

# Notice of decision

## Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

<b>Application type</b>	State significant development
<b>Application number and project name</b>	SSD-9510 University of Newcastle Honeysuckle Campus Stage 1A
<b>Applicant</b>	The University of Newcastle
<b>Consent Authority</b>	Minister for Planning and Public Spaces

### Decision

The Executive Director under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available here:  
<https://www.planningportal.nsw.gov.au/major-projects/project/10196>

A copy of the Department of Planning, Industry and Environment's Assessment Report is available here:  
<https://www.planningportal.nsw.gov.au/major-projects/project/10196>

### Date of decision

21 May 2020

### Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including additional capacity and improved educational facilities, \$23,350,000 total capital investment and 170 construction and operational jobs;
- the project is permissible with development consent, and is consistent with NSW Government policies including:
  - Hunter Regional Plan 2036;
  - Greater Newcastle Metropolitan Plan 2036;
  - Greater Newcastle Future Transport Strategy 2056;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. Conditions of consent are recommended to address key impacts associated with urban design and construction impacts;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent; and
- weighing all relevant considerations, the project is in the public interest.

• **Attachment 1 – Consideration of Community Views**

The Department exhibited the Environmental Impact Statement for the project from 15 August 2019 until 1 November 2019 (28 days) and received 15 submissions, including one objection, one comment and two in support of the project.

The key issues raised by the community (including in submissions) and considered in the Department’s Assessment Report and by the decision maker include car parking, amenity impacts, noise and loss of property value. Other issues are addressed in detail in the Department’s Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<i>Car parking</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The proposal does not include any on-site car parking. The Applicant has stated the existing 172 surface car parking spaces accessed off Wright Lane will be retained for use by students, staff and visitors during the initial 3 stages of the UoN Honeysuckle City Campus development.</li> <li>• The University of Newcastle (UoN) has an ambitious travel mode-share target of 7% cycling, 39% public transport and 54% walking, with the ultimate goal of no trips by private vehicles. UoN envisages the campus would transition to the mode-share target over time and rely on existing (temporarily retained) surface car parking on the site to manage the transition.</li> <li>• The Application includes a Green Travel Plan (GTP), which includes various education and information strategies to facilitate the mode-share transition.</li> <li>• The Department is satisfied the retention of the existing surface car parking and implementation of the GTP and sustainable transport would ensure the proposal does not have adverse traffic or parking impact.</li> </ul> <p><i>Recommended conditions</i></p> <ul style="list-style-type: none"> <li>• Preparation and implementation of the GTP and sustainable transport measures.</li> </ul>
<i>Operational noise</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The Applicant submitted an Acoustic Report (AR) with the EIS which confirmed the proposal includes the provision of rooftop mechanical plant and recommends standard noise mitigation measures including plant selection, plant enclosures, barriers, duct lining and silencers.</li> <li>• The Department is satisfied noise arising from mechanical plant can be appropriately addressed in accordance with the Applicant’s recommended management and mitigation measures.</li> <li>• The AR also suggests the potential use of the ground floor of the building and adjoining spaces for occasional events.</li> <li>• The Department considers insufficient information has been provided in relation to the use of the space for occasional events and therefore this aspect of the proposal is not approved.</li> </ul> <p><i>Recommended conditions</i></p> <ul style="list-style-type: none"> <li>• The installation and operation of mechanical plant shall be undertaken in accordance with the Applicant’s management and mitigation measures.</li> <li>• No approval is granted for the use of the building for occasional events.</li> </ul>
<i>Construction noise</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The Applicant submitted an Acoustic Report (AR) with the EIS which confirmed construction may result in noise impacts on adjoining properties. The AR recommended mitigation measures including preparation of a Construction Noise and Vibration Management Plan (CNVMP), noise monitoring and mitigation measures where noise limits are exceeded.</li> <li>• The Department supports the Applicant’s mitigation measures and recommends works be restricted to standard hours of construction consistent with the Interim Construction Noise Guideline (7am to 6pm Monday to Friday and 8.00 am to 1.00 pm Saturdays).</li> <li>• To further manage noise impacts to residential receivers during standard construction hours, the Department also recommends conditions requiring the Applicant to implement the mitigation measures outlined in the AR, preparation and implementation of the CNVMP, respite periods and other controls.</li> <li>• The Department is satisfied that, subject to the conditions, noise and vibration impacts can be satisfactorily managed and mitigated to ensure the amenity and operations of surrounding sensitive receivers is not adversely impacted upon.</li> </ul> <p><i>Recommended conditions</i></p> <ul style="list-style-type: none"> <li>• construction work shall be carried out in accordance with the Applicant’s management and mitigation measures</li> </ul>

	<ul style="list-style-type: none"> <li>• construction work shall be limited to standard construction hours, include respite periods, not be 'offensive noise' and all construction vehicles shall only arrive at the site during the permitted hours of construction</li> <li>• preparation and implementation of a CNVMP.</li> </ul>
<p><i>Amenity impact to 522-526 Hunter Street (overlooking, overshadowing and loss of views).</i></p>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The Department considers the proposal would not have an adverse impact on the north facing apartments of 522-526 Hunter Street as the: <ul style="list-style-type: none"> <li>○ proposal is located approximately 85 m away from 522-526 Hunter Street</li> <li>○ proposal does not extend into any view corridors</li> <li>○ building is four storeys in height and is of a lesser scale than existing surrounding residential developments.</li> <li>○ Concept Proposal building envelope B is located between 522-526 Hunter Street and the building and Stage 1A would not be visible from north facing apartments if envelope B is constructed</li> </ul> </li> <li>• The Department concludes due to the height, location and future intervening development the proposal would not have any adverse amenity impacts on the north facing apartments of 522-526 Hunter Street.</li> </ul> <p><i>Recommended conditions</i></p> <ul style="list-style-type: none"> <li>• No conditions or amendments are necessary.</li> </ul>
<p><i>Loss of property value</i></p>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The Department considers matters relating to the private contracts of sale and/or value of properties are not planning matters for consideration and therefore objections based on loss of property value are not able to inform the assessment of the application.</li> <li>• Notwithstanding, the Department has assessed the merits of the application and concludes, subject to conditions, the proposal has acceptable impacts, and therefore there is no evidence to suggest that it would adversely impact on property values.</li> </ul> <p><i>Recommended conditions</i></p> <ul style="list-style-type: none"> <li>• No conditions or amendments are necessary.</li> </ul>