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Phone: 4974 2000

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Key Site Assessments
Department of Planning, Industry and Environment
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Response by email: Matthew.Rosel@planning.nsw.gov.au

Dear Mr Rosel

UNIVERSITY OF NEWCASTLE HONEYSUCKLE CITY CAMPUS CONCEPT PLAN (SSD-9262)

I refer to the Department's electronic notification of 31 January 2020 advising the University of Newcastle has submitted a revised Response to Submissions ('RtS') (2) and requesting City of Newcastle's ('CN') advice.

The RtS (2) has been reviewed by CN officers and the following advice is provided for your consideration:

1. Student accommodation categorisation

The RtS (2) has not addressed CN's previous advice regarding the characterisation of the student accommodation component of the development. However, it is acknowledged that this issue is ultimately a matter for consideration by the Department and the Minister.

2. Amenity considerations

It is noted that additional building setbacks to Civic Lane for the podium and the portion of the building above the podium have been incorporated into the Master Plan (December 2019). Wider gaps have been created between buildings fronting onto Civic Lane and some gaps have been narrowed with a focus on improving solar access to the existing residential flat building ('RFB') (on 522-526 Hunter Street) to the south.

In the RtS (2) (Dec 2019) it is stated that *'the majority of the northern façade will now receive at least 2 hours solar access, mid-winter'*. The supplementary information (Jan 20) to the RtS (2) provides further overshadowing analysis of the likely impacts on the above RFB, as well as three other properties containing residential uses. In respect of the RFB, Table 1 states that eleven of the twelve dwellings facing Civic Lane will receive partial solar access to their balconies. This statement does not appear to be collaborated by the image in Figure 3 which show that six dwellings will receive no solar access to their balconies.

In respect of properties Nos 510 Hunter Street and 474 Hunter Street it is stated that the dwellings will be *'partially overshadowed'*, no attempt has been made to quantify these impacts and Figure 1 because of its scale provides no assistance in this regard. It is argued that these impacts are based on *'worst-case building envelopes and it is likely that solar access will be improved to this area with the detailed design.'* It is not explained how this will be achieved.

It is further argued that as the analysis is based on mid-winter solar access, which is a worst-case, solar access to the dwelling will *'quickly improve throughout the year'*. This may be the case, however the performance criteria for considering overshadowing of neighbouring properties is mid-winter when access to solar access is most appreciated. Table 1 also concedes that the 'shop top' dwelling on No 502 Hunter Street will be overshadowed. Also, it is noted that the analysis does not include the 'shop top housing' and approved boarding house on property No 480 Hunter Street. (Refer to DA2016/01433 & DA2019/01164).

In considering this aspect of the development, it should be borne in mind that the residents of the above properties currently enjoy unimpeded solar access (and views) all year round. It is apparent that for some residents solar access to their homes in mid-winter will be significantly reduced or eliminated entirely by the proposal. Further, it has not been demonstrated how such impacts could be addressed at the detail design stage.

Solar access to other buildings fronting Civic Lane is given less priority on the assumption that the existing and likely future uses would be more likely to be commercial and less shadow sensitive. On balance, this would appear to be a reasonable response noting the building height and setback controls that apply.

As stated in CN's previous advice, while the likely positive contribution of the development to the revitalisation of the City Centre is recognized, the development should not unreasonably impact on the existing residential development facing Civic Lane. Given the above circumstances it is recommended the applicant be required to give further consideration to this issue.

3. HCCD Transport Strategy

Car parking rates

Previous advice has not been satisfactorily addressed. According to the RtS (2), *'consideration has been given to the DCP parking rates within the Transport Access Strategy'*. The Transport Access Strategy (June 2018) contains only a single reference that the DCP *'specifies car parking rates for new development ...'*. The parking rate for the City Centre is considered to have not been considered in depth in respect of the proposal.

Alternative modes of transport

The applicant has proposed the following condition in the RtS (2) for a staged approach to parking as the precinct develops:

'Future development applications for the detailed design of buildings should be accompanied by an assessment of the traffic and transport impacts on the surrounding road network. The assessment should detail provisions to promote non-car travel modes in accordance with the long-term mode share targets of the Concept Plan and, where considered necessary, outline opportunities for the provision of limited on and/or off-site interim car parking. Any interim car parking may be relinquished upon satisfaction of the Secretary that the long-term share targets are being achieved.'

It is still a matter of concern as to whether adequate parking provision is proposed to meet essential servicing needs of the campus that cannot be addressed by alternate transport modes. The above condition and approach may be able to cater for general parking demand (e.g. students), provided the long-term share targets can be achieved, but it cannot reasonably be expected to cater for all parking demand. The Masterplan should specifically identify and address all parking needs. The Masterplan indicates some parking locations in Buildings C and D. It is not clear however if this is to be basement parking, in which case it is questioned why more extensive basement parking cannot be accommodated within these buildings.

As previously stated by CN, flooding constraints is not considered an impediment to basement parking.

In utilising an approach to future parking based upon the proposed condition, it is unclear what the position would be if the share targets were not realised by the final stage of the Concept Plan. It may be the case that a permanent parking solution still needs to be incorporated into the Concept Plan to cater for essential on-site parking needs.

Servicing

Concern is maintained regarding appropriate servicing for the development under the Concept Plan.

The Masterplan Vol 1 Section 6.9 (Transport) appears to indicate that heavy vehicle servicing will occur via Civic Lane. Under the Newcastle Development Control Plan (DCP) 2012 all servicing facilities are to be accommodated within the site with forward vehicle entry/exit. This does not appear to have been achieved with servicing still essentially proposed around the perimeter of the site utilising public streets such as Civic Lane, which at approximately 7m in width is unlikely to have sufficient width to accommodate such activities. For example, The Transport Section 6.9 (Transport) of the Masterplan Vol1 Submission indicates that the 'Kerbside Service Vehicle Zone' will be set within the property. The proposed setback of the building along Civic Lane at ground level is proposed at two metres from the property boundary. A Medium Rigid Vehicle is usually used for waste collection and the width required for such vehicles is four metres. A 'Service Vehicle Zone' (SVZ) will need to be provided with adequate width for operational purposes. The proposed building setback of two metres along Civic Lane will therefore not be adequate to manage the SVZ in the property. In addition, the RtS (2) has not addressed the servicing of proposed buildings A1, A2 and C.

In principle service vehicle zones within the Civic Lane frontage can be considered however it appears that further amendments to the Masterplan design will be required to ensure this could effectively occur. Refer below for public domain comments for Civic Lane.

4. Road Network and Public Domain

Wright Lane

The Masterplan Vol 1 Clause 6.9 (Transport) plan indicates that a potential 'Shuttle Stop' may be provided at corner of Wright Lane and Settlement Way. The indicative location will hinder the proposed one-way through traffic movement along Wright Lane/Settlement Way.

A proposed 'Kerbside pickup/Drop Off Zone' is also indicated. Like the SVZ additional width will be required to manage the design of this zone. Also, consideration will need to be given to the likely impact on existing access and parking for the properties on the opposite side of Wright Lane.

Civic Lane

The submitted Public Domain Strategy appears to indicate the design of Civic Lane will be designed typically as a Shared Zone ('SZ'). Such SZ type concepts are required to comply with Transport for NSW (RMS) guidelines including approval to change the speed limit.

While no objections are raised to the principle for such a laneway upgrade, concern is raised in regard to the available road width (Civic Lane is approximately 7m wide) for accommodating shared zones without impacting the existing amenity and operations along Civic Lane. To allow for multi-use of any SZ, road widths are generally set at approximately 13m in width to accommodate for on-street parking, counterflow cycleway and streetscape features such as

street trees and furniture. To fulfil the desire to move forward with the public domain plan for Civic Lane, it is suggested that a private public interface may need to be required with formal rights being granted over the property to enable greater overall width.

Concern is also raised that the proposal will likely impact on the current kerbside parking and loading zones available for use by the commercial properties in Hunter Street and the former Civic railway station. In addition, the driveways and access to the Hunter Street properties may be affected. It would be expected that the service zones in the Civic Lane frontage of the site would need to cater for not only the proposed university campus but the Hunter Street and former Civic railway station properties as well.

5. Flood Management

The RtS (2) has not addressed previous comments regarding the floodways identified under the Honeysuckle Area Flood Study being implemented as part of the first stage to the development to ensure adequate flood protection can be achieved.

6. Stormwater design and Drainage and Infrastructure Management

No further advice is necessary. CN agreed with applicant's previous response.

7. Contamination and Noise and Vibration

No further advice is necessary. CN agreed with applicant's previous response.

8. Section 7.12 Development Contributions Plan

The introductory sentence of the RtS (2) response to this issue states '*It is noted that contributions will not be levied on the Concept plan and this will be a matter for subsequent detailed design applications.*' This statement was not included in CN's previous advice, notwithstanding this, as no works are proposed by the Concept Plan development application this would be a reasonable outcome subject to the imposition of the following condition, or similar, requiring a monetary contribution will be payable on the subsequent development application for each stage of the Concept Plan in accordance with CN's Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019, or successive plans.

Pursuant to Section 80A(1) of the Environmental Planning and Assessment Act 1979 development applications for each stage will be required to pay the applicable contribution as detailed in the Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019 or any other relevant contributions plan that may be applicable to the application.

In regard to the applicant's continued reliance on the 1995 Circular D6 – 'Crown Development Applications and Conditions of Consent' to justify an exemption from the contribution levy under the above Section 7.12 Plan, it is noted that on 28 June 2019 the Hunter and Central Coast Regional Planning Panel granted conditional consent to a development application (DA2018/00933) submitted by the University of Newcastle for site preparation works on the future Honeysuckle City Campus. Condition 7.12 required the payment of a monetary contribution to CN in accordance with the former Section 94A Development Contributions Plan. In explaining their reasons for granting approval with the imposition of this condition the Panel indicated:

'Council's section 94A Development Contribution Plan 2009, section 7, provides that that the applicant may apply to Council to consider an exemption, where a decision is made by formal ratification of the Council at a public council meeting.'

It is noted that the applicant accepted the imposition of the condition, has not sought an exemption from the elected Council and has paid the contribution to CN.

9. Night-time economy

According to the RtS (2), *'The Public Domain Strategy has been developed to promote inclusiveness for both University stakeholders and the general public. Safety will be promoted through the implementation of CPTED principles during the detailed design phase'*.

One of the design principles that underpins the Master Plan is to be 'Engaged', in part, by contributing to the vibrancy of the City centre during the day and night by designing the urban environment *'to have **safe and open** connections, with ground level activation.'*

While safety and security of public areas is mentioned in various sections (e.g. lighting, widening of civic laneway, ground floor activation) of Volume 2-Design Guidelines (December 2019), no specific section to consideration of the Crime Prevention through Environmental Design (CPTED) principles is detailed in the Master Plan. Similarly, no consideration is given to the principles in the Public Domain Plan Report (Nov 2019).

It would be beneficial for the application to detail how the CPTED principles influenced the consideration of safety and security in the Master Plan. In addition, it is recommended that an appropriate condition be imposed that requires the development application for each stage to consider the CPTED principles.

10. Public Domain Plan

The Public Domain Plan report (Nov 2019 Revision C) provides further detail to the ideas and concepts for the treatment of the public domain identified on the Concept Plan. It also provides *'further explanation of the various public spaces and streets and potential ground floor uses.'* In the analysis of the site context and interfaces no consideration has been given to the residential development in the upper levels of the buildings opposite the street frontages of the site. While open space, gathering, and activation areas are all positive elements of the Concept Plan in terms of delivering a vibrant city campus; their interface to adjoining uses is paramount to avoid inevitable restrictions that will reduce the ability for the envisaged purpose of these areas, including outdoor activities such as live music and the like, to be realised.

It is recommended the applicant give further consideration to the interface of the public domain areas to minimise any potential impacts on surrounding development, while still delivering the full purpose of such areas in supporting a vibrant social life on the university campus and City Centre.

If you have questions in relation to the various matters raised in this letter, please contact Geof Mansfield, Principal Planner (Development) on 4974 2767.

Yours faithfully



Michelle Bisson
MANAGER REGULATORY, PLANNING AND ASSESSMENT