

19 September 2019

Our Ref: N-18047

Ms Karen Harragon

Director, Social & Other Infrastructure Assessments
Department of Planning, Industry & Environment
320 Pitt Street
Sydney NSW 2000

Transmission via email: Megan.Fu@planning.nsw.gov.au

Dear Ms Harragon,

RE: NIHON UNIVERSITY NEWCASTLE CAMPUS (SSD-9787) - RESPONSE TO INFORMATION REQUEST AND SUBMISSIONS

I refer to your letter dated 28 June 2019 requesting a response to the submissions received in relation to the above State Significant Development Application (SSDA). The letter also requests that certain additional information be provided to assist in assessment of the SSDA.

To respond to the matters raised, the project team has provided additional or revised information. Minor changes to the proposed servicing arrangements and waste storage have also been undertaken. These amendments are indicated on the revised plans and outlined in Section 1 of this letter.

The technical responses and revised information from the principal architect and each subconsultant have been outlined below and are attached to this letter for your detailed consideration. Together, we feel the information provided should satisfy all concerns raised.

This additional information has resulted in minor changes to the Table of Commitments, contained in Section 10 of the submitted Environmental Impact Statement (dated 8 May 2019). Section 11 of this letter outlines these minor changes.

A response to DPIE's information request and each submission is provided below.

1. AMENDMENTS TO PROPOSED DEVELOPMENT

Minor amendments have been made to the design of the waste storage rooms and the service delivery arrangements. The amendments to the waste storage rooms are outlined in the 'Waste Management Response' Memorandum prepared by dwp at Attachment A. All proposed physical changes are clearly shown on the relevant Architectural Plans, as follows:

Plan	Changes (as clouded)	Appendix
Car Circulation Diagram &	▪ Service Delivery loading zone nominated on street; ▪ Removal of Service Delivery driveway and loading on site;	I1

Services (A-101) - Rev 1, dated 16.09.19	- Confirmation of existing and proposed amendments to on-street parking arrangement; - Location of existing pedestrian crossing indicated.	
Site Plan (A-107) - Rev 1, dated 16.09.19	- Service Delivery loading zone nominated on street; - Removal of Service Delivery driveway and loading on site; - Confirmation of existing and proposed amendments to on-street parking arrangement; - Location of existing pedestrian crossing indicated.	O
First Floor Plan (A-108) - Rev 1, dated 16.09.19	- Service Delivery loading zone nominated on street; - Removal of Service Delivery driveway and loading on site; - Confirmation of existing and proposed amendments to on-street parking arrangement; - Location of existing pedestrian crossing indicated; - Planning amendments to the dedicated Garbage rooms and Plant Room / Sprinkler room.	N
East & West Elevations (A-115) - Rev 1, dated 16.09.19	Amendments to East facade of Residential Building, to accommodate the planning changes on A-108	P

2. DPIE INFORMATION REQUEST

Ecologically Sustainable Development

As requested, a *Preliminary Green Star Sustainability Report* has been prepared by Marline Newcastle and is now being formally submitted as part of this response to information request (see Attachment B). The report outlines the indicative measures to be incorporated in the development to achieve a minimum 4 star Green Star rating or demonstrated equivalency.

The Report concludes that 'The Nihon University sustainable design philosophy will follow closely with the Greenstar process. Whilst the client does not intend to formally rate the building the design will incorporate aspects of the Greenstar program that would be equivalent to achieving the targeted 4 star Green Star Design and As-Built rating.'

A score of 45-59 Credits is equal to 4 Stars (Best Practice). The Green Star scorecard and requirements for the assessment of the points considered achievable, based on the current plans, indicates that the proposal achieves a score of 52 Credits.

Cultural Heritage Reports

As requested, the following reports have been prepared for the proposal and are attached to this letter:

- Heritage Interpretation Strategy/Plan* by City Plan, June 2019 (Attachment C);

- *Aboriginal Cultural Heritage Assessment* by Archaeological Management and Consulting Group (AMAC) and Streat Archeological Services, July 2019 (Attachment D); and
- *Aboriginal Archeological Assessment* by AMAC and Streat Archeological Services, July 2019 (Attachment E).

Draft versions of the above documents were previously provided to DPIE on 29 May 2019 and are now being formally submitted as part of this response to information request.

Together these reports provide a comprehensive review of the likely impact of the proposal and mitigation measures on the tangible and intangible cultural heritage significance of the site itself, its setting and curtilage.

Other Additional Information

In addition to the information specifically requested in your letter of 28 June 2019, the following reports have also been prepared following formal lodgment of the SSDA and are attached to this letter:

- *Conceptual Remediation Action Plan* (cRAP) by Cardno, 28 May 2019 (Attachment F); and
- *Fire & Life Safety Upgrade Letter* by Design Confidence, 12 June 2019 (Attachment G).

The Conceptual RAP was previously provided to DPIE on 29 May 2019 and is now being formally submitted as part of this response to information request. The cRAP details two remedial scenarios capable of mitigating or removing potential human health and/or ecological exposure pathways to the currently identified impacts from benzo(a)pyrene, lead and TRH, and rendering the site suitable for the proposed land use as an educational facility.

The cRAP notes that potential risks to future site workers can be managed through standard WHS practices and should areas of previously unidentified contamination, including asbestos impacted soil, be encountered during the remediation and validation works, additional remedial measures may be required. If encountered, the Unexpected Finds Protocol should be implemented.

The letter prepared by Design Confidence provides comment regarding the proposed fire safety strategy for the existing heritage listed 1892 Courthouse building. Due to the significance of the existing building from a heritage perspective it is not appropriate for the building to be brought into either total or partial conformity with the Building Code of Australia.

In summary, the letter highlights issues for consideration under Clause 94 of the EP&A Regulation 2000 for the consent authority to determine whether the measures contained in the building are reasonable, taking all circumstances into consideration, to:

- Prevent fire, suppress fire or prevent the spread of fire or ensure or promote the safety in the event of fire; and
- Restrict the spread of fire from the building to other buildings nearby.

It is requested that DPIE review and offer concurrence (or otherwise) for the proposed fire and life safety upgrade strategy.

3. PUBLIC SUBMISSIONS

One public submission was received during the notification period, dated 27 May 2019. The submission noted that the *Statement of Heritage Impact* (SoHI) submitted with the EIS makes no reference to Aboriginal

heritage, the City of Newcastle's (CoN) *Heritage Strategy 2013-2017* or CoN's *Aboriginal Heritage Management Strategy 2018-2021* (AHMS).

In response to this submission, it is emphasised that the SoHI prepared by John Carr Heritage Design (dated 1 May 2019) assesses the likely impact of the proposed alterations and additions to the former Newcastle Courthouse from a European cultural heritage aspect. This SoHI, as attached as Appendix 8 to the EIS, is one of several assessment reports used to inform the cultural heritage significance of this important site. Others include:

- *Conservation Management Plan, Newcastle Courthouse* by Tanner Kibble Denton (TKD) Architects, August 2015 (Issue D);
- *Moveable Heritage Review of the former Newcastle Court House 9 Church Street, Newcastle*, by Musecape Pty Ltd, October 2016;
- *Due Diligence Aboriginal Archaeological Assessment, Newcastle Courthouse* by AMAC, March 2019;
- *Baseline Archaeological Assessment, Newcastle Courthouse* by AMAC, November 2018;
- *Heritage Interpretation Strategy/Plan* by City Plan, June 2019 (Attachment C);
- *Aboriginal Cultural Heritage Assessment* by AMAC and Streat Archeological Services, July 2019 (Attachment D); and
- *Aboriginal Archeological Assessment* by AMAC and Streat Archeological Services, July 2019 (Attachment E).

These reports provide a detailed assessment of the likely impact of the proposed development on any identified items including places of Aboriginal and European cultural heritage value. They also outline appropriate mitigative strategies under the relevant legislation for the management of Aboriginal and European archaeological and cultural heritage values of the study area.

4. NEWCASTLE CITY COUNCIL (NCC)

The key issues raised in NCC's submission of 26 June 2019 are itemised and addressed in the table below:

Issue	Comment
<u>Urban Design</u> Further explanation on how the design changes have been made in regard to UDCG's comments regarding the façade design.	Refer to the 'Urban Design Response' Memorandum prepared by dwp, dated 11 July 2019, which provides a narrative of the changes from the original design through to the current design, in respect of responding to the UDCG's comments (see Attachment H).
<u>Traffic Parking & Access</u> Key issues include: ▪ Further information sought regarding total maximum number of students (including UoN Students) ▪ Traffic generation numbers to be reviewed in light of total maximum number of students	Each of the issues raised are addressed in the letter prepared by the project traffic engineer, Better Safety Futures, dated 15 August 2019 (see Attachment I). In summary, the following is noted: ▪ The on-site car parking provision of 20 spaces will more than adequately meet the general traffic generation for the proposed development including

▪ Service vehicle driveway to be widened and service vehicles to enter / exit site in forward direction ▪ Adequacy of parking and provision for visitors, service and maintenance vehicles ▪ Green Travel Plan should be prepared prior to Determination	the extra-curricular activity (approximately 6 additional local students per day) ▪ A widened driveway is not considered necessary due to the use of the adjacent kerb space as an on-street loading zone ▪ The timing of the GTP implementation is best suited to delivery before an occupation certificate is released for the site
<u>Stormwater Management</u> Consideration should be given to amending the design of the development such that the proposed buildings are located clear of the existing easement or alternatively the existing pipe asset and easement is relocated clear of the building footprint.	Further investigations by Cardno reveal that the site is underlain by a combination of brick and concrete stormwater pipes. The existing system conveys runoff from the upstream catchment as well as the development site itself. The stormwater network enters the subject site mid-way along the southern boundary and discharges beyond the northern boundary into the public stormwater system in Church Street. Cardno describes the existing stormwater network as consisting "of a brick oviform stormwater pipe running in approximately a straight line between the southern and northern site boundaries". Cardno also believes that at some time during the 1970s the central portion of the brick oviform within the site was removed and 900mm diameter concrete pipes installed. This may have been to allow construction of an administration building and subterranean tunnel from the courthouse to the Police Station located to the east of the development site. The site is burdened by a 3m wide Easement for Drainage (DP1199904) that is limited in height to RL21mAHD and was registered on 28 November 2014, after the release of Council's DCP 2012. The easement also consists of a pedestrian tunnel, a number of stairs and a roof in this area. Following several meetings with officers from NCC, further work was undertaken, including CCTV investigations which confirmed that the existing pipe is not located wholly within the easement. To address Council's concerns, it is proposed to reconstruct the existing stormwater system running through the site. This is described in detail in Cardno's report and accompanying plans (see Attachment J).

	Whilst discussions with NCC are still on-going, it is apparent that the reconstruction will achieve the intent of Council's requirements as it: (a) "Achieves a 100yr design life for the stormwater network and removes existing pipe deficiencies. (b) Ensure structures are clear of the drainage easement. (c) Replaces bends with junction pits. (d) Provides access with suitable vertical clearance to the stormwater network for Council maintenance and inspection operations". Cardno is continuing to work collaboratively with NCC and the plan as developed to date demonstrates that the proposed works will provide better access to the pipe, junction pits at changes in direction and minimal obstructive works above the easement.
<u>Noise</u> The Noise and Vibration assessment has not addressed noise from existing noise sources which may impact upon the proposed development.	EMM Consulting Pty Limited (EMM) was engaged by to undertake a construction noise and vibration assessment (CNVA) in relation to the proposed development. The assessment focused on a number of elements highlighted by NCC, including noise from nearby existing noise sources which may impact upon the proposed development. Such sources include the Grand Hotel opposite and its potential impact on the proposed student accommodation rooms. In their assessment, dated 14 August 2019, EMM concludes that: <i>"AS/NZS 2107-2000 recommended noise criteria for residential spaces are expected to be achieved within all areas by adopting standard masonry construction, assuming standard 4 mm glazing in a well-sealed frame. A review of the current architectural plans shows that these provisions have been included in the construction of the development and therefore noise intrusion is not likely to impact the internal acoustic amenity of the development. It is of note that by adopting AS/NZS 2107-2000 recommended noise criteria for residential spaces, SEPP Infrastructure (2007) noise criteria will also be satisfied"</i> (see Attachment K). When read in conjunction with the CNVA previously prepared by EMM and as submitted with the EIS it is considered that the likely noise and vibrations

	associated with surrounding developments will not unduly impact on the proposed development, and in particular the student accommodation spaces.
<u>Contamination</u> It is recommended a more detailed expert assessment and consideration of existing data in accordance with appropriate guidelines be carried out in respect to the proposed development to more accurately determine data gaps, levels of risk and appropriate land use criteria to (if possible) confirm whether there is sufficient information to determine whether the site is suitable for the proposed land use prior to determination.	As outlined in the letter prepared by Cardno, dated 9 July 2019 (see Attachment L), Cardno proposes to update the provisional Conceptual Site Model, prepare a supplementary Sampling and Analysis Quality Plan and further investigate the site by collecting additional data following demolition of the building. Cardno will provide a detailed site remediation methodology in the final RAP. The nature of the final RAP will be determined based on investigation results, the final land use and discussions with the Site Auditor when/if one is appointed.
<u>Contributions</u> Clarification is sought as to whether the Section 94A Estimate was calculated in accordance with Clause 25J of the Regulation.	We can confirm that the Section 94A Estimate was calculated in accordance with Clause 25J of the Regulation.
<u>SEPP 64</u> Need to address the requirements of this SEPP.	Refer to Section 4.1 of this letter below.
<u>Waste Management</u> The waste calculation method should be revisited in line with the EPA's publication <i>Better Practice guide for Resource Recovery in Residential Developments</i>.	Refer to the 'Waste Management Response' Memorandum prepared by dwp, dated 11 July 2019 (see Attachment A), which provides revised operational waste calculations and outlines amendments to the design of the waste storage rooms. The Memorandum also explains why bulky goods storage areas are not required for the proposal, and provides details relating to organic green/garden waste management and private waste contractors.

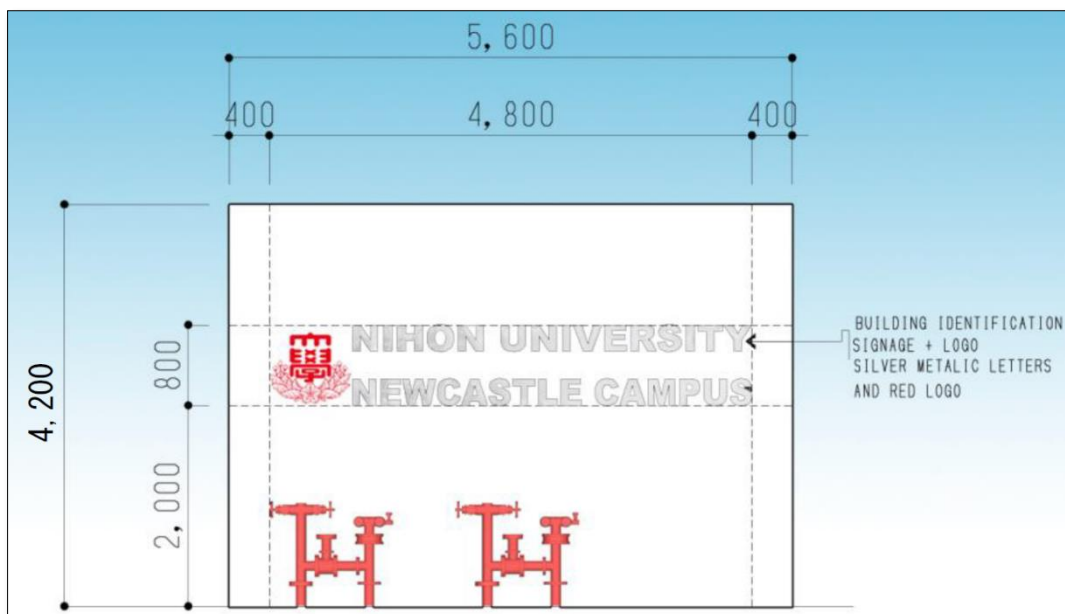
4.1. SEPP 64 - Advertising and Signage

This SEPP aims to regulate the quality and positioning of signage, including advertising. It applies to all signage within NSW that is permissible with or without development consent under another environmental planning instrument, and that is visible from any public place.

One identification sign is proposed as detailed in the Architectural Plans at Appendix 2 to the EIS. The proposed sign comprises a red logo and silver metallic letters fixed to a new wall fronting Church Street, in front of the new Residential Building. The wall is required to be constructed adjacent to the main site service point beside the driveway entrance for service and delivery vehicles. The wall is a service code requirement

and is designed to the minimum acceptable size. The wall will be finished in tiles to match the new building and the signage.

As shown in the extracted images below, the wall located in front of the east wing will be approximately 4.2m high and 5.6m wide, while the signage will be approximately 0.8m high and 4.8m wide.



The relevant provisions of this SEPP are addressed below. Note that no advertising signs are proposed.

Clause 3 - Aims and Objectives

The development proposal must have regard to the provisions, aims and objectives of SEPP 64. Relevant to this proposal, the Policy aims:

- (a) to ensure that signage (including advertising):
- (i) is compatible with the desired amenity and visual character of an area, and
 - (ii) provides effective communication in suitable locations, and
 - (iii) is of high quality design and finish.

The signage is integrated into the site's frontage. The materials and form of the proposed signage are considered suitable in the site's heritage and city centre setting and are consistent with the type of signage expected for an educational establishment. The signage will not detrimentally impact upon visual amenity or public safety. Accordingly, the signage will comply with the objectives of the SEPP.

Schedule 1 Assessment Criteria

Clause 8(b) provides that the proposed signage must satisfy the assessment criteria provided in Schedule 1 of the SEPP. The table below demonstrates the proposal's satisfaction of these criteria.

Clause	Comment	Comply
1 Character of the area	The signage materials, colours and style are consistent with the character of the existing building and its heritage setting.	✓
2 Special areas	The signage is not located near any environmentally sensitive areas, natural conservation areas or waterways. <i>The Statement of Heritage Impact (Appendix 8 to the EIS) notes that the 'signage is of an acceptable size and does not impact on the HCA or the 1892 former court building. Similarly, the wall and sign do not impact on the heritage significance of the Buchannan row of terrace houses opposite.'</i>	✓
3 Views and vistas	The proposed signage is located near the façade of the building and will not interfere with the viewing rights of other signage in the vicinity. The positioning of the proposed business identification sign has also been selected to ensure that it will not impede or block existing public views up Church St towards the Cathedral, or easterly down Church St towards Newcasatle Beach. The proposed sign is to be located at front of the new eastern residential building, which ensures that the views of the former Court House building from Church St and Bolton St are not compromise.	✓

4 Streetscape, setting or landscape	The number of signage elements has been reduced to its bare essential and designed in a reserved manner, essentially 1 x business identification sign and a number of small advisory signs. The colours, materials and font has been scheduled in a respectful scheme, that will not distract from adjoining buildings. The proposed signage will require minimal on-going vegetation management and does not protrude above buildings.	✓
5 Site and building	The proposed signage is in proportion to the existing building and proposed building wings and respects the heritage character of the former Court House building and surrounding precinct.	✓
6 Associated devices and logos advertisements and advertising structures	The proposed signage does not contain any associated devices, logos advertisements or advertising structures.	N/A
7 Illumination	The proposed signage will not be internally illuminated. The signage will be lit with a number of small indiscrete spotlights specifically directed towards the sign itself. This lighting will be soft and will not result in any adverse heritage, safety or amenity impacts.	✓
8 Safety	The proposed signage is integrated into the building forecourt and setback from the side of the road. The signage will not pose a safety risk to passing traffic and/or pedestrians.	✓

5. ENVIRONMENTAL PROTECTION AUTHORITY (EPA)

In their submission of 19 June 2019, the EPA notes that it does not appear that the development involves an activity that is listed under Schedule 1 of the *Protection of the Environment Operations Act 1997*. Additionally, the EPA advises that they do not have any comments or issues to raise regarding the application.

Notwithstanding the above, in email correspondence attached to EPA's submission, a number of comments and recommendations are made with respect of contamination. These matters have been addressed in the letter prepared by Cardno, dated 9 July 2019 (see Attachment L).

6. ROADS & MARITIME SERVICES (RMS)

In their submission of 27 May 2019, the RMS advised that Church Street is a local road. Council is the roads authority for this road and all other public roads in the area, in accordance with Section 7 of the Roads Act 1993. RMS has reviewed the information provided and raises no objection to or requirements for the proposed development as it is considered there will be no significant impact on the nearby classified (State) road network. Two actions for consideration by the determining authority are recommended, being:

- The Department should ensure that appropriate traffic measures are in place during the construction phase of the project to minimise the impacts of construction vehicles on traffic efficiency and road safety within the vicinity; and
- The Department should have consideration for appropriate sight line distances in accordance with Section 3 of the Austroads Guide to Road Design Part 4A (Unsignalised and Signalised Intersections) and AS2890:1:2004 and should be satisfied that the location of the proposed driveway promotes safe vehicle movements.

A Construction Traffic and Pedestrian Management plan will be prepared prior to release of the Construction Certificate, addressing potential impacts of construction vehicles. The letter prepared by Better Safety Futures, dated 15 August 2019, confirms that the existing driveway location is appropriate for the proposed development (see Attachment I).

7. TRANSPORT FOR NSW (TFNSW)

TfNSW's submission of 17 June 2019 advises that no objections are raised to the proposal subject to the imposition of two conditions of consent, requiring:

- A Green Travel Plan for the operations of the subject site be developed and endorsed by the Certifying Authority prior to issuing the Occupation Certificate.
- A Construction Traffic and Pedestrian Management plan be prepared for implementation in consultation with the construction contractor (when appointed) and endorsed by Council prior to the issuing of a Construction Certificate for the project.

Preparation of both of the recommended plans form part of the proponent's statement of commitments and are being prepared in consultation with all relevant stakeholders. Both plans will be finalised prior to release of the Construction Certificate.

8. OFFICE OF HERITAGE & ENVIRONMENT (OEH)

In their submission of 13 June 2019, OEH recommends that an Aboriginal Cultural Heritage Assessment be prepared in accordance with the Secretary's Environmental Assessment Requirements for the project. OEH notes that it has no comment on flooding issues.

Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services Pty Ltd (SAS) was commissioned to prepare a full Aboriginal Cultural Heritage Assessment Report (ACHAR) and an Aboriginal Archaeological Assessment. Copies of both of these assessment reports are attached.

The ACHAR included consultation and engagement with the OEH in accordance with the National Parks and Wildlife Act 1974: Part 6; National Parks and Wildlife Act Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010).

The findings from both assessment reports indicate that the study area has been subjected to moderate / major disturbances, but due to its deep soil profile there is still potential for insitu or non insitu Aboriginal objects and/or deposits of conservation value being present. The assessment reports also note that subject site may also hold high cultural significance with intrinsic value to the Aboriginal community.

Based on the findings of the assessment reports and in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974

(DECCW, 2010), the reports recommend that further archaeological and cultural assessment is required and in accordance with Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974 (DECCW, 2010).

9. HERITAGE COUNCIL

In their submission of 28 June 2019, the Heritage Council is supportive of the proposed development, subject to the implementation of a number of recommendations relating to the built heritage, historical archaeology and aboriginal archaeology.

The 'National Trust and Heritage Council Response' Memorandum prepared by dwp, dated 8 August 2019, provides a detailed response to each recommendation (see Attachment M).

10. NATIONAL TRUST – NEWCASTLE

In their submission, forwarded by DPIE on 11 July 2019, the local National Trust raised minor issues in relation to partial removal of the original brick pavers fronting the site and relocation of the stone plinth.

The 'National Trust and Heritage Council Response' Memorandum prepared by dwp, dated 8 August 2019, provides a response to each matter raised by the National Trust (see Attachment M).

11. TABLE OF COMMITMENTS

The additional information submitted with this letter has resulted in the following minor changes to the Table of Commitments contained in Section 10 of the submitted EIS:

Issue	Recommendation	Original Action / Commitment	Revised Action / Commitment
Aboriginal Heritage	- Avoid harm to Aboriginal objects or sites - Respect Aboriginal cultural significance	Implement all recommendations outlined in the <i>Due Diligence Aboriginal Archaeological Assessment</i> prepared by AMAC, including (but not limited to): - Prepare an Aboriginal Cultural Heritage Assessment (ACHA), including full Aboriginal community consultation in accordance with the Consultation Guidelines (currently underway at the time of writing) - Undertake a program of systematic, sub surface	Implement all recommendations outlined in the <i>Aboriginal Archaeological Assessment</i> prepared by AMAC dated July 2019, including (but not limited to): Undertake a program of systematic, sub surface archaeological test excavation Timing: Prior to demolition and building excavation works being undertaken

		archaeological test excavation Timing: An ACHA will be issued to DPE upon completion of the consultation process. Currently planned to be completed around July 2019.	
Contamination, Ground Water/ Geotechnical & Mine Subsidence	- Ensure that there are no geotechnical constraints to the feasibility of the proposed development - Ensure the site is suitable for the proposed development	Implement all recommendations outlined in the <i>Remediation Action Plan - Technical Note</i> prepared by Cardno, including (but not limited to): - Prepare a Remediation Action Plan in accordance with the proposed objectives and methodology outlined. Timing: To be completed and submitted to the DPE within approximately 4-6 weeks of lodgment. Implement all recommendations outlined in the <i>Report on Geotechnical Investigation</i> prepared by Cardno, including (but not limited to): - Undertake further detailed contamination, ground water and mine subsidence testing and investigations following demolition of the existing Administration and Supreme Court Buildings Timing: Following building demolition, which can only occur once development consent is granted. Prior to	Implement the determined remediation strategy outlined in the <i>Conceptual Remediation Action Plan (cRAP)</i> - prepared by Cardno, dated 9/7/2019, including: - Construction Environmental and Waste Management Plan; - Site Validation Requirements; and - Contingency Plan. Undertake further detailed contamination, ground water and mine subsidence testing and investigations following demolition of the existing Administration and Supreme Court Buildings Timing: Following building demolition, which can only occur once development consent is granted. Prior to release of the Occupation Certificate.

		release of the Occupation Certificate.	
Archaeology	Appropriately manage the archaeological resource at the site	Implement all recommendations outlined in the <i>Baseline Archaeological Assessment</i> prepared by AMAC, including (but not limited to): - Prepare an Archaeological Research Design and Excavation Methodology (ARDEM) as part of an overall s60 permit application to the Heritage Council of NSW (if required) - The s60 application will need to be endorsed by the Heritage Division prior to any excavation work on site Timing: Lodgement of the application cannot occur until the ARDEM has been undertaken. This process cannot occur until the design and documentation of the building's foundations, footings and piling has been completed. The permit application is to be lodged prior to release of the Construction Certificate.	Implement all recommendations outlined in the <i>Baseline Archaeological Assessment</i> prepared by AMAC, including (but not limited to): - Prepare an Archaeological Research Design and Excavation Methodology (ARDEM) as part of an overall s60 permit application to the Heritage Council of NSW (if required) - The s60 application will need to be endorsed by the Heritage Division prior to any excavation work on site Timing: Lodgement of the application cannot occur until the ARDEM has been undertaken. This process cannot occur until the design and documentation of the building's foundations, footings and piling has been completed. The permit application is to be lodged prior to release of the Construction Certificate.
European Heritage	Minimise disturbance and/or enhance the interpretation of the heritage significance of the item and area	Implement all recommendations outlined in the <i>Statement of Heritage Impact</i> prepared by John Carr Heritage Design, including (but not limited to): Complete and submit an Interpretation Plan in accordance with the OEH Heritage Division	Implement all recommendations outlined in the <i>Statement of Heritage Impact</i> prepared by John Carr Heritage Design, including (but not limited to): Undertake archival recordings of all three existing buildings in accordance with OEH

		publication Interpreting Heritage Places and Items Guidelines (2005) and the Conservation Management Plan (CMP) Undertake archival recordings of all three existing buildings in accordance with OEH requirements and the CMP Timing: Interpretation plan is to be completed and submitted to the Consent Authority within 4-6 weeks of lodgement; Archival recordings to be completed and submitted to the Heritage Council of NSW (or delegate) prior to the release of the Occupation Certificate.	requirements and the CMP Timing: Archival recordings to be completed and submitted to the Heritage Council of NSW (or delegate) prior to the release of the Occupation Certificate.
Stormwater/ water quality	Effectively manage stormwater quality during the construction and operational phases	- Undertake works in accordance with the submitted <i>Erosion and Sediment Control Plan</i> prepared by Cardno - Implement stormwater management measures detailed in the submitted <i>Stormwater Management Plan</i> prepared by Cardno Timing: During construction and operation	- Undertake works in accordance with the submitted Erosion and Sediment Control Plan prepared by Cardno - Implement stormwater management measures detailed in the submitted Stormwater Management Plan prepared by Cardno dated 5/9/2019 Timing: During construction and operation
Waste Management	Effectively manage construction and on-going operational waste to ensure no adverse	Prepare and implement a Demolition and Construction Waste Management Plan (DCWMP) in consultation with the builder/construction	Prepare and implement a Demolition and Construction Waste Management Plan (DCWMP) in consultation with the builder/construction

	environmental impacts Where waste generation cannot be avoided, implement options for reuse and recycling	contractor (once appointed) Implement waste management procedures detailed in the <i>Waste Management Report - Building Operation</i> (WMRBO) prepared by dwp Timing: DCWMP to be undertaken prior to the commencement of construction and demolition works on site; WMRBO to be implemented during operation	contractor (once appointed) Implement waste management procedures detailed in the <i>Waste Management Report - Building Operation</i> (WMRBO) and as revised on 11/7/2019 prepared by dwp Timing: DCWMP to be undertaken prior to the commencement of construction and demolition works on site; WMRBO to be implemented during operation
Sustainability	Provide a high quality built environment with all aspects of environmental sustainability to be considered	N/A	Achieve the targeted outcome of a 4 star Green Star rating under Design and As-Built or equivalent, as outlined in the submitted Preliminary Green Star Sustainability Report prepared by Marline dated 19/9/2019 Note: The report is subject to change during the design development stage and specific initiatives may be substituted or omitted whilst still achieving the targeted outcome of a 4 star Green Star rating under Design and As-Built or equivalent Timing: Sustainability measures to be confirmed during detailed design phase, measures to be implemented throughout the life of the development

I trust that the above information and accompanying documentation satisfactorily addresses all of the matters raised in your letter of 28 June 2019 and the submissions received in relation to the SSDA. However, should you have any queries with regard to this response or wish to discuss any other matter related to the subject application, please do not hesitate to contact me directly.

Yours sincerely,



Murray Blackburn-Smith
Regional Director | Newcastle