

13th February 2017

Ms Fiona Gibson
Planning – Modification Assessments
Planning Services
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

By email: fiona.gibson@planning.nsw.gov.au

Dear Fiona,

RE: MP 08_0250 MOD 1 – Modification to Project Application- Hunter Medical Research Institute (Part3AMod) – Finalised Response.

On the 7th of December 2016 The Hunter Medical Research Institute (HMRI) provided an interim response to Newcastle City Council document Ref: PB2016/09668 dated 20 October 2016 which comment on the modification request subject of this letter.

HMRI agreed that there were four items to be actioned to close out what we understood to be Newcastle City Councils concerns:

- Cadence Consulting surveyors to review and revise the plan of subdivision to remove errors through a process of peer review – Status Completed.
- Obtain a street address for the HMRI proposed subdivision from Newcastle City Council and append the street address to the Administration sheet – Status Completed
- Transcription of Inner and Outer protection zones harmonised with Australian Bush Fire Prevention Planners Report No. B131943 dated 1/05/2013. – Status Completed.
- Append plans of subdivision with detail to support the inclusion of pathways and cycleways in accord with the conditions of consent plan K1002 – Status Completed.

Please accept our formal response to the four summary dot points above under cover of this letter.

If after considering our response the council has need of further clarification please do not hesitate to contact the undersigned.

Yours sincerely,

Hunter Medical Research Institute



Graham Gunner
Facilities Manager
Encl.

In partnership with our Community

RE: MP 08_0250 MOD 1 – Modification to Project Application- Hunter Medical Research Institute (Part3AMod) – Finalised Response.

HMRI has now finalised responses to Newcastle City Council (NCC) concerns initially raised in NCC document Ref PB2016/09668 dated 20 October 2016 which could not be adequately addressed until the Plans of subdivision were amended by Cadence Consulting Surveyors.

We now seek confirmation in writing in a form acceptable to NSW Land and Property, that NCC approve or support the creation of the proposed subdivision subject of this Part 3A modification of Major Project MP 08_0250 MOD 1 application.

The cover letter attached to this finalised response identified the status of the remaining items of concern from our interim response dated December 7th. It is our belief that the following information and attached documents address the remaining concerns raised by Newcastle City Council and are provided for their assessment and evaluation.

For clarity, we have referenced our final responses to the original comment numbering and descriptions identified in our interim response dated December 7th.

Comment 3 – NCC Doc Ref PB2016/09668 - The Draft Administration Sheet and s88 Instrument need to be checked for errors and inconsistencies. (e.g. The Administration Sheet proposed a Right of Footway 1 wide (BB), yet this seems to be identified as (QQ) on the plan and s88 Instrument)

HMRI Response – Murray Dalton of Cadence Consulting Surveyors noted the issues raised and has had the documents peer reviewed within his organisation and has assured us that the document is error free.

Comment 4 – The street address for the proposed lot should be obtained from Councils Spatial Information Technical Officer, Grant Faulkner and provided to the surveyor to complete the Administration Sheet. Grant can be contacted on Ph: 4974-2506 or by gfaulkner@ncc.nsw.gov.au.

HMRI Response – Grant Faulkner NCC Spatial Information Technical Officer advised on behalf of council on 7/12/2016 that the HMRI site would be issued with the following street address:

29 Kookaburra Circuit, New Lambton Heights NSW 2305.

This address has been transcribed by Cadence Surveyors onto the Deposited Plan Administration Sheet as requested by NCC.

Comment 5 – That part of the land shown burdened by easement (JJ) Outer Protection Zone to the east of proposed Lot 1 should be notated as (KK) Inner Protection Zone is ^(sic) to comply with the Statement of Commitment 7.4 Bushfire – Recommendation 2 (See Appendix B of the Project Approval)

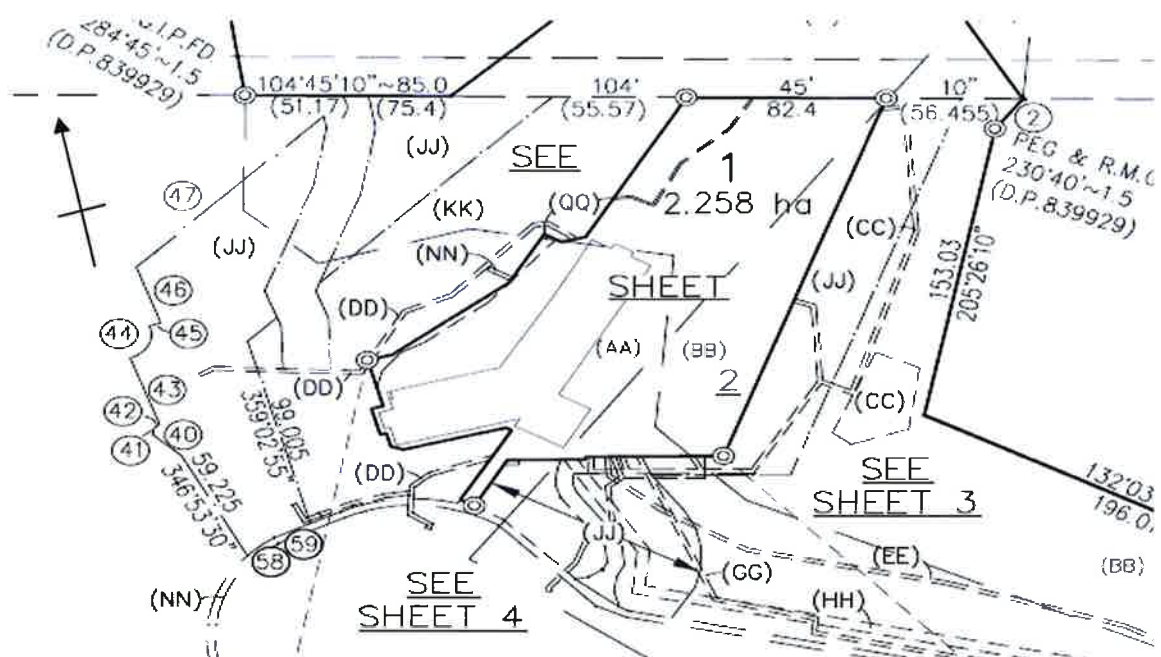


Fig 1: Original Plan of Subdivision Document Ref CRH12-354C_DP_2A.pdf. This extract from the plan of subdivision whilst not appended to the NCC comments, has been included to aid in understanding of the ZHMRI response to the comment.

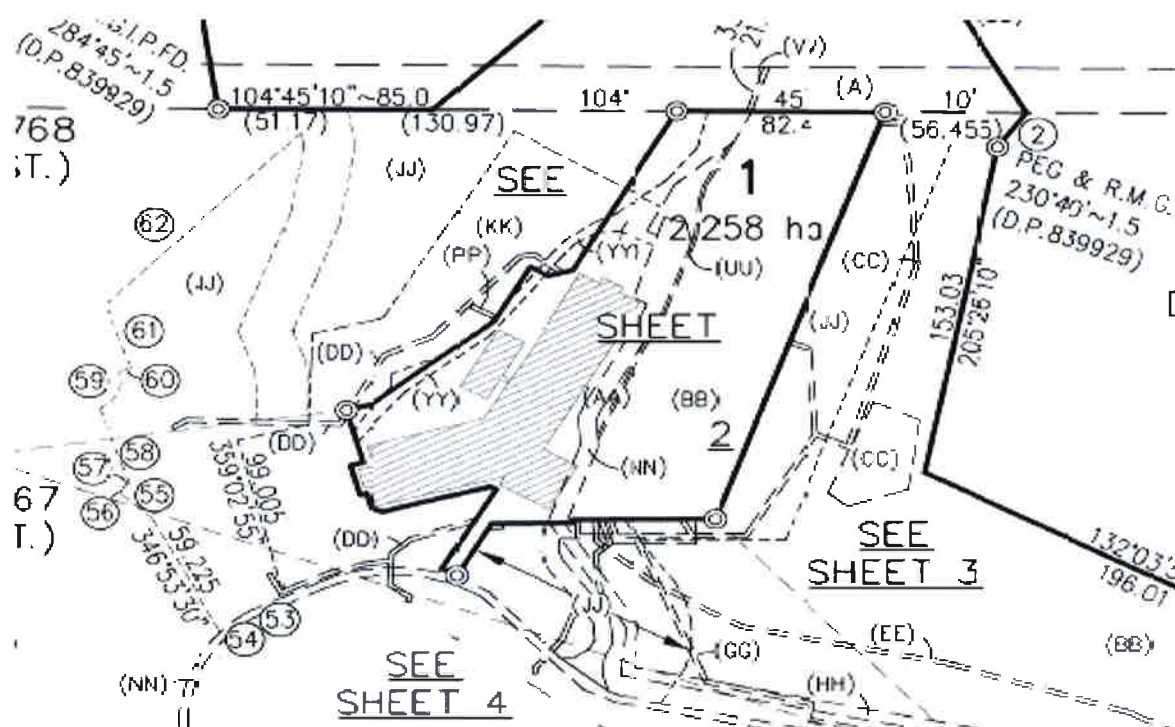


Fig 2: Amended Plan of Subdivision Document Ref CCS-1349_DP_2C_P (003).pdf. This extract from the plan of subdivision whilst not appended to the NCC comments, has been included to aid in understanding of the ZHMRI response to the comment.

HMRI Response – Cadence Consulting Surveyors have corrected the issues with the definition of the extent of both (JJ) and (KK) generally and specifically corrected the Eastern extent of (KK), restoring it to harmonisation with the Australian Bush Fire Prevention Planners (ABPP) report No. B131943 dated 1/05/2013. We note that this is the latest version of the report. We further note that we have clarified in writing that Graham Swain the author of the report B131943 is satisfied that the representation of the zones in the proposed plans of subdivision Doc Ref CCS-1349_DP_2C_P(003).pdf meet his requirements as set out in that report.

Comment 8 – The shared pathway entering proposed Lot 1 from the bushland to the North appears to be at least 2.5m wide, however proposed Easement (QQ) is noted as a Right of Footway 1m wide and variable. It is also apparent from arial photographs that the shared path provision extends further south than as depicted in the draft DP. The easement should be amended wholly to contain this pathway. Consideration should also be given as to who is to have benefit of this easement as members of the public might use this pathway to access the wider HNEH campus.

HMRI Comment – Sheet 1 to 4 of the Plan of Subdivision identify the following Easements including lots burdened and benefited, and should address the concerns raised by Council :

- **Easement (VV) [Right of cycleway]** links with the end of the Jesmond Cycleway/Walkway and traverses Easement (A) [Easement for electricity transmission lines and access]. This joins seamlessly with;
- **Easement (YY) [right of carriageway 4 wide and variable width]**. This joins seamlessly with;
- **Easement (NN) [Right of carriageway 3.5, 7 wide and variable width]** which forms a contiguous link to the perimeter road network of the John Hunter Hospital

We take the view that the easements created provide a flexible but adequate guarantee of access for cyclists and provides a deemed to satisfy outcome in keeping with :

Schedule 2, Part A – Administrative Condition Clause A2 states that “.. The Proponent shall carry out the project **generally in accordance** with the following plans documentation and recommendations ...” made therein. Specifically, Drawing K1002, Revision 5 Titled “Key Drawing Access & Movement Pedestrian & Bicycle Movement” dated 7/08/2009 and appended here below as Fig. 6, clearly supports a view that it was the intention of the Department when approving the development that there would be a direct linkage between the existing Jesmond shared bike and pedestrian Track and a path of travel through the HMRI site (see the green shaded flow through the drawing).

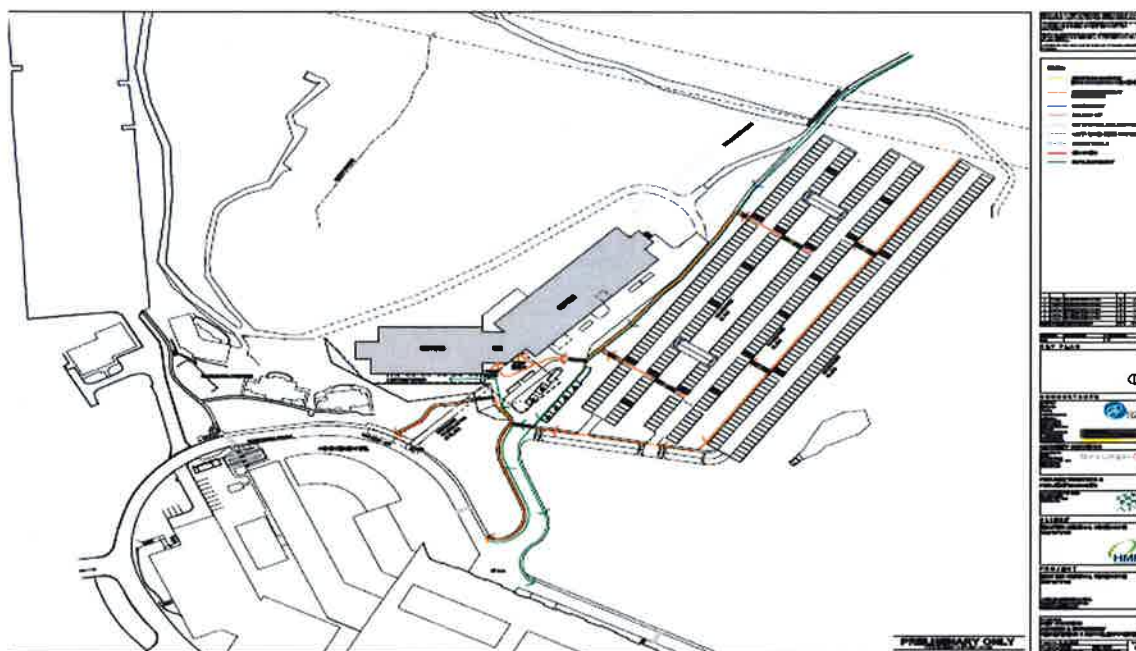


Fig 6. Conditions of Consent Drawing K1002 - key Drawing Access & Movement Pedestrian & Bicycle Movement

Conclusion

HMRI is pleased to submit this submission addressing concerns raised by Newcastle City Council and trust that it satisfies and addresses all remaining concerns.

We have enclosed a copy of the following documents:

- Deposited Plan Administration Sheet (Pages 1 to 3 – Signed by Murray Dalton)
- Revised Plan of Subdivision (Pages 1 to 4)
- Easement Instrument (Pages 1 to 3)

