site inspection found the development to be consistent with the stamped plans and road opening permit.</p> <p>Signage viewed in the site inspection is compliant and is noted in the council inspection email.</p> <p>Road opening permit, email from council can be taken as section 138.</p>	<p>Compliant</p>
Bicycle Parking and End-of-Trip Facilities				

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

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

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ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
E2.	All plant and equipment used on site, or to monitor the performance of the development must be: a) maintained in a proper and efficient condition; and b) operated in a proper and efficient manner.	As per consent condition	Sighted maintenance records up to May in accordance with the monitoring frequency table. Sighted microbial reports and legionella related checks June 2021. Since May 2022 the maintenance checks are managed by the University in Maximo. Sighted spreadsheet, Building Q Maximo Work Orders May 22 to Dec 22. A significant proportion of all planned maintenance activities are related to air handling units and chillers.	Compliant
Operational Noise Limits				
E3.	The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in the University of Newcastle HCCD Stage 1A SSD Noise and Vibration Impact Assessment, prepared by AECOM and dated 26 February 2020.	As per consent condition	Consequently due to E5, compliance with the operational noise limits in condition E3 and E4 have not been assessed.	Not Triggered
E4.	Noise associated with the operation of any plant, machinery, or other equipment on the site, must not exceed 5 dB(A) above the rating background noise level when measured at the boundary of any sensitive receiver.	As per consent condition	Consequently due to E5, compliance with the operational noise limits in condition E3 and E4 have not been assessed.	Not Triggered
E5.	The Applicant must undertake short term noise monitoring in accordance with the Noise Policy for Industry, to collect valid data and provide a quantitative assessment of operational noise impacts following occupation of the building. The noise monitoring must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within three months of full occupation of the building. Should the noise monitoring identify any exceedance of the recommended noise levels, the Applicant must implement appropriate on-site noise attenuation measures to ensure operational noise levels do not exceed the recommended noise levels and/or provide noise attenuation measures at the affected noise sensitive receivers.	As per consent condition	No short term noise monitoring and quantitative assessment of the operational noise impacts of the building has been completed. No monitoring report has been submitted to the Planning Secretary.	Non-Compliant
Unobstructed Driveways and Parking Areas				
E6.	All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.	As per consent condition	No obstruction was noted in the site inspection, other than one illegally parked car.	Compliant
Outdoor Lighting				
E7.	Notwithstanding Condition D14, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.	As per consent condition	There have been no complaints regarding light intrusion.	Compliant
Hazards Management				
E8.	The Applicant must ensure that the quantities of dangerous goods stored within the development or transported to and from the development will remain below the screening threshold quantities listed in the Department's Applying SEPP 33 guideline (January 2011) at all times.	As per consent condition	One small Hazchem cabinet was identified in the maker space during the site inspection. It had a self closing door that was locked. It is understood that small quantities of resins are kept in it for the 3D printers. The quantities are well below screening threshold quantities. No other chemical storage was identified.	Compliant
E9.	The Applicant must store and handle all chemicals, fuels and oils within the development in accordance with: (a) the requirements of all relevant Australian Standards; and (b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids. In the event of an inconsistency between the requirements listed from (a) to (b) above, the most stringent requirement shall prevail to the extent of the inconsistency.	As per consent condition	The site inspection did not identify any inappropriate storage of any substances.	Compliant
Landscaping				
E10.	The landscaping is to be maintained at all times following its installation in accordance with the approved Landscape Management Plan.	As per consent condition	Sighted Landscape maintenance monthly inspections April 21 to April 22 during Defects Liability Period. Sighted spreadsheet, Building Q Maximo Work Orders Grounds May 22 to Dec 22, showing monthly work orders for inspection and maintenance of the grounds of Q Building. The site inspection noted some weeds and that two trees are not thriving.	Compliant
Flooding and Stormwater				
E11.	The operation of the building must be carried out at all times in accordance with the FERSP (Condition B18) and the OFEMP (Condition D24).	As per consent condition	Two Flood warning signs were viewed on site during the site inspection, in accordance with the OFEMP.	Compliant
Ecologically Sustainable Development				

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

Development Conditions of Consent - Responsibility Matrix



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
E12.	Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 5-star Green Star As Built rating. If required to be obtained, evidence of the certification must be provided to the Certifying Authority and the Planning Secretary.	As per consent condition	Green Star 6 Star rating was achieved. Certified 12 January 2022, Submissions Round 1 was 3rd September 2021. Round 2 submission was 10 December 2021. The green Star Rating is item 33 and 63 on the BCA Completion Certificate. The Green Star Rating was submitted to DPE following the audit inspection date, on 6 December 2022. For the purposes of conditions that refer to Occupation, this Auditor considers 7 June 2021 as the commencement of occupation and commencement of operation except for condition E5 "full occupation" (which requires noise assessment of the full use of the building). Consequently, Green Star certification was obtained more than six months after commencement of operation.	Non-Compliant
Warm Water Systems and Cooling Systems				
E13.	The operation and maintenance of warm water systems and water cooling systems (as defined under the Public Health Act 2010) must comply with the Public Health Act 2010, Public Health Regulation 2012 and Part 2 (or Part 3 if a Performance-based water cooling system) of AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires' Disease.	As per consent condition	Sighted maintenance records up to May 2022 in accordance with the monitoring frequency table. Sighted microbial reports and legionella related checks June 2021. Since May 2022 the maintenance checks are managed by the University in Maximo. Sighted spreadsheet, Building Q Maximo Work Orders May 22 to Dec 22. A significant proportion of all planned maintenance activities are related to air handling units and chillers.	Compliant
APPENDIX 1 - INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS				
General				
AN1.	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	As per consent condition	Sighted the following permits for the Project: •Road Opening Permit – 16B Honeysuckle Drive, Newcastle, WO 0158648, City of Newcastle, 9 September 2020 •Road Opening Permit – 16B Honeysuckle Drive, Newcastle, RA2020/00447, City of Newcastle, 31 August 2020 •Road Occupancy Permit – ROP/7846, City of Newcastle, 12 October 2020 No register of permits and approvals is kept, however that is not a requirement. No other permits and licences are required or relevant to this development.	Compliant
Fire Safety Certificate				
AN14.	The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.	N/A	Sighted Certification Assessment Report For Fire Safety Measures Installed at NEWCASTLE UNIVERSITY Building – Q, Wormald, 22nd December 2021. It does not have the Annual Fire Safety Statement attached. However, an annual Fire Safety Statement for 2022 was sighted. The Fire Safety Statement for 2022 was submitted to Council following the audit Inspection date on 15 December 2022.	Compliant
APPENDIX 2 - INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS				
Written Incident Notification Requirements				
1	A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C40 or, having given such notification, subsequently forms the view that an incident has not occurred.	Contractor to provide documentary evidence of compliance	Completed based on December 2020 incident. Notifications issued to DPE via email and the portal.	Compliant

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

Development Conditions of Consent - Responsibility Matrix



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
2	<p>Written notification of an incident must:</p> <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. 	Contractor to provide documentary evidence of compliance	Completed based on December 2020 incident. Notifications issued to DPE via email and the portal.	Compliant
3	<p>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.</p>	Contractor to provide documentary evidence of compliance	Completed based on December 2020 incident. Report issued to DPE via email and the portal.	Compliant
4	<p>The Incident Report must include:</p> <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. 	Contractor to provide documentary evidence of compliance	Completed based on December 2020 incident. Report issued to DPE via email and the portal.	Compliant

Appendix B. Incidents Register

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

Sub Contractor Incidents

22 December 2020

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

Dear Sir,

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

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

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



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

Yours sincerely,

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

16 February 2021

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

Dear Sir,

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

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

Further to this incident notification please see attached for:

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

Summation of findings are as follows:

a. A summary of the incident;	<p>Project Name: The University of Newcastle Honeysuckle Campus Stage 1A – SSD 9510 Date and Time: Friday 18th December 2020 1230pm Location: 16B Honeysuckle Drive, Newcastle (Lot 1 DP 1163346)</p> <p>The Principal Contractor advised that a steel fixing subcontractor suffered a cardiac arrest on the site, despite receiving CPR and defibrillator immediately following the alarm being raised, the worker passed away.</p> <p>The alarm was raised by surrounding workers at approximately 1230pm. The site first aid officers attended to the individual and commenced CPR immediately. Emergency services were contacted and arrived at site around 1240pm. SafeWork NSW were notified of the occurrence and attended site on 21st December 2020.</p> <p>Emergency services continued to work on the individual for some time until the worker was confirmed as dead. The site was concurrently evacuated, and witness statements were taken from those involved.</p> <p>Hansen Yuncken elected to close the site on Saturday 19th December. Mates in Construction and a trained psychologist attended site Monday</p>
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	<p>21st December where the site was addressed, and counselling sessions offered.</p> <p>The investigation is still ongoing with SafeWork NSW still awaiting the coroner's report, however are indicating that the cardiac arrest was not directly related to any work being undertaken on the site and is a medical occurrence.</p>
<p>b. Outcomes of an incident investigation, including identification of the cause of the incident;</p>	<p>SafeWork NSW have released their inspection report, however advise they are still awaiting the coroner's report to finalise their investigation. The cause is currently believed to be of a medical nature and not associated with the construction works or any non-conformance.</p>
<p>c. Details of the corrective and preventative actions that have been, or will be implemented to address the incident and prevent recurrence; and</p>	<p>The Principal Contractor and SafeWork NSW have not identified any non-conformance or corrective actions required.</p> <p>The Principal Contractor continues to highlight the importance of personal health and not working alone during pre-start meetings and toolbox talks.</p>
<p>d. Details of any communication with other stakeholders regarding the incident.</p>	<p>SafeWork NSW investigator David Ward (02 4921 2971 david.ward@safework.nsw.gov.au) has been contacted periodically by the Principal Contractor and Client Project Manager between 21 December 2020 and 16 February 2021. No further information was available for release from SafeWork NSW at this time.</p>

Yours sincerely,



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



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ATTACHMENT 1: CONTRACTORS REPORT

Summary

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

Parameters

Show attachments: After each item, Large size, Yes

Include comments: Yes

Include additional standard and custom properties: Yes

Include issue details: Yes

Include n/a and blank responses: Yes

Include signatures: Yes

Hide signature name stamp: Yes

Show cover page: Yes

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

Output format: PDF

Show related equipment as: Equipment Name, Equipment Name

**Details**

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



2020-12-21 14:52:51

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

Checklist Items

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



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

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



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

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



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



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



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

Completed by Mike Stevens

WHS FORM 10: INCIDENT AND INJURY REPORT

Details of injury (eg to a worker or visitor) and treatment			
Date of incident	18/12/20	Time of incident	12 <input checked="" type="checkbox"/> am <input type="checkbox"/> pm
Nature of incident	<input type="checkbox"/> Near miss <input type="checkbox"/> First aid <input checked="" type="checkbox"/> Medical treatment/doctor		
Name of injured person			
Address			
Occupation			
Date of birth			
Telephone			
Employer			
Activity in which the person was engaged at the time of injury			
Exact site location where injury occurred	Roof top Level 4		
Nature of injury - eg fracture, burn, sprain, foreign body in eye	Heart attack		
Body location of injury (indicate location of injury on the diagram)	<p>The diagram consists of two human silhouettes. The left silhouette is labeled 'FRONT VIEW' and has a blue circle drawn on the chest area. The right silhouette is labeled 'REAR VIEW' and has a blue arrow pointing to the lower back area. Labels 'RIGHT' and 'LEFT' are placed near the shoulders of the front view, and 'LEFT' and 'RIGHT' are placed near the shoulders of the rear view.</p>		
Treatment given on site	CPR	Name of treating person	Dean Ward
Referral for further treatment? Yes <input type="checkbox"/> No <input type="checkbox"/>	Name of doctor or hospital	SafeWork NSW medical certificate received? Yes <input type="checkbox"/> No <input type="checkbox"/>	Attach copies
Injury management requirement? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Notify return to work coordinator	Name of return to work coordinator	


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

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

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

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

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

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

Completed by Dean Ward

WHS FORM 10: INCIDENT AND INJURY REPORT

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


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

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

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

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

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

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

Completed by Made Freeman

WHS FORM 10: INCIDENT AND INJURY REPORT

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

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

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

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

Description of incident

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

0402123344

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

Reported to

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

Completed by

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

Completed by Greg Kiskarpati

WHS FORM 10: INCIDENT AND INJURY REPORT

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

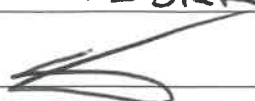
Witness to incident (each witness may need to provide an account of what happened)			
Witness name		Witness contact	
Witness name		Witness contact	

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

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

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

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

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



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AUSTRALIA

ATTACHMENT 2: CORRESPONDANCE RELATING TO SAFEWORK NSW INVESTIGATION

Watson, Mathew

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

Mat,

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

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

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

Regards,

Jonathan Russell
Project Manager

HANSENYUNCKEN

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

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



THE UNIVERSITY OF
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AUSTRALIA

ATTACHMENT 3: SAFEWORK NSW SECTION 155 NOTICE TO GIVE INFORMATION



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

ORIGINAL
Reference No:
7-388864

Notice No: 7-388864

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

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

In relation to:

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

I require you to:

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

Signed: ELECTRONICALLY ISSUED

Authorised delegate of SafeWork NSW

Issue Date: 21/12/2020

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

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

WARNING

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

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

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

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

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

Schedule of Documents:

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



THE UNIVERSITY OF
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ATTACHMENT 4: SAFEWORK NSW INSEPTION REPORT



SafeWork NSW
INSPECTION REPORT
Work Health and Safety Act 2011

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

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

BUSINESS OR UNDERTAKING DEALT WITH

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

PLACE ENTERED

Address of attendance: 16A Honeysuckle Drive
Newcastle
NSW 2300

OTHER PERSONS ATTENDING WITH INSPECTOR

Name

GIVING OF REPORT

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

Copy of Inspection Report Given To :

Name	Position

Inspector's Signature: Electronically Issued

INSPECTION OUTCOMES SUMMARY

1. Notices Issued by Inspector

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

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

--

3. Advice provided to the Duty Holder

--

INSPECTION DETAILS

1. Purpose of Entry

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

2. Summary of Inspector's Observations

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

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

Notice Number	Description	Status

4. Persons spoken with during inspection

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

5. Information and documents given to duty holder

Title

6. Summary of Inspector Powers exercised

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

DISCLAIMER

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

INTERNAL REVIEW OF CERTAIN INSPECTOR DECISIONS

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

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

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

FEEDBACK

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

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

TO VIEW DOCUMENTS TAKEN BY THE INSPECTOR

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

PRIVACY COLLECTION STATEMENT

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

SafeWork NSW privacy information is on our website at www.safework.nsw.gov.au.

FURTHER INFORMATION

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

RECEIVED BY EMAIL - PRIVACY AND CONFIDENTIALITY NOTICE

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

Appendix C. Complaints Register

Appendix D. Compliance Photos



Building façade viewed from South.



Temporary building extension for maker space and bike shed.



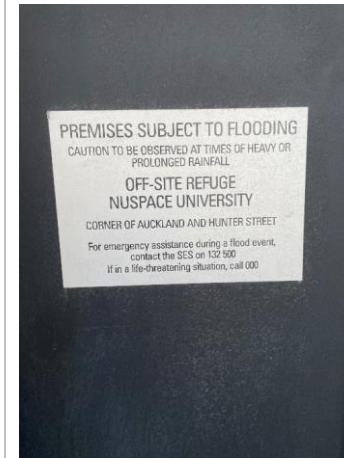
Servicing bay on road and street trees (landscaping) in good condition.



Loading zone sign.



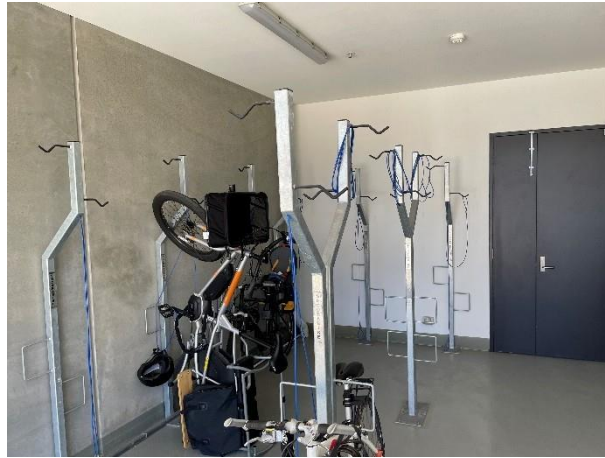
Street trees (landscaping) and protection in good condition.



Flood warning sign in place.



Landscaping garden bed. Two small trees are not thriving.



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



Cardboard compactor in waste storage room.



Cardboard and paper recycling bins in waste storage room.



Commingled recycling bins in waste storage room



General waste bins in waste storage room.



Secure paper shredding waste bin in waste storage room



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



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



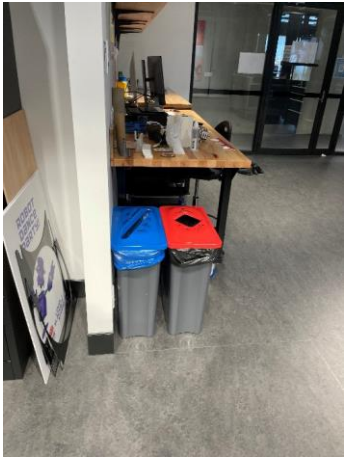
Evacuation diagram displayed.



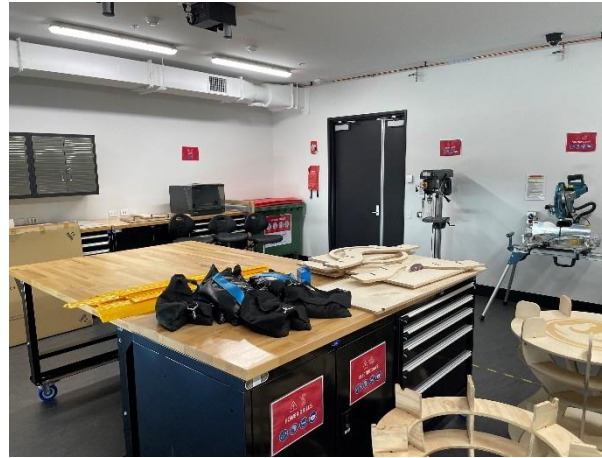
Fire safety door sign.



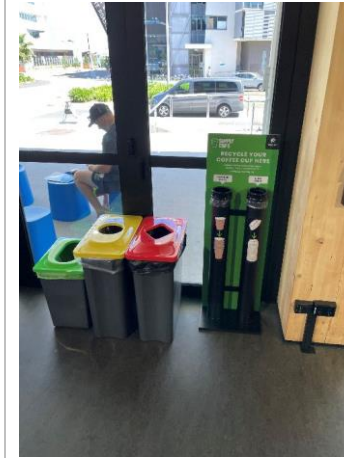
Hazchem cabinet in 3D printer workspace.



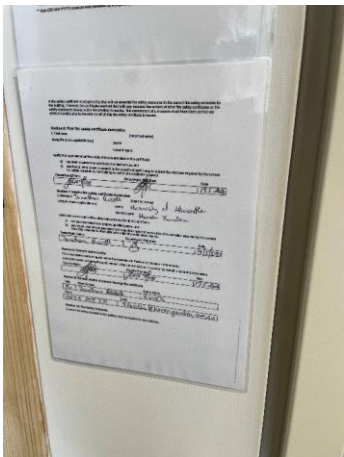
Recycling bins in maker space.



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



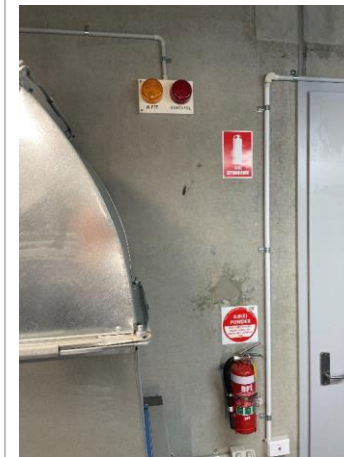
Recycling bins and coffee cup recycling initiative in Café.



Fire Safety Certificate displayed prominently near fire board.



Fire board. Restricted key access.



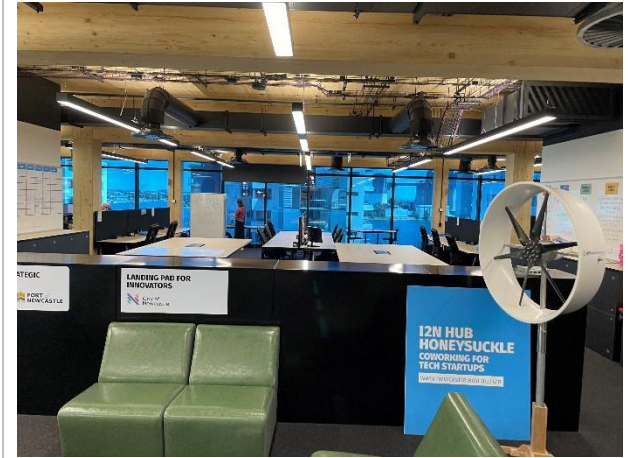
Fire extinguisher in plant room.



Air handling units and switch board in plant room.




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



Innovation hub.

Appendix E. Compliance Report Declaration Form

Compliance Report Declaration Form	
Project Name:	UON Honeysuckle Campus Stage 1A
Project Application Number:	SSD-9510
Description of Project:	Development of the Stage 1A facility within the Honeysuckle City Campus: <ul style="list-style-type: none"> • Construction of a four storey building, • Building to be used for academic and ancillary uses, • Single storey machine room, bike hub, and waste room, • Utilities an infrastructure, • Landscaping works.
Project Address:	16B Honeysuckle Drive, Newcastle (Lot 1 DP 1163346)
Proponent:	The University of Newcastle
Title of Compliance Report:	Honeysuckle City Campus Development – Stage 1A Construction Compliance Report
Date:	3 March 2023
I declare that I have reviewed relevant evidence and prepared the contents of the attached Compliance Report and to the best of my knowledge: <ul style="list-style-type: none"> • the Compliance Report has been prepared in accordance with all relevant conditions of consent; • the Compliance Report has been prepared in accordance with the Compliance Reporting Post Approval Requirements; • the findings of the Compliance Report are reported truthfully, accurately and completely; • due diligence and professional judgement have been exercised in preparing the Compliance Report; and • the Compliance Report is an accurate summary of the compliance status of the development. 	
Notes: <ul style="list-style-type: none"> • Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and • The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years’ imprisonment or 200 penalty units, or both). 	
Name of Reporting Officer:	Mathew Watson
Title:	Principals Authorised Person
Signature:	
Qualification:	Bachelor of Engineering in Mechanical Engineering with Honours Class I
Company:	The APP Group
Company Address:	Level 2, 426 King Street, Newcastle NSW



Adelaide

61 8 8409 4280

Level 1
151 South Terrace
Adelaide SA 5000

Brisbane

61 7 3238 0400

Ground Floor
143 Coronation Drive
Milton QLD 4064

Canberra

61 2 9957 6211

Level 9
121 Marcus Clarke Street
Canberra ACT 2600

Melbourne

61 3 8866 0200

Level 7
420 St Kilda Road
Melbourne VIC 3004

Newcastle

61 2 4928 7600

Level 2
426 King Street
Newcastle NSW 2300

Perth

61 8 9224 6300

Level 4
181 Adelaide Terrace
Perth WA 6004

Sydney

61 2 9957 6211

Level 7
116 Miller Street
North Sydney NSW 2060

Wollongong

61 2 4220 6300

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