



## Independent DPE Compliance Audit

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## 45 Honeysuckle Drive Newcastle (SSD-9827)

Trigalana Environment Pty Ltd  
17 January 2023



## Independent DPE Compliance Audit

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# SSD 9827 – 45 Honeysuckle Drive Newcastle

### Prepared By:

Richard Peterson

Trigalana Environment Pty Ltd

ABN: 67 638 805 848

### Version Control

Revision	Date	Comment
A	22 November 2022	Draft for Review
0	12 December 2022	For submission to DPE
1	17 January 2023	Revised to address DPE Comments

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A new

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## Executive Summary

Trigalana Environmental Pty Ltd has been engaged to undertake an independent audit of the development at 45 Honeysuckle Drive Newcastle which consists of the construction of a mixed-use development including three 8-9 Storey Buildings containing 101 apartments and four retail premises, carparking, public domain and various public domain and tie in works.

Development Consent (SSD 9827) covers both the construction and operational phases of the project. The Applicant for the development is Horizon Newcastle Pty Ltd, hereafter named Horizon. Horizon. Bloc Pty Ltd is the construction constructor appointed to complete the works.

The audit is required by the conditions of the Development Consent and has been undertaken in accordance with the Department of Planning and Environments Independent Post Approval Requirements (2020).

The audit covers construction activities for the period from the commencement of construction on 24 June 2021 till the 18th of October 2022. The audit consisted of a site inspection, interview with key project personnel and a review of relevant management plans, project documents and management records.

The site audit was undertaken on 18th of October 2022 with members of Bloc present.

The findings of the audit are:

- Key environmental issues are being managed effectively on site as summarised:
  - Groundwater treatment, monitoring and discharge is being managed appropriately with a comprehensive treatment system installed and environmental monitoring and reporting undertaken
  - Traffic management measures including offsite parking for construction vehicles, work zones, barrier fencing and traffic control
  - Erosion and Sediment Control is well planned and implemented on with installation of stabilised site access, vehicle washdown, drain protection, bunding and sediment barriers
- Five non-compliances have been identified relating to the timing of this audit, reporting of incidents, notification to the Department of construction commencement dates, review of management plans and general compliance with the conditions of approval.
- One warning notice has been received by the Department for the commencement of works prior to the establishment of an up-to-date project website.

Key strengths identified by the audit include:

- Documentation required for the audit was readily available and filed in an orderly manner
- Strong compliance with design and certification processes and requirements
- Robust treatment and monitoring systems deployed for groundwater treatment, monitoring and disposal.



# 1 Introduction

## 1.1 Project Background

On 18 June 2020, the NSW Government approved the construction of a mixed-use development known as “Horizon on the Harbour at Lee 5” including

- Construction of three 8 to 9 storey buildings containing 101 apartments and four retail and commercial tenancies
- Residential Gross Floor Area (GFA) of 13,828.1m<sup>2</sup> and commercial premises GFA of 560m<sup>2</sup>
- 186 basement car parking spaces
- Public domain including Steel Street Floodway works,
- Waterfront promenade tie in works, Cottage Creek tie in works and Honeysuckle Drive improvements.

## 1.2 Planning Consent

The proposal is identified as being a State Significant Development (SSD) under Schedule 2 Clause 2 of the State Environmental Planning Policy (State and Regional Development) 2011. This is due to the site being located within the Honeysuckle precinct and the proposed development having a capital investment value (CIV) of more than \$410 million. Since the original planning consent was issued in June 2020, the project has been subject to three modifications as follows:

- **Modification 1** – 22 September 2020
  - Design and administration changes including deletion of requirements to provide two publicly accessible through site links
- **Modification 2** – 24 August 2021
  - Modifications to amend carparking requirements, increase gross floor area by 241.6 m<sup>2</sup>, minor changes to the basement and correct calculation of apartment mix
- **Modification 3** – 13 October 2022
  - Modification for internal apartment changes reducing total number of apartments from 110 to 101 and an increase in gross floor area by 169 m<sup>2</sup>
  - Correction of an administrative error relating to residential gross floor area.

Condition C37 – C41 of the State Significant Development Consent no. 9827 requires independent audits to be conducted during the construction and operational phases of the Project. Trigalana Environmental has been engaged by Bloc to complete the Independent Environmental Audits for the Project to satisfy these requirements.

## 1.3 Auditor

Trigalana Environmental Pty Ltd has been appointed to undertake this independent environmental audit. Details of the auditor are provided in Table 1.

Table 1: Auditor Details

Name	Qualifications	Key Experience
Richard Peterson	B. E Civil M. Environmental Management Management Systems Auditing Leading Management Systems Audit teams Exemplar Global Auditor	25 years of environmental management experience in the infrastructure sector. Completed over 100 audits including independent DPE audits for major infrastructure projects including: <ul style="list-style-type: none"> <li>• 35 and 32 Honeysuckle Drive Newcastle</li> <li>• Crudine Ridge Windfarm</li> <li>• Sapphire Windfarm</li> <li>• Albion Park Bypass</li> <li>• Northern Road</li> </ul>

Name	Qualifications	Key Experience
		<ul style="list-style-type: none"> <li>• Tweed Valley Hospital</li> <li>• Windsor Bridge</li> <li>• NSW Schools (various)</li> </ul>

## 1.4 Audit Objectives

The key objective of the Independent Environmental Audit was to assess compliance of the Project with the Ministers Conditions of Approval (MCoA) and the implementation of management plans as outlined in the MCoA. The audit is to recognise good practices while providing practical and reasonable recommendations for improvement that can be implemented throughout the project as construction accelerates.

## 1.5 Audit Scope and Period

This audit has been undertaken in accordance with Conditions C37 – C41 of the Ministers Conditions of approval. These conditions are outlined in Table 2 below.

Table 2: Independent Audit – Requirements

Condition Reference	Condition	Comment
C37	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).	While the independent audit has been undertaken in accordance with the Independent Post Approval Requirements, the timing of this initial audit is non-compliant as it is required to be undertaken within 12 weeks of the commencement of construction. This has been identified as a non-compliance (refer to Section 3.1 and Appendix C).
C38	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	Agreement for the independent auditor was obtained prior to the commencement of the audit. Refer to Appendix A
C39	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 4 weeks' notice (or timing) to the Applicant of the date upon which the audit must be commenced.	Noted. No direction has been provided by the Planning Secretary to amend the audit timetable as above.
C40	<p>In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Applicant must:</p> <p>(a) review and respond to each Independent Audit Report prepared under Condition C37 of this consent, or Condition C39 where notice is given by the Planning Secretary.</p> <p>(b) submit the response to the Planning Secretary; and</p> <p>(c) make each Independent Audit Report, and response to it, publicly available 60 days after submission to the Planning Secretary.</p>	The Proponent is required to respond to the findings of this audit and submit to the Secretary and display the audit report and response to findings on the project website within 60 days after issuing to the Planning Secretary

Condition Reference	Condition	Comment
C41	Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approvals Requirements (2020) unless otherwise agreed by the Planning Secretary.	This audit report is required to be submitted to the Planning Secretary by 18 <sup>th</sup> December 2022 with the response to the findings of the audit.

This is the first independent audit for the and covers the period from the commencement of construction on 24 June 2021 to the 18<sup>th</sup> of October 2022.



## 2 Audit Methodology

### 2.1 Scope Development

The audit scope was developed in consideration of:

- The NSW Department of Environment Independent Audit Post Approval Requirements (May 2020)
- Project Conditions of Approval (SSD 9827)
- Consultation feedback from the NSW Department of Planning and Environment (DPE)

### 2.2 Stakeholder Consultation – Key Issues

In undertaking the audit, key issues raised by Department of Planning and Environment in Table 3.

Table 3: Stakeholder Consultation - Key issues

Key Issue	Comments
All preconstruction and construction conditions of consent, with a particular emphasis on all time dependent conditions, i.e., submission of reports/documentation, notifications etc.	Audit has focussed on pre-construction documentation and notifications. Some non-compliances have been identified with recommendations to prevent recurrence in Sections 3 and 4.
Audit period to be since the commencement of construction	Audit period is for the period from the commencement of construction in June 2021 until 18 <sup>th</sup> of October 2022

### 2.3 Summary of Audit Processes

To complete the audit, the following was undertaken:

- Opening Meeting
- Site inspection, noting environmental practices and controls.
- Audit Interviews
- Review of documents and records
- Closing meeting

### 2.4 Opening Meeting

An opening meeting was held on 18<sup>th</sup> of October 2022 where the auditor provided an overview of the audit process and confirmed the agenda for the audit.

### 2.5 Site Inspection

A site inspection was undertaken on the morning of 18<sup>th</sup> of October 2022. All areas of construction activities were observed during the audit including an offsite carpark which was being utilised to prevent on street carparking.

Observations made during the site inspections were as follows:

- The project was in early stages of development with activities completed or underway including:
  - Establishment of site offices and amenities
  - Establishment of environmental controls consisting of groundwater treatment systems, spill kits, chemical storage container and waste facilities
  - Construction of stabilised hardstand area to prevent mud tracking on local roads
  - Installation of site perimeter fencing, shade cloth and traffic controls
  - Construction of chain wire boundary fencing between construction site and adjacent pedestrian walkway
- There were no offsite fugitive emissions observed specifically:

- Dust noting that earthworks were substantially complete and dust screens installed around construction activities
- Sediment, no tracking of mud and dirt on the local road was observed
- Stormwater, there were no offsite discharges of stormwater observed with stormwater retained on site, treated, and disposed via the groundwater treatment system
- Noise emissions were observed to be within the auditors' expectations for a construction site of this scale and nature. There was no rock breaking, sheet piling or vibration causing activities observed during the audit
- No visible spills of chemicals or fuels, a spill kit and chemical storage container was provided
- There was no obstruction of local footpaths or roads. Carparking of construction vehicles was not observed in local roads. The nearby carpark located approximately 200 m to the west of the site was being utilised for construction vehicles
- All construction activities were being undertaken within the approved project boundary.

## 2.6 Audit Interviews

During the audit, interviews were conducted with the following personnel:

- Matthew Small, Project Manager, Bloc Constructions
- Elliot Scifleet, Project Engineer, Bloc Constructions

## 2.7 Document Review

In undertaking the audit, a broad range of documents were reviewed including:

- Project conditions of approval (SSD 9827) as modified
- Environmental Management Plans, developed in accordance with the Project Conditions
- Correspondence with relevant authorities
- Design documentation including design reports and construction certificates
- Project website
- Complaints register
- Specialist Reports
- Records of implementation of the environmental management plans including checklists, equipment maintenance and induction records

## 2.8 Closing Meeting

The closing meeting was held on 18<sup>th</sup> of October following the site inspection where the summary of the audit findings was provided, noting areas of good practice and recommendations for improvement.

## 2.9 Compliance Descriptors

The compliance status of each condition was determined using the relevant descriptors in Table 4 and as described in the DPE 2020 Auditing Post Approval Requirement.

Table 4 Compliance Descriptors

Compliance Status	Description
Compliant (C)	Sufficient verifiable evidence to demonstrate that all elements of the requirement have been completed
Non- Compliant (NC)	One or more specific elements of the conditions or requirements have not been complied with within the scope of the audit

Compliance Status	Description
Not Triggered (NT)	A requirement has an activation or timing trigger that has not been met at the time when the audit was undertaken

### 3 Audit Findings

#### 3.1 Compliance Summary

As the project is in early stages of construction, most conditions that have been triggered by this audit relate to pre-construction compliance obligations, design certification (construction certificates) and site environmental management requirements during construction. Many of the conditions relating to pre-operation and operational phases are yet to be triggered.

The audit has found that conditions relating to this stage of the project have been complied except for five non-compliances as reported below in Table 5. The auditee was able to demonstrate action towards compliance with conditions that will be triggered at later project stages.

Table 5 non-Compliances

Condition	Summary of Condition (relevant requirements)	Details of Non-Compliance
A2	<p>The development may only be carried out:</p> <ul style="list-style-type: none"> <li>(a) In compliance with the conditions of this consent;</li> <li>(b) In accordance with all written directions of the Planning Secretary;</li> <li>(c) In accordance with the EIS, Response to Submissions additional information and approved modifications;</li> <li>(d) In accordance with the management and mitigation measures</li> <li>(e) In accordance with the approved plans in the table below</li> </ul>	<p>Project is being undertaken in accordance with the conditions of consent except for several non-compliances which have been reported below. As such, Condition A2 is deemed to be non-compliant.</p>
A17	<p>Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix 1</p>	<p>One safety incident was reported to the Department in accordance with A16, however subsequent notification was not provided in accordance with A17.</p>
A21	<p>Within three months of;</p> <ul style="list-style-type: none"> <li>a) The submission of a compliance report under condition C33</li> <li>b) The submission of an incident report under condition A17</li> <li>c) The submission of an Independent Audit under condition C37 or C39;</li> <li>d) The approval of any modification or the conditions of this consent; or</li> <li>e) The issue of a direction of the Planning Secretary under condition A2 which requires a review.</li> </ul> <p>The strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.</p>	<p>The management plans have not been formally reviewed in accordance with the requirements of this condition nothing there have been three project modifications to date.</p>

Condition	Summary of Condition (relevant requirements)	Details of Non-Compliance
C1	The department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.	Documents were uploaded to DPE Portal on 23/6/21. Work commenced on the 24/6/21, Formal notification of commencement was received by DPE on 24/6/21. As the notification was received within 48 hours of the date of commencement, this is deemed to be non-compliant
C37	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).	The DPE Post Approval Audit Requirement (2020) requires the initial audit to be undertaken within 12 weeks of construction, however this initial audit was undertaken approximately 16 months following the commencement of construction

Actions recommended to prevent further non-compliance is provided in Section 4.2 below.

### 3.2 Summary of Agency Notices, Orders, Penalty Notices and Prosecutions

One record of breach was issued by the Department of Planning and Environment on the 26/8/2021. The breach related to Schedule 2, Part C, Condition C32 which states:

Condition	Summary of Condition (relevant requirements)	Details of Breach and auditor comments
Schedule 2, Part C, Condition C32	At least 48 hours before the commencement of construction until the completion of works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must: <ul style="list-style-type: none"> <li>a) make the following information and documents (as they are obtained or approved publicly available on its website: <ul style="list-style-type: none"> <li>i. all documents referred to in condition A2 of this consent;</li> <li>ii. all current statutory approvals for the development;</li> <li>iii. ....</li> </ul> </li> <li>b) keep such information up to date, to the satisfaction of the Planning Secretary</li> </ul>	<p><b>Details of Breach</b></p> <p>DPE noted in the record of breach that the required documents were not provided on the Horizon project website and that a link to the Departments website is not sufficient to comply with the requirements of this condition</p> <p><b>Auditor Comment</b></p> <p>The project website has now been established with relevant documents, monitoring results and complaints register provided.</p>

No other penalty notices, warnings or prosecutions have been received from NRAR, EPA, Newcastle City Council, or other regulatory authority.

### 3.3 Compliance Reports

No Compliance Reports have been prepared for the project to date (in accordance with the requirements of condition noting that Table 1 of the DPE Compliance Reporting Post Approval Requirements (2020) specifies that reporting is to be undertaken during the operational phase.



### 3.4 Actions from previous audits

Not applicable, as this is the first audit for the project, there were no actions requiring completion.

### 3.5 Community Complaints

No complaints have been received since the commencement of construction. The complaints register is provided on the project website.

### 3.6 Incidents

One incident was reported during the audit relating to an on-site safety issue. As a result of the incident, the Health and Safety Management Procedures were reviewed and updated. The incident was reported to Worksafe NSW as well as the Department of Planning and Environment. A dangerous occurrence investigation has been undertaken to identify the root cause.

### 3.7 Adequacy of Environmental Management Plans

The management plans implemented for this construction phase of the project included the following:

- Environmental Management Plan
- Community Communication Strategy
- Construction Carparking Management Plan
- Construction Soil and Water Management Plan
- Site Minimisation and Management Plan
- Construction Noise and Vibration Management Plan
- Construction Pedestrian and Traffic Management Plan

The management plans were reviewed as part of the audit and have been prepared in accordance with the conditions of consent and are deemed adequate for the management of the project.

Site observations and evidence reviewed during the audit adequately demonstrated the effective implementation of these management plans.

### 3.8 Assessment of Compliance with predictions made in the EIS

Based on the observations, audit interviews and records reviews as part of the audit, it may be reasonably concluded that the environmental impacts of construction activities to date are consistent with predictions made in the Environmental Impact Statement noting that:

- The Environmental Impact Statement includes several drawings and plans that describe the project footprint.
- It was observed on site that the ground disturbance and construction activities are contained within the project footprint as described in the EIS documents.
- There were no observed off-site impacts such as:
  - Storage of materials outside the project boundary
  - Blockage of local roads, access routes footpaths etc
  - Visible dust plumes or emissions
  - Dust or mud tracking on local roads
  - Excessive noise or vibration emissions
  - No incidents of fuel, chemical spills, unlawful waste disposal or pollution of waters or complaints received were observed or reported.

## 4 Conclusions

### 4.1 Key Strengths

Key strengths were identified during the audit as follows:

- Documentation required for the audit was readily available and filed in an orderly manner
- Strong compliance with design and certification processes
- Robust treatment and monitoring systems deployed for groundwater

### 4.2 Audit Recommendations

Audit recommendations are provided in Table 6.

Table 6: Recommendations for Improvement

Condition	Summary of Condition (relevant requirements)	Recommendation
A2	<p>The development may only be carried out:</p> <ul style="list-style-type: none"> <li>(a) In compliance with the conditions of this consent;</li> <li>(b) In accordance with all written directions of the Planning Secretary;</li> <li>(c) In accordance with the EIS, Response to Submissions additional information and approved modifications;</li> <li>(d) In accordance with the management and mitigation measures</li> </ul> <p>In accordance with the approved plans in the table below</p>	<p>While the project has achieved a high level of compliance with the implementation of management plans, design and certification requirements, a greater focus on meeting reporting and notification requirements so the timings documented in the Conditions of Approval are complied with.</p>
A16	<p>The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.</p>	<p>One safety incident was notified to the Department in accordance with Condition A16, however the Subsequent notification was not provided in accordance with Condition A17. It is recommended that for future incidents notified to the Department that subsequent notifications are completed and submitted in accordance with A17.</p>
A17	<p>Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix 1</p>	
A21	<p>Within three months of;</p> <ul style="list-style-type: none"> <li>c) The submission of a compliance report under condition C33</li> <li>d) The submission of an incident report under condition A17</li> <li>e) The submission of an Independent Audit under condition C37 or C39;</li> <li>f) The approval of any modification or the conditions of this consent;</li> </ul> <p>or</p>	<p>Noting that the project has been in construction for over 12 months and the management plans are yet to be reviewed, it is recommended that the current management plans are reviewed and amended as appropriate in accordance with the requirements of this condition and notification is provided to the Department advising them a review is being carried out.</p>

Condition	Summary of Condition (relevant requirements)	Recommendation
	<p>g) The issue of a direction of the Planning Secretary under condition A2 which requires a review.</p>	
C37	<p>Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).</p>	<p>Further audits are undertaken in accordance with the program identified in the Independent Audit Post Approval Requirements (at intervals no greater than 26 weeks following the initial audit). The second audit would therefore be required to be undertaken by 28 April 2023.</p>
D35	<p>If during the course of construction, the Applicant becomes aware of any previously unidentified heritage object(s), all work likely to effect the object(s) must cease immediately and the OEH Heritage Division must be notified immediately and consulted with regard to the recommencement of works. This protocol must be included in the induction for all construction workers on site.</p>	<p>A metal anchor was exposed during bulk excavation works and although it was stored securely on site in accordance with the advice of the heritage consultant's report, it is recommended that the anchor is relocated off site so that any unexpected damage or theft of the anchor does not occur.</p>

## Appendix A DPE Auditor Endorsement

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Department of Planning and Environment

Matthew Small  
Project Manager  
BLOC Constructions (NSW) Pty Ltd

By email only: [Matthew.small@bloc.com.au](mailto:Matthew.small@bloc.com.au)

10/10/2022

Dear Mr Small

**Horizon Lee 5 (SSD-9827)  
Independent Audit 1 - auditor endorsement request**

Reference is made to your post approval matter, SSD-9827-PA-4, request for the Secretary's approval of suitably qualified, experienced, and independent persons to undertake an Independent Audit of the Horizon Lee 5 development, submitted as required by Schedule 2, Part C, Condition C38 of SSD-9827 as modified (the consent) to the Department of Planning and Environment (the department) on 10 October 2022.

The department has reviewed the nominations and information you have provided and is satisfied that this person is suitably qualified, experienced, and independent. Consequently, in accordance with Schedule 2, Part C, Condition C38 of the consent and the department's *Independent Audit Post Approval Requirements* (2020), the Planning Secretary has agreed to the following audit team:

- Mr Richard Peterson.

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken, and finalised in accordance with the conditions of consent, and the department's *Independent Audit Post Approval Requirements* (2020). Failure to meet these requirements will require revision and resubmission. The department reserves the right to request an alternate auditor or audit team for future audits.

Finally, the department notes that this is the first Independent Audit for the Horizon Lee 5 development, with both the first and second construction Independent Audits having been missed. In accordance with Schedule 2, Part A, Condition A3 of the consent, the department requires the audit period to be from the notified commencement of construction date (26 July 2021) to the site inspection date of the audit.

Should you wish to discuss the matter further, please contact Joel Curran, Senior Compliance Officer on 02 4904 2702 or [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Yours sincerely



Heidi Watters  
Team Leader Northern  
Compliance

As nominee of the Planning Secretary



## Appendix B DPE Consultation

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RE: SSD 9827 - 45 Honeysuckle Drive Newcastle



Joel Curran <Joel.Curran@planning.nsw.gov.au>

12/10/2022 9:48 AM



To: 'Richard Peterson'

Hi Richard

Thank you for getting in touch. The Department notes that this is the first construction audit for this project, when in reality it should be audit #3. Bearing this in mind, the Department would like a focus on:

- All preconstruction and construction conditions of consent, with a particular emphasis on;
  - All time dependent conditions, i.e., submission of reports/documentation, notifications etc.

If you have any questions regarding the above please let me know.

Regards

**Joel Curran**  
**Senior Compliance Officer**

Development Assessment | Department of Planning and Environment  
T 02 4904 2702 | M 0412 323 331 | E [joel.curran@planning.nsw.gov.au](mailto:joel.curran@planning.nsw.gov.au)

PO Box 1226 | Newcastle NSW 2300

Please direct all email correspondence to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)



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

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**From:** Richard Peterson <[richard.peterson-trigalana@outlook.com](mailto:richard.peterson-trigalana@outlook.com)>  
**Sent:** Tuesday, 11 October 2022 10:06 AM  
**To:** Joel Curran <[Joel.Curran@planning.nsw.gov.au](mailto:Joel.Curran@planning.nsw.gov.au)>  
**Cc:** DPE PSVC Compliance Mailbox <[compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)>  
**Subject:** SSD 9827 - 45 Honeysuckle Drive Newcastle

Hi Joel

Bloc have asked me to undertake an independent audit of the site at 45 Honeysuckle Drive Newcastle.

I am planning on going to site next Tuesday.

Does the Department have any issues you would like me to focus on as part of the audit?

I understand this is overdue so apologies for the short notice.

All the best



**Richard Peterson** | Director

**Trigalana Environmental Pty Ltd**

**M:** [0429 227 775](tel:0429227775)

**E:** [Richard.peterson-trigalana@outlook.com](mailto:Richard.peterson-trigalana@outlook.com)

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## Appendix C Independent Audit Table

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**Part A – Administrative Conditions**

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Obligation to Minimise Harm to the Environment</b>				
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under the consent.	Site Observations Audit Interview	Reasonable and feasible measures implemented on site including the provisions of a complex groundwater treatment system	Compliant
<b>Terms of Consent</b>				
A2	<p>The development may only be carried out:</p> <ul style="list-style-type: none"> <li>(e) In compliance with the conditions of this consent;</li> <li>(f) In accordance with all written directions of the Planning Secretary;</li> <li>(g) In accordance with the EIS, Response to Submissions additional information and approved modifications;</li> <li>(h) In accordance with the management and mitigation measures</li> <li>(i) In accordance with the approved plans in the table below</li> </ul>	Site Observations Audit Interview	Project is being undertaken in accordance with the conditions of consent except for several non-compliances which have been reported below. As such, Condition A2 is deemed to be non-compliant.	Non-Compliant
A3	Consistent with the requirements of this consent, the Planning Secretary may make written directions to the Applicant in relation to:	Site Observations Audit Interview	No written directions received from the Planning Secretary	Compliant



Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<ul style="list-style-type: none"> <li>a) The content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and</li> <li>b) The implementation of any actions or measures contained in any such document referred to in condition A3 (a)</li> </ul>			
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 conditions A2(c) and the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	Site Observations Audit Interview	No inconsistencies identified	Compliant
<b>Lapsing of Approval</b>				
A5	This consent will lapse five years from the date of consent unless the works associated with the development have physically been commenced.	Consent SSD 9827 dated 16/6/20 Site Observations Audit Interview	Construction commenced in 2021 within the timeframe required by this condition	Compliant
<b>Limits on Consent</b>				
A6	<p>This consent does not approve:</p> <ul style="list-style-type: none"> <li>a) Strata subdivision</li> <li>b) Retail premises including food and drink premises' fit-out and hours of operation. Future development application(s) must consider the impacts of hours of operation on the amenity of the dwellings on the site and adjoining properties.</li> <li>c) Business premises' fit-out and hours of operation</li> <li>d) Office premises' fit-out and hours of operation</li> </ul>	Site Observations Audit Interview	Noted. These works and activities are not triggered at this stage of construction. This will occur prior to fit out.	Not Triggered

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>e) Outdoor seating areas</p> <p>Separate development application(s) must be lodged and consent obtained for the above works and uses (except where exempt and complying development applies)</p>			
<b>Prescribed Conditions`</b>				
A7	The applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.	<p>Site Observations</p> <p>Audit Interview</p>	Noted	Compliant
<b>Long Service Levy</b>				
A8	For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 1441.	<p>Levy Receipt Number 00489506 dated 17/6/21</p> <p>LSL Payment form dated 16/6/21</p>	Long Service Levy paid on 21/6/21	Compliant
<b>Legal Notices</b>				
A9	Any advice or notice to the consent authority shall be served on the Planning Secretary.	<p>Site Observations</p> <p>Audit Interview</p>	No notices or advice issued to the Planning Secretary to date	Compliant
<b>Evidence of Consultation</b>				
A10	<p>Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <p>a) Consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and</p>	<p>Various emails to and from TfNSW between 27/4/21 and 1/9/22</p> <p>Land Access Licence with Hunter and Central Coast Development Corporation</p>	Emails and land access agreement demonstrate appropriate consultations have been undertaken.	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	b) Provide details of the consultation undertaken including <ul style="list-style-type: none"> <li>i) The outcome of that consultation, matters resolved and unresolved</li> <li>ii) Details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.</li> </ul>			
<b>Structural Adequacy</b>				
<b>A11</b>	<p>All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with;</p> <ul style="list-style-type: none"> <li>a) The relevant requirements of the BCA:</li> <li>b) Any additional requirements of the Subsidence Advisory NSW where building or structure is located on land within a declared Mine Subsidence District.</li> </ul> <p>Notes:</p> <ul style="list-style-type: none"> <li>• <i>Under part 6 of the EP&amp;A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.</i></li> <li>• <i>Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the development.</i></li> <li>• <i>Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of Subsidence Advisory NSW's approval before carrying out certain development in a Mine Subsidence District.</i></li> <li>○</li> <li>○</li> <li>○</li> </ul>	<p>Construction Certificate of Structural Sufficiency – Indesco 6/5/21</p> <p>Construction Certificate (CC1) dated 23/6/21</p> <p>Structural Engineering Mine Subsidence Impact Assessment (Indesco May 21)</p> <p>Structural Engineering Inspection Report (Indesco 30/9/22)</p>	<p>Indesco have been appointed as the projects structural engineer and have provided a certificate of structural sufficiency to the certifier. Relevant design documents submitted to the Certifier include design statements confirming compliance with the BCA</p> <p>Invesco undertake monthly inspections to confirm compliance with the Construction Certificates.</p>	<p>Compliant</p>
<b>Operation of Plant and Equipment</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
A12	<p>All plant and equipment used on site, or to monitor the performance of the development must be:</p> <p>a) Maintained in a proper and efficient condition; and  b) Operated in a proper and efficient manner.</p>	<p>Plant High Risk Task Permit 13/10/22  Equipment Servicing and Management Register</p>	<p>Equipment used on site was observed to be operating effectively with no visible fume, leaks, or excessive noise. Appropriate checks and maintenance is undertaken of equipment</p>	Compliant
<b>Applicability of Guidelines</b>				
A13	<p>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 the date of this consent</p>	Administrative Note	Administrative Note	Compliant
A14	<p>However, 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.</p>	Administrative Note	Administrative Note	Compliant
<b>Monitoring Environmental Audits</b>				
A15	<p>Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.6 of Part 9 of the EP&amp;A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification and independent environmental auditing.</p>	Administrative Note	Administrative Note	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p><i>Note: For the purposes of this condition, as set out in the EP&amp;A ACT "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i></p>			
<b>Incident Notification, Reporting and Response</b>				
A16	<p>The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.</p>	<p>Site Observations Audit Interview Bloc Email dated 21/1/22 Bloc Email dated 20/1/22</p>	<p>One safety incident notified to the Department via the stated email address. The incident was an on-site safety incident with no offsite impacts. Work safe NSW was also notified of the incident.</p>	Compliant
A17	<p>Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix 1</p>	<p>Audit Interview</p>	<p>Subsequent report not provided to DPE in accordance with Appendix 1</p> <p><b>Recommendation</b></p> <p>Provide subsequent notification to DPE for all incidents in accordance with Appendix 1 of the approval</p>	Non-Compliant
<b>Non-Compliance Notification</b>				
A18	<p>The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within seven days after the Applicant becomes aware of any non-compliance. The PCA must also notify the Department in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within seven days after they identify any non-compliance.</p>	<p>Audit Interview</p>	<p>No non-Compliances notified to the Department</p>	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
A19	The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been or will be undertaken to address the non-compliance.	Audit Interview	No non-Compliances notified to the Department	Compliant
A20	A non-compliance which has been notified as an incident does not need to be also notified as a non-compliance.	Administrative Note	Administrative Note	Compliant
<b>Revision of Strategies, Plans and Programs</b>				
A21	<p>Within three months of;</p> <ul style="list-style-type: none"> <li>- The submission of a compliance report under condition C33</li> <li>- The submission of an incident report under condition A17</li> <li>- The submission of an Independent Audit under condition C37 or C39;</li> <li>- The approval of any modification or the conditions of this consent; or</li> <li>- The issue of a direction of the Planning Secretary under condition A2 which requires a review.</li> </ul> <p>The strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.</p>	<p>Audit Interview</p> <p>DPE Post Approval Reporting Requirements (2020)</p>	<p>The management plans have not been formally reviewed in accordance with the requirements of this condition nothing there have been three project modifications to date. DPE have not been notified of any formal reviews being undertaken</p>	Non-Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
A22	<p>If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.</p> <p><i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</i></p>	<p>Audit Interview DPE Post Approval Reporting Requirements (2020)</p>	<p>The management plans have not been formally reviewed in accordance with the requirements of this condition nothing there have been three project modifications to date. DPE have not been notified of any formal reviews being undertaken</p>	Non-Compliant

**Part B – Prior to Issue of Construction Certificate**

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>No Works Prior to Construction Certificate</b>				
<b>B1</b>	Work must not commence until a Construction Certificate in respect of the work has been issued.	Construction Certificate letter dated 23/6/21  Construction Certificate 19-023-CC1 dated 23/6/21	Work commenced on 24/6/21 following the issuing of the Construction Certificate on 23/6/21	Compliant
<b>Design Amendments</b>				
<b>B2</b>	<p>Prior to the issue of any Construction Certificate, following amendments and details must be submitted to and approved by Planning Secretary and shall be incorporated into the relevant Construction Certificate Drawings;</p> <p>a) Fencing and gates at the northern and southern ends of the two through-site links, as identified in notation 12 in Landscape Plan LA-01 are to be documented as 80x12mm x 1800mm high aluminium fins at 100mm spacing open in the direction of view to Hunter River.</p> <p>b) Amended basement plans containing the following related to car parking spaces;</p> <p>i) A minimum of 186 on-site car parking spaces comprising:</p> <ul style="list-style-type: none"> <li>• Maximum 167 residential car parking spaces</li> <li>• 10 residential visitor car parking spaces</li> <li>• 9 shared use commercial/residential car parking spaces including 1 service/loading space</li> </ul> <p>ii) Each carparking space must not accommodate more than 1 vehicle</p>	<p>Ground Floor Plan ADW Johnson Ground Floor amendment design response  Email 8/6/22  Architects drawing</p>	<p>Emails confirm submission to the Planning Secretary noting that items a and d were approved in Mod 1 and Items c and d are included in Modification 2</p>	Compliant



Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>iii) The location of all residential visitor carparking spaces (including shared use commercial/residential spaces to adjoin, be directly opposite from or adjacent to lift entrances on Basement Level 1</p> <p>c) On-site provision for loading by medium rigid vehicles and Council's heavy rigid waste collection vehicles unless documentary evidence is submitted demonstrating the nominated Loading Zone on Honeysuckle Drive is approved by the Newcastle Traffic Committee.</p> <p>d) Amended site Analysis Plan DA – 007 removing references to pedestrian through site links</p>			
<b>External Walls and Cladding</b>				
<b>B3</b>	The external walls of all building including additions to existing buildings must comply with the other relevant requirements of the BCA.	<p>Audit Interview</p> <p>Site Observations</p> <p>Design Verification statement 17/6/21</p>	External walls and cladding form part of CC1 however are yet to be constructed. The design verification statement notes compliance with the requirements of this condition	Not triggered
<b>B4</b>	Before the issue of a Construction Certificate and an Occupation Certificate, the Applicant must provide the Certifying Authority with documented evidence that products and systems proposed for use or use in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA	<p>Audit Interview</p> <p>Site Observations</p> <p>Certificate of Combustibility of Materials 9/7/15</p> <p>Certificate of Test AS/NZS 1530.3.1999 Simultaneous Determination of Ignitability, Flame Propagation, Heat Release and Smoke Release 3/9/19</p> <p>Construction Certificate 19-023-CC1 dated 23/6/21</p> <p>CC1 Architectural Plans</p>	<p>Relevant documents provided to the certifier include</p> <ul style="list-style-type: none"> <li>• Certificates of tests for combustibility of materials ignitability, flame propagation, heat release and smoke release</li> <li>• Architectural Plans – including A-100 series comprising internal and external materials schedules</li> </ul> <p>Architectural plans and specifications were endorsed and stamped by the Certifier as part of the issue of CC1.</p>	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
		Test Report, Styrum with Flexible Membrane (VIPAC) 11/11/20		
<b>B5</b>	The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.	Audit Interview Construction Certificate 19-023-CC1 dated 23/6/21 DPE Portal Correspondence dated 23/6/21	The Certifying Authority accepted the documentation on the 23/6/21  The Planning secretary assessed and approved the application for the construction certificate on the 23/6/21	Compliant
<b>Wayfinding Signage</b>				
<b>B6</b>	Wayfinding signage in visually prominent areas shall be included in the Construction Certificate documentation to the satisfaction of the Certifying Authority. Signage must give directions and distance to nearby facilities such as tram stops, train stations, buses and other key public facilities. Signage design and installation must be consistent with Honeysuckle public domain designs in the precinct.	Audit Interview Site Observations CC1 Architectural Plans Drawing A -7602	Drawing A -7602 includes details of way finding signage	Compliant
<b>End of Trip Facilities</b>				
<b>B7</b>	End of trip facilities for staff of the commercial and retail tenancies in accordance with the requirements of Newcastle Development Control Plan 2012 shall be incorporated into the Construction Certificate documentation. At least 6 lockers and 1 shower and ancillary change room shall be included which are secure with controlled access and located in a well-lit area close to bicycle parking.	CKDS Architectural Statement dated 17/6/21 Drawing 1201 Middle Tower GA Ground Floor Plan	Architectural statement confirms compliance with this requirement. Features are shown on architectural drawing adjacent to the bike storage area	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Development Contributions</b>				
<b>B8</b>	<p>A monetary contribution comprising 3% of the cost of the development is to be paid to the City of Newcastle (CN), pursuant to Section 7.12 of the environmental Planning Assessment Act 1979, such contribution to be payable prior to the issue of the first Occupation Certificate for the proposed development.</p> <p>Certifiers are required to obtain a document from Council confirming the payment of infrastructure contributions prior to the issuing of an occupation certificate. An Occupation Certificate shall not be issued unless CN has confirmed in writing all contributions have been paid.</p> <p>Deferred contributions prior to the issue of the first occupation certificate applies from publication in the Gazette (8 July 2020) until the COVID-19 prescribed period ends.</p> <p>The payment deferral arrangements cease to apply if a construction certificate has not been issued for the development by 25 September 2022, in which case the monetary contribution must be paid before the issue of the first construction certificate after that date for any such building.</p> <p>Notes:</p> <p>a) This condition is imposed in accordance with the provisions of CN's Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019 (Updated Dec 2020).</p> <p>b) The Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019 permits deferred or periodic payment of levies in certain circumstances. A formal modification of this condition will be required to enter into a deferred or periodic payment arrangement.</p> <p>c) An occupation certificate will not be issued for developments with any outstanding contributions.</p> <p>d) The amount of contribution payable under this condition will be calculated on the basis of the current rate as at the date of consent and is based on the most recent quarterly Consumer Price Index (CPI) release made available by the Australian Bureau of Statistics (ABS). The CPI index rate is expected to rise at regular intervals and therefore the actual contribution payable is indexed and recalculated at the CPI rate applicable on the day of payment.</p>	<p>Cost Summary Payment Report email dated 6/5/22</p> <p>Cost summary report dated 30/4/21</p>	<p>Monetary contribution not required to be paid until prior to the issuing of an occupation certificate and is yet to be paid</p>	<p>Not triggered</p>

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status										
	<p>CPI quarterly figures are released by the ABS on a date after the indexation quarter and, as a guide, these approximate dates are as follows:</p> <table border="1" data-bbox="315 376 929 608"> <thead> <tr> <th data-bbox="315 376 622 427">Indexation quarters</th> <th data-bbox="622 376 929 427">Approx. release date</th> </tr> </thead> <tbody> <tr> <td data-bbox="315 427 622 456">September</td> <td data-bbox="622 427 929 456">Late October</td> </tr> <tr> <td data-bbox="315 456 622 507">December</td> <td data-bbox="622 456 929 507">Late January</td> </tr> <tr> <td data-bbox="315 507 622 557">March</td> <td data-bbox="622 507 929 557">Late April</td> </tr> <tr> <td data-bbox="315 557 622 608">June</td> <td data-bbox="622 557 929 608">Late July</td> </tr> </tbody> </table> <p>Any party intending to act on this consent should contact CN's Customer Enquiry Centre on 4974 2000 or mail@ncc.nsw.gov.au for determination of the indexed amount of contribution on the date of payment.</p>	Indexation quarters	Approx. release date	September	Late October	December	Late January	March	Late April	June	Late July			
Indexation quarters	Approx. release date													
September	Late October													
December	Late January													
March	Late April													
June	Late July													
<b>Compliance with the Building Code of Australia (BCA)</b>														
<b>B10</b>	Details shall be provided to the satisfaction of the Certifying Authority, with the application for the relevant Construction Certificate, which demonstrate that the proposal complies with the prescribed conditions of consent under Clause 98 of the Environmental Planning and Assessment Regulation 2000 in relation to the requirements of the Building Code of Australia (BCA).	Design documentation submitted to the Certifier as part of Construction Certificate Application	Various design documents confirm design compliance with the BCA	Compliant										
<b>Structural Details</b>														
<b>B11</b>	<p>Prior to the issue of the relevant Construction Certificate, the applicant shall submit to the satisfaction of the Certifying Authority structural drawings prepare and signed by a suitably qualified practicing Structural Engineer that demonstrate compliance with;</p> <ul style="list-style-type: none"> <li>a) The relevant clauses of the BCA; and</li> <li>b) The development consent.</li> </ul>	Structural Stamped Plans dated 23/6/21	Plans endorsed by the project Certifier	Compliant										

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Liveable Housing</b>				
<b>B12</b>	<p>Prior to the issue of the relevant Construction Certificate, the Certifying Authority is to ensure that the building has been designed to accommodate a minimum of 20% of residential dwellings able to comply with Liveable Housing Australia's Liveable Housing Design Guidelines for silver standard dwellings and that the requirements are referenced on the relevant Construction Certificate drawings. In addition, information shall be provided confirming:</p> <ul style="list-style-type: none"> <li>a) A car parking spaces allocated to the liveable dwellings comply with the Liveable Housing design Guidelines</li> <li>b) The required number of apartments are able to be adapted for people with a disability in accordance with the BCA; and</li> </ul>	<p>Accessibility Compliance Statement Construction Certificate Review dated 8/6/21 CKDS Architectural Statement dated 17/6/21</p>	<p>Compliance statement notes compliance with requirements that are relevant to this stage of construction noting that further assessment will be required at later stages of the project for flooring and finishes etc</p>	Compliant
<b>Access for People with Disabilities</b>				
<b>B13</b>	<p>The building must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. The Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on the relevant Construction Certificate drawings.</p>	<p>Accessibility Compliance Statement Construction Certificate Review dated 8/6/21</p>	<p>Compliance statement notes compliance with requirements that are relevant to this stage of construction noting that further assessment will be required at later stages of the project for flooring and finishes etc</p>	Compliant
<b>Design Verification</b>				
<b>B14</b>	<p>A verification statement from a qualified designer shall be submitted to a Certifying Authority. The statement shall confirm the Construction Certificate plans and specifications achieve or improve the design quality of the development for which consent is granted, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development.</p>	<p>CKDS Architects Design Verification Statement for CC 17/6/21</p>	<p>Architects design statement confirms compliance with this condition,</p>	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>BASIX Certification</b>				
<b>B15</b>	The development must be implemented, and all BASIX commitments thereafter maintained in accordance with BASIX Certificate No. 1012649M 02 and an updated certificate issues if amendments are made. The BASIX certificate must be submitted to the Certifying Authority with all commitments clearly shown on the Construction Certificate Plans.	BASIX Certificate No. 1012649M BASIX Certificate Report dated 17/5/2018 Bloc Email dated 19/5/22	Basix Certificate confirms that the proposed development will meet the NSW governments requirements for sustainability, if built in accordance with the documents identified in the report. These commitments won't be fulfilled until project completion.  An independent consultant has been appointed to oversee the certification process  The Basix Certificate has been updated	Not triggered
<b>Compliance with Acoustic Report</b>				
<b>B16</b>	The performance parameters, requirements, engineering assumptions and recommendations contained in the Acoustic Assessment Report (Reverb Acoustics dated April 2019), must be implemented as part of the detailed design assessments and implemented into the design drawings prior to the commencement of the use of the premises, to the satisfaction of the Certifying Authority.	Reverb Acoustics Noise Impact Assessment dated April 2019 Reverb Acoustics Noise Impact Assessment dated 22/6/21 Construction Certificate 19-023-CC1 dated 23/6/21	Key recommendations have been incorporated into design as per conditions B17 and B18 below.	Not triggered
<b>B17</b>	In order to minimise noise impacts from port operations and traffic along Honeysuckle Drive to residents of the development, the window glazing requirements in Table 16 of the Acoustic Assessment Report are to be documented in the Construction Certificate application.	Reverb Acoustics Noise Impact Assessment dated 22/6/21	Reverb Acoustics report notes the final construction certificate plans comply with the requirements of condition B17	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
B18	Prior to the issue of any Construction Certificate, the construction of drawings and construction methodology must be assessed and certified by a suitably qualified acoustic consultant to be in accordance with the requirements of the aforementioned report.	Reverb Acoustics Noise Impact Assessment dated 22/6/21	Reverb Acoustics report notes the final construction certificate plans comply with the requirements of condition B18	Compliant
<b>Mechanical Plant Noise Mitigation</b>				
B19	Details of noise mitigation measures for all mechanical plant are to be detailed on the Construction Certificate drawings. Certification from an appropriately qualified acoustic engineer that the proposed measures will achieve compliance with the requirements of the NSW Industrial Noise Policy and other guidelines applicable to the development is required to be submitted to the Certifying Authority prior to the issue of the relevant Construction Certificate.	Reverb Acoustics Noise Impact Assessment dated 21/6/21	Reverb Acoustics Report notes that noise from Roof top mechanical plant is predicted to be compliant with the criteria at all nearby receivers satisfying B19	Compliant
<b>Vehicular Access</b>				
B20	The vehicular access driveways (including but not limited to, the ramp grades and height clearances) are to be in accordance with the requirements of AS2890.1:2004 and AS2890.2:2002. Plans demonstrating compliance with these requirements must be submitted to the Certifying Authority prior to the issue of the relevant Construction Certificate.	BGE Civil Design Statement dated 7/5/21	BG&E have certified the plans are in accordance with DA SSD 9827 Mod -1 Conditions.  BGE Civil design statement notes that the vehicular driveway access to the basement is designed in accordance with AS2890.1:2004 for passenger vehicles and for commercial vehicles up to 2.2m high and maximum 5.4m long	Compliant
B21	All vehicles shall enter and leave the site in a forward direction.	BGE Civil Design Statement dated 7/5/21	Ground floor plan for the east building shown as 2 lanes for the ramp. Directional arrows showing drawings each way	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>B22</b>	Car park entry/ exits shall be designed in such a manner as to ensure that the future queueing areas and capacity requirements comply with Appendix D of AS 2890.1-2004.	BGE Civil Design Statement dated 7/5/21	<p>BG&amp;E have certified the plans are in accordance with DA SSD 9827 Mod -1 Conditions.</p> <p>BGE Civil design statement notes the carpark queueing area is designed generally in accordance with the recommendations of Appendix D of AS 2890.1-2004.</p>	Compliant
<b>B23</b>	Car parking is to be set out generally in accordance with the minimum parking layout standards indicated in Section 7.03 "Traffic, Parking and Access" of the Newcastle Development Control Plan 2012. Full details are to be included in documentation for a Construction Certificate application.	BGE Civil Design Statement dated 7/5/21	<p>BG&amp;E have certified the plans are in accordance with DA SSD 9827 Mod -1 Conditions.</p> <p>BGE Civil design statement notes the basement off-street car parking layout is designed generally in accordance Section 7.03.04 'Traffic, Parking and Access – Design and Layout of parking and access' of the Newcastle Development Control Plan 2012</p>	Compliant
<b>B24</b>	Traffic management devices in the form of Stop and Give way to pedestrian signs and line markings are to be installed at the entry of the proposed driveway within the property. Such devices are to be constructed in accordance with AS/ NZS 2890.1 2004: Parking Facilities – Off street car parking. Full details are to be included in documentation for a Construction Certificate application.	Line Marking and Signage Plan C-1400	No stopping, loading zone and parking restriction signage is documented in the Line Marking and Signage Plan	Compliant
<b>B25</b>	The car park (including driveways, ramps, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parkway bay dimensions) shall be designed to comply with AS/NZS 2890.1:2004: Parking facilities – off street parking for people with disabilities and AS2920.2-202 for heavy vehicles where applicable. Full details are to be included in documentation for a Construction Certificate application.	BGE Civil Design Statement dated 7/5/21	<p>BG&amp;E have certified the plans are in accordance with DA SSD 9827 Mod -1 Conditions.</p> <p>BGE Civil design statement notes the carpark layout us designed in accordance with AS/NZS 2890.1:2004: Parking facilities – off street parking for people with disabilities</p>	Compliant



Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Car Parking</b>				
<b>B26</b>	<p>The development is subject to the following:</p> <ul style="list-style-type: none"> <li>a) Maximum 167 residential car parking spaces,</li> <li>b) 10 residential visitor car parking spaces</li> <li>c) 9 shared use commercial/residential visitor car parking spaces including 1 service/ loading space</li> <li>d) 11 motorcycle parking spaces.</li> </ul>	<p>CCKS Architects letter dated 17/6/21 SSD Modification 2 dated 24/8/21</p>	<p>Letter notes that the number of carparking spaces was subject to a modification. The Modification # 2 was issued on 24/8/21. Further assessment will be undertaken in subsequent audits to evaluate compliance.</p>	Compliant
<b>B27</b>	<p>Residential visitor parking spaces must be allocated, marked out on the pavement surface, clearly signposted and designed and registered as common property on any Strata Plan. Full details are to be included in the Construction Certificate drawings/ documentation.</p>	<p>CCKS Architects letter dated 17/6/21 SSD Modification 2 dated 24/8/21</p>	<p>At the time of issue of the Construction Certificate drawings, the number of carparking spaces was subject to a modification. The Modification # 2 was issued on 24/8/21. Further assessment will be undertaken in subsequent audits to evaluate compliance</p>	Compliant
<b>Bicycle Parking</b>				
<b>B28</b>	<p>The development shall provide a minimum of:</p> <ul style="list-style-type: none"> <li>a) 110 resident bicycle parking spaces</li> <li>b) 14 visitor bicycle parking spaces</li> <li>c) 6 commercial and retail bicycle parking spaces</li> </ul> <p>Full details are to be included in documentation for a Construction Certificate application.</p>	<p>CKDS Design statement dated 16/6/21</p>	<p>CKDS design statement notes that the development meets the requirements of minimum bicycle parking spaces as set out in the conditions</p>	Compliant
<b>B29</b>	<p>The layout, design and security of bicycle facilities either on-street or off-street must be designed to comply with the minimum requirements of AS/NZS 2890.3:1993: Parking facilities Part 3: Bicycle Parking Facilities, except that.</p> <ul style="list-style-type: none"> <li>a) All bicycle parking for occupants of residential buildings must be Class 1 bicycle lockers</li> <li>b) All bicycle parking for staff/ employees of any land uses must be Class 2 bicycle facilities</li> </ul>	<p>CKDS Design statement dated 16/6/21</p>	<p>CKDS design statement notes that the bicycle carparking spaces are designed to comply with the minimum requirements of AS/NZS 2890:3 Parking Facilities Part 3: Bicycle Parking Facilities</p>	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	c) All bicycle parking for visitors of any land uses must be Class 3 bicycle rails.			
<b>Hunter Water Notice of Requirements</b>				
<b>B30</b>	An application shall be made to Hunter Water for a Certificate under Section 50 of the Hunter Water Corporation Act 1991 prior to the issue of any Construction Certificate. The applicant is to comply with all requirements of the Hunter Water Corporation regarding the connection of water supply and sewerage services, including the payment of any required cash contribution towards necessary amplification of service mains in the locality as a result of the increased intensity of land use proposed.	Audit Interview Accor email dated 14/4/21 Accor letter dated 14/4/21 Hunter Water email dated 13/4/21	Application made to Hunter Water. Hunter Water advised that they have no objection to the issuance of a Construction Certificate prior to the finalisation of minor works and that the S50 Certificate would not be issued until the works have been delivered and the requirements of the NOR met.	Compliant
<b>B31</b>	A copy of the Hunter Water Corporation's abovementioned Section 50 certificate of compliance is to be included in the documentation for a Construction Certificate application.	Audit Interview Accor email dated 14/4/21 Accor letter dated 14/4/21 Hunter Water email dated 13/4/21	Application made to Hunter Water. Hunter Water advised that they have no objection to the issuance of a Construction Certificate prior to the finalisation of minor works and that the S50 Certificate would not be issued until the works have been delivered and the requirements of the NOR met.	Compliant
<b>Flood Management</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
B32	On site refuge is to be provided for the proposed development. The minimum refuge level is to be the level of the Probable Maximum Flood (PMF) (Local Catchment Flood Level RL3.40 to Australian Height Datum). On site refuge is to be easily accessible to all building uses and visitors, to be structurally designed to resist the forces of the PMF and designed to cater for the number of people reasonably expected to be on the development site. Openings such as fire doors, exhaust ducts, car park air intake, vents and the like that could potentially allow for flood waters to enter the basement (except for carpark and access) are to be designed at PMF level. Full details are to be included in documentation for a Construction Certificate Application.	Flood Emergency Response Management Plan (Northrop Civil 27/5/21)	Details of site refuge are provided in Section 7 of the FERMP	Compliant
B33	The development is subject to the habitable and non-habitable Flood Planning Levels (FPLs) contained within the Flooding Assessment prepared by Northrop Revision E dated 1 June 2020.	Flood Assessment (Northrop) Rev E dated 1/6/20	Flooding Assessment was submitted to the Certifier prior to the issuance of a Construction Certificate	Compliant
B34	Full details are to be provided in the documentation for a Construction Certificate application demonstrating: <ul style="list-style-type: none"> <li>a) The whole of the proposed building/ structure below the flood planning level is to be constructed of water – resistant materials and finishes that are resistant to damage from floodwaters.</li> <li>b) Electrical fixtures such as power points, light fittings and switches must be sited above the FPL unless they are on a separate circuit (with earth leakage protection) to the rest of the building.</li> <li>c) Any new machinery or equipment, storage items or similar likely to be damaged by a flood reaching a peak flood level at or below the FPL, shall be installed above the FPL, unless they are of materials and have the functional capacity resistant to the effects of floodwaters.</li> </ul>	Xeriscapes letter dated <b>29/4/21</b> CKDS design statement dated <b>17/6/21</b>	Xeriscapes letter notes that the design documentation for the construction certificate is in accordance with consent condition B34 (b) for landscape works  CKDS design statement notes that the current materials selections for building structure below the flood planning level are generally consistent with ‘water resistant materials’	Compliant
<b>Flood Emergency Response Plan</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
B35	<p>An appropriate flood emergency response plan is to be prepared by a consulting engineer, who is experienced in flood management, and put in place by the Applicant prior to occupation of the site for the intended use. Such plan is to be effectively updated and maintained by the occupiers, is to include an education and awareness component for the workforce and residents and detailed evacuation procedures to interface with the Bureau of Meteorology's flood warning system and the local State Emergency Services plan (where appropriate) and to include provisions for any third parties likely to be involved.</p> <ul style="list-style-type: none"> <li>a) Likely flood behaviour</li> <li>b) Flood warning systems</li> <li>c) Education awareness program</li> <li>d) Evacuation and evasion procedures</li> <li>e) Evacuation routes and flood refuges</li> <li>f) Flood preparedness and awareness procedures for residents and visitors</li> </ul> <p>Considerations should include the full range of flood risks, the proposed use of the site access constraints and local area evacuation routes to high ground. As much as possible, the plan is to be aimed at self-directed evacuation or evasion to minimise the draw on limited State Emergency Services resources. Full details are to be included in documentation for a Construction Certificate application.</p>	Northrop Report		
<b>Stormwater Management and Water Quality</b>				
B36	<p>All stormwater runoff from the proposed development must be managed in accordance with the requirements of Section 7.06 'Stormwater' of Newcastle Development Control Plan as indicated in the stormwater management concept plans and stormwater management report and stormwater plans prepared by Northrop Consulting Engineers. Full details are to be included in documentation for any Construction Certificate Application.</p>	BGE Civil Design Statement dated 7/5/21	<p>Site Stormwater systems are yet to be installed</p> <p>BGE Design statement include in Construction Certificate documentation.</p>	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
B37	All stormwater retention/ detention and water quality treatment systems are to be individually identified and sign posted in accordance with Newcastle Stormwater and Water Efficiency for Development Technical Manual (Updated July 2017). Full details are to be included in documentation for a Construction Certificate application.	BGE Civil Design Statement dated 7/5/21	<p>BG&amp;E gave certified the plans are in accordance with DA SSD 9827 Mod -1 Conditions.</p> <p>BG&amp;E design statement notes that design plans indicate stormwater retention and water quality treatments systems will be individually identified and signposted in accordance with Newcastle Stormwater and Water Efficiency for Development Technical Manual updated 17 July 2017</p>	Compliant
B38	All new impervious surfaces, including driveways and paved areas are to be drained to the nominated discharge controls. Full details are to be provided with the Construction Certificate application.	BGE Civil Design Statement dated 7/5/21	<p>BG&amp;E gave certified the plans are in accordance with DA SSD 9827 Mod -1 Conditions.</p> <p>BG&amp;E design statement notes that new impervious surfaces, including driveways and paved areas will be drained to the nominated discharge points</p>	Compliant
<b>Pre-Construction Dilapidation Reports</b>				
B39	The Applicant is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all retained existing and adjoining buildings, above ground infrastructure and roads with the 'zone of influence'. Any entry into private land is subject to the consent of the owner(s) and any inspection of buildings on privately affected land shall include details of the whole building where only part of the building may fall within the 'zone of influence'. The report shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate. A copy of the report is to be forwarded to the Department, Council and each of the affected property owners.	<p>Indesco Dilapidation report 30/4/21</p> <p>DPE Portal email dated 23/6/21</p> <p>Email from Patellagroup dated 10/3/22</p>	<p>Dilapidation report submitted to the Certifier and DPE as part of the Construction Certificate # 1 documentation</p> <p>Dilapidation report submitted to the property owner of the Hunter Water building opposite the site. Dilapidation report issued to Council by the Project Certifier via the DPE project Portal as part of the CC1 submission</p>	Compliant
<b>Outdoor Lighting</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
B40	<p>The proposed lighting of the premises is to be designed, positioned and installed, including appropriate shielding and orientation of the lighting fixture, as to not give rise to obtrusive light, interfere with traffic safety or detract from the amenity of surrounding properties in accordance with Australian Standard AS 4282: 1997 Control of the obtrusive effects of outdoor lighting. Full details are to be included to the documentation for a Construction Certificate. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.</p>	Acor design certificate dated 4/5/21	The Acor design certificate notes compliance with AS 4282: 1997 and was submitted to the Certifying Authority	Compliant
<b>Landscape Plan and Deep Soil Zones</b>				
B41	<p>The proposed planting and landscape elements indicated on the submitted landscape concept plans or otherwise required under the conditions of this consent being implemented and comprehensive landscape design plans and specifications in respect thereof being prepared by a qualified landscape designer and being submitted with a Construction Certificate application.</p> <p><i>Note: The required comprehensive landscape design plan and specifications is to be in accordance with the provisions of the Newcastle Development Control Plan, 2012 and is to include cross sections through the site where appropriate, proposed contours or spot levels, botanical names, quantities and container size of all proposed trees, shrubs and ground cover, details of proposed soil preparation, mulching and staking as well as treatment of external surfaces and retaining walls where proposed, drainage, location of taps and the nominated maintenance periods.</i></p>	<p>Xeriscapes Certificate 7/5/21 Landscape Compliance Certificate Xeriscapes Technical Landscape Specification Landscape Plans (various)</p>	Xeriscapes have been appointed as the Landscape design Consultant. Technical Specifications and Landscape design drawings were submitted to the Certifier prior to the issue of a Construction Certificate. Landscaping Plans were endorsed by the Certifier	Compliant
<b>Public Domain</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
B42	<p>The Applicant is to design and construct the following works within Honeysuckle Drive public road reserve adjacent to the site, at no cost to Newcastle City Council and in accordance with the Newcastle City Centre Public Domain Manual guidelines, and City of Newcastle's design specifications:</p> <ul style="list-style-type: none"> <li>(i) Install new full width foot paving, streetscape works and driveway. The footpath is to be designed as a shared path to allow for use by both cyclists and pedestrians and is to be coordinated with the adjoining developments including 35 Honeysuckle Drive.</li> <li>(ii) Install new street trees and verge areas in accordance with Councils requirements and adjust service pit levels to match new footpath level.</li> <li>(iii) Required parking signs, line markings, mandatory signage and any civil works associated with the road and on street parking infrastructure including design of any approved Loading zone.</li> <li>(iv) Install new street furniture, including bicycle racks or rigs and new seats and bins.</li> <li>(v) Install street lighting along the frontage and under awning lighting</li> <li>(vi) Install new driveway crossing</li> <li>(vii) Divert existing 450mm diameter CN stormwater pipe around this site, into the Honeysuckle Road reserve and Cottage Creek floodway area, to discharge directly to the Newcastle Harbour.</li> </ul> <p>Engineering design plans and specifications for the works being undertaken in the public road reserve and required to be prepared by a suitably qualified practicing civil, hydraulic, geotechnical engineers with experience and competence in related field and submitted to the City of Newcastle Council for approval pursuant to Section 138 of the Roads Act 1993. The consent must be obtained, or other satisfactory arrangements confirmed in writing from the City of Newcastle, prior to the issue of any Construction Certificate.</p>	S138 Plan (BGE) No. N1903 Drg No C-1010 Rev B dated 10/5/2-21	<p>BG&amp;E have been appointed as the Civil designer for these works and are suitably experienced to perform these works.</p> <p>Relevant documentation submitted to NCC who advised that "Council raises no objection to the issue of a Construction Certificate for 45 Honeysuckle Drive provided the Honeysuckle Drive property boundary and Driveway levels comply with the submitted engineering plan prepared by BG&amp;E (Project No. N1903 Drg No C-1010 Rev B dated 10/5/2-21</p>	Compliant
<b>Works Zone</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
B43	Any parking changes associated with the provision of the work zone will need to be consulted with the approval attained from Newcastle City Council prior to the issue of a Construction Certificate. Council's traffic Section can be contacted to discuss the proposal (t).	NCC Email dated 2/6/21 Bloc Email dated 2/6/21	Work zone approval provided by NCC.	Compliant
<b>Traffic Committee Approval</b>				
B44	Any proposed changes to the parking layout and road signs will need to be consulted with and approval obtained from the Newcastle City Traffic Committee (NCTC).	Audit Interview	There are currently no changes proposed to the parking layout and road signage	Not Triggered
<b>Mailboxes</b>				
B45	The group type mailbox is to be provided at the street frontage near each building entrance in accordance with the requirements of Australia Post, clearly displaying individual unit numbers and the building number. Full details are to be included in the documentation for a Construction Certificate application.	Architectural drawing A 1201	Details of mailbox are provided in the architectural drawings. Further assessment will be undertaken on completion of the project regarding the detail	Compliant
<b>Mechanical Ventilation</b>				
B46	All mechanical ventilation systems shall be installed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 Microbial Control of Air Handling and Water Systems of Building, to ensure adequate levels of health and amenity to an occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.	EVC Design Certificate dated 3/5/21	Mechanical design certificate confirms compliance with these requirements	Compliant
<b>Storage and Handling of Waste</b>				



Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
B47	The waste collection pick up services proposed to be undertaken by Newcastle City Council for the development are to be approved by Council's Waste Management Services prior to the issue of a Construction Certificate. If the waste services cannot be provided by Council, then the Applicant will need to engage a private contractor garbage collection service. Full details are to be included in documentation for a Construction Certificate application.	Newcastle Council email dated 18/6/21 Operational Waste Management Plan 15/6/21	Newcastle Council approved the waste management plan. Details were provided to the certifier as part of the construction certificate documentation	Compliant
<b>Installation of Efficient Taps, Toilets and Urinals</b>				
B48	All taps and shower heads installed must be water efficient with at least a 4 star rating under the Water Efficiency and Labelling Schemes (WELS). The details must be submitted for the approval of the Certifying Authority, prior to issue of the relevant Construction Certificate.	Parisi Taps specification	Taps specifications document a 6-star rating	Compliant
B49	All toilets installed within the development must be of water efficient dual flush capacity with at least a 4 star rating under the Water Efficiency and Labelling Scheme (WELS). The details must be submitted for approval by the Certifying Authority, prior to the issue of the relevant Construction Certificate.	Parisi Highline Concealed Cistern Specification	Specification for toilets note 4-star water performance ratings	Compliant
B50	New urinal suites, urinals and urinal flushing control mechanisms must use waterless technology. Where it is submitted that this is not feasible, it must be demonstrated that products have been selected with at least a 4 star rating under the Water Efficiency and Labelling Scheme (WELS).	Audit Interview Parisi Highline Concealed Cistern Specification	Waterless technology is not considered to be feasible. Specification for toilets note 4-star water performance ratings	Compliant
B51	Systems must include "smart controls" to reduce unnecessary flushing. Continuous flushing systems are not approved. Details are not to be submitted to and approved by the Certifying Authority, prior to the issue of the relevant Construction Certificate.	Audit Interview Parisi Highline Concealed Cistern Specification	Specification for toilets note 4-star water performance ratings. Continuous flushing systems not installed	Compliant
<b>Reflectivity</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
B52	The building materials used on the facades of the buildings shall have a maximum normal specular reflectivity of visible light of 20 per cent and shall be designed as so not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers. A report/ statement demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for above ground façade works.	Halco design certificated dated 22/2/2	Design Statement confirms the specular reflectance is less than 20%	Compliant
<b>Groundwater and Design</b>				
B53	The design and construction of the building must prevent any take of groundwater after the authorisation from the Natural Resource Access Regulator (NRAR) within the Department of Industry – Lands and Water has lapsed by making any below ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent future inundation. Details demonstrating compliance with those requirements must be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.	Bloc letter to Certifier dated 4/6/21	Letter provides details of membrane, shotcrete, and drainage systems to the certifier prior to the issue of a construction certificate	Compliant
B54	Sufficient permanent drainage must be provided beneath and around the outside of the watertight structure to ensure that natural groundwater flow is not impended and: <ul style="list-style-type: none"> <li>(i) Any groundwater mounding at the edge of the structure must be at a level not greater than 10% above the level to which the water table might naturally rise in the location immediately prior to the construction of the structure.</li> <li>(ii) Elevated water table must be more than 1m below the existing natural ground surface to prevent water penetrating surface areas.</li> <li>(iii) Where the habitable part of the structure (not being footings or foundations) is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.</li> </ul>	Reditus Letter dated 17/6/21	Reditus letter confirms compliance with these requirements	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
B55	Construction methods and material used in construction must be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater and must not themselves cause pollution of groundwater. Details demonstrating compliance with these requirements must be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.	Indesco Construction Certificate of Structural Efficiency dated 31/5/21 Bloc Email dated 17.1.22 with Certifier Response to DPE Queries Procure Document register – CC1 Supplied Docs Construction Certificate – 19-0230CC1 dated 23/6/22	Indesco Design Statement was included in the package of documentation provided to the Certifier as part of the CC1 submission  Certifier has confirmed receipt of the Indesco Structural Design Statement on the 2/6/21 and that they are satisfied with the document.  Construction certificate notes compliance with the requirements of this condition and was submitted to the project certifier prior to the commencement of construction.	Compliant
<b>Heritage Interpretation Plan</b>				
B56	Prior to the issue of any Construction Certificate, a Heritage Interpretation Plan must be prepared to the satisfaction of the Certifying Authority to articulate the storied layers of - indigenous occupation, 19th century industrialisation, foreshore reclamation, and post – 1941 portside wharfage, stevedoring and cargo transshipment.	Umwelt Heritage Interpretation Plan dated 11/6/21. Bloc Email to Certifier dated 11/6/21. Procure Document register – CC1 Supplied Docs Construction Certificate – 19-0230CC1 dated 23/6/22	Certifier has confirmed receipt of the Umwelt Heritage Interpretation Plan on the 11/6/21 and that they are satisfied with the document.  Heritage Interpretation Plan was prepared and issued to the Certifier prior to the commencement of construction. Construction certificate issued on the 23/6/21	Compliant

Part C – Prior to Commencement of works

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Notification of Commencement</b>				
C1	The department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.	DPE Email dated 23/6/21 confirming the determination of CFT-33944  Notice of commencement of building work and appointment of principal certifier dated 26/5/21	Documents were uploaded to DPE Portal on 23/6/21. Work commenced on the 24/6/21, Formal notification of commencement was received by DPE on 24/6/21. As the notification was received within 48 hours of the date of commencement, this is deemed to be non-compliant	Non-Compliant
C2	If the construction of operation of the development is to be staged, the development must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in the stage.	Audit interview	Project is not staged	Compliant
<b>Demolition</b>				
C3	Demolition work must comply with Australian Standard AS 2601-2001. The demolition of structures (Standard Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the standard. The work plans and statement of compliance must be submitted to the Certifying Authority before the commencement of works.	Audit Interview  Site observations	No demolition has been undertaken	Compliant
<b>Community Communication Strategy</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
C4	<p>A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction.</p> <p>The Community Consultation Strategy must:</p> <ul style="list-style-type: none"> <li>a) Identify people to be consulted during the design and construction phases</li> <li>b) Set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development</li> <li>c) Provide for the formation of community based forums if required, that focus on key environmental management issues for the development.</li> <li>d) Set out procedures and mechanisms: <ul style="list-style-type: none"> <li>(i) Through which the community can discuss or provide feedback to the Applicant</li> <li>(ii) Through which the Applicant will respond to enquiries or feedback from the community</li> <li>(iii) To resolve any issues to mediate any disputes that may arise in relation to construction and operation of the development, including any disputes regarding rectification or compensation.</li> </ul> </li> </ul> <p>The Community Communications Strategy must be submitted to the Secretary for approval no later than one month before the commencement of any work.</p> <p>Work for the purposes of the development must not commence until the Community Communication Strategy has been approved by the Secretary, or within another timeframe agreed with the Secretary.</p> <p>The Community Communication Strategy as approved by the Secretary, must be implemented for a minimum of 12 months following completion of construction.</p>	DPE Letter of Approval dated 7/6/21	Community Consultation Strategy approved by the Department prior to the commencement of construction. Evidence provided demonstrated the implementation of the strategy. One complaint received which (upon investigation) was due to the activities at a nearby project.	Compliant
<b>Construction Environmental Management Plan (CEMP)</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
C5	<p>Prior to the commencement of any works on site, a Construction Environmental Management Plan (CEMP) shall be submitted to the Certifying Authority. The CEMP shall address, but not be limited to, the following matters where relevant:</p> <ul style="list-style-type: none"> <li>a) Hours of work</li> <li>b) 24 hour contact details or site manager and details of complaint handling</li> <li>c) Traffic management</li> <li>d) Construction noise and vibration management, prepared by suitably qualified person.</li> <li>e) Management of dust to protect the amenity of the neighbourhood</li> <li>f) Erosion of sediment control</li> <li>g) Measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Site</li> <li>h) Details of specific measures</li> <li>i) Works in accordance with any remedial works plan</li> <li>j) Air quality management including issues associated with odour, minimising dust on site and prevention of dust from leaving the site during construction works</li> <li>k) Incorporation of all acoustic management and treatments.</li> </ul> <p>The CEMP must not include works that have not been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent shall prevail.</p> <p>The applicant shall submit a copy of the CEMP to the Planning Secretary and Council prior to the commencement of work.</p>	<p>CEMP dated 26/4/19 DPE Portal Submission dated 23/6/21</p>	<p>CEMP was submitted to Certifier prior to the issue of the construction certificate. The Certifier subsequently issued the CEMP to Council and DPE as part of the CC1 submission</p>	Compliant
<b>Construction Traffic Management Plan</b>				
C6	<p>A Construction Traffic Management Plan (CTMP) is to be prepared by a Roads and Maritime Services accredited person with a Design and Audit Traffic Control Plans Certificate in accordance with Australian Standard 1742.3:2009 – Manual of uniform traffic devices – traffic control for works on roads. The plan is to ensure the provision for safe, continuous movement of traffic and pedestrians within the road reserve.</p>	<p>Northrop drawing – Civil Engineering Package Temporary Traffic Management Plan – Early Works NCC email dated 2/6/21</p>	<p>The CTMP was prepared by Northrop traffic consultant – Jason Kidd (Certificate Number 0051912532)</p> <p>The CTTMP was issued to NCC along with an application for Road Occupancy Licence</p>	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
C7	The CTMP is to include a Construction Parking Management Plan (CPMP) addressing the parking of construction vehicles and the transportation of construction personnel to the site. The CPMP is to detail a common location for the parking of construction vehicles outside the Newcastle City Centre and utilise shuttle buses for the transportation of construction personnel and their equipment to the site.	Construction Traffic Management Plan Traffic Control Plan	Traffic control plan includes a requirement that "All Bloc Employed Workforce and Subcontractors are prohibited from Parking on adjacent road shoulders, footpaths and medians"  The site is also readily accessible via the Light Rail and is adjacent to an existing Council run Carpark.	Compliant
C8	The plan is to be submitted to Newcastle City Council for approval prior to the commencement of works and is to be implemented during the construction phase.	Site Observations Various emails to and from NCC.	CTMP was issued to NCC with a road occupancy application. Evidence was observed during the site inspection of the implementation of the CTTMP	Compliant
<b>Construction Noise and Vibration Management Plan (CNVMP)</b>				
C9	Prior to the commencement of construction activities, a detailed Construction Noise and Vibration Management Plan (CNVMP) shall be prepared by a suitably qualified person (who is eligible for membership of the Australian Acoustic Society, Institute of Engineers Australia or the Australian Association of Acoustic Consultants) and submitted by the Certifying Authority. The CNVMP shall include, but not limited to: <ul style="list-style-type: none"> <li>a) Identification of each work area, site compound and access route (both private and public).</li> <li>b) Identification of the specific activities that will be carried out and associated noise sources at the premises and access routes.</li> <li>c) Identification of all potentially affected sensitive receivers</li> <li>d) The construction noise objectives identified in accordance with the Interim Construction Noise Guidelines (DECC 2009) and Council's Construction Hours/ Noise Code of Practice 1992</li> <li>e) Assessment of potential noise and vibration from the proposed construction methods (including noise from construction traffic) against the objectives identified in (d)</li> </ul>	Construction Noise and Vibration Management Plan (Reverb Acoustics) June 2021 Procure Document register – CC1 Supplied Docs Application for a Construction Certificate dated 28/5/22. Bloc Email dated 17/1/21 Construction Certificate – 19-0230CC1 dated 23/6/21. DPE Post consent certificate dated 23/6/21	The construction noise and vibration management plan was prepared and submitted to the Certifying authority prior to the issuance of a construction certificate. This was included in the package of documents provided with the application for a construction certificate on the 28/5/21 with the construction certificate provided on the 23/6/21.  The certifier has confirmed receipt of this document on the 7/6/21	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<ul style="list-style-type: none"> <li>f) Where the objectives are predicted to be exceeded in analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise impacts.</li> <li>g) Description of management methods and procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during construction, including the early erection of operational noise control barriers.</li> <li>h) Procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity</li> <li>i) Measures to monitor noise performance and respond to complaints.</li> </ul>			
<b>Construction Waste Management Plan (CWMP)</b>				
<b>C10</b>	<p>Prior to the commencement of any works on site, a detailed Construction Waste Management Plan (CWMP) prepared by a suitably qualified person, in consultation with council, shall be submitted to the Certifying Authority. The CWMP shall address, but not be limited to the following matters:</p> <ul style="list-style-type: none"> <li>a) Recycling of demolition materials including concrete</li> <li>b) Removal of hazardous materials and disposal and approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.</li> </ul>	CEMP dated 26/4/19	Section 5.10 of the CEMP addresses waste management issues	Compliant
<b>C11</b>	The applicant shall submit a copy of the CWMP to the Planning Secretary and Council prior to the commencement of work.	CEMP dated 26/4/19	The CWMP is incorporated into the CEMP and was submitted to Certifier prior to the issue of the construction certificate. The Certifier subsequently issued the CEMP to Council and DPE as part of the CC1 submission	Compliant



Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
C12	Details demonstrating compliance with the relevant legislative requirements, associated with the removal of hazardous waste, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the Certifying Authority prior to the removal of any hazardous materials.	Waste Tracking Register Various waste reports provided by Spero's CEMP	CEMP includes details of monitoring for asbestos and hazardous materials. The CEMP was provided to the certifying authority prior to the commencement of construction.  A total of 9.76T of asbestos impacted soils were removed from the site. The works were undertaken by Spero Civil (licensed asbestos removalist) and disposed of at Suez. Due to the nature (bonded, small quantity) there was no additional controls deployed for friable(non-bonded) asbestos	Compliant
<b>Vehicular crossings</b>				
C13	A commercial/ industrial type vehicular crossing is to be constructed across the road reserve, in accordance with the following criteria:  a) Constructed in accordance with Newcastle City Council's A374 – Driveway Crossings standard Design Details. b) Letterboxes, landscaping and other obstructions to visibility should be kept clear of or limited in height to 1.2 metre, in the 2-metre splay within the property boundary each side of the driveway entrance. c) The proposed driveway shall be a minimum of 3 metres clear of the trunk of any tree within public reserve. d) The proposed driveway shall be a minimum of 750mm clear of the centre of any pole or obstruction within the public reserve and 1 metre clear of any drainage pit.	S138 Plan (BGE) No. N1903 Drg No C-1010 Rev B dated 10/5/2-21	BGE Plan notes refers to City of Newcastle Standard Drawing for all pavement Jointing location and details with Driveway Crossing and Layback to be considered Commercial Type in Layback Zone.  Vehicular crossing observed to be consistent with the BG&E Plan  No letterboxes or landscaping observed to be blocking the driveway at the time of the audit	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<p>e) Driveway cross fall over the footpath is to be a maximum of 2.5%.</p> <p>These works are not approved until consent under Section 138 of the Roads Act 1993 has been granted by Newcastle City Council. An application under section 138 of the Roads act 1993 must be applied for and approved before the commencement of works. The application for the driveway can be done with the Public Domain Works Roads Act 1993 Section 138 Type 2 application with Council.</p>			
<b>Works within the Road Corridor</b>				
<b>C14</b>	<p>A separate application must be lodged, and consent obtained from Newcastle City Council for all works within the road reserve pursuant to section 138 of the Roads Act 1993, before the commencement of works.</p>	<p>S138 Plan (BGE) No. N1903 Drg No C-1010 Rev B dated 10/5/2-21</p>	<p>Relevant documentation submitted to NCC who advised that "Council raises no objection to the issue of a Construction Certificate for 45 Honeysuckle Drive provided the Honeysuckle Drive property boundary and Driveway levels comply with the submitted engineering plan prepared by BG&amp;E (Project No. N1903 Drg No C-1010 Rev B dated 10/5/2-21</p> <p>NCC subsequently advised that a Road Occupancy permit would not be required and have issued a Works Zone Approval</p>	Compliant
<b>Mine Subsidence</b>				
<b>C15</b>	<p>Prior to and during works, the development is to comply with the approval and all conditions issued under section 15 of the Mine Subsidence Compensation Act 1961 No.22, by Subsidence Advisory NSW.</p> <p>Any conditions issued as part of the approval/ certification by Subsidence Advisory NSW will also form part of the consent conditions that the Applicant is required to comply with.</p>	<p>Subsidence Advisory Letter dated 24/5/21</p> <p>Indesco Design Certificate dated 30/5/21</p> <p>Structural Engineering Mine Subsidence Design Statement</p> <p>Indesco Site Inspection Frms</p>	<p>The design statement notes that "the development has been designed to remain safe, serviceable and any damage from mines subsidence shall be limited to "very slight" in accordance with AS2870 (Damage Classification) and readily repairable.</p>	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
			Indesco have been retained by Bloc to undertake regular site inspections to confirm compliance with the structural design requirements	
<b>Certified Plans</b>				
<b>C16</b>	<p>Certification is prepared by a Registered Surveyor and submitted to the certifying Authority at the stages of the construction indicated:</p> <ul style="list-style-type: none"> <li>a) On completion of ground floor construction, confirming that the floor levels are in accordance with the approved levels</li> <li>b) On completion of each subsequent floor level, confirming that the floor levels are in accordance with the approved levels</li> <li>c) When the roof has been completed, confirming that the building does not exceed the approved levels.</li> </ul>	<p>Audit interview</p> <p>Various Survey Plans Prepared by Land Surveys</p> <p>Land Surveys Letter dated 14/10/22</p>	<p>Land surveys has been engaged to undertake this work and have completed surveys for concrete slabs poured to date. Survey drawings to be submitted to the Project Certifier.</p>	Compliant
<b>Insurance</b>				
<b>C17</b>	<p>In the case of residential building work for which the Home Building Act 1989 (NSW) requires there to be a contract of insurance in force in accordance with Part 6 of that act, such as contract of insurance is to be in force before any building work authorised to be carried out by this consent commences.</p>	<p>Cover force Certificate of Currency for 45 Honeysuckle Drive</p>	<p>Insurance is in place; current certificate is current till April 2023</p>	Compliant
<b>Erosion and Sediment Control</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
C18	<p>Erosion and sediment control measures are to be implemented prior to the commencement of works and maintained during the period of construction in accordance with the details set out on an Erosion and Sediment Control Plan that is to be submitted for approval with the Construction Certificate application. The Erosion and Sediment Control Plan that is to be submitted for approval with the Construction Certificate application. The Erosion and Sediment Control Plan shall satisfy the requirements of Managing Urban Stormwater: Soils and Construction 4<sup>th</sup> Edition Vol.1 (the Blue Book) published by Landcom, 2004 and Newcastle City Council's Technical Manual: Stormwater and Water Efficiency for Development 2013. Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover.</p>	Erosion and Sediment Control Drawings	<p>Erosion and Sediment control details were provided to the Certifier as part of the CEMP. The plan is compliant with the "Blue Book"</p> <p>Appropriate erosion and sediment controls were observed to be implemented on site.</p>	Compliant
<b>De-Watering Management Plan</b>				
C19	<p>Prior to construction works commencing the developer is to submit to Council for approval, a de-watering management plan. The plan is to be prepared by an appropriately qualified environmental consultant and demonstrate that water pollution will not occur as a result of de-watering activities. Should the use of stormwater infrastructure of Newcastle City Council be proposed for de-watering purposes, de-watering is not to commence until Council is notified and agreement is provided such that Council can confirm it is satisfied with the proposed impacts and reduced capacity upon its stormwater assets during dewatering activities.</p>	<p>Bloc Dewatering licence ref 20BL174066</p> <p>Groundwater Management Plan (Reditus 10/2/21)</p> <p>Dewatering Management Plan – ADE Consulting Group 10/5/19</p> <p>Email to NCC dated 7/6/21</p>	<p>Dewatering management plan submitted to NCC for approval</p> <p>Councils Stormwater Assets are not impacted by the dewatering activities. Treated water is discharged directly into the Hunter River following treatment.</p> <p>Groundwater licence from NRAR has been obtained</p> <p>While the dewatering management plan was submitted to Council for approval, approval was not provided by Council.</p>	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
			<p>It is noted that as the project does not hold an Environment Protection Licence (from the NSW EPA), then Council becomes the Appropriate Regulatory Authority for regulating water pollution and exercising powers to prosecute and issue fines in accordance with the <i>Protection of the Environment Operations Act (1997)</i>. It is the experience of the auditor that ARA's will not approve such documents as it compromises their ability to prosecute in the event of a water pollution event. This is consistent with Section 6.3 of the Groundwater Management Plan which states "Approval will be required to discharge to Stormwater asset however it is not required to discharge directly to the Harbour as planned"</p>	
<b>Groundwater Extraction Licence</b>				
<b>C20</b>	<p>Prior to construction works commencing, a temporary groundwater extraction licence must be obtained from the Natural Resource Access Regulator (NRAR) within the Department of Industry – Lands and Water.</p>	NRAR Dewatering licence ref 20BL174066	Groundwater licence from NRAR has been obtained	Compliant
<b>C21</b>	<p>An authorisation must be obtained for the take of groundwater as part of the activity. Groundwater must not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the Development Application.</p>	Site Observations	Groundwater is treated and disposed directly to the Hunter River; Water is not used on site for any other purposes	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
C22	Groundwater testing samples taken from outside the footprint of the proposed construction, with the intent of ensuring as far as possible the natural and contaminant hydrochemistry of the potential dewatered groundwater is understood, must be conducted on a suitable number of samples and tested at a certified laboratory.	Weekly groundwater testing results (Reditus)	Weekly groundwater testing is undertaken by the project environmental engineer (Reditus).	Compliant
C23	Details of sampling locations and the protocol used, together with the test results must be accompanied by laboratory test certificates. As an assessment of the results must be done by suitably qualified persons with the intent of identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria for the intended de-watering purpose. In the event of adverse quality findings, a plan must be developed to mitigate the impacts of the hydrochemistry on the de-watered groundwater.	ADG Consulting Weekly Interim Reports ALS Environmental Certificates of Analysis	Weekly testing of water is undertaken by an experienced independent consultant. The reports include laboratory analytical results prepared by a NATA certified laboratory. Recommendations are included in the reports.	Compliant
C24	The method of disposal of pumped water must be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority must be provided in a report to be provided to the Natural Resource Access Regulator with the application for the authorisation. The disposal of any contaminated pumped groundwater (sometimes called tailwater) must comply with the provisions of the Protection of the Environment Operations Act 1997 and any requirements of the relevant controlling authority.	Bore Licence Certificate (NRAR) 20BL174066 Bore Licence Certificate (NRAR) 20BL174078 Reditus Dewatering Management and Monitoring Plan 10/2/21	Authorisations have been provided by NRAR. Detailed Dewatering Management and Monitoring Plan provided to the NRAR as part of the licence application	Compliant
C25	Contaminated ground water (i.e. above appropriate NEPM 2013 thresholds) must not be reinjected into any aquifer. The reinjection system design and treatment methods to remove contaminants, if proposed, must be nominated and included in a report to be provided to the Natural Resource Access Regulator with the application for authorisation. The quality of any pumped water that is to be reinjected must be demonstrated to be compatible with, or improve the intrinsic or ambient groundwater in the vicinity of the site.	Site Observations	Groundwater is tested, treated and disposed to the Hunter River. No re-injection activities are undertaken	Compliant
<b>Groundwater Management and Monitoring plan</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
C26	Prior to construction works commencing the developer is to prepare a groundwater management and monitoring plan. The plan is to be prepared by an appropriately qualified environment consultant in accordance with the requirements of Department of Industry – Lands and Water	Reditus Dewatering Management and Monitoring Plan 10/2/21 ADE Consulting Group Dewatering Management Plan 10/5/19	The Dewatering Management and Monitoring was prepared by an experienced environmental consultant. Section 6 of the plan describes the relevant legislative requirements that have been considered for the preparation of the plan	Compliant
<b>Contact Telephone Number</b>				
C27	Prior to commencement of the works, the Applicant shall forward the Certifying Authority a 24 hour telephone number to be operated for the duration of the construction works.	Audit Interview	Certifier has been provided with the contact details of the Project Manager and Site Manager prior to the commencement of construction	Complaint
<b>Utility Services</b>				
C28	Prior to the commencement of work the Applicant is to obtain written approval from the utility authorities (electricity supply authority, an approved telecommunications carrier and an approved gas carrier, where relevant) in connection with the relocation and/ or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment of support of services are to be the responsibility of the Applicant.	Audit Interview Site Observations	No relocation or adjustment of services required.	Compliant
C29	Prior to the commencement of work the applicant is to obtain written advice from an electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) that satisfactory arrangements are in place to ensure provision of adequate services.	Power Solution Safety Report Ausgrid Earthing Design and As-built Installation Report Power Solutions Design Report Power Solutions Letter dated 16 August 2022	Power solutions have been appointed to provide this advice in relation to electricity and have prepared electrical drawings and design reports. Power solutions have also undertaken a risk assessment in relation to the nearby Jemena Gas Main.	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Barricade Permit</b>				
<b>C30</b>	Where construction/ building works require the use of a public place including a road or footpath, approval under section 138 of the Roads Act 1993 for a Barricade Permit is to be obtained prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of the relevant road authority.	<b>Site Observations</b> <b>Audit Interview</b>	Relevant documentation submitted to NCC who advised that "Council raises no objection to the issue of a Construction Certificate for 45 Honeysuckle Drive provided the Honeysuckle Drive property boundary and Driveway levels comply with the submitted engineering plan prepared by BG&E (Project No. N1903 Drg No C-1010 Rev B dated 10/5/2-21  NCC subsequently advised that a Road Occupancy permit would not be required and have issued a Works Zone Approval	Compliant
<b>Hoarding</b>				
<b>C31</b>	An application is to be made to and approved by Newcastle City Council for the erection of a hoarding or part closure of the footway prior to construction being commenced. Such overhead structure or protective fence shall comply with the Work Health and Safety Act 2011 (NSW), Work Health and Safety Regulation 2011 (NSW) and any relevant approved industry code of practice. Notice of intention of commencement must be given to WorkCover New South Wales.	<b>Site Observations</b> <b>Audit Interview</b>	Relevant documentation submitted to NCC who advised that "Council raises no objection to the issue of a Construction Certificate for 45 Honeysuckle Drive provided the Honeysuckle Drive property boundary and Driveway levels comply with the submitted engineering plan prepared by BG&E (Project No. N1903 Drg No C-1010 Rev B dated 10/5/2-21  NCC subsequently advised that a Road Occupancy permit would not be required and have issued a Works Zone Approval	



Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
			Overhead hoardings not observed to be in use during the audit inspection.	
<b>Access to Information</b>				
<b>C32</b>	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:</p> <p>a) Makes the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ul style="list-style-type: none"> <li>(i) The documents referred to in condition A2 of this consent</li> <li>(ii) All current statutory approvals for this development</li> <li>(iii) All approved strategies, plans and programs required under the conditions of this consent.</li> <li>(iv) Regular reporting on this environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent:</li> <li>(v) A summary of the current stage and 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:</li> <li>(vi) progress of the development:</li> <li>(vii) Contact details to enquire about the development or to make a complaint:</li> <li>(viii) A complaints register, updated monthly:</li> <li>(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:</li> <li>(x) Any other matter required by the Planning Secretary; and</li> </ul> <p>b) Keep such information up to date, to the satisfaction of the Planning Secretary.</p>	<p><a href="http://www.horizonontheharbour.com.au">www.horizonontheharbour.com.au</a></p>	<p>Relevant Plans, updated community complaints register and water testing results have been included on the project website.</p>	<p>Compliant</p>

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Compliance Reporting</b>				
C33	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Requirements outlined in the Compliance Reporting Post Approval Requirements (2020).	Audit Interview DPE Post Approval Reporting Requirements (2020)	In accordance with the DPE Post Approval Reporting Requirements PAR, the first compliance report is not due until within 52 weeks of the commencement of operation	Not Triggered
C34	Compliance Reports must be submitted to the department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements (2020), unless otherwise agreed to by the Planning Secretary.	Audit Interview DPE Post Approval Reporting Requirements (2020)	In accordance with the DPE Post Approval Reporting Requirements PAR, the first compliance report is not due until within 52 weeks of the commencement of operation	Not Triggered
C35	The applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary, unless otherwise agreed by the Planning Secretary.	Audit Interview DPE Post Approval Reporting Requirements (2020)	In accordance with the DPE Post Approval Reporting Requirements PAR, the first compliance report is not due until within 52 weeks of the commencement of operation	Not Triggered
C36	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (2020), 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.	-	Condition relates to the operational phase	Not triggered
<b>Independent Environmental Audit</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
C37	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).	-	The initial audit was required within 3 months of the commencement of construction in accordance with the Independent Audit Post Approval Requirements (2020). This initial audit is being undertaken outside this required timeframe.	Non-Compliant
C38	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	DPE Letter dated 10/10/22	Richard Peterson of Trigalana Environment approved by DPE as the independent auditor.	Compliant
C39	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 4 weeks' notice (or timing) to the Applicant of the date upon which the audit must be commenced.	-	DPE have not altered the audit programme in accordance with this condition	Not triggered
C40	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Applicant must: <ul style="list-style-type: none"> <li>a) Review and respond to each Independent Audit Report prepared under Condition C37 of this consent, or Condition C39 where notice is given by the planning secretary;</li> <li>b) Submit the response to the Planning Secretary; and</li> <li>c) Make each Independent Audit Report and response to it, publicly available 60 days after submission to the Planning Secretary.</li> </ul>	Site Observations Audit Interview	This requirement to be fulfilled within 60 days after submission of this audit report to the Planning Secretary	Not triggered
C41	Independent Audit Reports and the applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approvals Requirements (2020) unless otherwise agreed by the Planning Secretary.	Site Observations Audit Interview	This requirement to be fulfilled within 2 months of completion of the audit (18/12/22)	Not triggered
C42	Notwithstanding the requirements of the Independent Audit Post Approvals requirements (2020) the Planning Secretary may approve a request for ongoing independent operational audits to	-	Condition relates to the operational phase	Not triggered

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.			
<b>Remedial Action Plan and Site Audit Statement</b>				
<b>C43</b>	A Site Audit Statement must be prepared in accordance with the Contaminated Land Management Act 1997 and completed by a site accredited by the EPA to issue site audit statements. The site audit must determine the nature and extent of contamination, and the appropriateness of the Remediation Action Plan, and determine if the land can be made suitable for retail and residential uses by implementation of the Remediation Action Plan.	Remedial action Plan (reditus) Acid Sulphate Soil Management Plan RRO Resource Recovery Order – EPA	Reditus appointed as the environmental consultant for the project  Ramboll appointed as independent auditor  Site audit statement to be prepared following the completion of remedial and final landscaping works	Not triggered
<b>Compliance</b>				
<b>C44</b>	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 Induction Example contract	Contract documentation includes details of compliance requirements	Compliant

Part D – During Construction

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Demolition</b>				
<b>D1</b>	Demolition work must comply with Australian Standard AS 2601-2001. The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person to that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to PCA before the commencement of works.	Audit Interview Site observations	No demolition has been undertaken	Compliant
<b>Works in Accordance with Plans</b>				
<b>D2</b>	The applicant must carry out all works on the site which form part of this development in accordance with the: <ul style="list-style-type: none"> <li>a) CEMP approved under Condition C5. The CEMP must document and incorporate all of the following Plans required under this consent.</li> <li>b) CTMP approved under Condition C6</li> <li>c) CNVMP approved under Condition C9</li> <li>d) CWMP approved under Condition C10</li> <li>e) De-watering Plan under Condition C19</li> <li>f) Groundwater Management and Monitoring Plan under Condition C26</li> <li>g) Groundwater Extraction Licence under Condition C20</li> </ul>	Audit Interview Site observations Daily perimeter Toolbox Talks SH-E Committee Daily pre-starts	No demolition has been undertaken Compliant Weekly subcontractors meeting room, plant induction.	Compliant
<b>Hours of Construction</b>				
<b>D3</b>	Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:	Audit Interview Site observations	No out of hours activities have been undertaken for the project.	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<ul style="list-style-type: none"> <li>a) Between 7am and 6pm, Mondays to Fridays inclusive: and</li> <li>b) Between 7am and 3:30pm, Saturdays</li> </ul>		No complaints for out of hours work received.	
<b>D4</b>	No work may be carried out on Sundays or public holidays.	Audit Interview	No work has been undertaken out of hours to date.	Compliant
<b>D5</b>	<p>Activities may be undertaken outside of these hours if required:</p> <ul style="list-style-type: none"> <li>a) By the Police or a public authority for the delivery of vehicles, plant or materials: or</li> <li>b) In an emergency to avoid the loss of life, damage to property or to prevent environmental harm.</li> </ul>	Audit Interview	No work has been undertaken out of hours if required by the police or for an emergency	Compliant
<b>D6</b>	Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.	Audit interview	Not applicable – as above.	Not triggered
<b>D7</b>	<p>Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours;</p> <ul style="list-style-type: none"> <li>a) 9.00am to 12.00pm, Monday to Friday;</li> <li>b) 2.00pm to 5:00pm, Monday to Friday: and</li> <li>c) 9:00am to 12:00pm, Saturday</li> </ul>	Audit Interview	Sheet piling undertaken in accordance with these hours.	Compliant
<b>Construction Noise and Vibration Management</b>				
<b>D8</b>	The development shall be constructed with the aim of achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the CEMP.	<p>Audit Interview</p> <p>Site Observations</p>	Reasonable and feasible measures observed during the site's inspection	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
D9	If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5dB(a) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels.	Audit Interview Site Observations	No impulsive or tonal noisy activities were observed during the audit. No noise complaints have been received to date.	Compliant
D10	Wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required, they must only be installed where outlined in CEMP.	Site Observations Audit Interview	Piling activities were observed to have been completed. It was reported that driven piles were installed.	Compliant
D11	<p>Vibration caused by construction at any residence or structure outside the subject site must be limited to:</p> <ul style="list-style-type: none"> <li>a) For structural damage vibration to heritage buildings, German Standard DIN 4150 Part 3 Structural Vibration in Buildings Effects on Structure</li> <li>b) For human exposure to vibration, the evaluation criteria presented in British Standard BS 6472- Guide to Evaluate Human Exposure to Vibration in Buildings (1Hz to 80Hz) for low probability of adverse comment</li> <li>c) Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.</li> <li>d) These limits apply unless otherwise outlined in the CNVMP required under Condition C9 and submitted to the satisfaction of the Certifying Authority.</li> </ul>	Site Observations Audit interview	<p>There were no activities on site that were likely to cause vibration noting that:</p> <ul style="list-style-type: none"> <li>- The nearest heritage building is over 200m from the site</li> <li>- There are no buildings directly adjacent to</li> <li>- There are no residential areas in the direct vicinity of the project that are likely to be impacted by vibration</li> <li>- The work undertaken at 35 Honeysuckle drive is being performed by Bloc (the same company that is undertaking this development)</li> <li>- No vibration complaints have been received</li> </ul>	Compliant
<b>Erosion and Sediment Control</b>				
D12	Any seepage or rainwater collected on-site during construction, must be either re-used or disposed of, so as not to cause pollution. Seepage or rainwater shall not be pumped to the street stormwater system unless separate approval is given in writing by Council.	Site Observations	Stormwater is retained on site; no water is pumped off site. Groundwater is treated and disposed to the Hunter River in accordance with a pumping permit.	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
			Erosion and Sediment Control Plan prepared by BG&E and submitted to the certifier for earthworks activities.	
<b>Survey Certificate</b>				
<b>D13</b>	A Survey Certificate prepared by a Registered Surveyor must be submitted at the completion of the building works certifying the location of the building in relation to the boundaries of the allotment.	Site Observations Audit Interview	Not required until the completion of building works	Not triggered
<b>Utilities</b>				
<b>D14</b>	The applicant shall be responsible for all public utility adjustment/ relocation works, necessitated by the development and as required by the various public utility authorities and/ or their agents.	Site Observations Audit Interview	No public utility adjustments or relocation works undertaken	Compliant
<b>Work Cover Requirements</b>				
<b>D15</b>	To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Work Cover requirements.	Site Observations	Appropriate fencing and access arrangements were in place to restrict access to unauthorised persons	Compliant
<b>Covering of Loads</b>				
<b>D16</b>	All vehicles involved in excavation and/ or demolition process and departing from the property with materials, spoil or loose matter must have their loads fully covered before entering the public roadway.	Site Observations	Excavations had been completed. No vehicles were observed to be departing from the site	Compliant



Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Vehicle Cleansing</b>				
D17	Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.	Site Observations Audit Interview	Hardstand access and egress provided with streetsweeper available to clean up any material spilt onto local roadway. No mud tracking was observed during the site inspection	Compliant
<b>Dust Control Measures</b>				
D18	Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during construction. Those measures must include, but are not limited to: <ul style="list-style-type: none"> <li>a) Restricting topsoil removal</li> <li>b) Regularly and lightly watering dust prone areas (Note: prevent excess watering as it can cause damage and erosion.</li> <li>c) Alter or cease construction work during periods of high wind and erect green or black shade cloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.</li> </ul>	Site Observations Audit Interview	No dust observed on site, adequate measures implemented including dust screens which were attached to hoardings, stabilised site access and street sweeper to remove any accumulated mud on local roads. All earthworks were completed and the majority of the site is sealed with concrete thereby reducing dust risk	Compliant
<b>All Building Materials, Plant and Equipment</b>				
D19	All building materials, plant and equipment is to be placed on the site of the development so as to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road reserve. The storage of building materials on Council reserves, including the road reserve is not permitted.	Site Observations	No restrictions on pedestrian or vehicular access observed during the audit	Compliant
<b>No Obstruction of Public Way</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
D20	The public way must not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the Planning Secretary to stop all the work on site.	Site Observations	No obstructions to public way observed during the audit, all materials and equipment were contained within the site	Compliant
<b>Hoarding</b>				
D21	The following hoarding requirements shall be complied with: <ul style="list-style-type: none"> <li>a) No third party advertising is permitted to be displayed on the subject hoarding/ fencing</li> <li>b) The construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.</li> </ul>	Site Observations	No third-party advertising or graffiti was observed on any hoarding or site fencing	Compliant
<b>Protection of Street Trees</b>				
D22	No street trees are to be trimmed or removed unless it forms part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property.	Site Observations	No street trees observed during the audit	Compliant
D23	All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, shall be replaced, to the satisfaction of Council.	Site Observations	No street trees observed during the audit	Compliant
<b>Bunding</b>				
D24	The applicant shall store all chemicals, fuels and oils used on site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, EPL requirements and/ or EPA's Storing and Handling Liquids: Environmental Protection – Participants Handbook.	Site Observations	Chemical storage cupboard utilised to store chemicals.	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Site Notice</b>				
<b>D25</b>	<p>A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing all public or project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements:</p> <ul style="list-style-type: none"> <li>a) The notice is to be able to be read by the general public from a public road or other public place adjacent to the site</li> <li>b) The notice is to be rigid, durable and weatherproof and is to be displayed throughout the works period</li> <li>c) The approved hours of work, the name of the site/ project manger, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/ noise complaint are to be displayed on the site notice.</li> <li>d) The notice(s) is to be mounted at eye level on the perimeter hoardings/ fencing and is to state that unauthorised entry to the Site is not permitted.</li> </ul>	Site Observations	Appropriate Site signage installed at the project boundary	Compliant
<b>Contact Telephone Number</b>				
<b>D26</b>	The applicant shall ensure that the 24-hour contact telephone number is continually attended by the person with authority over the works for the duration of the development.	Audit Interview	Contact personnel nominated on the 24-hr contact number are available 24 hours per day	Compliant
<b>Approved Plans to be On Site</b>				
<b>D27</b>	A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by Council, Heritage Council, the Department or the Certifying Authority.	Procore – computer-based document control and filing system	All plans were available for inspection on site at the time of the audit	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Stockpile Management</b>				
<b>D28</b>	<p>The Applicant must ensure that.</p> <ul style="list-style-type: none"> <li>a) Stockpiles of excavated materials do not exceed 4 metres in height.</li> <li>b) Stockpiles of excavated material are constructed and maintained to prevent cross contamination.</li> <li>c) Suitable erosion and sediment controls are in place for stockpiles.</li> </ul>	Site Observations	All excavation works had been completed. All stockpiles were small and a maximum height of 1m	Compliant
<b>Evacuation</b>				
<b>D29</b>	<p>If the development involves an excavation that extends below the levels of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:</p> <ul style="list-style-type: none"> <li>a) Protect and support the adjoining premises from possible damage from the excavation.</li> <li>b) Where necessary, underpin the adjoining premises to prevent any such damage.</li> </ul> <p><i>Note: the above requirements do not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the requirements not applying.</i></p>	Shoring Engineer – Indesco Design Statement	<p>There were no neighbours observed immediately to the North and West, the properties on the Southern Side of Honeysuckle drive are over 20m away</p> <p>The property adjacent to the site (to the east) is owned by Bloc</p>	Compliant
<b>D30</b>	Any excavated material to be removed from the site is to be assessed, classified, transported and disposed of in accordance with the Department of Environment and Climate Change's (DECC) "Waste Classification Guidelines Part 1: Classifying Waste.	Various Waste classification reports provided by Reditus	The appropriate waste classifications of materials were undertaken	Compliant

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
D31	All excavations and backfilling are to be executed safely in accordance with appropriate professional standards and excavations are to be properly guarded and protected to prevent them from being dangerous to life and property.	Site observations	At the time of the audit, excavation work had been completed, with concrete basements and permanent structural support provided. Handrails were provided to prevent falls from height	Compliant
D32	Any alterations to natural surface levels on the site is to be undertaken in such a manner as to ensure that there is no increase in surface water runoff to adjoining properties or that runoff is impounded on adjoining properties, because of the development.	BG&E Civil Drawings BGE Erosion and Sediment Control Plan	No water or temporary drainage infrastructure was observed on site to be discharging to adjoining properties. BGE Civil design provide details of drainage infrastructure for the permanent development. Plans submitted to the Certifier	Complaint
<b>Acid Sulphate Soil</b>				
D33	The development must be carried out in accordance with the details set out in the Acid Sulphate Soil Management Plan prepared by ADE Consulting Group dated 3 May 2019.	Various Reditus letters	Reditus were appointed as the Environmental consultant for the project and have undertaken testing and analysis of material in accordance with the ASSMP	Compliant
<b>Groundwater Monitoring</b>				
D34	Daily measurements of water levels from monitoring bores outside basement support walls, weekly measurements of groundwater and discharge water quality, and weekly measurements of pumped volumes must be recorded by the Applicant throughout the construction phase of the development and provided to the Natural Resource Access Regulator in raw data form.	Raw Data sensor data reports for RMW1, MW6D and MW5D	Raw data reports have been prepared however are yet to be provided to the Natural Resource Regulator.	Compliant
<b>Impacts of Below Ground (Sub Surface) Works – Non Aboriginal Objects</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
D35	If during the course of construction the Applicant becomes aware of any previously unidentified heritage object(s), all work likely to effect the object(s) must cease immediately and the OEH Heritage Division must be notified immediately and consulted with regard to the recommencement of works. This protocol must be included in the induction for all construction workers on site.	Heritage NSW Email dated 3/12/21 Umwelt Letter dated 3/12/21	<p>A metal anchor was exposed during bulk excavation works and was observed to be stored safely on site.</p> <p><b>Recommendation</b></p> <p>It is recommended that the anchor is relocated off site so that any unexpected damage or theft of the anchor does not occur.</p> <p>NSW Heritage were notified of the unexpected heritage find on the 3/12/21</p>	Compliant
<b>Impacts of Below Ground (Sub Surface) Works – Aboriginal Objects</b>				
D36	If during the course of construction, the applicant becomes are of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) must cease immediately and the OEH Heritage Division informed in accordance with section 89A of the National Parks and Wildlife Act 1974. Relevant works must not recommence until written authorisation from the OEH Heritage Division is received by the applicant. This protocol must be included in the induction for all construction workers on the site.	Site Observations Audit interview	No unidentified aboriginal objects have been discovered during the construction activities	Compliant

Part E – Prior to Occupation or Commencement of Use

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Occupation Certificate</b>				
E1	An Occupation Certificate must be obtained from the certifying authority and a copy submitted to the Department prior to commencement of occupation or use of the whole or any part of the approved new buildings.	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Site Validation</b>				
E2	Within 6 months of the completion of remediation works on site (including validation of remediation related construction works), and prior to the issue of any Occupation Certificate, the applicant shall submit a detailed Site Audit Summary report and Site Audit Statement and Validation Report to the Planning Secretary, Certifying Authority and Council.	Audit Interview Site Observations	Condition relates to operation	Not triggered
E3	The Site Audit Statement and Site Audit Report must be prepared in accordance with the Contaminated Land Management Act 1997 and completed by a site auditor accredited by the EPA to issue site audit statements. The reports must be provided to the Accredited Certifier and City of Newcastle Council certifying that the site is suitable for the approval land uses.	Audit Interview Site Observations	Condition relates to operation	Not triggered
E4	The site auditor must also verify that any excavated material re-used or disposed off site has been appropriately classified, validated, managed and the relevant approvals obtained in accordance with the relevant legislation and any relevant approved materials/ management plans.	Audit Interview Site Observations	Condition relates to operation	Not triggered
E5	On completion of remediation works, the relevant requirements of Clauses 17 and 18 or State Environmental Planning Policy – Remediation of Land, being notification to the Council, shall be complied with.	Audit Interview Site Observations	Condition relates to operation	Not triggered

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Public Domain, Vehicular Crossing and Road Reserve Works</b>				
E6	Prior to the issue of any Occupation Certificate, the construction works in the road reserve are to be implemented and completed to the satisfaction of Newcastle City Council.	Audit Interview Site Observations	Condition relates to operation	Not triggered
E7	All public footways, foot paving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following damage, to a satisfactory state that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to the satisfaction of Newcastle City Council prior to the completion of the demolition works or prior to the issue of the Occupation Certificate.	Audit Interview Site Observations	Condition relates to operation	Not triggered
E8	Any redundant existing vehicular crossing (or section of) is to be removed at no cost of Council and the public footway and kerb being restored to match the existing infrastructure and be completed prior to the issue of any Occupation Certificate for the proposed development.	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Landscape Practical Completion Report</b>				
E9	A Landscape Practical Completion Report is to be submitted to the Certifying Authority by the consultant responsible for the landscape design plan prior to the issue of the Final Occupation Certificate. The report is to verify that all landscape works have been carried out in accordance with the comprehensive landscape design plan and specifications that were required to be include in the documentation for a Construction Certificate application and is to verify that an effective maintenance program has been commenced.	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Vehicle Entrances, Parking and Loading</b>				



Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E10	The vehicular entrance and exit driveways and the direction of traffic movement within the site are to be clearly indicated by means of reflectorised signs and pavement signs. The traffic and parking signs, line markings and required traffic and safety devices as indicated in the approved architectural plans and traffic report is to be completed prior to occupation of the buildings.	Audit Interview Site Observations	Condition relates to operation	Not triggered
E11	All parking and loading bays are to be permanently marked out on the pavement surface, with loading bays and visitor parking facilities being clearly indicated by signs prior to occupation of the buildings.	Audit Interview Site Observations	Condition relates to operation	Not triggered
E 11A	The shared use commercial/residential visitor car parking spaces must be allocated, marked out on the pavement surface and clearly signposted. The signpost must state that spaces are to be used only for commercial parking between 7am to 7pm each day.	Audit Interview Site Observations	Condition relates to operation	Not triggered
E12	Any stacked car parking spaces are to be assigned to and used by a common residential unit or commercial tenancy.	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Stormwater</b>				
E13	A copy of the stormwater drainage design plans approved with the Construction Certificate with 'work as executed' levels indicated, shall be submitted to the Certifying Authority and the City of Newcastle Prior to the issue of any Occupation Certificate. The plans shall be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Maintenance Manual for Water Quality Devices</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E14	Prior to the issue of any Occupation Certificate, a Maintenance Manual for all water quality devices is to be prepared in accordance with City of Newcastle's Technical Manual: Stormwater and Water Efficiency for Development (updated April 2019). The manual is to address maintenance issues concerning the water quality devices including routine monitoring and regular maintenance and be kept on site at all times. Establishment of the water quality devices in accordance with the manual prepared is to be complemented prior to occupation of the site.	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Water Authority Compliance</b>				
E15	A section 50 Compliance Certificate under the Hunter Water Corporation Act 1991 must be obtained from Hunter Water. The Section 50 Certifying Authority prior to issue of any Occupation Certificate.	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Environmentally Sustainable Development</b>				
E16	Environmentally Sustainable Development measures are to be complete/ installed in accordance with Conditions B48-B51. Evidence shall be submitted to the Certifying Authority demonstrating compliance with these conditions prior to the issue of an Occupation Certificate.	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Green Travel Plan</b>				
E17	Prior to the issue of any occupation certificate, the Green Travel Plan lodged (Scea Solution Pty Ltd, Version 3 dated 7 February 2020) shall be updated to include the following inclusions and clarifications: <ul style="list-style-type: none"> <li>a) Establish mode share targets and outline robust actions to achieve those targets.</li> <li>b) Identify and appoint a Travel Plan Coordinator to oversee the implementation of the Travel Plan.</li> </ul>	Audit Interview Site Observations	Condition relates to operation	Not triggered

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
	<ul style="list-style-type: none"> <li>c) Nominate the party/ parties responsible for implementing the actions in the Travel Plan as its ongoing monitoring and review, including the delivery of actions and associated mode share targets.</li> <li>d) Include an annual monitoring, reporting and review process, supported by a Travel Survey to determine if mode share targets and other actions of the Travel plan are being achieved and determine a process for the delivery of any post-occupancy measures</li> <li>e) Confirm the number of car share spaces proposed</li> <li>f) Consider provision and identify extent of facilities proposed that support and encourage active transport use, including for bike share schemes, e-bike charging stations and bicycle storage arrangements for residents and visitors.</li> <li>g) Identify behaviour changes initiatives that will be implemented to support the mode share targets</li> <li>h) Confirm the number of residents that are expected to live at the site.</li> <li>i) Provide more specific and detailed walking and cycling maps for the site and outline key routes that will be used to access it.</li> <li>j) Provide additional modelling or data analysis to inform the assumptions in the 'Future Demands' scenario of p13 of the Green Travel Plan lodged, and provide clearer detail about expected travel patterns based on this data.</li> <li>k) Include a Travel Access Guide that provides information to staff, visitors and tenants about public and active transport availability, as well as relevant information about end of trip facilities and bicycle parking and access arrangements for freight and servicing and publish this information in an accessible location.</li> </ul>			
<b>E18</b>	Copies of the Travel Access Guide are to be installed in common areas prior to the issue of the final Occupation Certificate, together with instructions on where to obtain personal copies. Copies of the Travel Access Guide must be provided to residents and tenants in electronic form to enable the current website links and information to be up to date.	Audit Interview Site Observations	Condition relates to operation	Not triggered

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Medical Ventilation</b>				
<b>E19</b>	<p>Prior to the issue of any Occupation Certificate and following completion, installation and testing of all mechanical ventilation systems, the Applicant shall provide evidence to the satisfaction of the Certifying Authority that the installation and performance of the mechanical systems complies with:</p> <ul style="list-style-type: none"> <li>a) The Building Code of Australia</li> <li>b) Australian Standard AS1668 and other relevant codes</li> <li>c) The development consent and any relevant modifications</li> <li>d) Any dispensation granted by the New South Wales Fire Brigade</li> </ul>	<p>Audit Interview Site Observations</p>	<p>Condition relates to operation</p>	<p>Not triggered</p>
<b>E20</b>	<p>Prior to issue of an Occupation Certificate and following completion, installation, and testing of all mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with Clause A2.2(a)(iii) of the Building Code of Australia must be submitted to and approved by the Certifying Authority.</p>	<p>Audit Interview Site Observations</p>	<p>Condition relates to operation</p>	<p>Not triggered</p>
<b>Waste and Recycling Management</b>				
<b>E21</b>	<p>Prior to any Occupation Certificate being issued or commencement of the use, whichever is earlier, the certifying authority must be satisfied that waste handling works have been completed in accordance with the Waste Management Plan (Condition C10), other relevant conditions and Council's Policy for Waste Minimisation in New Developments 2005.</p>	<p>Audit Interview Site Observations</p>	<p>Condition relates to operation</p>	<p>Not triggered</p>
<b>Installation of Water Efficient Taps</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E22	All taps and shower heads installed must be water efficient with at least a 3 star rating under the Water Efficiency and Labelling Scheme (WELS), where available. Certification is to be submitted for the consent of the Certifying Authority, prior to a relevant Occupation Certificate being issued.	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Protection of Public Infrastructure</b>				
E23	Unless the Applicant and the applicable authority agree otherwise, the applicant must: <ul style="list-style-type: none"> <li>a) Repair or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development: and</li> <li>b) Relocate or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.</li> </ul>	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Post Construction Dilapidation Report</b>				
E24	A post construction dilapidation report prepared by a suitably qualified persons shall be submitted to the Certifying authority prior to the issue of an Occupation Certificate, to ascertain if any structural damage has occurred to the adjoining buildings, infrastructure and roads. The reports shall be forwarded to Newcastle City Council and will be made available in any private dispute between neighbours regarding damage arising from construction works.	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Fire Safety Certificate to be Submitted</b>				
E25	Prior to the issue of an occupation certificate, a Fire Safety Certificate must be submitted to the PCA for all of the items listed in the Fire Safety Schedule and a copy of the Fire Safety Certificate must be submitted to the Department.	Audit Interview Site Observations	Condition relates to operation	Not triggered

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Screening</b>				
E26	All external items of air conditioning plant are to be screened or positioned in such a manner as to not detract from the visual presentation of the building .	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>External Walls and Cladding</b>				
E27	Before the issue of any occupation certificate the applicant must provide the certifying authority with documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such a synthetic or aluminium panels comply with the requirements of the BCA, in accordance with Condition B6.	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Structural Inspection Certificate</b>				
E28	<p>A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the PCA prior to the issue of any Occupation Certificate and/ or use of the premises. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the approval authority and the Council after:</p> <ul style="list-style-type: none"> <li>a) The site has been periodically inspected and the PCA is satisfied that the Structural Works is deemed to comply with the final design.</li> <li>b) The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate(s)</li> </ul>	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Compliance with BASIX Certificate</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
B29	Prior to the issue of any occupation certificate, the applicant shall implement the commitments outlined in BASIC Certificate No. 10126489M 02	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Pedestrian Links</b>				
E30	The pedestrian through links are to be the subject of an appropriate reciprocal right off public access and the necessary survey plan and accompanying instrument under Section 88B of the Conveyancing Act 1919 being registered with NSW Government Land and Property Information prior to the issuing of any occupation certificate for the proposed development, it being noted that the instrument is to provide that the right of way is unable to be relinquished, varied or modified without the occurrence of the Newcastle City Council.	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Design Verification</b>				
E31	A design verification statement from a qualified designer shall be submitted to the Principal Certifying Authority prior to the issue of an Interim or Final Occupation Certificate, whichever occurs first. The statement shall confirm the development has been constructed in accordance with the quality principles set out in Part 2 of State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development.  <i>Note: 'Qualified Designer' means a person registered as an architect in accordance with the Architects Act 2003. This condition is imposed in accordance with Clauses 15A of the Environmental Planning and Assessment Regulation 2000.</i>	Audit Interview Site Observations	Condition relates to operation	Not triggered
<b>Acoustic Compliance</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E32	<p>Prior to the issue of any Occupation Certificate, evidence shall be submitted to the Certifying authority demonstrating compliance with all measures required under Condition B16 and to ensure the development achieves compliance with the requirements of the NSW Industrial Noise Policy and other guidelines applicable to the development. This must include verification the building has achieved the required acoustic performance for all living/ dining and sleeping areas.</p> <p>Written final certification confirming the recommended acoustic treatments have been implemented in accordance with the requirements of the above report is to be submitted to the certifying authority and council prior to the issue of an occupation certificate.</p> <p><i>Notes: The acoustic consultant may need to be involved during the construction process in order to ensure final certification is achieved.</i></p>	<p>Audit Interview Site Observations</p>	<p>Condition relates to operation</p>	<p>Not triggered</p>
<b>Flood Sign</b>				
E33	<p>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 prolonged rainfall, being installed prior to issue of any Occupation Certificate. 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.</p>	<p>Audit Interview Site Observations</p>	<p>Condition relates to operation</p>	<p>Not triggered</p>
<b>Groundwater Monitoring Completion Report</b>				
E34	<p>Prior to the issue of an occupation certificate, a completion report shall be provided to the National Resource Access Regulator consistent with the requirements of Condition C20.</p>	<p>Audit Interview Site Observations</p>	<p>Condition relates to operation</p>	<p>Not triggered</p>
<b>Street Numbering</b>				



Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
E35	<p>The premises are to be identified by the provision of house and street numbers on the building exterior and mailbox, such that they are clearly visible from the road frontage prior to occupation of the buildings.</p> <p>The minimum numeral heights shall be:</p> <ul style="list-style-type: none"> <li>a) Exterior of the building = 75mm and</li> <li>b) Group mailbox – street number= 150mm – house number = 50mm</li> </ul>	<p>Audit Interview Site Observations</p>	<p>Condition relates to operation</p>	<p>Not triggered</p>
<b>Street Addresses</b>				
E36	<p>House numbering for the proposed development is to be in accordance with the NSW Address Policy and User Manual by the Geographical Names Board of New South Wales and the Directions of Newcastle City Council and Council's House Numbering Policy and Surveying and Spatial Regulation.</p>	<p>Audit Interview Site Observations</p>	<p>Condition relates to operation</p>	<p>Not triggered</p>

Part F – Post Occupation

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
<b>Communal Area Access</b>				
F1	All residents of the development are to have access to all communal areas, including: <ul style="list-style-type: none"> <li>a) Multi-purpose common room on the ground floor of the middle building.</li> <li>b) Communal rooftop area on the middle building</li> <li>c) The outdoor podium</li> <li>d) The outdoor through site links</li> </ul>	Audit Interview Site Observations	Condition related to post occupation	Not triggered
<b>Noise Control – Mechanical Plant and Equipment</b>				
F2	Noise associated with the operation of any plant, machinery or other equipment on the site, shall not give rise to any one or more of the following: <ul style="list-style-type: none"> <li>a) Transmission of “offensive noise” as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy.</li> <li>b) A sound pressure level at any affected residential property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premise. The source noise level must be assessed as a LAeq, 15minute.</li> <li>c) Not with standing compliance with: a) and b) above, the noise from mechanical plant associated with the premises must not exceed 5dB(A) above the background noise level between the hours of 12 midnight and 7am.</li> </ul>	Audit Interview Site Observations	Condition related to post occupation	Not triggered
<b>Loading and Unloading</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
F3	All vehicular movement to and from the site is to be in a forward direction	Audit Interview Site Observations	Condition related to post occupation	Not triggered
F4	All loading and unloading of service vehicles in connection with the use of the premises shall be carried out in accordance with Newcastle Traffic Committee conditions.	Audit Interview Site Observations	Condition related to post occupation	Not triggered
F5	Unless otherwise agreed to, or altered by, the Newcastle Traffic Committee, the use of the Loading Zone on Honeysuckle Drive is restricted to 6am – 9am Monday to Friday and 2p ticket 9am-5pm Monday to Friday and 4p ticket 9am – 5pm Saturday and Sunday.	Audit Interview Site Observations	Condition related to post occupation	Not triggered
F6	The location of any loading zone may be subject to future review and relocation at Council's discretion to meet the servicing needs of Newcastle.	Audit Interview Site Observations	Condition related to post occupation	Not triggered
F7	Proposed parking areas, vehicle bays, driveways and turning areas are to be maintained clear of obstruction and be used exclusively for purposes of car parking, loading and unloading, and vehicle access respectively. Under no circumstances are such areas to be used for the storage of goods or waste materials.	Audit Interview Site Observations	Condition related to post occupation	Not triggered
<b>Visitor Car parking</b>				
F8	The proposed visitor on site parking bays are to be made available for the use of casual visitors to the residential accommodation and such spaces under no circumstances being subdivided, leased or controlled by or on behalf of particular dwelling owners or residents.	Audit Interview Site Observations	Condition related to post occupation	Not triggered
<b>Anti Graffiti</b>				

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
F9	All ground level walls and surfaces are to be treated with an anti graffiti coating where possible. In addition, any graffiti evident on the exterior facades and visible from a public place is to be removed within 48 hours.	Audit Interview Site Observations	Condition related to post occupation	Not triggered
<b>Annual Fire Safety Certification</b>				
F10	The owner of the building shall certify to Council or the relevant authority every year that the essential services installed in the building for the purposes of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard. This purpose of this condition is to ensure that there is adequate safety of persons in the building in the event of fire and for the prevention of fire, the suppression of fire and the prevention of the spread of fire.	Audit Interview Site Observations	Condition related to post occupation	Not triggered
<b>External Lighting</b>				
F11	External lighting must comply with AS 4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the applicant must submit to the certifying authority evidence from a qualified practitioner demonstrating compliance in accordance with this condition.	Audit Interview Site Observations	Condition related to post occupation	Not triggered
<b>Landscape Establishment Report</b>				
F12	A landscape establishment report is to be submitted to council following completion of a three month maintenance period, verifying that satisfactory maintenance of the landscape works has been undertaken and any necessary rectification measures have been carried out to a high professional standard: a copy of report format attached.	Audit Interview Site Observations	Condition related to post occupation	Not triggered

Approval ID	Requirement	Evidence Collected	Independent Audit Findings & Recommendations	Compliance Status
F13	A landscape establishment report is to be submitted to council following completion of a three month maintenance period, verifying that satisfactory maintenance of the landscape works has been undertaken and any necessary rectification measures have been carried out to a high professional standard: a copy of report format attached.	Audit Interview Site Observations	Condition related to post occupation	Not triggered
<b>Liquid Wastes</b>				
F14	Any liquid wastes from the premises, other than stormwater being discharged to the sewers of the Hunter Water Corporation, is to be in accordance with that authorities requirements.	Audit Interview Site Observations	Condition related to post occupation	Not triggered
<b>Flood Gate Maintenance</b>				
F15	The car park access driveway flood gate must be maintained to ensure operation at all times to prevent floodwater entry to the basement up to the minimum level of RL2.8m Australian Height Datum.	Audit Interview Site Observations	Condition related to post occupation	Not triggered

# Appendix D Site Photographs

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**Photo 1:** General Construction



**Photo 2:** General Construction and Dust Shadecloth



**Photo 3:** Spill kit



**Photo 4:** Groundwater Treatment unit





Photo 5: Site Signage



Photo 6: Fuel Storage Cabinet



# Appendix E Auditor Declaration

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<b>Project name</b>	Horizon at Lee - 45 Honeysuckle Drive Newcastle
<b>Consent Number</b>	SSD 9827
<b>Description of Project</b>	Construction of a mixed use development known as "Horizon at Lee 5" including construction of three 8-9 Storey Buildings containing 101 apartments, retail premises, carparking, public domain and various public domain and tie in works
<b>Project Address</b>	45 Honeysuckle Drive Newcastle
<b>Proponent</b>	Horizon Newcastle Pty Ltd
<b>Date</b>	17 January 2023

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

*I declare that*


- (i) the audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Compliance Requirements (Department 2019);
- (ii) the findings of the audit are reported truthfully, accurately and completely;
- (iii) I have exercised due diligence and professional judgement in conducting the audit;
- (iv) I have acted professionally, objectively and in an unbiased manner;
- (v) I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- (vi) I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- (vii) neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- (viii) I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so

Notes:

- a) Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit. If the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of corporation, \$1 million and for an individual, \$250,000; and
- b) The *Crimes Act 1900* contains other offences relating to the false and misleading information; section 307Bv (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both).

o

**Name of auditor** Richard Peterson

**Signature** 

**Qualification** BE Civil, M Environmental Management

**Company:** Trigalana Environmental Pty Ltd