



30th January 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 A09 and A10

Dear Megan,

Reference is made to SSD 9787 Conditions of Consent A09 and A10 in relation to the Staging requirements for the development.

Staged Construction Certification

In finalising the design and construction program for the development to meet Nihon University's operational program, the contractor has advised that a staged approach to obtaining construction certificates for the work will be adopted. The decision in relation to construction staging has been driven by the requirement to finalise the structure of the education and residential buildings through the completion of the geotechnical investigations in consultation with Subsidence Advisory NSW as well as the design and endorsement processes required to address the revised Landscape Plan for the streetscape treatment of the former Newcastle Courthouse. The construction certificate staging program is as follows:

<i>Construction certificate work areas to be addressed</i>		<i>Certificate application</i>	<i>Construction commencement</i>	<i>Projected completion</i>
Early works including demolition of existing administration and supreme court buildings and the finalisation of the geotechnical, contamination and archaeological investigations.		January 2020	February 2020	April 2020
CC01	Substructure including works associated with Subsidence Advisory NSW approvals, education and residential building foundations, western and southern boundary retaining walls and site in-ground services	March 2020	March 2020	May 2020
CC02	Residential and education buildings above the substructure including the structure, facades, external and internal finishes and all building services. Historic courthouse including the conservation, restoration, structural repairs, external and internal finishes and all building services.	April 2020	May 2020	May 2021
CC03	External works and landscaping to the development site including the public domain and the heritage streetscape landscaping works to Church Street.	August 2020	September 2020	May 2021
Occupation certification and commencement of operations		June 2021		

Construction certificate CC03 has been introduced to address the potential timing requirements to achieve the endorsement of NSW Heritage Council or its delegate of the revised Landscape Plan. Should the endorsement of the revised Landscape Plan be achieved by April 2020, construction certificates CC02 and CC03 will be combined and the Planning Secretary notified of the change.

Compliance Condition Matrix

i. CC01 Construction Certificate - Substructure and In-ground Services

The construction work to be addressed in construction certificate CC01 is for the development's substructure including the geotechnical investigations associated with Subsidence Advisory NSW approvals, the foundations and in-ground service areas to the residential and educational buildings and the western and southern perimeter retaining walls to the neighbouring James Fletcher Hospital site. The construction works for the conservation of the historic courthouse, the construction of the education and residential buildings above the substructure and the construction of the public domain and heritage streetscape landscaping are excluded from construction certificate CC01. The compliance conditions matrix for CC01 is outlined below.

<i>Conditions of Consent</i>		<i>Compliance condition matrix</i>
Part A	Administration Conditions	Compliance with all conditions
Part B	Prior to the Issue of Construction Certificate	Compliance with all conditions with the exception of condition B03 <i>External Walls and Cladding</i> Condition B03 requires documented evidence of the products and systems proposed for use in the external walls and cladding to be submitted to the certifier, prior to the issue of the construction certificate. The external walls and cladding do not form part of the substructure works, compliance with Condition B03 will be addressed in CC02. In addition, the final selection of the products and systems proposed for use in the external walls and cladding are being assessed in detail to address to align with the 4 star Green Star rating certification processes.
Part C	Prior to the Commencement of Construction	Compliance with all conditions with the exception of condition C19 <i>Landscaping</i> Condition C19 requires the preparation of a revised landscape plan for the streetscape treatment to be submitted to the NSW Heritage Council for endorsement. The streetscape treatment does not form part of the substructure, compliance with the condition will be addressed in CC03. The qualified heritage landscape consultant has commenced the redesign works in consultation with Newcastle City Council to address the individual items identified in the conditions of consent. Once the revised Landscape Plan is completed it will be submitted to NSW Heritage Council or its delegate for endorsement. The time required for the redesign of the streetscape treatment to Church Street and the endorsement by the NSW Heritage Council or its delegate impacts the commencement dates for the construction of the streetscape works. The potential time impact on the construction program for compliance with Condition C09 is a determinate for the staged construction certification approach.

ii. CC02 Construction Certificate - Residential, Educational and Historic Courthouse Construction

The construction work to be addressed in construction certificate CC02 is for the conservation of the historic courthouse and the construction of the education and residential buildings above the substructure. The construction of the public domain and heritage streetscape landscaping are excluded from construction certificate CC02. The compliance conditions matrix for CC02 is outlined below.

<i>Conditions of Consent</i>		<i>Compliance condition matrix</i>
Part A	Administration Conditions	Compliance with all conditions
Part B	Prior to the Issue of Construction Certificate	Compliance with all conditions.
Part C	Prior to the Commencement of Construction	Compliance with all conditions with the exception of condition C19 <i>Landscaping</i> Condition C19 requires the preparation of a revised landscape plan for the streetscape treatment to be submitted to the NSW Heritage Council for endorsement. The streetscape treatment does not form part of the substructure, compliance with the condition will be addressed in CC03. The qualified heritage landscape consultant has commenced the redesign works in consultation with Newcastle City Council to address the individual items identified in the conditions of consent. Once the revised Landscape Plan is completed it will be submitted to NSW Heritage Council or its delegate for endorsement.

<i>Conditions of Consent</i>	<i>Compliance condition matrix</i>
	The time required for the redesign of the streetscape treatment to Church Street and the endorsement by the NSW Heritage Council or its delegate impacts the commencement dates for the construction of the streetscape works. The potential time impact on the construction program for compliance with Condition C09 is a determinate for the staged construction certification approach.

iii. CC03 Construction Certificate - Public Domain and Streetscape

The construction work to be addressed in construction certificate CC03 is for external works and landscaping to the development site including the public domain and the heritage streetscape landscaping works to Church Street. The compliance conditions matrix for CC03 is outlined below.

<i>Conditions of Consent</i>	<i>Compliance condition matrix</i>
Part A Administration Conditions	Compliance with all conditions
Part B Prior to the Issue of Construction Certificate	Compliance with all conditions.
Part C Prior to the Commencement of Construction	Compliance with all conditions

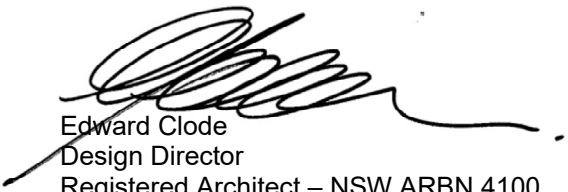
Operation Compliance Matrix

The occupation and operation of the Nihon University Newcastle Campus is not planned to be staged. The occupation and operation of the development will commence upon the receipt of the Occupation Certificate following the completion of all the construction works covered by Construction Certificates CC01, CC02 and CC03. The compliance conditions matrix for Occupation Certification is outlined below

<i>Conditions of Consent</i>	<i>Compliance condition matrix</i>
Part A Administration Conditions	Compliance with all conditions
Part B Prior to the Issue of Construction Certificate	Compliance with all conditions.
Part C Prior to the Commencement of Construction	Compliance with all conditions
Part D During Construction	Compliance with all conditions
Part E Prior to Issue of an Occupation Certificate or Commencement of Operation	Compliance with all conditions

Should you require further clarification on document please feel free to contact either Katherine Daunt or Edward Clode at dwp Australia Pty.

Yours sincerely,



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