

Regulatory, Planning and Assessment.MBisson/GMansfield
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Phone: 02 4974 2000

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Social Infrastructure Assessments
Department of Planning, Industry and Environment
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SYDNEY NSW 2305

Reply by email: Ingrid.Berzins@planning.nsw.gov.au

Dear Ms Berzins

STEMM BUILDING - 130 UNIVERSITY DRIVE, CALLAGHAN - (SSD 9787)

I refer to the Department's electronic notification of 6 March 2020 advising that the above State significant development application submitted by University of Newcastle was on public exhibition and requesting the City of Newcastle (CN) provide advice on the proposal.

The Environmental Impact Statement (EIS) has been reviewed by CN officers and the following advice is offered for your consideration:

1. Proposed development

It is considered that further information is required from the applicant regarding the following aspects of the proposed development.

The development will replace the existing facilities with a new building which will bring together the Science, Technology, Engineering, Medicine and Mathematics (STEMM) disciplines and faculties, and accommodate future increases in subject options. The EIS does not identify the buildings on campus where these disciplines and faculties are currently located and their gross floor areas. The future uses of these buildings is also not stated. In addition, no details have been provided of the number of students and staff of these disciplines and faculties.

While the EIS (Pg17) states '*The campus has a current student population of approximately 27,000.*', Table 4-1 – 'Student load for Callaghan campus' of the Traffic and Transport Assessment refers to an Equivalent Full Time Student Load for 2019 of 14,321. Clarification is sought from the applicant to explain the different figures.

In addition to addressing the above matters, it is recommended that the applicant is required to submit a table which compares the total gross floor areas of the existing buildings with the proposed building and the numbers of students, staff and others persons (i.e. industry professionals) associated with the existing disciplines and faculties with that proposed with the STEMM building. This information is relevant to consideration of both traffic and parking and the development contribution as discussed in the following sections of this letter.

2. Traffic, Parking and Access

2.1 Car parking

The Traffic and Parking Impact Assessment ('T&PIA') prepared by SECA Solutions concludes that the traffic and parking impacts of the development are acceptable and therefore no changes are recommended to the existing car parking facilities which are provided across the Callaghan campus. It is considered the T&PIA does not provide enough information to validate this conclusion.

The T&PIA (Pg27) states that:

'A survey of on-site parking within the Callaghan Campus in 2019 demonstrates that there is adequate staff and general parking to accommodate the ongoing needs of the site.'

However, the T&PIA also acknowledges that *'...there is generally a high demand for parking in the locality of the site, both on-street and off-street.'*

No details of the 2019 survey have been provided. Furthermore, the T&PIA provides details of existing off-street car parking provision on the campus, however it does not indicate occupancy (demand) on a typical university semester day. The transport mode share targets of the Strategic Transport Management Plan (STMP) (2012) are quoted but the current mode share figures for students and staff are not indicated.

The T&PIA notes that on-street parking is available on surrounding road network, however it does not provide details of capacity and demand on these public roads (within a five-minute walking distance) on a typical university semester day. In any event, the University should be providing adequate parking facilities on campus to address the demand generated and not be reliant in part on kerbside parking spaces in the streets of nearby residential areas.

While the provisions of State Environmental Planning Policy (State and Regional Development) 2011 provide that a development control plan does not apply to State significant developments, in the absence of other appropriate standards, the Newcastle Development Control Plan (DCP) 2012 has been used by the Department in the assessment of other State significant developments in the Newcastle Local Government Area. In addition, it is referred to in the Secretary's Environmental Assessment Requirements for this development.

Based on the 14,321 Equivalent Full Time Student Load (EFTSL) on campus in 2019, the campus would require 7,160 car parking spaces for students based on the DCP parking rate of one space per two students for an adult education site. Additional car parking would also be required for staff at a rate of one space per staff. Based on these rates, the existing car parking supply of approximately 6,000 spaces on the campus is already deficient.

While it is argued that the STEMM building will replace existing facilities, it has not yet been demonstrated that the parking demands of staff and students, in particular those associated with the STEMM building, will be met by the existing on-site parking facilities.

2.2 Parking for persons with a disability

The four existing parking spaces for persons with a disability on the eastern side of McMullin Lane do not comply with the relevant requirements of Australian Standard AS2890. It is recommended that this parking area is redesigned to meet the requirements of AS2890.6.- 'Parking facilities - Off-street parking for people with disabilities'.

2.3 Bicycle Storage

The T&PIA indicates that bike parking for the STEMM building will be catered by Bike Hub West which is located at approximately 100m distance and has 52 bike storage racks and end of trip facilities. The existing occupancy rates (demand) of this hub on a typical university semester day are not indicated.

It is recommended that a separate bike parking facility with at least 115 bike spaces and end of trip facilities should be provided in the STEMM building which is anticipated to cater for up to 2,310 people. The bike parking requirement has been recommended based on the DCP bike parking rate of one space per 20 staff (Class 2) and one space per 20 students (Class 3) for an adult education site. While the report does not indicate total bike parking spaces on campus, it is noted that approximately 700 bike spaces would be required across the campus to achieve the Strategic Transport Management Plan target of cycling representing 5% of the mode share.

2.4 Motorbike Parking

The T&PIA indicates that the campus currently has only six motorbike parking spaces. With approximately 6,000 parking spaces spread across the campus, only six motorbike parking spaces represents a significant under-provision. By comparison, based on the DCP motorbike parking rate of one space per 20 car spaces approximately 300 motorbike parking spaces would be required. Given that the STEMM building will accommodate up to 2,310 people, and considering the DCP car parking rate of one space per 2 students and the DCP motorbike parking rate of one space per 20 car spaces, the provision of 58 additional motorbike parking spaces in close proximity of the STEMM building is considered appropriate.

2.5 Traffic capacity and road safety

The T&PIA does not include an assessment of Ring Road and McMullin Lane intersection in terms of traffic capacity and road safety. The outbound (southbound) traffic flow on McMullin Lane is anticipated to increase significantly due to the proposed STEMM building's one-way eastbound drop-off lane which connects to McMullin Lane. Due to the increased outbound traffic flow on McMullin Lane and considering the close proximity of existing median cut to the Ring Road roundabout, it is recommended that a Left-In/Left-Out (LI/LO) arrangement is implemented for McMullin Lane at Ring Road by removing the median cut. This will improve road safety and enable unimpeded traffic flow on Ring Road. It is noted that alterations to intersection corners may be required with LI/LO arrangement to facilitate swept paths of 12.5m Heavy Rigid Vehicle (HRV).

2.6 Servicing

The EIS (Pg134) states that *'...the loading dock will be located on the lower ground level, with appropriate space for a waste truck to reverse to the WSRA'*. It appears that the proposal involves garbage trucks reversing into the internal loading dock located within the building footprint to access the 47 sq.m Waste Storage and Recycling Area (WSRA). The east elevation architectural plan indicates that the roller door of loading dock will be approximately 3.2m high. Australian Standard AS2890.2 – 'Parking facilities - Off-street commercial vehicle facilities' stipulates a minimum height clearance of 4.5m for heavy vehicles longer than 6.4m Small Rigid Vehicle (SRV). Since the site is being designed to be serviced by 8.8m Medium Rigid Vehicle (MRV) and 12.5m HRV, the roller door height and internal height clearance to all structures should be minimum 4.5m.

The swept path diagram of a 12.5m HRV provided in Appendix B of the T&PIA indicates reversing movement into the proposed external loading area off McMullin Lane whereas submitted architectural plans appear to indicate capability of forward entry/exit at the loading area. A swept path diagram is required to demonstrate that garbage trucks will be able to reverse into the internal loading dock (within building footprint) due to the constrained space created by median separating McMullin Lane. A swept path diagram is also required to demonstrate that a 12.5m HRV can make a 3-point turn at the end of McMullin Lane to enter and exit in forward direction.

It appears that the turning area proposed for heavy vehicles at the end of McMullin Lane will be surrounded by steep embankment. There is a concern that a reversing heavy vehicle may accidentally overrun into the embankment without appropriate protection. It is recommended that guardrails capable of withstanding heavy vehicle impact are installed along the embankment surrounding proposed turning area.

2.7 Pedestrian crossing

The context plan (ground) indicates that a new raised threshold pedestrian crossing will be installed on McMullin Lane north of the proposed drop-off lane. The raised crossing does not appear to align with the kerb ramp and footpath on the eastern side.

3. Stormwater Management

The Concept Stormwater Management and Levels (CSM&L) Plan (DA-C03.02/Rev2) does not propose a water quality treatment tank (i.e. a *Jellyfish* or an approved equivalent) between the proposed Kerb Inlet Pit (KIP) at CL 36.45 and the existing KIP on northern side of Ring Road. However, Figure 2 of the Concept Stormwater and Integrated Water Management Plan indicates that MUSIC model has adopted a common *Jellyfish* treatment device for the roof and south (mixed) catchments. Accordingly, the CSM&L plan requires updating to include an additional *Jellyfish* after the KIP (CL 36.45) to reflect the adopted schematic of the MUSIC model.

4. Developer contribution

Under the CN's Section 7.12 Newcastle Local Environmental Plan 2019 a 1% levy on the cost of the development, not Capital Investment Value, as stated in the EIS, is payable on the development. The application is not supported by a Cost Summary Report required by Section 11 of the Plan. Sample Cost Summary Reports are available on the CN website at www.newcastle.nsw.gov.au.

The EIS is seeking an exemption from the levy under Section 7 of the Plan based on various merit circumstances, including *'there is no enlargement or intensification of the current land use, the proposal is not expected to generate additional student or staff numbers.'*

The EIS does not provided any supporting evidence to justify this claim. To the contrary, as mentioned above, the EIS does not identify the buildings on campus where these disciplines and faculties are currently located and their gross floor areas. The future uses of these buildings is also not stated. In addition, no details have been provided of the number of students and staff of these disciplines and faculties, nor has it discussed the growth in visitors, industry, students and staff that are anticipated.

The EIS states

'...the facility enables flexibility and scalability into the future, with the ability to respond to future changes in research focus and pedagogy; population growth and new technologies; and the attraction and retention of students and staff.'

It will also allow ‘...spaces to host events, project spaces for industry collaboration and prototype spaces to support commercialisation of ideas’. In this regard, the proposed development includes a commercial café, amphitheatre of up to almost 800 people, multi-function space that can accommodate large presentations or event space, laboratories, meeting rooms that allow up to 40 people, Visitors Suites, flexible learning spaces of up to 330 people and research rooms. Based on the available information, it is considered the development does represent an intensification of the current land use.

The other grounds being sought for an exemption comprises the following:

- *‘The proposal involves improvement of an existing education establishment.*
- *The proposal is in the public interest.*
- *The proposal will not increase the demand for services and facilities levied under the Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019.*
- *The application is Crown development and the University already provides extensive services and facilities for its students and the wider community in the form of open space, recreation, sporting fields, pools, libraries, public venues, art gallery, bush regeneration and wetland management including on adjoining sites, affordable student housing, student engagement and the public good of ongoing education of the community.’*

The University advocates for more walking and cycling. The University has produced a series of active travel guides (<https://www.newcastle.edu.au/current-students/uni-life/campus/getting-to-campus/active-travel>) which include cycle routes. Their Strategic Transport Management Plan includes targets of 5% for cycling (from 2%) and 25% for walking which supports not just improving facilities at the Callaghan campus but connections to it.

City of Newcastle (‘CN’) and Newcastle University are both committed to increasing mode share to sustainable transport. While there is no ‘silver bullet’ for increasing participation, it is recognised that a range of measures are needed, including infrastructure improvements. Perception of lack of safety is a major barrier to increased uptake of cycling. CN is working towards connecting key nodes and activity areas with high quality cycling facilities suitable for all user types. The University is a major node in the cycling network and CN has several planned and current projects which are on routes to the Uni. Projects include installation of mid-block signals on Maud Street (R6 University to Newcastle City route), Lambton Park to Croudace Street (gap in east-west regional route) and a shared path connection on University Drive from Blue Gum Road to the bypass underpass.

The EIS also refers to another category for applying for exemption relating to an NSW government department under State Environmental Planning Policy (Infrastructure) 2007. The University of Newcastle is not a government department and therefore this exemption does not apply to the applicant. The EIS’s consideration of ‘what if’ scenarios are not relevant to the current circumstances of the case and the consideration of an exemption.

Given the above circumstances, it is recommended that the full 1% levy is applied.

5. Waste Management

The EIS includes a Waste Management Plan (WMP) (Nov2019) prepared MRA Consulting Group. Based on the information supplied, the location of the development, the type and configuration of the development it is assumed the subject land is only a single business-rating (or possibly not separately rated at all). As such, an inference can be reached that the site does not need to demonstrate that the development can accommodate CN’s standard domestic waste management service, only that a satisfactory service is able to be provided as the service can be provided under a commercial arrangement.

Given the above circumstances, it is recommended that prior to approval of the application, the applicant be required to provide a satisfactory engagement agreement / statement of intent from the relevant commercial waste collection provider/s that the waste management services as detailed in the final WMP are able to be conducted.

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

Yours faithfully



Michelle Bisson
MANAGER REGULATORY, PLANNING AND ASSESSMENT

SCHEDULE OF RECOMMENDED CONDITIONS

A. CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

1. A total monetary contribution of << To be calculated >> is to be paid to City of Newcastle, pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979*, such contribution to be payable prior to the issue of a Construction Certificate in respect of the proposed development.

Notes:

- a) This condition is imposed in accordance with the provisions of the Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019 (August 2019). A copy of the plan may be inspected at City of Newcastle's Customer Service Centre, ground floor of the City Administration Centre, 12 Stewart Avenue, Newcastle West between 8.30 am to 5.00 pm, Monday to Friday excluding public holidays.
- b) The Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019 (August 2019) permits deferred or periodic payment of levies in certain circumstances. A formal modification of this condition will be required to enter into a deferred or periodic payment arrangement. Refer to the Plan.
- c) The amount of contribution payable under this condition has been calculated on the basis of the current rate as at the date of consent and is based on the most recent quarterly Consumer Price Index (CPI) release made available by the Australian Bureau of Statistics (ABS). The CPI index rate is expected to rise at regular intervals and therefore the actual contribution payable is indexed and recalculated at the CPI rate applicable on the day of payment. CPI quarterly figures are released by the ABS on a date after the indexation quarter and as a guide, these approximate dates are provided below. Indexation quarters from the ABS are as follows:

Indexation quarters	Approx. release date
September	Late October
December	Late January
March	Late April
June	Late July

Any party intending to act on this consent should contact City of Newcastle's Customer Service Centre on 4974 2000 or mail@ncc.nsw.gov.au for determination of the indexed amount of contribution on the date of payment.

2. On-site parking accommodation is to be provided for an additional 115 bikes (with suitable end-of-trip facilities) and 58 motorbikes and such be set out generally in accordance with the minimum parking layout standards indicated in Section 7.03 'Traffic, Parking and Access' of the Newcastle Development Control Plan 2012. Full details are to be included in documentation for a Construction Certificate application.
3. The car parking and vehicular access is to be designed to comply with AS/NZS 2890.1:2004 – 'Parking facilities - Off-street car parking', AS2890.2:2018 – 'Parking facilities - Off-street commercial vehicle facilities', AS 2890.3:2015 – 'Parking facilities - Bicycle parking' and AS/NZS 2890.6:2009 – 'Parking facilities - Off-street parking for

people with disabilities'. Full details are to be included in documentation for a Construction Certificate application.

4. All proposed driveways, parking bays, loading bays and vehicular turning areas are to be constructed with a basecourse of adequate depth to suit design traffic, being sealed with either bitumen seal, asphaltic concrete, concrete or interlocking pavers and being properly maintained. Full details are to be included in documentation for a Construction Certificate application.
5. Kerbing or dwarf walls having a minimum height of 100mm are to be constructed along the edge of all garden or lawn areas adjacent to driveways and parking bays sufficient to discourage the encroachment of vehicles thereon. Full details are to be included in documentation for a Construction Certificate application.
6. Roof water is to be directed to the proposed water tank with a minimum capacity of 100,000 litres and be reticulated to any new toilet cisterns and cold-water washing machine taps. A mains water top-up system is to be installed to maintain a minimum water depth of 100mm within the tank. Alternatively, an electronically activated mechanical valve device is to be installed to switch to mains water when the water level in the tank falls below the minimum depth. The water tank and plumbing are to be installed in accordance with the Plumbing Code of Australia. Full details are to be included in documentation for a Construction Certificate application.
7. All stormwater runoff from the proposed development being managed in accordance with the requirements of Section 7.06 'Stormwater' of the Newcastle Development Control Plan 2012, the associated Technical Manual and the latest issue of Australian Standard AS 3500.3 as applicable, as indicated on the stormwater management concept plan prepared by Northrop (Drg. No. DA-C03.01/Rev 2, DA-C03.02/Rev 2, DA-C03.05/Rev 2 and DA-C05.01/Rev 1, dated 31 July 2019). Full details are to be included in documentation for a Construction Certificate application.
8. All new impervious surfaces, including driveways and paved areas are to be drained to the nominated discharge controls, full details are to be included in documentation for a Construction Certificate application.

B - CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK AND DURING THE CONSTRUCTION PHASE

1. Any alteration to natural surface levels on the site is to be undertaken in such a manner as to ensure that there is no increase in surface water runoff to adjoining properties or that runoff is impounded on adjoining properties, as a result of the development.
2. Stormwater is to be conveyed to the existing property stormwater drains by way of a sealed pipe system. The existing drains are to be checked for adequacy and cleared of any obstructions.
3. On-site parking accommodation is to be provided for an additional 115 bikes (with suitable end-of-trip facilities) and 58 motorbikes and such being set out generally in accordance with the details indicated on the submitted plans except as otherwise provided by the conditions of consent

C - CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE,

1. A copy of the stormwater drainage design plans approved with the Construction Certificate with '*work as executed*' levels indicated, shall be submitted to the Principal

Certifying Authority and to the City of Newcastle prior to the issue of an Occupation Certificate. The plans shall be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.

2. The water management measures as indicated on the submitted plans and Statement of Environmental Effects and/or as modified under the terms of this consent are to be implemented and the nominated fixtures and appliances are to be installed and operational prior to issue of an Occupation Certificate

D - CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE OF THE DEVELOPMENT

1. The maximum size of vehicle accessing the site is restricted to 12.5m long Heavy Rigid Vehicle (HRV).
2. Proposed parking areas, vehicle bays, driveways and loading dock within the building are to be maintained clear of obstruction and be used exclusively for purposes of car parking, loading and unloading, and vehicle access, respectively. Under no circumstances are such areas to be used for the storage of goods or waste materials.