

19 November 2021

Kendall Clydsdale
Regional Assessments
Department of Planning, Industry and Environment
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150

Reply by NSW Planning Portal: <https://www.planningportal.nsw.gov.au/major-projects>

Dear Ms Clydsdale

**NEWCASTLE JOCKEY CLUB NEW STABLES COMPLEX (SSD-12982045) 125
CHATHAM STREET BROADMEADOW**

I refer to the Department's electronic notification of 13 October 2021 advising a State Significant Development Application (SSD-12982045) has been submitted for the construction of new horse stables and training facilities and requesting City of Newcastle (CN) to provide advice.

The exhibited Environmental Impact Statement ('EIS) and plans have been reviewed and the following advice is provided for your consideration:

1. Strategic planning

The subject site is not identified as a key site within the Hunter Regional Plan 2036 (Regional Plan), Greater Newcastle Metropolitan Plan (GNMP) or Local Strategic Planning Statement (LSPS). However, the site is within proximity to the Adamstown, Broadmeadow and Hamilton Renewal Corridors as well as the Stage 2 Glebe Road Renewal Corridor identified in the GNMP. The site is also located in proximity to the City Centre.

The Newcastle LSPS and GNMP identify Broadmeadow as an 'area of change' and Catalyst Area respectively. The Broadmeadow Catalyst Area contains Hunter Park, which is being investigated as part of the Hunter Park Business Case which was funded by the State government in 2021. CN are also undertaking precinct planning for the Broadmeadow Catalyst Area in alignment with the GNMP and LSPS.

The subject proposal is outside of the investigation area; however, it is noted that increased higher density residential and commercial development is expected to occur within the Broadmeadow Catalyst Area Precinct. This is particularly likely to occur around the Broadmeadow Train Station, corner Lambton and Chatham

Streets (Nine-Ways), and along Tudor and Belford Streets as the significant redevelopment of the Hunter Park precinct takes place. Assessment of the proposal should therefore ensure that the amenity of the surrounding residential environment is not adversely affected, so as not to potentially limit the ability to increase densities on surrounding land in the future to meet the needs of the growing city.

2. Streetscape/Visual Impact

In CN's Pre-DA advice to the applicant dated December 2016 the following advice regarding streetscape was included:

The interface between the proposed stables and the R2 zone (including a school) would need to be setback five metres from the property boundary and incorporate appropriate screening landscaping to ensure a consistent setback and the development makes a positive contribution to the streetscape.

According to the EIS (Pg. 89),

The proposed development will alter the current visual environment, through the intensification of an existing use of the site. Additional built form, landscaping, fencing and parking will alter the streetscape when viewed from nearby development including Merewether High School northwest of the site and residential development west and south of the site. When approaching the site from the northern or southern end of Chatham Street, or from the east or west of Darling Street, the viewer will perceive a fairly substantial difference between the pre and post-developed site.

It is argued in the EIS that the development includes 'generous' building setbacks from the Chatham Street and Darling Street frontages and the use of landscaping on site and street trees in the public domain to generate positive visual impacts.

It is noted that landscaping works indicated on the architectural plans and aerial views are not consistent with that shown on the landscape plan. For example: the architectural plans show significant tree planting on site, while the landscape plan refers to tree plantings in the public domain. Furthermore, the scale and bulk of the proposed development is not shown relative to the existing residential and educational development in the locality of the site. The plans also do not indicate the proposed 2.4m high acoustic fence along the western site boundary opposite the proposed Maintenance Shed. It is recommended that the applicant is required to submit amended architectural plans and aerial views which address the above concerns.

Concern is raised regarding the reliance on the proposed street trees to significantly mitigate the visual impacts of the development. Additional advanced screening tree species on site would be critical to be included in the landscape design.

3. Flood Management

The submitted Stormwater Management Report (SMR) has considered the likely flood impacts on the site. A Flood Certificate (FL2019/00101) has been obtained from CN and the recommended flood planning level (FPL) has been set at 6.85m Australian Height Datum (AHD) and the risk to life is noted as L4. Data for the 2007 Pasha Bulker flood event indicates that a large section of the site was affected with flood levels reaching approx. 6.7m AHD.

Generally, the main flood constraints of the site are to manage the flood storage impacts, flood planning levels and risk to property and life.

Flood Planning Level (FPL)

The recommended FPL is 6.85 AHD. The FPL for the Stable Blocks A-G, the Maintenance Amenities and the Horse Walker platforms have been set at RL 7.0m which is acceptable. However, the proposed Goods Storage Shed located in the south-west corner of the site and the Equipment Shed are set at RL 6.5 which is below the recommended FPL. It is recommended that the abovementioned sheds are set at the minimum FPL of 6.85m AHD.

Flood Storage

The Stormwater Management and Soil & Water Management Report states that the flood storage is generally within CN's guidelines and have taken the entire site area in analysing the flood storage displacement. The philosophy as presented in the report to consider the overall racecourse land area is not supported. It is considered that the flood storage displacement area is considerably large and could likely impact on the Chatham and Darling Streets itself and potentially impact on the adjoining residential properties.

It is recommended the applicant be required to undertake an analysis of the site levels and proposed fill for FPL purposes and levels for areas such as car parking, open spaces, and access to demonstrate that the displacement of flood storage displacement area can be appropriately provided/managed within the site without impacting on the residential properties.

Refuge Provision

The Stormwater Management and Soil & Water Management Report indicates that a flood refuge is available within the existing grandstands and the proposed stables which are two storey buildings. On this basis, it is agreed adequate flood refuge is available.

Flood Risk Management

Notwithstanding that a flood refuge is available, the development is still required to address the flood risks and the management of these risks. CN is moving towards a more awareness-based methodology on such high-risk sites. During the 2007 'Pasha Bulker' storm event the development site and other areas such as the public facilities and grand- stands were heavily impacted.

Furthermore, the stormwater detention is proposed to be above ground, therefore there is potential for additional depth of waters around the premises and increased flood risks. It is recommended the proposal is supported with a Flood Management Plan prepared by a suitably experienced hydraulic/flood engineer.

4. Stormwater Management

Assessment Philosophy

The Newcastle Development Control Plan (NDCP) 2012 does not have specific requirements relating to stormwater management associated with a Stable Complex (Animal related large-scale development) as proposed; therefore, an industry-based approach in combination with the criteria's set in the NDCP has been used to consider the proposal.

The stormwater plans appear to have no form of management principle to mitigate the impacts on the proposed stormwater infrastructure from horse waste related activities. Sydney Water Catchment Authority and NSW Government (See link below as per Water NSW) have prepared current recommended practice book specifically addressing Horse Property Developments.

https://www.watarnsw.com.au/_data/assets/pdf_file/0005/56480/Horse-Property-Developments-in-the-Sydney-Drinking-Water-Catchment.pdf

This document is a better guide in managing such a development and it is recommended that the proposal be considered under this document together with the NDCP2012.

Impact from Horse Waste

Concern is raised regarding the design of the proposed stormwater system in areas such as parking, internal vehicular access, and horse walkways. There is potential for horse wastes to enter the stormwater via the internal vehicular access and horse activities to/from the site to the racecourse. Any discharge to CN's or Hunter Water drainage systems may cause adverse impacts downstream and in the waterways.

Stormwater Design Comments

The following comments are provided regarding the stormwater design:

- The proposed bio-retention basins (BRB) 2 and 3 are set on the property boundary which does not comply with the requirements of the NDCP 2012 for 4m for clay and 2m for sandy soil. Also, the Water Sensitive Urban Design structures are to be set away from the property boundary in general. Structural certification may be required to confirm that the stormwater structures will not impact on the building footings.
- Proposed BRB2 is very close to the Goods Storage Building and is required to be set with the requirements of the NDCP 2012 for 4m for Clay and 2m for sandy soil.
- The on-grade above ground Onsite Detention (OSD) is to be clearly identified on the stormwater plans and typical sections are to be provided to confirm design principles. The design is to ensure that the OSD does not increase flood risks and nuisance issues to common open areas.
- Concern is raised that the proposed BRBs located along Darling Street could be impacted during extreme weather events. The stormwater design should

consider options of trapping of all retained materials to prevent re-mobilisation in extreme storm events.

Covenant on 90 Darling Street

It has come to our attention that there is an old covenant over the two parcels of the racecourse land known as 90 Darling Street, comprising Lot 14 DP227704 – Strip of land adjoining road reserve and Lot 82 DP1138209. The deed (Book Number 2339880 dated 21 June 1955) is between the Commissioner for Government Transport and the Newcastle Jockey Club Limited.

It is recommended the applicant investigate the legitimacy of the covenant and any potential impacts for the development.

Stormwater Discharge Connections and Impact on CN Drainage Infrastructure

The stormwater system of the development is proposed to be connected to CN's drainage system along Darling Street and Chatham Street. Generally, the proposed connections and overflow locations are acceptable.

A new drainage system is proposed on Darling Street to discharge BRB2. The design of new drainage is generally done under the kerb and gutter instead of the verge area due to conflict with other utility allocations. It has not been demonstrated that the new drainage system meets CN's guidelines, including hydraulic grade lines design requirements. The proposed new driveways on Chatham Street and Darling Street will impact on the existing drainage kerb inlet pit and major drainage modifications may be required to accommodate the proposed drainage system.

The impacts on CN's drainage infrastructure in the locality can be managed and resolved as part of an application under Section 138 of the *Roads Act 1993*. Draft conditions of consent can be provided once other matters raised in the letter have been resolved.

5. Traffic management

It is acknowledged that the TfNSW (RMS/RTA) 'Guide to Traffic Generating Developments' and Section 7.03 Traffic, Parking and Access of the NDCP 2012 do not have specific requirements for the proposed development.

According to a statement in the Traffic Impact Assessment (TIA) (Attachment C) prepared by SECA Solutions the traffic movements generated by the development for horse transportation will decrease, however later in the assessment, it is indicated the inter-travel Off Course Race Movements will increase for daily movements. The recently improved training and racing facilities which have increased the training capacity from 310 horses to 520 horses and the existing stable locations on site, together with the regular activities such as training and trials, and race days add to the complex nature of traffic movements associated with the racecourse.

Consideration has been given to the TIA and other relevant similar State Significant Developments (such as the recent developments at Royal Randwick Racecourse (Stables Complex and Night Racing)) as a closer guide to measure the potential traffic, parking, transport, pedestrian impacts, and infrastructure demand generated by the proposal. In addition, consideration has been given to the potential impacts

on the local area traffic and pedestrian networks.

The following concerns are raised:

- The submitted TIA has not provided adequate information to assess the overall local area traffic movements such as the main travel routes and intersections which will be utilised to approach and leave the site and the development itself. Concern is raised that the development and associated increase in the use of the racecourse land will likely increase the infrastructure demand in the locality. In this regard, the impact on intersections and further traffic SIDRA modelling is required to understand short and long-term impacts.
- The intersection of Chatham Street and Darling Street is already congested during race days and a roundabout as an immediate road infrastructure device is required to manage both traffic on race days and that generated by the proposed development. Traffic signals may be required as a long-term solution. The provision of these devices will impact on the design of the development, in particular the proposed Signage Tower, Basin 1 and Goods Storage Shed. At a minimum, a splay will be required on the south-west corner of the development site similar in dimensions to that on the northwest corner of the intersection. It is recommended the applicant submit amended design plans.
- Concerns are also raised at the likely impacts of the additional traffic generated by the development on the Glebe Road and Chatham Street intersection, and the Korie Road, Brunner Road and Chatham Street interface, and the Darling Street and Beaumont Street intersection.
- Staff numbers on site will significantly increase as result of the development. Therefore, a thorough analysis of staffing numbers, including overall site, and demand for parking and other facilities for staff in the short and long term is required.
- Events such as barrier trials and other similar events should be analysed to understand the regularity of these events and expected changes to local traffic and parking in the area. The proposed stable complex itself may lead to more owners potentially attending the premises for training and trial sessions.
- It is noted most morning horse training operations associated with the development are generally undertaken within the hours of 6am – 10am, with an associated increase in peak hour traffic. An analysis of the afternoon travel patterns indicates the travel time between 3:00pm and 5:00pm of the development which coincide with the general traffic peak, including the school pick up times of the nearby by Merewether High School. It is recommended the applicant provide an Event Day traffic, pedestrian, and transport management plan to understand the operational requirements of the development.
- End user facilities (Bicycle parking, storage, change rooms and shower for staff and users of the facility) have not been provided.
- A pedestrian movement analysis to/from the car parking and transport hubs to the Entry Point is required. This should include safety analysis from transport hubs.

- A noise impact analysis is required due to the likely increase in pedestrian movements on local roads.
- An overall cumulative traffic analysis is required. This analysis is to incorporate the traffic generated during event days, together with the traffic generation of the development and traffic from the existing road as a case scenario.

6. Parking Demand

On-Street parking

Concern is raised that the impacts of the development on the available on-street parking have not been satisfactorily considered in the EIS. It is recommended an on-street parking analysis for Chatham and Darling Streets is carried out. The analysis should identify the current parking and restrictions on race days and identify likely changes generated by the development.

Any proposed changes to on-street parking will require a separate submission to CN's Traffic and Transport Team and the approval of the Newcastle City Traffic Committee.

Horse Transportation Parking Demand

Concern is raised that the proposal has not addressed the demand generated for the provision of off-street commercial parking for horse transport and associated type vehicles. The submitted plans do not indicate off-street parking for trucks and horse float type vehicles associated with the transportation of horses, except for the for Equine and Goods Drop-off/Pick-up zone.

An examination of December 2018 aerial photos revealed that off-street parking for the above vehicles is provided on site (opposite the Merewether High School tennis courts) and accessed from Chatham Street. It is recommended the design of the development is amended to incorporate parking for the above vehicles.

Off-Street car parking provisions

A comparison analysis has been made between the December 2018 aerial photography and the TIA Attachment C 2015 Aerial photograph and mark-up, and the following concerns are raised:

- The TIA seems to have placed the extent of the Stage 1 component of the development at a different location to that shown on the architectural plans.
- The on-site car parking count as indicated in the TIA does not appear to accurately reflect the current number of car parking spaces on site. The loss of off-street parking due to the proposal will have a significant impact on the surrounding local area by generating additional demand for the available on-street parking. Race patrons seeking on-street parking spaces further away from the racecourse will create a need for additional infrastructure such as safe and accessible pathways and street lighting.
- The proposed Precinct Plan as indicated on Architectural Plan No. A02 does not cater for adequate off-street parking, when compared with the current provision of off-street parking. There appears to be more parking provided on

site than indicated in the TIA with spaces provided on the western side of the grandstand between the Tie-Up Stall and Maintenance Buildings.

- The location of the Stage 2 Future Public Carpark as indicated in the Precinct Plan, is located at the site of the existing Childcare Centre and may not be potentially feasible due to the high demand for childcare services in the Newcastle LGA.
- It is noted the recent approved development application (DA2019/01082) includes a parking lot which is shown within the Staff Race-Day Precinct. This parking including parking dedicated only for staff and is not for use by the general public.

Motorbike Parking

Concern is raised that the development has not provided any off-street motorbike parking spaces.

Bicycle Parking and End User Facilities

Concern is raised that the development has not provided any facilities for secured bicycle parking for staff and any end user facility such as showers, storage and change rooms.

Drop-Off and Pick-Up Zones

The development has not considered the availability of drop-off/pick-up areas within the site for use by alternative transport operations such as Taxi, Uber, and the like. Similarly, no provision has been made for bus/coach parking.

Disabled Parking Provision

The location of the required accessible carparking referred to in the Access Report (App 27) is not indicated on the architectural plans.

Emergency Management

The new public entry appears to be secured. Emergency management vehicle access for ambulance, police and fire services is required to be considered as part of this proposal.

7. Pedestrian management

Concern is raised that the development has not considered the provision of safe and accessible footpaths. With off-street parking provision for the public being seemingly reduced through this proposal, dependency on on-street parking will be high. It is recommended the development provide footpaths along the Chatham Street and Darling Street frontages and associated pedestrian infrastructure such as pedestrian refuge, ramps and Local Area Traffic Management devices linking the site to the surrounding streets.

A pedestrian management plan is recommended to be prepared for the development and is to consider the above comments and provide recommendations for safe and accessible pedestrian amenity.

It is anticipated that the entry/exit and driveway from Darling Street will be highly pedestrianised. The driveway and access leading from the street to the entrance of the Public Amenities Precinct is the primary means of vehicular access to the adjoining grassed parking areas on either side of the driveway. Concern is raised that this driveway may be subject to pedestrian/vehicular conflict. It is recommended that the design of above area be reviewed to provide a safer pedestrian friendly and accessible area.

8. Vehicular Access, Driveway Design and Crossing locations

Two new driveways are proposed from Chatham Street, including the access to the Maintenance Drop Off area. The latter is of concern given it will be used by heavy rigid vehicle and is in a 40km/h restricted school zone. Given the size of the site other access opportunities should be explored. For example, the internal passageway could be redesigned to enable internal access to the Maintenance Drop-off area.

Three additional driveways are proposed on Darling Street frontage of the site. There are currently two driveways located in front of the Darling Street childcare centre and a new driveway has been constructed on the east of the childcare as part of the approved development application DA2019/01082. Therefore, there could potentially be six vehicular accesses onto Darling Street. It is recommended that consideration be given to rationalising the number of driveway crossings.

Chatham Road/Darling Street Access for Equine and Goods Drop-off

Entry to the Equine and Goods Drop-off area is via an 'entry only' driveway from Chatham Street and exit only driveway on Darling Street.

The following concerns are raised in relation to the above driveways:

- The Turning Path Plan Sheet 4 (Dwg No. T04) appears to indicate that a B85 vehicle with Horse Float when exiting the Goods Drop-off area is using the entry driveway on Chatham Street to exit onto the road. Safety concern is raised regarding to this turning manoeuvre.
- Concern is raised regarding the excessive width if the Exit Driveway on Darling Street as the eastbound left turns should be avoided due to safety concerns at the intersection of Darling Street and Beaumont Street. In this regard, it is recommended that the route for semi articulated 19m long trucks be reviewed.
- Gates are proposed at the entry and exit. It is recommended that information is provided by the applicant in relation to the operation and management of these gates to ensure that traffic movements on Darling Street are not adversely impacted on.

Darling St Staff Car Park Driveway and Access

Gates are proposed at entry/exit point at the property boundary. It is recommended that CN's condition for a 5.5m setback be required. This is to ensure a car can be parked outside the road reserve and security access provided.

It is noted fencing is proposed along the Staff Carpark. The driveway access will need to comply with Australian Standards AS2890 for sightlines to minimise the potential for pedestrian/vehicular conflict.

Staff Carpark

Concern is raised that the proposed Staff Carpark comprising 94 spaces is only accessible via a single combined entry/exit driveway to Darling Street.

It is recommended the design of the above carpark and the adjoining future Public Carpark & Entry Stage 1 'are amended to provide a second access via the entry/exit driveway and crossing to the New Entry Tower. Such changes are done in a manner that does not create potential pedestrian/vehicular conflict. Safety by Design aspects are to be incorporated into the design to manage any potential conflict in this regard. Please note the provision of an additional driveway and crossing from the Staff Carpark directly to Darling Street is unlikely to be supported by CN.

9. Public Domain

Having regards to the above engineering aspects the following public domain works will be required in connection with the development, and will be subject to separate approval under Section 138 of *Roads Act 1993*:

- Construct new pedestrian footpath across site frontages linking to existing footpath on Chatham Rd and Darling St linking to Lowe St.
- Construction of a roundabout or traffic signal at Intersection of Darling St/Chatham Rd – potential land dedication as road reserve at north-western corner of the site for road widening and sightlines.
- Additional traffic works if required via sidra modelling.
- Additional pedestrian structures such as kerb blisters and pedestrian refuge at appropriate locations.
- Reconstruct kerb and gutter and drainage infrastructure.
- New driveways and removal of redundant driveways.
- Streetscape and street lighting.

10. Street Trees

The submitted Landscape Plan (App 3) includes '*...proposed street trees suitable to existing site conditions, in compliance with the Newcastle City Council Street Tree Selection Manual 2016.*'

CN's City Greening Team have provided the following comments regarding the existing and proposed street trees:

- (a) The applicant is to plant eight 75L trees along the Darling Street frontage. These trees should consist of four *Syzygium jambos* (Rose Apple) and four *Corymbia phytocarpa* or *Corymbia ficifolia*. The applicant is to plant twenty-two 75L trees along the Chatham Street frontage. These trees are to consist of eleven *Corymbia tessilaris* (Moreton Bay Ash) and eleven *Brachychiton acerfolius* (Illawarra Flame tree). These trees are to be planted in accordance with:

- CN's 'Urban Forest Technical Manual, Part B- Public Trees' and maintain necessary clearances from infrastructure.
 - CN's Standard drawings 'A3003C- Tree Planting residential Street Verge' & 'A3022 – Tree Guard Timber'
- (b) The applicant is required to arrange a meeting with CN's City Greening Team prior to the planting of trees to assess the compliance of stock with AS2303-2018- 'Tree Stock for Landscape Use'.
- (c) Trees (Nos 43285, 43288, 43289 & 43292) located on the Darling Street frontage are required to be retained and must be physically protected in accordance with the CN's 'Urban Forest Technical Manual Part B Public Trees, 'Section 8.0 Protection Measures'.

The tree protection fencing must remain in place and be maintained until all works have been completed, with no waste materials, washouts, equipment, or machinery to be stored within the fenced area.

11. Heritage

The site is a local heritage item, 'Broadmeadow Racetrack Site' (I48) under the Newcastle Local Environmental Plan 2012. A Heritage Impact Statement (HIS) has been submitted with the EIS.

The heritage listing applies to the majority of the Broadmeadow Racetrack site, which encompasses the racetrack itself as well as many ancillary structures including grandstands, stables, and other facilities associated with the operations of the racetrack.

It is noted that the NSW Heritage Inventory refers only to the former Totalisator Building which is in the southern portion of the site near Darling Street and is not impacted by the proposal. In response to the draft SEARS exhibited in January 2021, CN recommended that a heritage assessment be undertaken including a grading of significance of the heritage item, to understand the relative significance of the many elements included in the heritage curtilage. This has been provided in the HIS.

Broadly, the proposed development avoids physical impact to any identified elements of exceptional, high, or moderate significance, with the majority of buildings to be demolished identified as being of little significance or intrusive. Elements of moderate to high significance are not impacted, with the exception being an octagonal horse trough which is to be reinstated in the centre of the proposed warm up ring.

The proposed development maintains the significant historical and ongoing use of the heritage item as a racetrack. Upgraded facilities enhances the functionality and amenity of the site which in turn supports its ongoing use into the future. The works do not impact significant heritage fabric associated with the site, including the totalisator building, the public and members grandstands, the racetrack itself, the restaurant building and parade ring.

The proposed development has the potential to impact the setting of the heritage item. The proposed works are in the southwestern corner of the site and will be highly prominent to visitors arriving via Chatham Street and Darling Street. It is noted that this area of the site has historically been used for more intensive racetrack operations and the proposed development is a continuation of this use. This sequence of arrival at the site will be significantly impacted and views to significant buildings within the

heritage curtilage will be obscured from this vantage point.

Due to the overall size and nature of the heritage item, adverse impact to other existing views of the heritage item and significant buildings within its curtilage will be minor. As noted in the HIS provided, the overall scale of the proposed facilities has the potential to overwhelm the smaller and more finely detailed heritage buildings within the site.

12. Pest Management

While Operational and Waste Management Plan includes information which relates to pest management, the specific pest management recommendations (prepared by Advanced Pest Control) seem quite limited. CN's Environmental Health Team has received complaints in the past in relation to pests associated with much smaller stables in the area. These complaints have included issues such as fly control and 'feral' birds. In this regard, it is recommended the management plan and pest control recommendations be expanded to discuss and address these issues.

13. Wastewater management

While the Hunter Water Corporation Stamped Plan (App 21) and the Ecologically Sustainable Design (App 29) of the EIS address the connection of the development to sewer and trade waste agreements with the Hunter Water Corporation; inadequate consideration has been given to the collection, treatment, and disposal of wash down and other contaminated water from the stables, wash bays, pool, and other likely sources in the proposed stable complex.

14. Noise Management

The proposed development has a significant potential for noise impacts on the surrounding residential premises, particularly in relation to the night-time period.

The Noise Impact Assessment (NIA)(App 22) does address sleep arousal and makes several recommendations for noise control measures; however, this issue will need to be carefully considered to ensure all feasible and reasonable measures have been implemented to minimise this potential for impact.

In addition, the recommendations of the NIA regarding the provision of an acoustic fence and barriers have not been addressed in the architectural drawings.

15. Odour Management

The proposed stables have a significant potential for odour impacts on the surrounding sensitive receivers. The proposed measures to contain and regularly dispose of waste have been assessed by the submitted Air Quality Report as minimising this impact to an acceptable level, however appropriate ongoing maintenance of these measures will be required to ensure this is the case.

16. Signage

The development includes a 10.75m high Entry Tower facing Darling Street and a 17.250m Signage Tower to be in the southwest corner of the development site. Both towers incorporate signage panels which will promote upcoming events.

The EIS (Pgs. 36 &52) does address the signage on the Entry Tower and incorrectly states the height of the Signage Tower as 10.75m. It is not clear if the signage panels

will incorporate mechanical or electronic moving images or displays. The NDCP 2012 does not support such signs in locations adjacent to a residential zone as exists opposite the Darling Street and Chatham Street frontages off the site, or located within, or adjacent to a heritage item.

17. Section 7.12 Local Infrastructure Contribution Plan

CN's Section 7.12 Local Infrastructure Contribution Plan 2019 (Updated Dec 2020) applies to the subject land. A maximum levy of 1% of proposed cost of the development is applicable. It is recommended the applicant provide a cost summary report prepared by a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors to enable the required monetary contribution to be calculated.

On 26 October 2021 Council adopted new development contributions plans. These Plans will commence on 1 January 2022 and will replace the current Section 7.12 Contributions Plan. If a development application has been made before the commencement of the new plan in relation to land to which this plan applies and the application has not been finally determined before that commencement, the application must be determined in accordance with the provisions of the new plan. In this case, the contribution levy for the development does not change and remains at 1%.

If you have any questions in relation to the matters raised in this letter, please contact Geof Mansfield Principal Planner (Development) on 4974 2767 or by email on gmansfield@ncc.nsw.gov.au.

Yours faithfully



Michelle Bisson
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