



25th August 2020

The Planning Secretary
Department of Planning, Industry & Environment
320 Pitt Street
Sydney, NSW 2000

Attention: Megan Fu
Project: Nihon University Newcastle Campus - SSD 9787
Re: Conditions of Consent D33

Dear Megan,

Reference is made to SSD 9787 Conditions of Consent D33 in relation to the applicant's response to the Independent Audit Report, prepared under condition D30 of the consent. This letter is the proponent's response to the Independent Environmental Audit [IEA] Construction Audit 3 [Revision 0, dated 20/08/2021], prepared by GHD.

This response has been prepared in accordance with the requirements of the Independent Audit Post Approval Requirements [*Department of Planning and Environment, 2018*] and responds directly to scope as outlined in *Section 4.3 Proponent review and response*. The response sets out in tabular format the following:

- 1.0 - the proponent's response to each of the corrective actions,
- 2.0 - the proponent's response to each of the recommendations

Response to Corrective Actions:

Ref No.	Condition	Corrective Action	Corrective Action Response	Timing
CA1	A2	Corrective Action 1: Ensure that the development is carried out in accordance with the conditions of consent.	The proponent notes the non-compliance with Condition A2[a]. It is understood that this corrective action has occurred as a result of identified non-compliances. Once identified the non-compliances have been corrected immediately. The non-compliances are administrative in nature and do not pose a risk of environmental harm. There is no further action required in relation to this corrective action.	Not applicable - all non-compliances have been addressed immediately post the audit inspections.

Response to Recommendations

Ref No.	Condition	Recommendations	Recommendation Response	Timing
R1	C1	If the anticipated date of operation changes, ensure that DPIE are notified at least 48 hours prior to the amended date.	Due to the Covid 19 pandemic and the resultant restrictions placed on entry into Australia, Nihon University are unable to commence the intended operation of the development. Once a date for the commencement of operations has been established, notification will be provided to the planning secretary noting to be a minimum of 48 hours prior to commencement.	Minimum 48 hours prior to commencement of operations.
R2	D6	Should construction be undertaken on a Sunday, in accordance with EP&A COVID-19 Development—Construction Work Days) Order [No 2] 2021, ensure	Construction is not required to be undertaken on Sunday. If an unforeseen issues arises requiring such activity then the community will be notified of amendments to working hours.	Noted and as required.

		that the community is notified of amendments to working hours.		
R3	D31	As practical commencement of operation will not occur until May 2022 at the earliest [despite construction completion being in late August 2021], consultation with DPIE should be undertaken to confirm an appropriate timing for the completion of the first operational audit.	Correspondence dated 24 th August 2021 forwarded to DPIE in relation to the Covid 19 pandemic and the resultant restrictions placed on entry into Australia preventing Nihon University from commencing the intended operation of the development. The correspondence identified a timing for the first operation audit once operation of the development has commenced.	Correspondence forwarded to DPIE 24 th August 2021 for consultation.
R4	E12	Regularity of reviews for ensuring wayfinding signage and security measures are managed and maintained should be accurately defined, with a 'living' checklist prepared to cover these reviews and address documentary evidence requirements.	Operational management plan [OMP] updated to address the definition and management of the wayfinding signage and security measures and to include a 'living' checklist prepared to cover reviews and address documentary evidence requirements.	The OMP has been updated to address the recommendation. The updated OMP has been forwarded to the Certifier.

A copy of this correspondence has been forwarded to the Certifier in accordance with the requirements of the condition of consent.

Notification is given that the IEA Construction Audit 3 and this response will be uploaded to the public information website at least seven days after it has been issued to the Planning Secretary and within 60 days of its lodgement with the Planning Secretary.

Should you require further clarification on the response to the independent environmental audit please feel free to contact either Katherine Daunt or Edward Clode at dwp Australia Pty.

Yours sincerely,



Edward Clode
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Registered Architect – NSW ARBN 4100
Email: edward.c@dwp.com
File: 17-0347_A-d01-20_let
Encl.: nil

Copy: Certifier - Surescope Building Certifiers