

STRATEGY > DEFINITION > DELIVERY > TRANSITION

HONEYSUCKLE CITY CAMPUS DEVELOPMENT – STAGE 1A Operational Compliance Report (2023)



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

June 2023
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Amendment, Distribution & Authorisation Record

Amendment Record

Revision	Description / Details	Date
1	Issued for Submission to DPE	6 June 2023

Distribution

This Operational Audit is prepared for distribution to:

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Authorisation Record

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The APP **Project Manager** is responsible for control, maintenance and issue of this plan, for disposal of any superseded documentation, and for informing other project participants of changes to the project plan in accordance with the Department of Planning and Environment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

The APP Group (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) dated 17 June 2020.
2. Construction Compliance Report (V03) dated 21 December 2020.
3. Pre-Operational Report (V01) dated 2 March 2023. *Note: this was identified as outstanding during an Independent Environmental Audit (December 2022) and as such was completed retrospectively.*
4. Operational Report (V01) dated 2 March 2023. *Note: this was identified as outstanding during an Independent Environmental Audit (December 2022) and as such was completed retrospectively.*

This Operational Compliance report period relates to the operational period between 2 March 2023 and the date of this report (6 June 2023), due to the timing of the previous Operational Compliance report.

The assessor has assessed the development to be generally compliant with the conditions of Development Consent SSD 9510. 3 non-compliances were identified; however these relate to a single issue in making the Operational Audit publicly available on the University's website. This is considered to be of an administrative nature.

The non-compliances identified were:

1. Condition A2 (Terms of Consent). A non-compliance is raised against condition A2 based on the non-compliances raised against conditions A19 and C48.
2. Condition A19 (Access to Information). The recent Operational Audit has not been made available on the University's website.
3. Condition C48 (Independent Environmental Audit). The recent Operational Audit has not been made available on the University's website within the 60 days after submission to the Department.

2. Introduction

2.1 Project Name and Project Application Number

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

The Project involved 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.

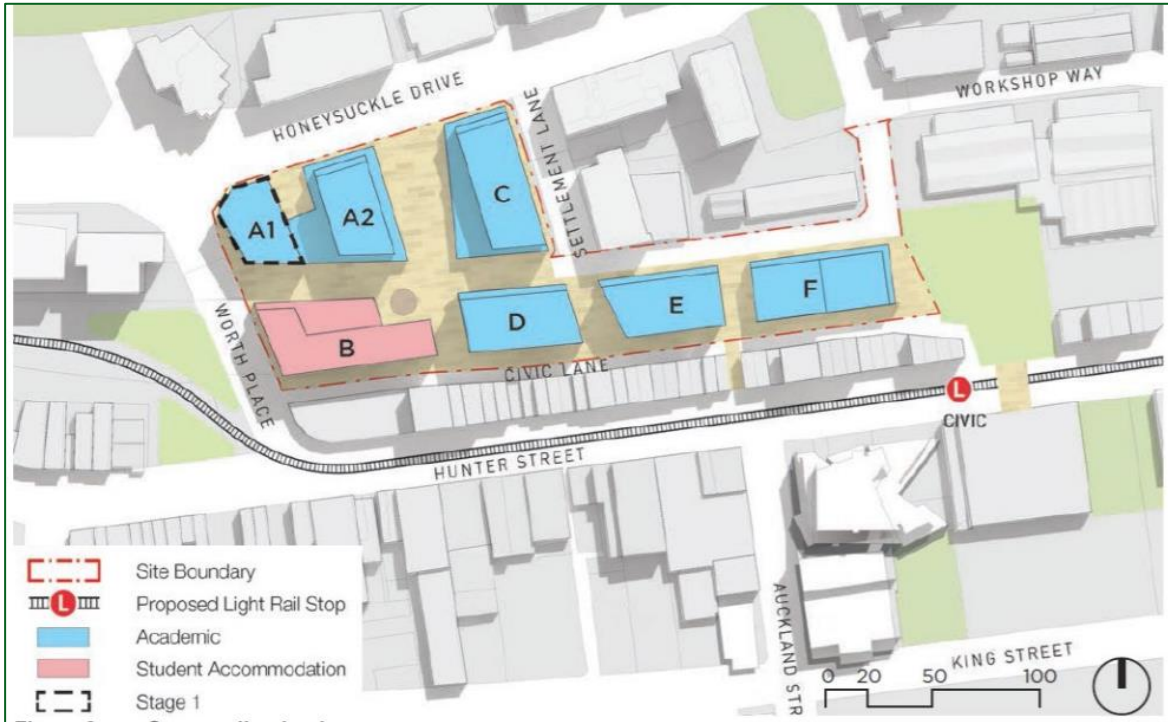


Figure 1: Project layout as illustrated from the Concept Plan



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 2 March 2023 to the date of this report (6 June 2023).

Note: the previous Compliance report was identified as outstanding during an Independent Environmental Audit and as such was completed retrospectively in March 2023 covering the period of June 2021 to March 2023. This report returns Compliance Reporting back into the appropriate annual cycles.

2.5 Project Activity Summary

Q Buildings Operation period is approaching 24 months and has been functioning well during this time. The Building has only recently started operating at its full occupancy levels, due to COVID restrictions being in place following its initial operational phase. A summary of project activities that occurred during the reporting period:

- Continuation of teaching and learning activities.
- Innovation Hub continuation of operation.
- Ongoing Building Tuning optimisation.

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	33
Non-Compliant	3
Not Triggered	12
Total Assessed	48

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 by
A2(a)	A non-compliance is raised against condition A2(a) based on the non-compliances raised against conditions A19 and C48.	Addressing the non-compliances raised against these conditions will automatically address this non-compliance.	As below	6 th June 2023	The APP Group
A19(a)(xi)	The Operational Audit (December 2022, revised February 2023) has not been made available on the University's publicly available website.	Upload the Operational Audit (December 2022, revised February 2023) to the University's website and advise the Department once this has been completed.	1 st May 2023	6 th June 2023	The APP Group
C48(c)	The Operational Audit (December 2022, revised February 2023) has not	Upload the Operational Audit (December 2022, revised February 2023) to the University's	1 st May 2023	6 th June 2023	The APP Group

ID	Findings	Proponents Response	Date of NC	Date NC Identified	Agency NC was reported by
	been made available on the University's publicly available website.	website and advise the Department once this has been completed.			

5. Previous Report Actions

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

Condition/s	Non-compliance	Non-compliance recommendation	Progress	Outcome
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.	Refer to below	Closed
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.	C47: Environmental Audit conducted December 2022, with revised report issued to DPE dated 2 February 2023. DPE portal reference SSD-9510-PA-26. E5: Noise monitoring conducted 14 April 2023, with report issued to DPE dated 4 May 2023. DPE portal reference SSD-9510-PA-29.	Closed

Condition/s	Non-compliance	Non-compliance recommendation	Progress	Outcome
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.	Reports uploaded to the University website at the following link: https://www.newcastle.edu.au/engage/development-projects/honeysuckle-city-campus-development/public-documents	Closed
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.	Pre-Operational and Operational Compliance Reports were completed retrospectively and issued to DPE dated 2 March 2023. DPE portal reference SSD-9510-PA-27 & SSD-9510-PA-28 respectively.	Closed
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	This non-compliance is addressed following the completion of the audit.	Environmental Audit conducted December 2022 retrospectively, with revised report issued to DPE dated 2 February 2023. DPE portal reference SSD-9510-PA-26.	Closed

Condition/s	Non-compliance	Non-compliance recommendation	Progress	Outcome
	Post-Approval Requirements (2018)			
E5	No short-term noise monitoring and quantitative assessment of the operational noise impacts of the operation of the building has been completed.	Conduct the short-term noise monitoring and quantitative assessment of operational noise as soon as possible at an appropriate time, to confirm compliance with operational noise limits, and submit the monitoring report to DPE.	Noise monitoring conducted 14 April 2023, with report issued to DPE dated 4 May 2023. DPE portal reference SSD-9510-PA-29.	Closed
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.	6-Star Green Star was awarded for the project on 12 January 2022. It should be noted that submission for certification was undertaken on 3 September 2021 within the 6-month timeframe. However, assessment times resulted in certification was (only just) greater than 6-months following commencement of operation.	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 assessor's attention for this reporting period.

7. Complaints

Refer to Appendix C for a list of complaints received during the project, 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'.

Two new complaints were received since the Operational commencement of the building. This includes:

1. Water leaks during heavy rain event.
2. Internal acoustic reverberation in areas of the building.

These have been responded to with no further action at this time.

8. Compliance Table

Refer to Appendix A for SSD State Significant Development Application SSD 9510 Operation Compliance Reporting table for full details of compliance with consent conditions following commencement of operation.

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
Application Number: SSD-9510



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 (including project team interviews)	There have been no incidents during this audit period. 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 assessor 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 compliance reporting period as noted in this table. It is noted that the non-compliances identified were considered administrative in nature. Recommendation: Review and respond as appropriate to the recommendations described in this report to remedy and/or prevent future non-compliances with the conditions of the development consent.	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.	The Department issued two warning letters dated 16/02/2023 resulting from failure to comply with conditions B28 and C27 in accordance with the consent. These reports were subsequently issued to DPE portal with references: - Independent Audit 3, ID SSD-9510-PA-26. - Pre-Operational Compliance Report, ID SSD-9510-PA-27. - Operational Compliance Report, ID SSD-9510-PA-28.	Compliant
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 (including project team interviews)	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 separately. No digital signage or building events (with the exception of events directly associated with the buildings University function) were raised to the assessors attention or visually evident at the site inspection.	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				
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)	No disputes have arisen with public authorities	Not Triggered

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

Development Conditions of Consent - Responsibility Matrix
Application Number: SSD-9510



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
Legal Notices				
A9.	Any advice or notice to the consent authority must be served on the Planning Secretary.	Site observations (including project team interviews)	Use of the Departments planning portal has been used to submit post-approval documentation. Warning letters have been issued as noted and addressed in Condition A3.	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 and review of Management Plans	Consultation undertaken was identified to be appended to the respective Operational Management Plans.	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 (including project team interviews)	No request for staging which differs from the consent has been submitted.	Not Triggered
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 (including project team interviews)	No request for staging 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.	Management plans and site observations (including project team interviews)	Management Plans have been reviewed, and where required revised.	Compliant
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.	Construction certification and completion certification.	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. - BCA Completion Certificate 01 was issued 28 May 2021 for "External landscaping works only...". - BCA Completion Certificate 02 was issued 7 June 2021 for "Remaining building works and use for the purpose of staff transition and commissioning purposes only...". - BCA Completion Certificate 03 was issued 18 February 2022 for "Whole" of the Works.	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.	Completion certification including external wall certification	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	Operational activities are understood to 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.	Compliant
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.	Not Triggered

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

Development Conditions of Consent - Responsibility Matrix
Application Number: SSD-9510



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
Monitoring and Environmental Audits				
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.	Monitoring and environmental audits were identified recently as non-compliant. The assessor has now identified these as resolved and compliant, being completed retrospectively: - Independent Audit 3, ID SSD-9510-PA-26. - Pre-Operational Compliance Report, ID SSD-9510-PA-27. - Operational Compliance Report, ID SSD-9510-PA-28.	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/engage/development-projects/honeysuckle-city-campus-development/public-documents	Documents appear to be on the University Website: https://www.newcastle.edu.au/engage/development-projects/honeysuckle-city-campus-development/public-documents with the exception of the Operational Audit - refer to Condition C48. Recommendation: make the Operational Audit (dated 21 December 2022, revised 2 February 2023) available on the University 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.	Site observations (including project team interviews)	The development is now in the Post-Occupancy phase, as such it is noted that the bulk of employees undertake academic teaching and learning activities, as such the general University induction process is deemed suitable to meet this condition. Signage is prominent on site for induction spaces. Key representatives who have a direct relevance to the post-occupation conditions of the Development have been made aware of compliance with the consent. Sighted University of Newcastle HCCD S1A (Q Building) Building User Training (SOCI & Innovation Hub), 10 May 2021, which includes a copy of the SSD9510 and specific obligations related to the roles inducted.	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 following previous Compliance Reports have been undertaken: 1. Pre-Construction Compliance Report (V02) dated 17 June 2020. 2. Construction Compliance Report (V03) dated 21 December 2020. 3. Pre-Operational Report (V01) dated 2 March 2023. Note: this was identified as outstanding during an Independent Environmental Audit (February 2023) and as such was completed retrospectively. 4. Operational Report (V01) dated 2 March 2023. Note: this was identified as outstanding during an Independent Environmental Audit (February 2023) and as such was completed retrospectively.	Compliant

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

Development Conditions of Consent - Responsibility Matrix
Application Number: SSD-9510



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	Condition B28 and B29 of the consent require Compliance Reports are completed and made publicly available 60 days after submitting them to the Department. - The recent Compliance Reporting was undertaken retrospectively and submitted to DPE on 20/03/2023 (ID SSD-9510-PA-27 & 28). - These reports were identified to be uploaded on the University's publicly available website on 5/06/2023, with notification to DPE (SSD-9510-PA-30) and the Certifying Authority on 5/06/2023. The assessor noted these reports were uploaded 52 business days after submission. Previous reporting was also identified to still be on the website too.	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 applicant is yet to request to cease Compliance Reporting.	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. A separate Auditor was approved for the Operational Auditing in late-2022.	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 (SSD-9510-PA-8)	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	Auditing has been completed at the following timings. A previous non-compliance was noted for the Operational Audit. This was corrected prior to this Compliance Reporting period. - Initial Construction Audit August 2020 - Subsequent Construction Audit December 2020 - Initial Operational Audit December 2022 (completed retrospectively)	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).	Principal to provide documentary evidence of compliance	Auditing has been completed at the following timings. A previous non-compliance was noted for the Operational Audit. This was corrected prior to this Compliance Reporting period. - Initial Construction Audit August 2020 - Subsequent Construction Audit December 2020 - Initial Operational Audit December 2022 (completed retrospectively)	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.	Principal to provide documentary evidence of compliance	The Independent Audit Report and response to audit recommendations was issued to the DPE portal after each audit. DPE portal references: - Initial Construction Audit August 2020 SSD-9510-PA-10 - Subsequent Construction Audit December 2020 SSD-9510-PA-14 - Initial Operational Audit December 2022 SSD-9510-PA-26 It was identified that the recent Operational Audit was not publicly available on the University website. Recommendation: make the Operational Audit (dated 21 December 2022, revised 2 February 2023) available on the University website.	Non-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.	Principal to provide documentary evidence of compliance	The applicant is yet to request to cease Compliance Reporting.	Not Triggered

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

Development Conditions of Consent - Responsibility Matrix
Application Number: SSD-9510



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
PART E - POST OCCUPATION				
Temporary Structures and Elements				
E1.	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: (a) the occupants of Stage 1A shall be permitted to access the relocated facilities within Stage 1B (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 (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.	Site observations (including project team interviews)	Not triggered. Stage 1B is not happening yet.	Not Triggered
Operation of Plant and Equipment				
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.	Maximo and maintenance records.	Sighted maintenance records in accordance with the monitoring frequency table. The maintenance checks are managed by the University in Maximo. Sighted spreadsheet, and Building Q Maximo Work Orders.	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.	Site observations (including project team interviews)	Short term noise monitoring was conducted on 14 April 2023. Conducted by Spectrum Acoustics in accordance with the Noise Policy for Industry. Concluding <i>"Based on these results, I certify that noise emissions from the site are well below the most stringent noise trigger levels at the nearest representative receiver locations."</i> The assessor understands there have been nil noise complaints or issues raised to the University's attention.	Compliant
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.	Site observations (including project team interviews)	Short term noise monitoring was conducted on 14 April 2023. Conducted by Spectrum Acoustics in accordance with the Noise Policy for Industry. Concluding <i>"Based on these results, I certify that noise emissions from the site are well below the most stringent noise trigger levels at the nearest representative receiver locations."</i> The assessor understands there have been nil noise complaints or issues raised to the University's attention.	Compliant
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.	Site observations (including project team interviews)	During the recent Operational Audit, it was identified that short term noise monitoring was not completed in the timeframe. This has now been completed, with reporting issued to DPE (SSD-9510-PA-29). Short term noise monitoring was conducted on 14 April 2023. Conducted by Spectrum Acoustics in accordance with the Noise Policy for Industry. Concluding <i>"Based on these results, I certify that noise emissions from the site are well below the most stringent noise trigger levels at the nearest representative receiver locations."</i> The assessor understands there have been nil noise complaints or issues raised to the University's attention.	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.	Site observations (including project team interviews)	No obstruction was noted in the site inspection. A single car was parked in the designated 'Loading Zone' appearing to be compliant with this condition.	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.	Site observations (including project team interviews)	There have been no complaints regarding light intrusion.	Compliant
Hazards Management				

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

Development Conditions of Consent - Responsibility Matrix
Application Number: SSD-9510



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
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.	Site observations (including project team interviews)	One 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.	Site observations (including project team interviews)	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.	Maximo / maintenance records, and site observations (including project team interviews)	Sighted spreadsheet, Building Q Maximo Work Orders showing monthly work orders for inspection and maintenance of the grounds of Q Building. The site inspection noted minor weeds, with the previously identified 'non-thriving' trees having been replanted.	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).	Site observations (including project team interviews)	Two Flood warning signs were viewed on site during the site inspection, in accordance with the OFEMP.	Compliant
Ecologically Sustainable Development				
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.	Green Star certification	Green Star 6 Star rating was achieved with Certification dated 12 January 2022. It should be noted previous non-compliance was identified associated with the timing of achieving this compliance. Noting: - Submissions Round 1 was 3rd September 2021. Round 2 submission was 10 December 2021. - The Green Star certification was submitted to DPE on 6 December 2022. The previous non-compliance was rectified and now compliant.	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.	Maximo and maintenance records.	Sighted maintenance records in accordance with the monitoring frequency table. The maintenance checks are managed by the University in Maximo. Sighted spreadsheet, and Building Q Maximo Work Orders.	Compliant
APPENDIX 1 - INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS				
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.	Site observations (including project team interviews)	Fire Safety Statement dated 30/01/2023 was sighted on site. With evidence sited that this was also issued to Council.	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.	Project team interviews	No environmental incidents occurred during this audit period	Not Triggered

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

Development Conditions of Consent - Responsibility Matrix
 Application Number: SSD-9510



ID	Compliance Requirement	Monitoring Methodology	Evidence/ Notes	Compliance Status
2	Written notification of an incident must: a. identify the development and application number; b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); c. identify how the incident was detected; d. identify when the applicant became aware of the incident; e. identify any actual or potential non-compliance with conditions of consent; f. describe what immediate steps were taken in relation to the incident; g. identify further action(s) that will be taken in relation to the incident; and h. identify a project contact for further communication regarding the incident.	Project team interviews	No environmental incidents occurred during this audit period	Not Triggered
3	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.	Project team interviews	No environmental incidents occurred during this audit period	Not Triggered
4	The Incident Report must include: a. a summary of the incident; b. outcomes of an incident investigation, including identification of the cause of the incident; c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and d. details of any communication with other stakeholders regarding the incident.	Project team interviews	No environmental incidents occurred during this audit period	Not Triggered

Appendix B. Incidents Register

Nil reportable incidents were raised to the assessor's attention for this reporting period.



Appendix C. Complaints Register

Extract from the Projects Complaints Register. Two new complaints were received since the Operational commencement of the building.
No further action is currently required for the complaints.

UNIVERSITY OF NEWCASTLE - HONEYSUCKLE CITY CAMPUS DEVELOPMENT - STAGE 1A - COMPLAINTS REGISTER								
COMPLAINT	DATE & TIME RECEIVED	METHOD OF RECEIPT	SUMMARY OF MATTER	SUMMARY OF RESPONSE	PROJECT RELATED Y/N	MORE ACTION REQUIRED	STATUS - OPEN/CLOSED	STAKEHOLDER SATISFIED Y/N
Vibration	2 June 2020 3:44PM	Email	Concerns over large excavation and vibratory roller resulting in vibration felt in adjacent residence.	Vibration assessment undertaken noted alignment with the noise and vibration report, whereby vibration can be felt within 100m with no structural concerns unless within 15m. - Further information requested off complainant. - Vibration setting turned off on roller. - Pad foot roller to be used on site ongoing to avoid vibratory use.	Y	N	Closed	Y
Noise	3 August 2020 7:18AM	Email	Noise from site prior to 8am on a Saturday.	It was identified that contractors were working from 7:15am on this specific morning. Contractor to commence works no earlier than 8am Saturday mornings.	Y	N	Closed	Y
Verge	31 August 2020 2:48PM	Email	Verge pavers not rectified post enabling works.	The University worked closely with the adjacent building manager to rectify verge paver issue that was associated with another project. The building manager was satisfied with the outcome of the additional works.	N	N	Closed	Y
Water Leaks	Thursday, 2 March 2023	Maximo	Building leaks in a number of locations during weather events	Builders has conducted roof inspection and localised repairs as identified. To be monitored during next weather event.	Y	N	Closed	Y
Acoustics	Wednesday, 15 March 2023	Maximo	Building internal acoustics are reported on due to poor design.	Internal acoustics meet design requirements for the rooms intent. Additional acoustic baffling is not being considered at this time.	Y	N	Closed	Y

Appendix D. Compliance Photos



Figure 3 – General external photo of building (south)



Figure 4 – General external photo of building (west)



Figure 5 – General external photo of building (north)

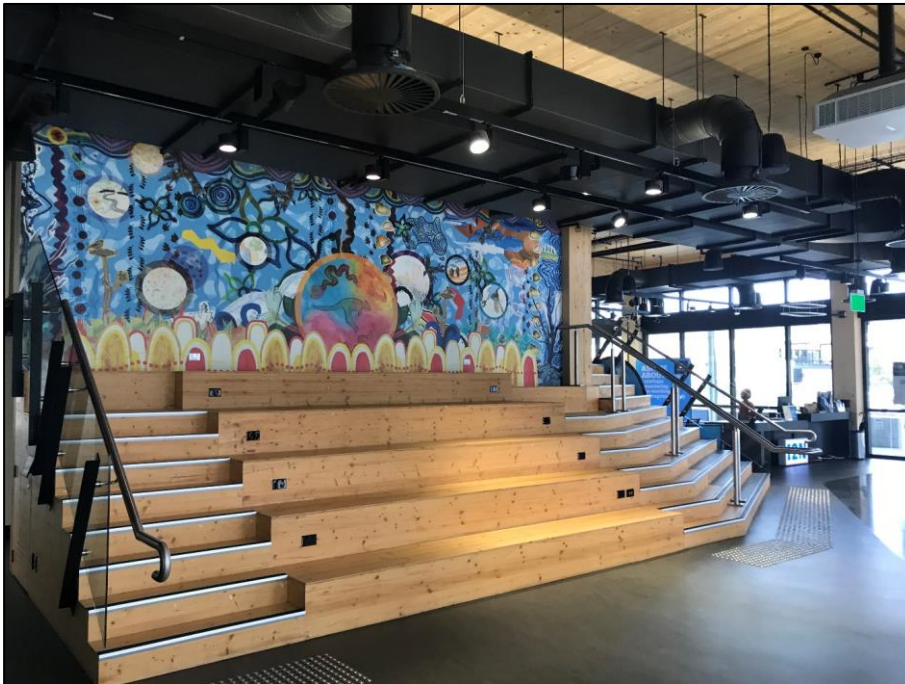


Figure 6 – General internal photo of building (ground floor)



Figure 7 – Induction requirement signage (Maker Space)



Figure 8 – General internal photo of building (Maker Space)



Figure 9 – Hazardous materials storage cabinet (Maker Space)

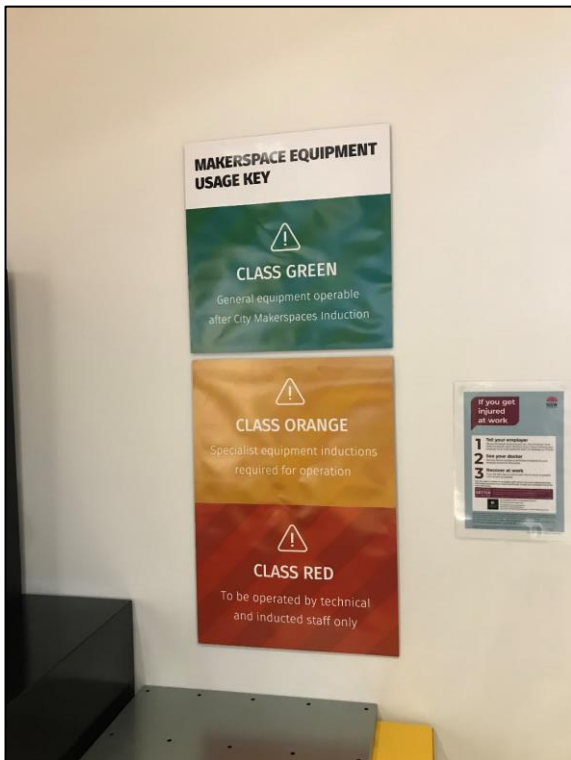


Figure 10 – User requirement signage (Maker Space)



Figure 11 – Bin store (external)



Figure 12 – Bin store (internal)

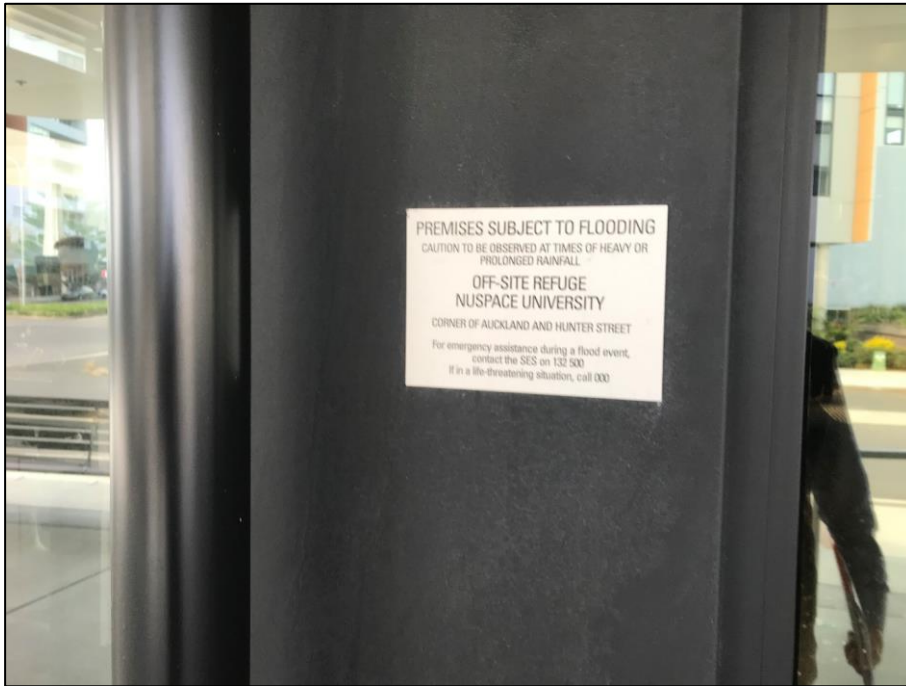


Figure 14 – External flood warning signage (western entry)

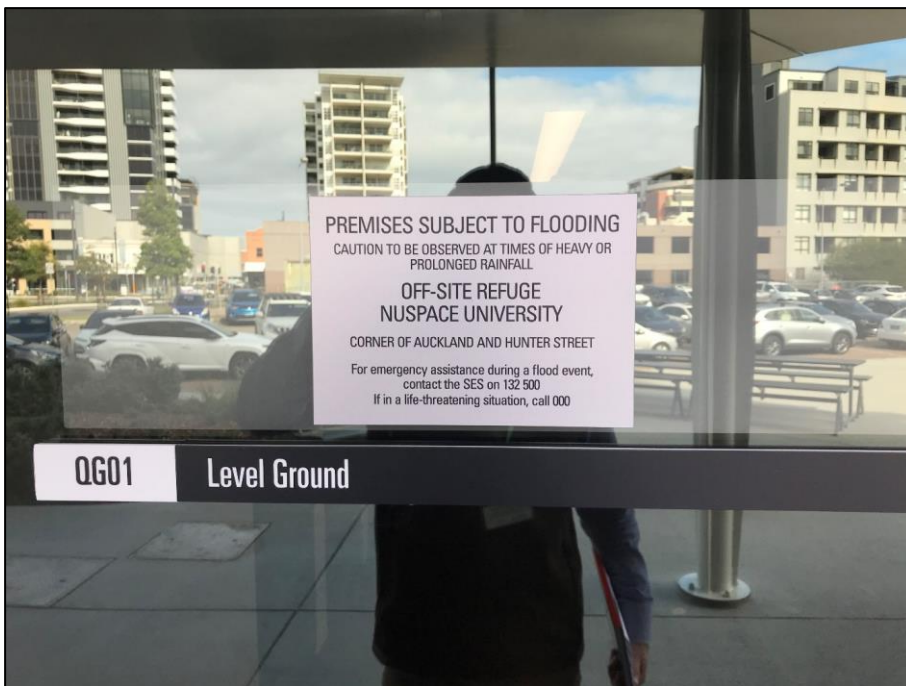


Figure 15 – External flood warning signage (southern entry)



Figure 16 – Landscaped area south of building



Figure 17 – Landscaped area south of building




Figure 18 – Southern loading zone signage



Figure 19 – Southern loading zone

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:	<p>Development of the Stage 1A facility within the Honeysuckle City Campus:</p> <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:	6 June 2023
<p>I declare that I have reviewed relevant evidence and prepared the contents of the attached Compliance Report and to the best of my knowledge:</p> <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. 	
<p>Notes:</p> <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



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