

Elsley, Alice

From: Louise Norton <louisen@touchstonepartners.com.au>
Sent: Tuesday, 10 September 2024 6:48 PM
To: Lobsey, Sam
Cc: Christopher Ross; 'Nathan Bartlett'; DIRECTOR EBE; Cameron, Adrian; Vereker, Gina; Bennett, Paul; Elsley, Alice
Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Dear Sam,
UNE has considered TRC's response below and its position remains unchanged from the mark-up provided yesterday.

Louise Norton
Project Director

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From: Lobsey, Sam <s.lobsey@tamworth.nsw.gov.au>
Sent: Monday, 9 September 2024 4:12 PM
To: Louise Norton <louisen@touchstonepartners.com.au>; Elsley, Alice <a.elsley@tamworth.nsw.gov.au>
Cc: Christopher Ross <Christopher.Ross@tamworth.nsw.gov.au>; 'Nathan Bartlett' <nathan@bartlettplanning.com.au>; DIRECTOR EBE <director-ebe@une.edu.au>; Cameron, Adrian <a.cameron@tamworth.nsw.gov.au>; Vereker, Gina <g.vereker@tamworth.nsw.gov.au>; Bennett, Paul <p.bennett@tamworth.nsw.gov.au>
Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Hi Louise,

Thankyou for the marked up conditions. We have discussed these changes internally and would like the UNE/Applicant to reconsider both the 7.12 contribution and shared path conditions which in Council's view are vital towards support for the development.

7.12 Condition (Condition No. 22)

Council is of the view that the authorisation of the sale of a parcel of public land to UNE for a nominal fee is highly supportive of a specifically built UNE campus in Tamworth and that Council is making a significant contribution to UNE to facilitate the development. Imposing the 7.12 developer contribution provides an opportunity for the UNE to contribute to CBD public amenity outside of the subject site which in turn will only benefit the UNE facility and its students in the future. Council's preference is that the S7.12 contributions remain in the consent and UNE can specifically request (if desired) that Council waive them along with supporting reasons (post approval). The types of improvements that the contributions would go towards are outlined in the Tamworth's Integrated Transport Plan (2024), which identifies Kable Avenue and the broader CBD as priority precinct improvements. Utilising the contributions from this application, Council can ensure that the development supports the city's strategic goals for growth, connectivity and revitalisation in the CBD.

Council would like the UNE to reconsider this rejection of this condition.

Shared Pathway Condition (Condition No. 49)

Council does not support this rejection. The traffic study provides a justification which goes against the removal of this condition, claiming that the UNE will promote sustainable travel initiatives and encourage staff

and student to use alternative transport modes, yet, a requirement to have a shared path on the adjoining street road reserves of Peel and Roderick Street has been rejected. It is Council's view that this condition should remain. It is a very standard requirement and expectation that commercial developments install a path network on road frontages, to support safe pedestrian travel to the site. The shared path requirement as per this condition would vastly improve active transport opportunities as the UNE has claimed is important for the development and is also a justification for only having 53 spaces onsite.

Removing this condition goes against the very justifications made in the traffic study and therefore Council would like the UNE to reconsider this rejection of this condition.

It is vitally important to Council that this development is functional and provides good pedestrian and vehicle connectivity. Council is confident the above two conditions will go some way to ensuring this. There is concern that legacy issues will surface and become a problem for Council to resource/resolve e.g. overflow parking impacting adjoining business owners, public demand for shared path on Peel and Roderick, lighting, CCTV etc, if not dealt with now. It is important that this development provides for an enhanced student/visitor experience from day one. Should these conditions not be included, Council will need to reconsider its recommendation of an approval of this development as it may not be satisfied that the merit based traffic/access assessment can be suitably addressed.

If you could please provide a reply by no later than 9am on Wednesday 11th September, as this is the ultimate deadline day for getting final report and conditions to the NRPP before the meeting scheduled for the 18th September 2024.

Regards,

Sam Lobsey

Manager, Development

Liveable Communities

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From: Louise Norton <louisen@touchstonepartners.com.au>

Sent: Monday, 9 September 2024 1:28 PM

To: Elsley, Alice <a.elsley@tamworth.nsw.gov.au>

Cc: Christopher Ross <Christopher.Ross@tamworth.nsw.gov.au>; Lobsey, Sam <s.lobsey@tamworth.nsw.gov.au>; 'Nathan Bartlett' <nathan@bartlettplanning.com.au>; DIRECTOR EBE <director-ebe@une.edu.au>; Cameron, Adrian

[<a.cameron@tamworth.nsw.gov.au>](mailto:a.cameron@tamworth.nsw.gov.au)

Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Thanks for clarifying Alice,

Please find attached marked-up conditions.

Louise Norton

Project Director

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From: Elsley, Alice [<a.elsley@tamworth.nsw.gov.au>](mailto:a.elsley@tamworth.nsw.gov.au)

Sent: Monday, 9 September 2024 10:47 AM

To: Louise Norton [<louisen@touchstonepartners.com.au>](mailto:louisen@touchstonepartners.com.au)

Cc: Christopher Ross [<Christopher.Ross@tamworth.nsw.gov.au>](mailto:Christopher.Ross@tamworth.nsw.gov.au); Lobsey, Sam [<s.lobsey@tamworth.nsw.gov.au>](mailto:s.lobsey@tamworth.nsw.gov.au); 'Nathan Bartlett' [<nathan@bartlettplanning.com.au>](mailto:nathan@bartlettplanning.com.au); DIRECTOR EBE [<director-ebe@une.edu.au>](mailto:director-ebe@une.edu.au); Cameron, Adrian [<a.cameron@tamworth.nsw.gov.au>](mailto:a.cameron@tamworth.nsw.gov.au)

Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Hi Louise,

Our engineering team have responded with the following comments:

Reworded condition below.

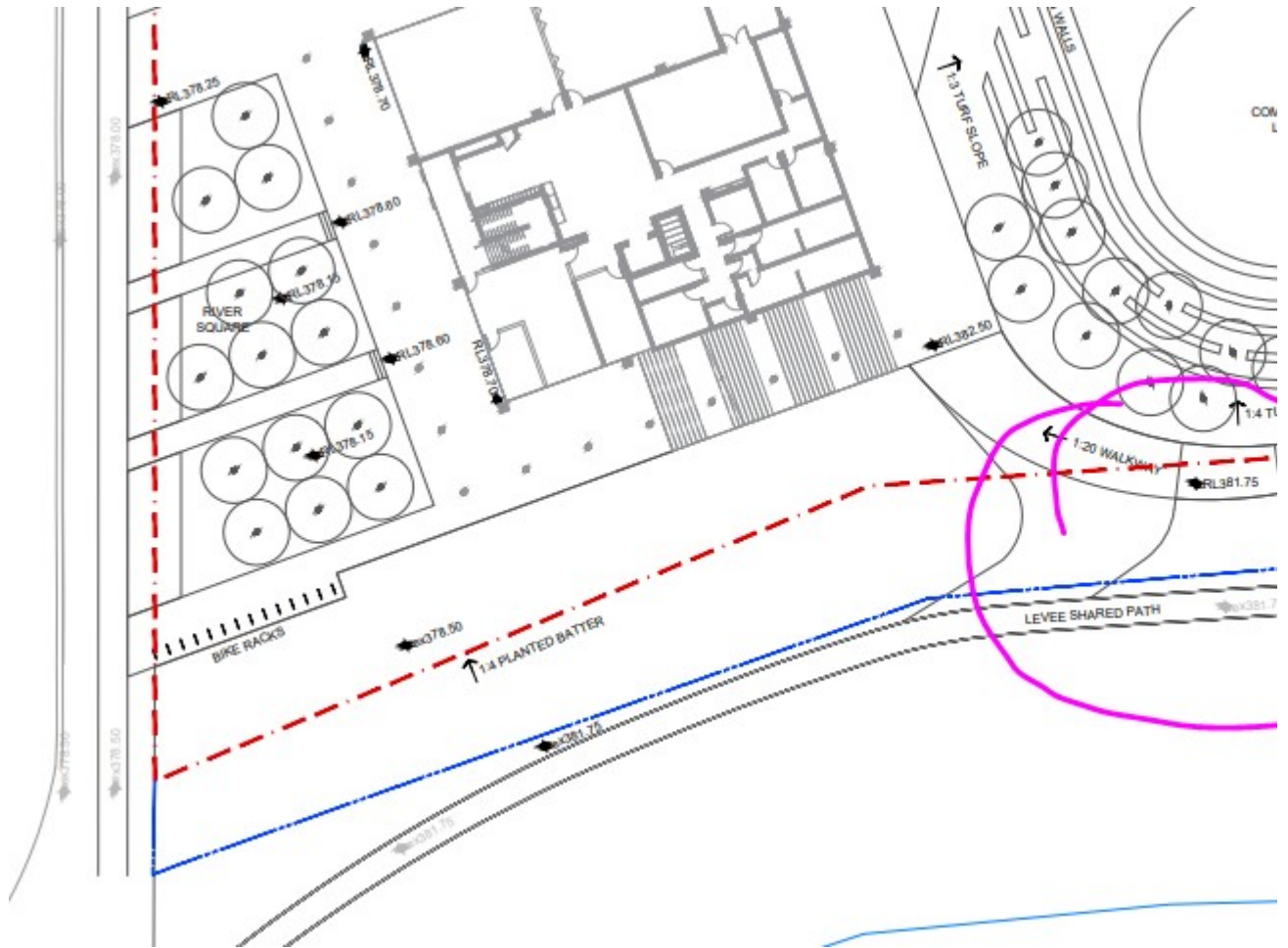
The new condition 30

Prior to the commencement of works, Civil engineering plans shall be prepared and submitted to Tamworth Regional Council or the Certifier that demonstrate the following:

- 1. The site earthworks and building foundations and structure do not affect the performance of the flood levee; and,*
- 2. The building foundations and structure will not suffer damage should the levee require maintenance.*

This is consistent with the submitted landscape plan showing a path connection to the levee bank.

The intent of the condition is to protect the integrity of the levee bank. This is not likely to be an issue if deep excavation/retaining walls are not proposed in the levee bank batters. For deep building foundations, design must consider groundwater during flood events and hydraulic conductivity of various soil layers.



Condition No. 30 has been updated accordingly as per the mark-up shown in the attached draft conditions (Version 4).

Kind regards,

Alice Elsley

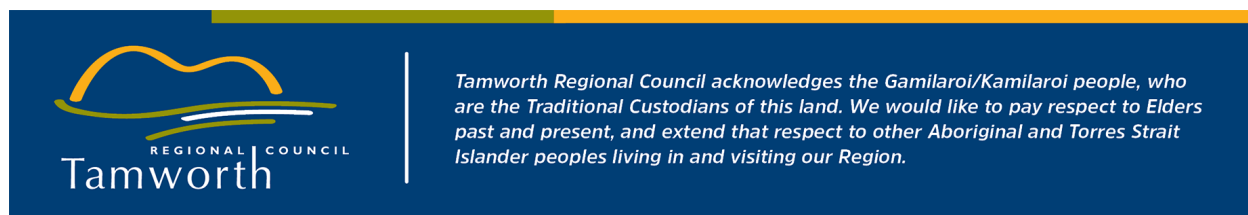
Team Leader – Development Assessment
Liveable Communities

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From: Louise Norton <louisen@touchstonepartners.com.au>

Sent: Friday, 6 September 2024 2:22 PM

To: Elsley, Alice <a.elsley@tamworth.nsw.gov.au>

Cc: Christopher Ross <Christopher.Ross@tamworth.nsw.gov.au>; Lobsey, Sam <s.lobsey@tamworth.nsw.gov.au>;

'Nathan Bartlett' <nathan@bartlettplanning.com.au>; DIRECTOR EBE <director-ebe@une.edu.au>

Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Hi Alice,

We will have a formal response early next week, however could I flag an issue that you may want to raise with the engineering team prior.

The new condition 30

Prior to the commencement of works, Civil engineering plans shall be prepared and submitted to Tamworth Regional Council or the Certifier that demonstrate the following:

- a) The foundations and structures do not affect the performance of the flood levee;*
- b) The structures and foundations will not suffer damage should the levee require maintenance;*

Is in conflict with Previous Condition 48, now 49.

A shared path linkage shall be constructed between the exiting pathway on the Peel River levee and the proposed ramp that connects the foundation Building to the on-site carpark.

As it calls for a path to be constructed transversely across the zone previously discussed to be an area for flood levy maintenance, with the footings of the concrete path impinging on this zone.

Could this intent be confirmed thanks.

Louise Norton

Project Director

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From: Elsley, Alice <a.elsley@tamworth.nsw.gov.au>

Sent: Friday, 6 September 2024 11:31 AM

To: Louise Norton <louisen@touchstonepartners.com.au>

Cc: Christopher Ross <Christopher.Ross@tamworth.nsw.gov.au>; Lobsey, Sam <s.lobsey@tamworth.nsw.gov.au>;

'Nathan Bartlett' <nathan@bartlettplanning.com.au>; DIRECTOR EBE <director-ebe@une.edu.au>

Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Hi Louise,

Yes correct.

Kind regards,

Alice Elsley

Team Leader – Development Assessment

Liveable Communities

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From: Louise Norton <louisen@touchstonepartners.com.au>
Sent: Friday, 6 September 2024 11:24 AM
To: Elsley, Alice <a.elsley@tamworth.nsw.gov.au>
Cc: Christopher Ross <Christopher.Ross@tamworth.nsw.gov.au>; Lobsey, Sam <s.lobsey@tamworth.nsw.gov.au>; 'Nathan Bartlett' <nathan@bartlettplanning.com.au>; DIRECTOR EBE <director-ebe@une.edu.au>
Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Thanks Alice,

I can see it now.

Just confirming that only change to version 3 is addition of condition 30 and consequential numbering change to the rest of the conditions?

Louise Norton
Project Director

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From: Elsley, Alice <a.elsley@tamworth.nsw.gov.au>
Sent: Friday, 6 September 2024 11:16 AM
To: Louise Norton <louisen@touchstonepartners.com.au>
Cc: Christopher Ross <Christopher.Ross@tamworth.nsw.gov.au>; Lobsey, Sam <s.lobsey@tamworth.nsw.gov.au>; 'Nathan Bartlett' <nathan@bartlettplanning.com.au>; DIRECTOR EBE <director-ebe@une.edu.au>
Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Hi Louise,

The track changes came up from my side when I opened the document I sent earlier.

I've reattached anyway – hopefully this works now.

Kind regards,

Alice Elsley
Team Leader – Development Assessment
Liveable Communities

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From: Louise Norton <louisen@touchstonepartners.com.au>

Sent: Friday, 6 September 2024 10:39 AM

To: Elsley, Alice <a.elsley@tamworth.nsw.gov.au>

Cc: Christopher Ross <Christopher.Ross@tamworth.nsw.gov.au>; Lobsey, Sam <s.lobsey@tamworth.nsw.gov.au>; 'Nathan Bartlett' <nathan@bartlettplanning.com.au>; DIRECTOR EBE <director-ebe@une.edu.au>

Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Hi Elise,

The v.3 doesn't have any tracked changes, could you please review and reissue thanks.

Louise Norton

Project Director

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From: Elsley, Alice <a.elsley@tamworth.nsw.gov.au>

Sent: Friday, 6 September 2024 8:24 AM

To: Louise Norton <louisen@touchstonepartners.com.au>

Cc: Christopher Ross <Christopher.Ross@tamworth.nsw.gov.au>; Lobsey, Sam <s.lobsey@tamworth.nsw.gov.au>; 'Nathan Bartlett' <nathan@bartlettplanning.com.au>; DIRECTOR EBE <director-ebe@une.edu.au>

Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Hi Louise,

Thanks for the update. There's been another change to the draft conditions (please see version 3 attached with track changes).

We can work with the additional information being provided by Monday / Tuesday morning next week at the very latest. If it's not received by then, we'll have to cancel the determination meeting with the Panel and reschedule the meeting for mid-late October.

Kind regards,

Alice Elsley

Team Leader – Development Assessment

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From: Louise Norton <louisen@touchstonepartners.com.au>
Sent: Wednesday, 4 September 2024 7:36 PM
To: Elsley, Alice <a.elsley@tamworth.nsw.gov.au>
Cc: Christopher Ross <Christopher.Ross@tamworth.nsw.gov.au>; Lobsey, Sam <s.lobsey@tamworth.nsw.gov.au>; 'Nathan Bartlett' <nathan@bartlettplanning.com.au>; DIRECTOR EBE <director-ebe@une.edu.au>
Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Hi Alice,

The conditions will be presented at a steering committee meeting on Monday with the University Executive.

We will be able to then respond back.

Louise Norton
Project Director

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From: Elsley, Alice <a.elsley@tamworth.nsw.gov.au>
Sent: Wednesday, 4 September 2024 2:09 PM
To: Louise Norton <louisen@touchstonepartners.com.au>
Cc: Christopher Ross <Christopher.Ross@tamworth.nsw.gov.au>; Lobsey, Sam <s.lobsey@tamworth.nsw.gov.au>; 'Nathan Bartlett' <nathan@bartlettplanning.com.au>; DIRECTOR EBE <director-ebe@une.edu.au>
Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Hi Louise,

Can we please have an update on the draft conditions and amended plans? We have the DA determination meeting scheduled for 18 September with the Panel, and are under a deadline to have our assessment report and recommended conditions to the Panel before the meeting. We'd need the documents back by COB this Friday at the latest.

Kind regards,

Alice Elsley
Team Leader – Development Assessment
Liveable Communities

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PO Box 555 Tamworth NSW 2340
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From: Elsley, Alice <a.elsley@tamworth.nsw.gov.au>

Sent: Friday, 30 August 2024 12:31 PM

To: 'Louise Norton' <louisen@touchstonepartners.com.au>

Cc: Christopher Ross <Christopher.Ross@tamworth.nsw.gov.au>; Lobsey, Sam <s.lobsey@tamworth.nsw.gov.au>; 'Nathan Bartlett' <nathan@bartlettplanning.com.au>; DIRECTOR EBE <director-ebe@une.edu.au>

Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Hi Louise,

Yes – please see version 2 of the draft conditions attached.

Kind regards,

Alice Elsley

Team Leader – Development Assessment

Liveable Communities

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From: Louise Norton <louisen@touchstonepartners.com.au>

Sent: Friday, 30 August 2024 11:57 AM

To: Elsley, Alice <a.elsley@tamworth.nsw.gov.au>

Cc: Christopher Ross <Christopher.Ross@tamworth.nsw.gov.au>; Lobsey, Sam <s.lobsey@tamworth.nsw.gov.au>; 'Nathan Bartlett' <nathan@bartlettplanning.com.au>; DIRECTOR EBE <director-ebe@une.edu.au>

Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Hi Alice,

Thanks for the clarification, are you going to reissue the draft conditions?

If so we will do mark-ups to that version instead.

Louise Norton

Project Director

From: Elsley, Alice <a.elsley@tamworth.nsw.gov.au>

Sent: Friday, 30 August 2024 11:55 AM

To: Louise Norton <louisen@touchstonepartners.com.au>

Cc: Christopher Ross <Christopher.Ross@tamworth.nsw.gov.au>; Lobsey, Sam <s.lobsey@tamworth.nsw.gov.au>;
'Nathan Bartlett' <nathan@bartlettplanning.com.au>; DIRECTOR EBE <director-ebe@une.edu.au>

Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Hi Louise,

Thanks for the update.

I also realised after sending the draft conditions that there's a mistake in the conditions numbered 16(b) and 44 re: total of 70 on site car parking spaces. This should reference the 53 that is proposed in the TIA – my apologies for any confusion.

Kind regards,

Alice Elsley

Team Leader – Development Assessment

Liveable Communities

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Tamworth Regional Council acknowledges the Gamilaroi/Kamilaroi people, who are the Traditional Custodians of this land. We would like to pay respect to Elders past and present, and extend that respect to other Aboriginal and Torres Strait Islander peoples living in and visiting our Region.

From: Louise Norton <louisen@touchstonepartners.com.au>

Sent: Friday, 30 August 2024 11:36 AM

To: Elsley, Alice <a.elsley@tamworth.nsw.gov.au>

Cc: Christopher Ross <Christopher.Ross@tamworth.nsw.gov.au>; Lobsey, Sam <s.lobsey@tamworth.nsw.gov.au>;
'Nathan Bartlett' <nathan@bartlettplanning.com.au>; DIRECTOR EBE <director-ebe@une.edu.au>

Subject: RE: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Dear Alice,

Thankyou for sending through the draft conditions.

UNE and our consultant team are currently reviewing, as such we won't be able to have a response issued today.

We will get back to you as early possible next week.

Louise Norton

Project Director

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From: Elsley, Alice <a.elsley@tamworth.nsw.gov.au>

Sent: Tuesday, 27 August 2024 8:45 AM

To: Louise Norton <louisen@touchstonepartners.com.au>; 'Nathan Bartlett' <nathan@bartlettplanning.com.au>

Cc: Christopher Ross <Christopher.Ross@tamworth.nsw.gov.au>; Lobsey, Sam <s.lobsey@tamworth.nsw.gov.au>

Subject: Draft Conditions of Consent for DA2024-0192 - UNE Campus Tamworth

Good morning Louise and Nathan,

As you may be aware, we are required to obtain approval from the Crown (i.e. UNE) before we impose conditions of consent for a Crown DA under Section 4.33 of the EP&A Act. In this regard, please find attached the draft conditions of consent for DA2024-0192.

We also note that the following plans should be updated (as highlighted in blue):

- DA0150 – Proposed Site Plan - To be updated with revised parking per traffic report drawings dated 01/05/2024 and drawn by TTW .
- DA2502 – Plans, Fire Pump, Refuse Enclosure – To be updated to reflect any changes per drawing DA2010.
- DA2004 – Street Elevations - To be updated to reflect any changes per drawing DA2010.
- DA7000 – Plan not found.
- Landscaping plans (titled General Arrangement and Planting Plan) – to be update with revised parking per traffic report drawings.

Can you please confirm whether the Crown agrees to the draft conditions and / or have any changes? Happy for you to mark up the Word doc with Track changes.

If we can please have your response before the end of the week, that would be appreciated.

Kind regards,

Alice Elsley

Team Leader – Development Assessment

Liveable Communities

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Tamworth Regional Council acknowledges the Gamilaroi/Kamilaroi people, who are the Traditional Custodians of this land. We would like to pay respect to Elders past and present, and extend that respect to other Aboriginal and Torres Strait Islander peoples living in and visiting our Region.