

23 September 2019

David McNamara
Director Key Sites Assessments
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Reply by email: james.groundwater@planning.nsw.gov.au

Dear David

**UNIVERSITY OF NEWCASTLE HONEYSUCKLE CITY CAMPUS STAGE 1A (SSD-9510)
16 HONEYSUCKLE DRIVE, NEWCASTLE**

I refer to the Department's letter of 12 August 2019 advising the University of Newcastle (UoN) has submitted a State significant development application which was being placed on public exhibition from 15 August to 11 September 2019 and inviting City of Newcastle ('CN') to comment.

The Environmental Impact Statement (EIS) of the application has been reviewed and the following advice is provided for your consideration:

1. Consistency with concept approval

The Secretary's Environmental Assessment Requirements (SEARs) required that the EIS '*shall demonstrate the proposal is consistent with the determination of the University of Newcastle -Honeysuckle City Campus Concept Plan (SSD 9262)*'.

As the development application for the Concept Plan is still being assessed by the Department the applicant is not able to comply with this requirement. Accordingly, this matter will need to be revisited by the applicant following the determination of the above application.

2. Visual Impacts

According to the Design Report prepared by EJE Architecture (Appendix A of the EIS), the western façade of the proposed building has been designed to be a '*permanent Vivid installation*' on which '*to project user generated content, representative of the buildings creative and innovative functions.*' It is not clear from the EIS as to whether these projections will be backlite or from an external projector installed on the site.

The western facade is located approximately 30 metres from several dwellings located on 10 Worth Place. The above report (Pg. 32) states that the likely visual impact of the projections on the neighbouring residences will be mitigated through '*rigorous consultation around how and when the projection can be utilised to avoid unwanted disruption and provide positive activation of the space.*' It is suggested that the applicant provide as part of the development further consideration of the visual impact on the residential properties and the measures proposed to mitigate such impacts.

3. Parking and Traffic

Transport Mode Share

While confident that the transport mode share targets set for the Concept Plan for the Honeysuckle City Campus Development (HCCD) are achievable, the Response to Submissions (RtS) report (July 2019) prepared by Ethos Urban for the Concept Plan development application (SSD) acknowledges that the transition from high private vehicle usage to alternative modes could take time and accordingly there could be continued demand in the short term. It therefore suggests that the staged approach to the delivery of the campus over a 10+ year time period will provide opportunity to implement interim parking solutions during this transition period. The approach that each stage be assessed against specific transport requirements at the time (particularly when details of building use are known). This approach was supported in CN's advice to the Department regarding the RtS report. The temporary use of the existing 180 space at-grade car park on site to manage the interim general parking demand was also encouraged.

As indicated above, the development application for the HCCD has not yet been determined and therefore the final version of the parking and transport strategies for the campus are not known. Notwithstanding this, the following comments are provided regarding the parking and traffic considerations of the Stage 1A development as currently proposed.

Newcastle Development Control Plan 2012

In respect to the likely demand for car parking spaces generated by the proposed development the EIS (Pg48) states that:

'In accordance with the restricted parking strategy of the Concept Plan and the objectives of the Transport Access Strategy, with the exception of accessible parking, no car parking spaces are included at the proposed Stage 1A site. This is consistent with the parking analysis undertaken by Seca Solution, which found that parking demand associated with the proposed development is expected to be minimal. The analysis also found that there is spare parking capacity within the Newcastle CBD (paid on-street or in parking stations), which can provide for those who choose to drive.'

The on-site car parking rates for development in the Newcastle Local Government Area are set out in Section 7.03 of the Newcastle Development Control Plan (DCP) 2012. In the Newcastle City Centre except for residential development, car parking is provided at a flat rate of one space per 60 square metres of gross floor area (GFA).

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 DCP, including the parking rates, has been used by the Department to assess other State significant developments in the Honeysuckle precinct. Therefore, it is considered appropriate that consideration also be given to DCP 2012 in respect of the proposed development.

The proposed development will have a gross floor area of 2,473 square metres. The Parking and Transport Assessment Stage 1A prepared by Seca Solutions acknowledges the above parking rate and concludes the parking demands associated with the development are *'expected to be minimal'*. The Assessment contends that there is *'spare'* capacity within the Newcastle City Centre, such parking comprising paid street parking and in parking stations. In respect of the latter, reference is also made to the 150 parking spaces leased by the UoN in the Civic West car park which are available to staff and students (of New Space) at a rate of \$10 per day.

While CN's awarding winning *EasyPark* App will assist students and staff to find metered parking spaces in the city, there may not be enough spaces available when required within a reasonable walking distance of the development. The City West car park is located within a reasonable walking distance to the development, but the daily cost may discourage its use by students.

It is suggested an interim solution is for the UoN to make the existing 180 space at-grade car park on the campus site, or part thereof, available to UoN staff, students and other users of Innovation Hub. It being noted that it is already proposed as part of the development to use this facility for interim 'accessible' car parking. This facility has ample capacity to accommodate all the likely parking demands of the development and could be used until such time that the transport mode share targets set for the Concept Plan for the Honeysuckle City Campus Development (HCCD) are achievable

Servicing and Waste Collection

Servicing and waste collection associated with the development could include but may not be limited to the following:

- Parking - service vehicle parking, parking for persons with a disability, emergency services and other servicing parking arrangements that cannot be managed by alternative transport modes.
- Appropriate taxi/private vehicle and bus drop off/set down areas. Given the proposal will in part be reliant on shuttle services from the Callaghan Campus to the development bus set down facilities should be provided near the main pedestrian access of the development.
- Loading/unloading zone/s for largest anticipated heavy vehicle, including waste collection vehicles, likely to service the site.

To address the servicing requirements of the development a short-term loading zone is proposed along Honeysuckle Drive. Waste collection will be via kerb side collection along Worth Place which will occur outside peak hours.

The DCP 2012 provides that all servicing facilities are to be accommodated within the site with forward vehicle entry/exit. Furthermore, in this case, service vehicle arrangements need to be conveniently accessible for all stages of the development. On-street servicing is considered on a case by case basis but generally only supported in circumstances where on-site servicing is not possible (e.g. constrained development sites).

It is considered appropriate for a development of the scale of the proposal that servicing will occur within the site, ideally with access from Settlement Way or Wright Lane. While specific parking servicing requirements can be developed to suit the proposal as a general guide Section 7.03 Traffic, Parking & Access of DCP suggests a general rate of 1 space per 2,000m² of GFA for servicing parking purposes.

Some temporary on-road facilities may be considered to service Stage 1A until a final solution is implemented in accordance with the approval Concept plan. However, the approval of the Newcastle City Traffic Committee (NCTC) under the *Roads Act 1993* will be required before the determination of the subject development application to ensure this option is achievable.

Construction Traffic

The submitted Construction Traffic Management Plan indicates that construction access for Stage 1A will be provided via Honeysuckle Drive. This will impact on the existing on-street parking in the area. A separate submission and approval will be required from NCTC for any proposed parking changes along Honeysuckle Drive for construction purposes. Information for management of traffic and pedestrian will also be required to be provided at construction stage.

It is noted that Settlement Way and Wright Lane road network have a weight limitation of 23 tonnes. It is recommended that heavy vehicles avoid these roads as adjoining properties will be affected from heavy vehicles.

The above matters could be addressed by the imposition of an appropriate condition of consent.

4. Wright lane and Settlement way

It is noted the UoN have recently purchased Wright Lane from the Hunter and Central Coast Development Corporation. Having regard to the ownership changes the following is recommended:

- A right of public access over Lot 6 (Wright Lane) for both foot and vehicle traffic will be required. This is necessary to enable public access and private access to properties with access from Wright Lane.
- CN are to be granted a right of access over Lot 6 (Wright Lane) in favour of Lot 3 DP1111305 (Newcastle Museum) and access to the museum be maintained at all times.
- Wright Lane and Settlement Way be restricted to 23 Tonne maximum loading, it being noted Settlement Way currently has a load limit of 23 Tonne imposed due to the road slab being the roof for a private underground car park.
- Settlement Lane be made one way northbound.
- Road and footpath works be undertaken at Settlement Lane/Honeysuckle Drive intersection to enforce one way.
- UoN be required to undertake permanent road widening works along Civic Lane as part of this development. This is to establish the widening approved as part of the subdivision to widen Civic lane to create a footpath zone.
- Any future proposed dedication of Wright Lane will need to be consulted with CN and road design will need to meet relevant CN requirements.

The above matters could be addressed by the imposition of an appropriate condition/s of consent.

5. Public Domain and Wind Effects

The Pedestrian Wind Environment Study prepared by Windtech (Appendix V of the EIS) indicates that there may be some wind effects on the existing road network. To mitigate the wind conditions along the pedestrian footpaths the Study recommends several '*treatment Strategies*' be considered in the design of the development including the inclusion of densely foliating street trees along Worth Place and the remaining street frontages.

Additional public domain works such as footpath and streetscape upgrades, pedestrian management, street lighting and building related civil works will be required to be undertaken as part of the development. These public domain works including the street trees will require approval under Section 138 of the *Roads Act 1993*.

This matter could be addressed by the imposition of an appropriate condition of consent.

6. Flood Management

The submitted Stormwater & Servicing Assessment report prepared by Northrop Consulting Engineers has considered the impacts from flooding for Stage 1A. The principles of the flood planning for Stage 1A are generally supported.

The floodway (overland Flow path) on Wright Lane between the Stage 1A and buildings B & D is located at a critical part of the overall site. The design of the floodway will be a major factor in determining the overall building design levels and design of the open space areas. Overland flow on Wright Lane fronting future developments at Building E & F, Settlement Way, Civic Lane and the upper catchment areas of Wright Lane will be affected if the design of the floodway is not resolved at Stage 1A.

It is recommended that the flooding and stormwater run-off from the proposed open areas between Worth Place and Settlement Way be designed the as part of the Stage 1A development. In this regard, concept design details including cross sections and longitudinal sections are to be provided to demonstrate that flood flows along Wright Lane can be managed. Furthermore, the concept design will need to consider any impacts on the pedestrians in the area from flood waters.

7. Drainage and Infrastructure Management

According to CN records, there are existing drainage pipes and pits along Wright Lane, which connect to Worth Place. The drainage infrastructure extends between Worth Place to Workshop Way and services the existing public road network. (See Diagram 1 below).

It would appear these pipes service the existing road and adjoining properties. It is noted that in March 2018 Settlement Way and Workshop Way was dedicated to CN by HCCDC and it was anticipated that Wright Lane between Settlement Way and Workshop Way may also be dedicated as a public road, However, the road was sold to UoN.

CN's road assets and the adjoining properties will need to be serviced through the existing pipe system. The submitted survey and subdivision plan does not indicate how the drainage system along Wright Lane will be managed.

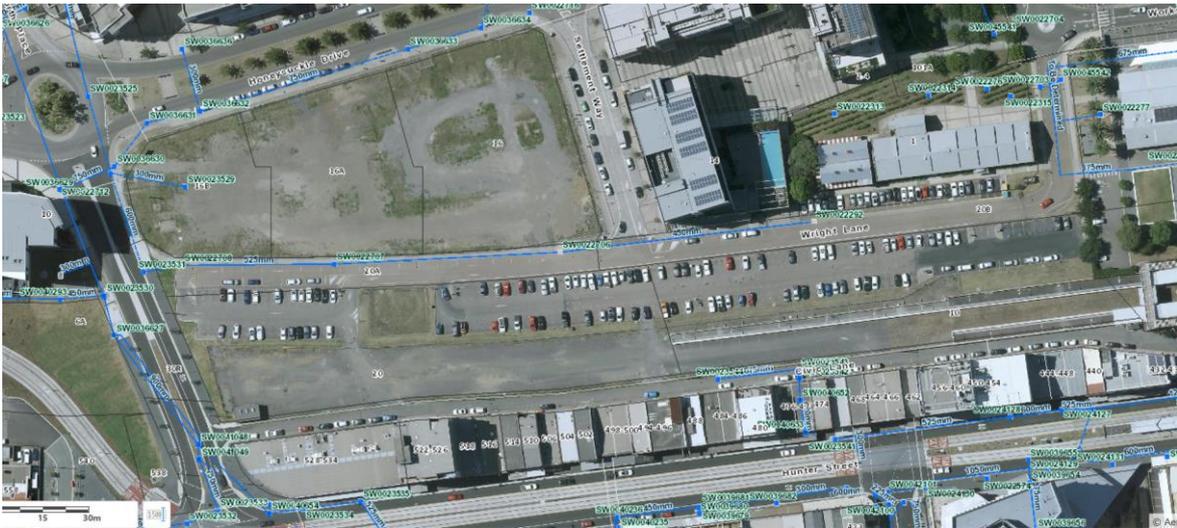
Because the drainage infrastructure is within Wright Lane and will be affected by the proposed development the following is recommended:

1. The drainage pipe system and any additional drainage required for the city road network to be clearly indicated on the stormwater plans.
2. As Wright Land is owned by UoN it is assumed that the drainage pipes in the lane will remain in their ownership. In this regard, UoN are to grant legal rights to CN for draining the existing nearby public roads. Similarly, the existing private properties on the Northern side of Wright Lane will need to be granted rights to discharge stormwater to the existing drainage system in the lane.

Such easements are to be created over the existing pipe in accordance with the requirements of the Newcastle Development Control Plan 2012 and legal rights for easements to be granted in accordance with the *Conveyancing Act 1919*.

3. Full CCTV dilapidation report (Pre-construction dilapidation) is be prepared for the drainage pipe and a copy provided to CN.

Diagram 1 -CN Drainage Infrastructure in the locality



8. Contamination

The issue of contamination has previously been dealt with under the conditional development consent granted to UoN (DA2018/00933) for the site preparation works. CN had been advised that the remediation works are to be carried out as Category 2 Remediation works. These works are to be completed prior to the commencement of this development. If this proceeds as advised, the site will already be remediated and should be able to be certified by a site auditor.

9. Construction management

The Preliminary Construction Management Plan (CMP) by AAP will need to be updated in light of the AECOM acoustic report findings and recommendations. Once updated this could be included in the approved documentation condition of the consent.

10. Section 7.12 Development Contribution Plan

While CN acknowledges the many likely benefits of the Honeysuckle City Campus and the importance of its location in the City Centre to support continued revitalisation, the payment of a local infrastructure contribution as provided for under the CN's Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019 is important to providing essential community infrastructure that the city campus will also rely on.

The Circular D6- 'Crown Development Applications and Conditions of Consent' referred to the EIS (Pg56) was last updated in 1995 prior to the introduction of the Section 94A (now s7.11) development contribution to the *Environmental Planning and Assessment Act 1979*. Local contributions assist CN in the implementation of our Cycling Strategy and the design and construction of cycleways. The Transport Strategy prepared to support UoN's City Campus relies on a mode share shift away from private vehicle use and towards active and public transport. The Transport Strategy notes that NeW Space Bike Hub usage data shows a significant uptake in 2019 over 2018 figures and the provision of further Bike Hub services in the city as part of the overall HCCD masterplan are planned to support this mode of transport. In order for cycling to be a valid alternative to private vehicle use, the provision of safe cycle ways into the city will be essential, in addition to any bike hub services. Local infrastructure contributions also assist CN to provide public domain works in the City Centre such as urban furniture, street plantings, upgraded footpaths and open space embellishments that will benefit students, staff and visitors to the new campus.

Given the above circumstances, it is appropriate for the UoN to pay an appropriate levy to assist CN to provide these public works that will be of considerable benefit to the functioning of the new campus.

It is also noted that the UoN accepted the imposition of a condition on the development consent (DA2018/00933) for the site preparation works requiring a monetary contribution of \$132,100 being paid to CN, pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979*, prior to the commencement of works.

The Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019 became operational on 9 September 2019 and repeals the Section 94A Development Contribution Plan 2009 (Updated 2017) referred to in CN's previous letter regarding this development. However, the Savings and Transitional provisions of the Plan provide that a development application which has been submitted prior to the adoption of this Plan but not determined shall be determined in accordance with the provisions of the Plan which applied at the date of lodgement of the application. Therefore, the levies applicable under Part B-City Centre of the above s94A Plan apply to the development.

Please note if it is proposed to impose a development contribution on the development it will be necessary for the applicant to submit Cost Summary Report and be prepared in accordance with the requirements of the above Plan, in the first instance. CN recommends development contributions requirement be imposed.

11. Servicing and Waste Report

The application is supported by a Preliminary Servicing and Waste Report (15 July 2019 (Rev.B) prepared by EJE Architecture (Appendix U of the EIS).

The report has been reviewed by CN's Waste and Commercial Collection Manager and the following advice has been provided:

'Generation Rates:

- *Whilst we have used different generation rates, largely we have reached similar estimated daily volumes, in the model not including a Café.*
- *Depending on whether the areas are utilised 5, 6 or 7 days per week will change the weekly volumes. I would suggest that to ensure adequate provision, 7-day usage be allowed for.*
- *My concern lies around whether there is to be any cafes, kitchens, food preparation areas proposed, there were none allowed for in the report and as such not taken into account for the estimation of waste generation. For example, a Café of 100m² is estimated to generate 100 litres of general waste and 120 litres of comingled recycling preday.*
- *In their Report they split waste into a number of streams, I have used only two, as we currently do not provide a food and organics collection only general waste and comingled recycling (plus green waste).*

Depending on the service / collection frequency, I suggest they need at least 2 x 1,100 litre bins for general waste and 3 x 1,100 litre bins for comingled recycling (based on 7 day utilisation with Café, noting that if utilisation was less than 7 days, it still provides a certain amount of contingency) to allow for a weekly collection frequency, as per their plan. The footprint of an 1,100 litre bin is up to 1.75m². Based on the specification of the Sulo 1,100 litre bins (1070mm x 1,240mm), and having 20mm between bins and a gap of 1800mm between rows of bins within which to maneuver the bins in the bin storage room (assuming 1 room), I suggest allowing for a bin storage room of 16m² (3,800mm x 3,940mm, rounded up to 4,000mm x 4,000mm). This size room also allows for installation of an additional 1,100 litre bin if necessary. If generation rates are above those estimated, additional collection services can be arranged. Doorways and pathways of 1,800mm would be recommended to allow for safe and adequate movement of bins, with no obstructions

and no requirement for bins to be carried over any steps, landscape edging or gutters / kerbs.

I suggest that there will only be one 'rating' for this whole development (probably business / commercial) so the site can look at a commercial provider for their waste management services.

While the EIS (Pg26) and ground floor plan refer to a café the above Report indicates a mobile café cart. It is suggested that clarification is sought from the applicant regarding the cafe and the other matters raised by CN's Waste and Commercial Collection Manager.

12. Night-time economy

Since the drafting of the SEARs for the development CN's first specific strategy for guiding the development of the city's night-time economy was adopted. It is requested that both the UoN and Department consider the publication 'Newcastle After Dark 2018-2022'.

If you have any questions in relation to the various matters raised in this letter, please contact Geof Mansfield Principal planner (Development) on 4974 2767 or by return email.

Yours faithfully



Michelle Bisson
MANAGER REGULATORY PLANNING AND ASSESSMENT