Councillors,

In accordance with section 367 of the Local Government Act, 1993 notice is hereby given that a Development Applications Committee Meeting will be held on:

**DATE:** Tuesday 17 July 2018

**TIME:** Following the Briefing Committee meeting

**VENUE:** Council Chambers
2nd Floor
City Hall
290 King Street
Newcastle NSW 2300

Jeremy Bath
Chief Executive Officer

City Administration Centre
282 King Street
NEWCASTLE  NSW  2300

Tuesday 10 July 2018

Please note:
The City of Newcastle Council meetings are webcast. Council accepts no liability for any defamatory, discriminatory or offensive remarks or gestures that are made during the course of the meeting. Opinions expressed or statements made by participants or third parties during the webcast, or included in any presentation, are the opinions or statements of those individuals and do not imply any form of endorsement by the City of Newcastle. Confidential meetings of Council will not be webcast.

The electronic transmission is protected by copyright and owned by the City of Newcastle. No part may be copied or recorded or made available to others without the prior written consent of the City of Newcastle. This transmission is not, and shall not, be taken to be an official record of the City of Newcastle or of any meeting or discussion depicted therein.

Council meetings are recorded for the purposes of verifying the accuracy of minutes taken. Only the official minutes may be relied upon as an official record of the meeting. Council may be required to disclose recordings pursuant to the Government Information (Public Access) Act 2009, or where Council is compelled to do so by court order, warrant or subpoena or by any other legislation.
## CONTENTS

<table>
<thead>
<tr>
<th>Item</th>
<th>Business</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>APOLOGIES/LEAVE OF ABSENCE</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>DECLARATIONS OF PECUNIARY / NON PECUNIARY INTEREST</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>CONFIRMATION OF PREVIOUS MINUTES</strong></td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>ADJOURNED DEVELOPMENT APPLICATIONS COMMITTEE MEETING</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>MINUTES 26 JUNE 2018</td>
<td></td>
</tr>
<tr>
<td></td>
<td>MINUTES - DEVELOPMENT APPLICATIONS COMMITTEE 19 JUNE 2018</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td><strong>DEVELOPMENT APPLICATIONS</strong></td>
<td>16</td>
</tr>
<tr>
<td>ITEM-8</td>
<td>DAC 17/07/18 - DA2017/01562 - 28 LORNA STREET, WARATAH -</td>
<td>16</td>
</tr>
<tr>
<td></td>
<td>ALTERATIONS AND ADDITIONS TO AGED CARE FACILITY</td>
<td></td>
</tr>
<tr>
<td>ITEM-9</td>
<td>DAC 17/07/18 - DA2018/00159 - 35 GIPPS STREET CARRINGTON -</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td>DEMOLITION OF OUTBUILDINGS AND SECONDARY DWELLING, ERECTION OF TWO STOREY</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DWELLING</td>
<td></td>
</tr>
</tbody>
</table>

*NOTE: ITEMS MAY NOT NECESSARILY BE DEALT WITH IN NUMERICAL ORDER*
CONFIRMATION OF PREVIOUS MINUTES

ADJOURED DEVELOPMENT APPLICATIONS COMMITTEE MEETING MINUTES 26 JUNE 2018

RECOMMENDATION

The draft minutes as circulated be taken as read and confirmed.

ATTACHMENTS

Attachment A: 180626 Adjourned Development Applications Committee Minutes

Note: The attached minutes are a record of the decisions made by Council at the meeting and are draft until adopted by Council. They may be viewed at www.newcastle.nsw.gov.au
Minutes of the Development Applications Committee Meeting 26 June 2018 that was reconvened after the Development Applications Committee held on 19 June 2018.

The meeting was held in the Council Chambers, 2nd Floor City Hall, 290 King Street, Newcastle on Tuesday 26 June 2018 at 7.43pm.

PRESENT
The Lord Mayor (Councillor N Nelmes), Councillors M Byrne, J Church, D Clausen, C Duncan, J Dunn, K Elliott, B Luke, J Mackenzie, A Rufo, E White and P Winney-Baartz.

IN ATTENDANCE
J Bath (Chief Executive Officer), A Jones (Interim Director Corporate Services), K Liddell (Director Infrastructure), J Gaynor (Interim Director Planning and Regulatory), E Kolatchew (Interim Manager Legal and Governance), G Douglass (Interim Manager Development and Building), M Murray (Policy Officer, Lord Mayor's Office), C Field (Executive Assistant, Lord Mayor's Office), B Johnson (Media Officer), K Sullivan (Council Services/Minutes) and A Leach (Council Services/Webcasting).

APOLOGIES

MOTION
Moved by Cr Rufo, seconded by Cr Luke

The apology submitted on behalf of Councillor Robinson be received and leave of absence granted.

Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor Rufo
Councillor Rufo declared a non-pecuniary substantial conflict of interest in Item 11 - DA2017/01610 - 115 Everton Street Hamilton - Demolition of Dwelling and Outbuilding Erection of Two Attached Dwellings and One Lot into Two Lot Subdivision. He stated he had family members who lived in very close proximity to the property in question and advised he would leave the Chamber for discussion on the item.

Councillor Mackenzie
Councillor Mackenzie declared a non-pecuniary less than significant interest in Item 11 DA2017/01610 - 115 Everton Street Hamilton - Demolition of Dwelling and Outbuilding Erection of Two Attached Dwellings and One Lot into Two Lot
Subdivision and stated he would leave the Chamber for discussion on the item as he had on previous occasions.

Councillor Duncan
Councillor Duncan declared a non-significant, non-pecuniary interest in Item 11 - DA2017/01610 - 115 Everton Street Hamilton - Demolition of Dwelling and Outbuilding Erection of Two Attached Dwellings and One Lot into Two Lot Subdivision stating she lived very close by to the property and would leave the Chamber for discussion on the item.

DEVELOPMENT APPLICATIONS

ITEM-11 DAC 19/06/18 - DA2017/01610 - 115 EVERTON STREET HAMILTON - DEMOLITION OF DWELLING AND OUTBUILDING ERECTION OF TWO ATTACHED DWELLINGS AND ONE LOT INTO TWO LOT SUBDIVISION

Councillors Duncan, Mackenzie and Rufo left the Chamber for determination of the item.

MOTION
Moved by Cr Clausen, seconded by Cr Dunn

A. That DA2017/01610 for the demolition of a dwelling and outbuilding, erection of dual occupancy (attached) dwellings and one lot into two lot subdivision at 115 Everton Street Hamilton be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions (refer to Attachment B); and

B. That those persons who made submissions be advised of the determination of the application.

For the Motion: Lord Mayor, Cr Nelmes, Councillors Byrne, Church, Clausen, Dunn, Elliott, Luke, White and Winney-Baartz.

Against the Motion: Nil.

Carried

Councillors Duncan, Mackenzie and Rufo returned to the Chamber at the conclusion of the item.

ITEM-9 DAC 19/06/18 - DA2018/00048 - 430 HUNTER STREET NEWCASTLE AND 20A AND 20B WRIGHT LANE NEWCASTLE - THREE LOTS INTO SEVEN LOT SUBDIVISION AND ASSOCIATED ROAD WIDENING
PROCEDURAL MOTION  
Moved by Cr Luke, seconded by Cr Clausen

Item 9 - DA2018/00048 - 430 Hunter Street Newcastle and 20a and 20b Wright Lane Newcastle - Three Lots into Seven Lot Subdivision and Associated Road Widening be reconsidered at the meeting.

Carried

MOTION  
Moved by Lord Mayor, Cr Nelmes, seconded by Cr Clausen

A. That Development Application DA2018/00048 for subdivision of three lots into seven lots and associated road widening to Civic Lane, at 430 Hunter Street, 20A Wright Lane and 20B Wright Lane Newcastle, be approved and consent granted, subject to conditions of consent being resolved with the applicant (the Crown), generally as set out in the draft schedule of conditions (refer to Attachment B); and

B. That those persons who made submissions be advised of Council’s determination.

For the Motion: Lord Mayor, Cr Nelmes, Councillors Byrne, Church, Clausen, Duncan, Dunn, Elliott, Luke, Rufo, White and Winney-Baartz.

Against the Motion: Councillor Mackenzie.

Carried

The meeting concluded at 8.26pm.
MINUTES - DEVELOPMENT APPLICATIONS COMMITTEE 19 JUNE 2018

RECOMMENDATION

The draft minutes as circulated be taken as read and confirmed.

ATTACHMENTS

Attachment A: 180619 Development Applications Committee Minutes

Note: The attached minutes are a record of the decisions made by Council at the meeting and are draft until adopted by Council. They may be viewed at www.newcastle.nsw.gov.au
PRESENT
Deputy Lord Mayor (Councillor D Clausen), Councillors M Byrne, J Church, B Luke, J Mackenzie, A Robinson and A Rufo.

IN ATTENDANCE
J Bath (Chief Executive Officer), A Jones (Interim Director Corporate Services), K Liddell (Director Infrastructure), J Gaynor (Interim Director Planning and Regulatory), E Kolatchew (Interim Manager Legal and Governance), M Murray (Policy Officer, Lord Mayor's Office), C Field (Executive Officer to the Lord Mayor), G Douglass (Interim Manager Development and Building), A Leach (Council Services/Minutes) and J Redriff (Council Services/Webcasting).

PRAYER
The Deputy Lord Mayor read a prayer and a period of silence was observed in memory of those who served and died so that Council might meet in peace.

MESSAGE OF ACKNOWLEDGEMENT
The Deputy Lord Mayor read the message of acknowledgement to the Awabakal and Worimi peoples.

APOLOGIES

MOTION
Moved by Cr Mackenzie, seconded by Cr Byrne

The apologies submitted on behalf of the Lord Mayor, Councillor Nelmes, Councillors Duncan, Dunn, White and Winney-Baartz be received and leave of absence granted. Carried unanimously

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor Rufo
Councillor Rufo declared a non-pecuniary significant interest in Item 11 DA2017/01610 - 115 Everton Street Hamilton and stated he had family members who lived in close proximity to the proposed development and indicated he would leave the Chamber when the item was discussed.

Councillor Luke
Councillor Luke declared a non-pecuniary significant interest in Item 8 DA2017/01388 - 109 Maitland Road and stated a relative lived reasonably close to
the site in question and he indicated he would leave the Chamber when the item was discussed.

Councillor Mackenzie
Councillor Mackenzie declared a non-pecuniary less than significant interest in Item 11 DA2017/01610 - 115 Everton Street Hamilton and stated he would leave the Chamber when the item was discussed.

Councillor Church
Councillor Church declared a less than significant non-pecuniary interest in Item 13 DA2017/01545 - 16 Memorial Drive, The Hill and stated he owned a property around the corner and he would remain in the Chamber and vote on the matter.

Councillor Elliott
Councillor Elliott declared a less than significant non-pecuniary interest in Item 8 DA2017/01388 - 109 Maitland Road and 51 Dora Street Mayfield and stated that she had close friends who used to own 51 Dora Street and sold it to MacDonald's Restaurants. Councillor Elliott stated that as the conflict was non-pecuniary she would remain in the Chamber for the item.

PROCEDURAL MOTION
Moved by Cr Luke, seconded by Cr Elliott

Item 11 - DA2017/01610 - 115 Everton Street Hamilton be moved to the end of the items of business due to absence of a quorum.

Carried

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - DEVELOPMENT APPLICATIONS COMMITTEE 15 MAY 2018

MOTION
Moved by Cr Church, seconded by Cr Mackenzie

The draft minutes as circulated be taken as read and confirmed.

Carried
DEVELOPMENT APPLICATIONS

ITEM-8 DAC 19/06/18 - DA2017/01388 - 109 MAITLAND ROAD & 51 DORA STREET MAYFIELD - DEMOLITION OF FOOD AND DRINK PREMISES DWELLING AND OUTBUILDINGS ERECTION OF FOOD AND DRINK PREMISES ASSOCIATED CAR PARKING LANDSCAPING AND SIGNAGE

Councillor Luke left the Chamber for this item at 5.39pm.

MOTION
Moved by Cr Rufo, seconded by Cr Church

A. That DA2017/01388 for demolition of a food and drink premises (existing McDonald's restaurant) and a dwelling house, and the erection of a food and drink premises (McDonald's restaurant), associated car parking, landscaping and signage at 109 Maitland Road Mayfield and 51 Dora Street Mayfield be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions at Attachment B;

B. That those persons who made submissions be advised of Council's determination; and

C. That Condition 66 be changed to:
The Duty Manager will be responsible for the closure of the Dora Street entry/exit driveway and northern car park area during the night time period of 9pm to 7am, 7 days a week. Gates are to be installed at the Dora Street entrance and northern car park area and be closed by the Duty Manager or nominated employee to prevent use of that area from 9pm to 7am.

For the Motion: Deputy Lord Mayor, Cr Clausen and Councillors Byrne, Church, Elliott, Mackenzie, Robinson and Rufo.

Against the Motion: Nil.

Carried unanimously
COUNCIL OF NEWCASTLE

Development Applications Committee Meeting 17 July 2018

ITEM-9  DAC 19/06/18 - DA2018/00048 - 430 HUNTER STREET NEWCASTLE
AND 20A AND 20B WRIGHT LANE NEWCASTLE - THREE LOTS INTO
SEVEN LOT SUBDIVISION AND ASSOCIATED ROAD WIDENING

Councillor Luke returned to the Chamber for this item.

Council adjourned for 5 minutes at 5.48pm in order to allow Councillors time to read
the memo relating to Item 9 circulated to Councillors on 19 June 2018. Council
reconvened at 5.53pm.

MOTION
Moved by Cr Clausen, seconded by Cr Byrne

A. That Development Application DA2017/00299 for subdivision of three lots
into seven lots and associated road widening to Civic Lane, at 430 Hunter
Street, 20A Wright Lane and 20B Wright Lane Newcastle, be approved and
consent granted, subject to conditions of consent being resolved with the
applicant (the Crown), generally as set out in the draft schedule of conditions
(refer to Attachment B);

B. That those persons who made submissions be advised of Council's
determination; and

C. The submission of a development application for the University of Newcastle
Honeysuckle City Campus Development, with proposed building envelopes
that are set back 6 metres from the current northern boundary of Civic Lane,
is noted.

AMENDMENT
Moved by Cr Church, seconded by Cr Elliott

That an additional condition of consent be added:

A 'restriction as to user' is to be placed on proposed lots 2 and 3, to restrict any
building from being erected within 5 metres of the proposed southern boundary of
those lots. The 'restriction as to user' is to be set out in a Section 88B instrument
that is to be submitted to Council with the relevant Subdivision Certificate application
and be registered with the subdivision. Newcastle City Council is to be nominated in
the required Section 88B instrument as the authority that is empowered to release,
varies or modify the 'restriction as to user'.

PROCEDURAL MOTION
Moved by Cr Church, seconded by Cr Mackenzie

The item lay on the table until advice is sought on the additional condition of
consent.
ITEM-10 DAC 19/06/18 - DA2017/00758 - 139 SCOTT STREET NEWCASTLE - ALTERATIONS AND ADDITIONS TO MIXED USE BUILDING TO INCLUDE ONE SERVICED APARTMENT AND TWO RESIDENTIAL UNITS AND INCLUDES THREE ADDITIONAL LEVELS

MOTION
Moved by Cr Mackenzie, seconded by Cr Church

A. That the Development Applications Committee note the objection under Clause 4.6 Exceptions to Development Standards of Newcastle Local Environmental Plan 2012, against the development standard at Clause 4.3 Height of Buildings, and considers the objection to be justified in the circumstances and to be consistent with the objectives of Clause 4.3 and the objectives for development within the B4 Mixed Use zone in which the development is proposed to be carried out; and

B. That the Development Applications Committee note the objection under Clause 4.6 Exceptions to Development Standards of Newcastle Local Environmental Plan 2012, against the development standard at Clause 4.4 Floor Space Ratio, and considers the objection to be justified in the circumstances and to be consistent with the objectives of Clause 4.3 and the objectives for development within the B4 Mixed Use zone in which the development is proposed to be carried out; and

C. That the application for alterations and additions to a three-storey mixed commercial/residential building, including the addition of four storeys, for the building to be used for one serviced apartment and two residential units, be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions (refer to Attachment B); and

D. That those persons who made submissions be advised of Council’s determination.

For the Motion: Deputy Lord Mayor, Cr Clausen and Councillors Byrne, Church, Elliott, Mackenzie, Robinson and Rufo.

Against the Motion: Councillor Luke.

Carried unanimously
ITEM-12 DAC 19/06/18 - DA2017/01464 - 4/47 NEWCOMEN STREET NEWCASTLE - ALTERATIONS AND ADDITIONS TO ROOF TOP STRUCTURE

MOTION
Moved by Cr Elliott, seconded by Cr Church

A. That the Development Applications Committee note the objection under Clause 4.6 Exceptions to Development Standards of Newcastle Local Environmental Plan 2012, against the development standard at Clause 4.3 Height of Buildings, and considers the objection to be justified in the circumstances and to be consistent with the objectives of Clause 4.3 and the objectives for development within the R4 High Density Residential zone in which the development is proposed to be carried out; and

B. That DA2017/01464 for alterations and additions to the roof top structure at 4/47 Newcomen Street Newcastle be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions at Attachment B.

For the Motion: Deputy Lord Mayor, Cr Clausen and Councillors Byrne, Church, Elliott, Luke, Mackenzie, Robinson and Rufo.

Against the Motion: Nil.

Carried unanimously

ITEM-13 DAC 19/06/18 - DA2017/01545 - 16 MEMORIAL DRIVE THE HILL - ALTERATIONS AND ADDITIONS TO RESIDENTIAL FLAT BUILDING

MOTION
Moved by Cr Elliott, seconded by Cr Mackenzie

A. That the Development Applications Committee note the objection under Clause 4.6 Exceptions to Development Standards of Newcastle Local Environmental Plan 2012, against the development standard at Clause 4.3 Height of Buildings, and considers the objection to be justified in the circumstances and to be consistent with the objectives of Clause 4.3 and the objectives for development within the R2 Low Density Residential zone in which the development is proposed to be carried out; and

B. That DA2017/01314 for alterations and additions to the existing residential flat building at 16 Memorial Drive The Hill be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions at Attachment B.

For the Motion: Deputy Lord Mayor, Cr Clausen and Councillors Byrne, Church, Elliott, Luke, Mackenzie, Robinson and Rufo.
ITEM-14  DAC 19/06/18 - DA2017/01314 - 1/3 SCENIC DRIVE MEREWETHER - ADDITIONS AND ALTERATIONS TO AN ATTACHED DUAL OCCUPANCY

MOTION
Moved by Cr Elliott, seconded by Cr Byrne

A. That the Development Applications Committee note the objection under Clause 4.6 Exceptions to Development Standards of Newcastle Local Environmental Plan 2012, against the development standard at Clause 4.3 Height of Buildings, and considers the objection to be justified in the circumstances and to be consistent with the objectives of Clause 4.3 and the objectives for development within the R2 Low Density Residential zone in which the development is proposed to be carried out; and

B. That the Development Applications Committee note the objection under Clause 4.6 Exceptions to Development Standards of Newcastle Local Environmental Plan 2012, against the development standard at Clause 4.4 Floor Space Ratio, and considers the objection to be justified in the circumstances and to be consistent with the objectives of Clause 4.3 and the objectives for development within the R2 Low Density Residential zone in which the development is proposed to be carried out; and

C. That DA2017/01314 for alterations and additions to a dwelling in a dual occupancy (attached) building at 1/3 Scenic Drive Merewether be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions at Attachment B; and

D. That those persons who made submissions be advised of Council’s determination.

For the Motion:  Deputy Lord Mayor, Cr Clausen and Councillors Byrne, Church, Elliott, Luke, Mackenzie, Robinson and Rufo.

Against the Motion:  Nil.

Carried unanimously
CITY OF NEWCASTLE
Development Applications Committee Meeting 17 July 2018

ITEM-11 DAC 19/06/18 - DA2017/01610 - 115 EVERTON STREET HAMILTON -
DEMOLITION OF DWELLING AND OUTBUILDING ERECTION OF
TWO ATTACHED DWELLINGS AND ONE LOT INTO TWO LOT
SUBDIVISION

Councillors Rufo and Mackenzie left the Chamber for this item.

Councillor Clausen declared the meeting be adjourned to follow the Ordinary Council
meeting Tuesday 26 June 2018 due to lack of a quorum.

The meeting adjourned at 6.13pm.
DEVELOPMENT APPLICATIONS

ITEM-8 DAC 17/07/18 - DA2017/01562 - 28 LORNA STREET, WARATAH - ALTERATIONS AND ADDITIONS TO AGED CARE FACILITY

REPORT BY: GOVERNANCE
CONTACT: INTERIM DIRECTOR GOVERNANCE / INTERIM MANAGER REGULATORY AND ASSESSMENT

PART I

PURPOSE

An application has been received seeking consent for alterations and additions to an existing residential care facility at 28 Lorna Street Waratah.

The application is referred to Council’s Development Applications Committee for determination as the construction value of the proposed development ($15.1M) exceeds the staff delegation limit of $10M.

A copy of the plans for the proposed development is appended at Attachment A.

The application was publicly notified in accordance with Council’s Public Participation policy and no submissions were received in response.

Issues

1) Compliance with State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
2) Compliance with Newcastle Local Environmental Plan 2012

Conclusion

The proposed development has been assessed having regard to the relevant heads of consideration under Section 4.15(1) of the Environmental Planning and
Assessment Act 1979 and is considered to be acceptable subject to compliance with appropriate conditions.

RECOMMENDATION

That DA2017/01562 for alterations and additions to a residential care facility at 28 Lorna Street, Waratah be approved subject to the draft conditions outlined in the schedule appended at Attachment B.

Political Donation / Gift Declaration

Under Section 10.4 of the Environmental Planning and Assessment Act 1979, the applicant, and any person related to this Development Application must report any political donation and/or gift to a Councillor and/or any gift to a Council employee within a two year period before the date of this application.

The applicant has answered NO to the following question on the application form: Have you, or are you aware of any person having a financial interest in the application, made a ‘reportable donation’ or ‘gift’ to a Councillor or Council employee within a two year period before the date of this application?

PART II

1.0 THE SUBJECT SITE

The subject site is located at 28 Lorna Street, Waratah, and is described as Lot 31 DP1111452. The total site area is approximately 8,034m², with a vacant area of 2,292m². The site has a primary street frontage to Lorna Street, with secondary street frontages to Alfred Street (east) and Platt Street (south).

The majority of the site has been developed, with the exception of an open space area where the expansion of the facility is proposed. The existing facility contains residential care accommodation for 41 residents in a single storey building.

The locality of the site is characterised by health and infrastructure facilities, including Bethel Aged Care Facility which adjoins the site to the west. The Bethel Aged Care Facility houses 75 beds and caters for low and high care residents, as well as palliative and respite care.

The site is within close proximity to Calvary Mater Newcastle and Maroba Nursing Home.

The built form surrounding the site is predominately two-storey and three-storey buildings. The further outlying area is predominately residential, being dominated by detached, low density dwellings.
2.0 THE PROPOSAL

The subject development application seeks consent for:

a) Construction of 51 new bedrooms at the southern end of the existing facility in a two-storey building

b) Deletion of one existing bedroom to provide connection into the proposed addition to the building

c) A new entrance and associated drop off/pick up area fronting Alfred Street

d) Basement car parking for 37 vehicles, located beneath the additional structure

e) Other minor alterations and additions to the existing facility

The applicant has provided the following statement:

'The proposed development provides for a two storey extension of the existing building to accommodate a total of 92 single rooms; expanding the current 41 room facility. The proposed extension will include twenty-five new bedrooms with ensuites, dining area, sitting rooms and lounge area on the ground floor and twenty-six new bedrooms with dining area, sitting rooms and lounge areas on the first floor. The new wing will also include an internal landscaped area.

The works will also include new landscaping to the south of the development. Further, it is proposed to excavate the southern part of the Site to provide for basement car parking. A total of 52 parking spaces will be provided with 13 spaces along the access road, and 37 in the basement with vehicle access via the access road, and two in the new entry.'

A copy of the submitted plans is appended at Attachment A, with an image of the extension shown in the figure below.
The main steps in the processing of the application to date are outlined in the Processing Chronology (refer to Attachment C).

3.0 PUBLIC NOTIFICATION

The application has been publicly notified in accordance with the requirements of the Environmental Planning and Assessment Act 1979, the associated Regulation and the Newcastle Development Control Plan 2012. No submissions were received as a result of the notification process.

4.0 ENVIRONMENTAL PLANNING ASSESSMENT

The application has been assessed having regard to the relevant matters for consideration under the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979, as detailed hereunder.

4.1 Statutory Considerations

The subject property is located within the R2 Low Density Residential zone under the provisions of Newcastle Local Environmental Plan 2012 (NLEP 2012). Seniors housing, including residential care facilities, are permissible in the zone. The proposed development meets the objectives of the zone, as it provides for the housing needs of the community within a low density residential environment.

4.1.1 Relevant Strategic Policies

The proposal is considered to be consistent with the Local Planning Strategy.
4.1.2 State Environmental Planning Policies

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP Seniors)

SEPP Seniors aims to encourage the provision of housing that will increase the supply and diversity of residences that meet the needs of seniors or people with a disability. The development is proposed under the provisions of SEPP Seniors and the proposal's compliance with the relevant requirements of SEPP Seniors is summarised in the table below.

<table>
<thead>
<tr>
<th>Applicable Clause</th>
<th>Discussion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 4 Land to which Policy applies</td>
<td>SEPP Seniors applies to land where the zoning allows dwellings or residential flat buildings to be permissible. The subject site is zoned R2 Low Density Residential under the provision of NLEP 2012 and both land uses are permissible, hence SEPP Seniors applies to the land.</td>
</tr>
</tbody>
</table>
| Clause 11- Residential care facility | The application has been assessed and is considered to meet the requirements of the following 'residential care facility' definition:  
'residential care facility is residential accommodation for seniors or people with a disability that includes:  
(a) meals and cleaning services, and  
(b) personal care or nursing care, or both, and  
(c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,  
not being a dwelling, hostel, hospital or psychiatric facility.' |
| Clause 18 - Restrictions on occupation of seniors housing allowed under this Chapter | A condition must be imposed (ie statutory requirement of SEPP Seniors) limiting the future resident groups of the development to only those allowable under the provisions of SEPP Seniors (eg aged persons or people with a disability) and this requirement is also to be registered as a restriction on the use of the land under the provisions of the Conveyancing Act 1919. The relevant conditions of consent are recommended in Attachment B. |
| Clause 26 - Location and access to facilities | The site is located within an existing urban area with good access to a range of facilities, including shops, childcare and medical centres. The Waratah shopping complex is also located in close proximity to the site and provides a good range of services. The applicant has outlined that bus services are in available within 400m of the subject site. The site is also located 750m from Waratah train station. It is considered that the requirements of this clause have been met. |
### Clause 27 - Bushfire prone land

The site is not identified as being Bushfire Prone land.

### Clause 28 - Water and sewer

The site has access to sewer and water services. A condition requiring the submission of a Section 50 Certificate from Hunter Water Corporation prior to the release any Construction Certificate is included within the conditions recommended at **Attachment B**.

### Clause 33 - Neighbourhood amenity and streetscape

The design is considered to have an acceptable impact on the amenity of the neighbourhood and on the streetscape. The development establishes a scale and form appropriate for its respective residential precinct and is consistent with requirements under Council’s Floor Space Ratio development standard. It is considered that the requirements of this clause have been adequately addressed.

### Clause 34 - Visual and acoustic privacy

The proposal's separation from neighbouring development to the east and west is such that it poses no privacy impact issues.

The applicant has submitted an acoustic report which demonstrates that the proposal will meet the acoustic criteria under SEPP Seniors.

### Clause 35 - Solar access and design for climate

It is considered that the layout of the proposed building achieves adequate solar access.

The applicant has submitted shadow diagrams for the proposal, demonstrating that shadowing will have minimal impact on the neighbouring property. The shadow impact is largely limited to a small portion of land along Platt Street and Albert Street.

### Clause 36 - Stormwater

The drainage design is considered to be acceptable subject to conditions included in **Attachment B**.

### Clause 37 - Crime prevention

The application has been assessed having regard to 'Crime Prevention Through Environmental Design' principles and is considered to be acceptable.

### Clause 38 - Accessibility

The proposal, having regard to the design, layout and future proposed residents, is considered to be adequate in terms of access. The design provides for additional large indoor and outdoor areas that are level and accessible.

It is noted that the standards regarding accessibility and useability for residential care facilities are included in the Commonwealth Aged Care Accreditation Standards and the Building Code of Australia. These are not matters for detailed consideration in the context of a development application.

### Clause 39 - Waste management

The proposal is designed to achieve waste collection via a private contractor, which is considered acceptable in this instance.

### Clause 40 - Development

There are various development standards that a proposal must comply with including:
### Clause 48 - Standards that cannot be used to refuse development consent for residential care facilities

Council must not refuse consent to a development application for a residential care facility where it meets the following requirements:

- **(a) building height:** if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to two storeys),
  
  Comment: The proposal complies with the height as discussed further at Section 4.1.3.

- **(b) density and scale:** if the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less,
  
  Comment: The proposal complies with this subclause, having a FSR of 0.55:1.

- **(c) landscaped area:** if a minimum of 25 square metres of landscaped area per residential care facility bed is provided,
  
  Comment: The proposal provides a landscape area of 2711m². This means that around 34% of the site will be landscaped and exceeds the per bed requirement.

- **(d) parking for residents and visitors:** if at least the following is provided:
  
  - (i) One parking space for each 10 beds in the residential care facility (or one parking space for each 15 beds if the facility provides care only for persons with dementia), and
  
  - (ii) One parking space for each two persons to be employed in connection with the development and on duty at any one time, and
  
  - (iii) One parking space suitable for an ambulance.
  
  Comment: The proposal provides for 52 parking spaces (inclusive of one accessible parking space). It is considered that there are numerous spaces available that are suitable for use as an ambulance bay. The proposal is compliant with the above requirements for car parking.

### Clause 55 - Fire Sprinklers systems in residential care facilities

The proposal includes Fire Safety Systems in accordance with the Building Code Australia. Relevant conditions in this respect are included in Attachment B.
As detailed in the above table, it is considered that the proposal is satisfactory having regard to the provisions of SEPP Seniors.

**State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017**

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP) is one of a suite of Land Management and Biodiversity Conservation reforms that commenced in New South Wales on 25 August 2017.

The Vegetation SEPP works together with the *Biodiversity Conservation Act 2016* and the *Local Land Services Amendment Act 2016* to create a framework for the regulation of clearing of native vegetation in NSW. Part 3 of the Vegetation SEPP contains provisions similar to those previously contained in cl.5.9 of NLEP 2012 (clause now repealed) and provides that Council’s Development Control Plan can make declarations with regard to certain matters, and further that Council may issue a permit for tree removal.

The proposal has been assessed in accordance with Newcastle Development Control Plan 2012 and is considered to be satisfactory.

**State Environmental Planning Policy No 55 - Remediation of Land (SEPP 55)**

SEPP 55 requires that where land is contaminated, Council must be satisfied that the land is suitable in its contaminated state or will be suitable after remediation for the purpose for which the development is proposed.

The subject land is currently being used for residential purposes and Council’s records do not identify any past contaminating activities on the site. The proposal is considered to be acceptable having regard to this policy.

**State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)**

The proposal was required to be referred to Ausgrid in accordance with Clause 45(2) of the ISEPP. The referral to Ausgrid generated no major concerns in respect of the application. The Ausgrid advice has been forwarded to the applicant for their information and future action.

**4.1.3 Local Environmental Planning Policies**

**Newcastle Local Environmental Plan 2012 (NLEP 2012)**

**Clause 2.1 Land Use Zones**

The subject property is located within the R2 Low Density Residential zone under the provisions of NLEP 2012, where the proposed development of a residential care facility is permissible with Council's consent. A residential care facility is a form of 'seniors housing', which falls under the group term of 'residential accommodation' in
this zone. The proposed development is also consistent with the zone objectives as it will provide housing in a low density environment.

**Clause 4.3 Height of Buildings**

The site has an 8.5m height limit under NLEP 2012. There are two different aspects of height assessment in relation to the proposed development.

The applicant has calculated the height of the building as approximately 6.3m using the following definition from SEPP Seniors:

> 'height in relation to a building, means the distance measured vertically from any point on the ceiling of the topmost floor of the building to the ground level immediately below that point'.

Under Council's LEP 2012, the definition for height is defined as:

> 'building height (or height of building) means:

(a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or

(b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,

including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like'.

The overall maximum height of the building is measured at 10.1m using the NLEP 2012 definition. As such, it exceeds the 8.5m height limit under NLEP 2012. However the provisions under SEPP Seniors prevail over NLEP 2012 in respect to height issues. Applying the height limit from SEPP Seniors, the proposal is compliant.

The height of the proposed building is considered acceptable given that the building presents as a two storey building along Alfred Street and Pratt Street and that the height of the proposed building does not generate any significant overshadowing or privacy impacts.

**Clause 4.4 Floor Space Ratio**

Under NLEP 2012 the site has a maximum 0.6:1 floor space ratio. The submitted FSR is approximately 0.55:1 and complies with this requirement. Notwithstanding this, the maximum FSR under SEPP Seniors is 1:1.
Clause 5.10 - Heritage Conservation

The site is not identified as being an item of heritage significance. However, the site is identified as adjoining two items of local heritage significance:

1). Item 661: Catholic Centre for Deaf Education – 30 Lorna Street, Waratah

2). Item 665: Corpus Christi Catholic Church – 45A Platt Street, Waratah

A Heritage Impact Statement (HIS) has been submitted with the application. The HIS confirms the proposed development will have no undue impacts on the heritage significance of the adjoining items. The HIS concludes:

“... the vacant land proposed for the extension to the Calvary St Martin De Porres Retirement Homes does not contribute any extra value to the heritage significance of the adjacent heritage items. The curtilage of the Corpus Christi Church is retained and managed by the design elements that have sought to retain views of the item, including a limited overall building height, and matching roof pitch, form and materials.”

The proposed development is a modern design, that responds well to the existing streetscape and does not adversely impact on the adjoining heritage items.

Clause 6.1 – Acid Sulfate Soils

The site is mapped as being affected by Class 5 acid sulphate soils. The proposed development will not impact on the acid sulfate soils and an acid sulfate soil management plan is not required.

Clause 6.2 - Earthworks

The level of earthworks proposed to facilitate the development is considered to be acceptable having regard to this clause. The design suitably minimises the extent of proposed earthworks, having regard to the existing topography, and otherwise meets grades required for a residential care facility under the provisions of SEPP Seniors.

Section 94A Development Contribution Plan 2009

The proposal is considered to be exempt from the payment of a Section 94A contribution as the proposed development will be operated by a 'social housing provider' as defined by SEPP Seniors, being 'a not-for-profit organisation that is a direct provider of rental housing to tenants'.
4.2 Merit Considerations

4.2.1 Newcastle Development Control Plan (DCP)

*Residential Development - Section 3.03*
The proposal is considered to be satisfactory with regard to the built form, including street presentation and building envelope. The overall design and materials are consistent with those within the surrounding area and provide a positive outcome in terms of streetscape.

*Seniors Housing - Section 3.08*
The proposal is satisfactory having regard to this section of the DCP.

*Safety and Security - Section 4.04*
The proposal is considered to be acceptable in terms of safety and security aspects of the 'Crime Prevention Through Environmental Design' principles.

*Social Impact - Section 4.05*
It is considered that the proposal will not have any negative social or economic impacts. The construction of an expanded residential care facility is likely to have positive social and economic benefits, including in the short term construction jobs and, in the longer term, providing beds for aged and/or disability care.

*Soil Management - Section 5.01*
It is considered that the proposal is acceptable in terms of this section. Conditions have been imposed regarding soil and sedimentation control at Attachment B.

*Tree Management - Section 5.03*
A number of trees are located in close proximity to the proposed building. The application was supported by an Arborist Report which assessed 10 trees that are likely to be impacted by the proposed development. The proposal would result in the removal of four mature trees and the pruning of another three trees.

The arborist's assessment of the four trees to be removed indicates that only one of the trees has moderate or high tree retention value. The remaining trees are either in poor health or categorised as low value.

The removal of the four mature trees is considered to be not significant in the context of the proposed development. Furthermore, the proposal includes comprehensive landscaping of the development including the planting of over 10 larger growing trees. A condition has also been recommended for additional street tree planning which will further compensate for the loss of trees from within the site.

The proposal is considered to be acceptable in relation to tree management, subject to conditions of consent.

*Heritage Items - Section 5.05*
The proposal is considered to be acceptable in terms of heritage as discussed within Section 4.1.3 of the report.
The application includes an acceptable landscape plan in accordance with the provisions of the DCP. The remaining landscaping criteria are replaced by the provisions of SEPP Seniors and are limited to 25m² of landscaping per bed which is provided for by the proposal.

The traffic and access characteristics have been assessed by Council’s Senior Development Engineer and are considered to be acceptable having regard to the requirements of the DCP. The proposal also complies with the parking requirements of SEPP Seniors, which prevail over the DCP provisions.

The stormwater and water efficiency provisions of the proposal are acceptable having regard to the requirements of the DCP.

The proposal is designed to have waste collected solely from within the site by a private contractor and is considered to be acceptable having regard to the DCP.

The proposal has been notified in accordance with this element and no submissions were received in response.

The proposed development will not have any undue adverse impact on the natural or built environment.

The development is compatible with the existing character, bulk, scale and massing of development in the immediate area.

It is considered that the proposal will not have any negative social or economic impacts. The construction of an expanded residential care facility is likely to have both positive social and economic benefits, including in the short term construction jobs and, in the longer term, providing beds for aged and/or disability care.

The site is not subject to any known risk or hazard that would render it unsuitable for the proposed development.

The application was publicly notified and no submissions were received.
4.2.7 Public Interest

The development is in the public interest and will allow for the orderly and economic development of the site. It will allow for the creation of seniors housing and housing for people with a disability in a high care environment.

ATTACHMENTS

Attachment A: Submitted Plans - Under Separate Cover - 28 Lorna Street Waratah

Attachment B: Draft Schedule of Conditions - 28 Lorna Street Waratah

Attachment C: Processing Chronology - 28 Lorna Street Waratah

Attachment A - Submitted Plans - Under Separate Cover - 28 Lorna Street Waratah
**DRAFT SCHEDULE OF CONDITIONS**

<table>
<thead>
<tr>
<th>Application No:</th>
<th>DA2017/01562</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land:</td>
<td>Lot 31 DP1114527</td>
</tr>
<tr>
<td>Property Address:</td>
<td>28 Loma Street, Waratah NSW 2298</td>
</tr>
<tr>
<td>Proposed Development:</td>
<td>Alterations and additions to aged care facility</td>
</tr>
</tbody>
</table>

**SCHEDULE 1**

**REASONS FOR CONDITIONS**

1. The conditions of this consent have been imposed in accordance with Section 4.17 of the *Environmental Planning and Assessment Act 1979* (NSW). The conditions relate to any matter referred to in Section 79C(1) of relevance to the development the subject of the consent and are imposed to ensure that the development is undertaken in an orderly manner, with acceptable impacts on the natural and built environment.

The development is to be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent:

<table>
<thead>
<tr>
<th>Plan No / Supporting Document</th>
<th>Reference/Version</th>
<th>Prepared by</th>
<th>Dated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cover Sheet</td>
<td>DA-000 Rev. DA-03</td>
<td>Morrison Design Partnership Architects</td>
<td>07/11/2017</td>
</tr>
<tr>
<td>Existing Site Plan</td>
<td>DA-010 Rev. DA-03</td>
<td>Morrison Design Partnership Architects</td>
<td>07/11/2017</td>
</tr>
<tr>
<td>Proposed Site Plan</td>
<td>DA050 Rev. DA03</td>
<td>Morrison Design Partnership Architects</td>
<td>07/11/2017</td>
</tr>
<tr>
<td>Proposed Site Analysis</td>
<td>DA051 Rev. DA-03</td>
<td>Morrison Design Partnership Architects</td>
<td>07/11/2017</td>
</tr>
<tr>
<td>Existing / Demolition Plan</td>
<td>DA060 Rev. DA-03</td>
<td>Morrison Design Partnership Architects</td>
<td>07/11/2017</td>
</tr>
<tr>
<td>Master Basement Floor Plan</td>
<td>DA100 Rev. DA-03</td>
<td>Morrison Design Partnership Architects</td>
<td>07/11/2017</td>
</tr>
<tr>
<td>Master Ground Floor Plan</td>
<td>DA101 Rev. DA-03</td>
<td>Morrison Design Partnership Architects</td>
<td>07/11/2017</td>
</tr>
<tr>
<td>Master First Floor Plan</td>
<td>DA102 Rev. DA-03</td>
<td>Morrison Design Partnership Architects</td>
<td>07/11/2017</td>
</tr>
<tr>
<td>Master Roof Plan</td>
<td>DA103 Rev. DA-03</td>
<td>Morrison Design Partnership Architects</td>
<td>07/11/2017</td>
</tr>
<tr>
<td>Basement Floor Plan - 100</td>
<td>DA110 Rev. DA-03</td>
<td>Morrison Design Partnership Architects</td>
<td>07/11/2017</td>
</tr>
<tr>
<td>Ground Floor Plan -100</td>
<td>DA111 Rev. DA-03</td>
<td>Morrison Design Partnership Architects</td>
<td>07/11/2017</td>
</tr>
<tr>
<td>First Floor Plan - 100</td>
<td>DA112 Rev. DA-03</td>
<td>Morrison Design Partnership Architects</td>
<td>07/11/2017</td>
</tr>
<tr>
<td>Ground Floor Refurbish Plan - 100</td>
<td>DA113 Rev. DA-03</td>
<td>Morrison Design Partnership Architects</td>
<td>07/11/2017</td>
</tr>
<tr>
<td>Area Plans</td>
<td>DA150 Rev. DA-03</td>
<td>Morrison Design Partnership Architects</td>
<td>07/11/2017</td>
</tr>
<tr>
<td>Elevations - Street</td>
<td>DA 200 Rev.</td>
<td>Morrison Design</td>
<td>07/11/2017</td>
</tr>
</tbody>
</table>
In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

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

2. The car park is to be designed to comply with AS/NZS 2890.1:2004: Parking facilities - Off-street car parking, AS/NZS2890.2 and AS/NZS 2890.6:2009: Parking facilities - Off-street parking for people with disabilities. The proposed height clearance for the basement car park entry is to comply with AS2890.8:2009. Full details are to be included in documentation for a Construction Certificate application.

3. 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.

4. Traffic management devices in the form of Stop and Give Way signs, line markings, traffic movement signs, median islands, any traffic calming devices is to be installed at the entry of the proposed basement driveway, existing access driveway and proposed set down area on Alfred St within the property. A sign will need to be provided at Alfred...
St entry indicating the availability of off-street parking at the rear of the site. Such devices are to be constructed in accordance with AS/NZS 2890.1 and AS2890.2. Full details are to be included in documentation for a Construction Certificate application.

5. Kerbing are to be constructed along the edge of all garden or lawn areas and adjacent to driveways and parking bays sufficient to discourage the encroachment of vehicles thereon. The kerb is not to restrict the overland flow path. Full details are to be included in documentation for a Construction Certificate application.

6. Letterboxes, landscaping and any other obstructions to visibility are to be kept clear of or limited in height to 1.2m in the 2 metre by 2.5 metre splay within the property boundary each side of the driveway entrance in accordance with AS/NZS 2890.1:2004. Parking facilities - Off-street car parking. Full details are to be included in documentation for a Construction Certificate application.

7. Roof water from the proposed new work is to be directed to the proposed water tank and being reticulated there from to any new toilet cisterns and cold water washing machine taps, with a mains water top up being installed to maintain between 10% and 15% of the tank capacity. Alternatively, an electronically activated mechanical valve device is to be installed to switch any new toilet cisterns and laundry taps to mains water when the tank falls below 10% capacity. The water tank and plumbing is to be installed in accordance with Australian Standard AS 3500, the relevant plumbing regulations and the requirements of the Hunter Water Corporation. Full details are to be included in documentation for a Construction Certificate application.

8. Overflows from the rainwater tank and any additional discharge controls (if required) are to be directed to the proposed drainage system or directed to the street drainage by means of an inter-allotment drainage line or underground pipe directly to the street gutter. Full details are to be provided with the Construction Certificate application.

9. All stormwater runoff from the proposed development being managed in accordance with the requirements of Section 7.06 ‘Stormwater’ of Newcastle Development Control Plan 2012, as indicated on the stormwater management concept plans and stormwater management report and prepared by Warren Smith & Partners Report Ref No. 5713000 and Drawings numbers C1.00 - C7.00 Issue 5 dated 08/05/2018. Full details are to be included in documentation for any Construction Certificate application.

10. 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.

11. The easement to drain water within the site is to be shaped to contain any overland stormwater flow along the course of the easement and is to be kept clear of obstruction at all times. Full details are to be included in documentation for a Construction Certificate application.

12. The proposed development is not to increase upstream or downstream flooding for floods over a range of storms from 1:1 to 1:100 year events. This is to be verified by the provision of stormwater control details included in documentation for a Construction Certificate application.

13. All proposed planting and landscape elements indicated on the submitted landscape concept plan or otherwise required under the conditions of this consent are required to be detailed on a landscape plan and specification. The plan and specifications is to be prepared in accordance with the provisions of Newcastle Development Control Plan 2012 and is to include details of the following:
   a) cross sections through the site where appropriate
   b) proposed contours or spot levels
   c) botanical names
d) quantities and container size of all proposed trees

e) shrubs and ground cover

f) details of proposed soil preparation

g) mulching and staking

h) treatment of external surfaces and retaining walls where proposed

i) drainage, location of taps and

j) appropriate maintenance periods.

The plan is to be prepared by a qualified landscape designer and be included in documentation for a Construction Certificate application.

14. All existing trees on the site outside the envelope of the proposed building are to be preserved where practicable and all such trees being indicated on the required comprehensive landscape design plan and being adequately protected against damage during the building construction period. Full details are to be included in documentation for a Construction Certificate application.

15. Fences are to be constructed in a high quality presentation style of attractive appearance and of sufficient height to afford adequate privacy to residents in accordance with the performance criteria and provisions of Newcastle Development Control Plan 2012. Full details are to be included in the documentation for a Construction Certificate application.

16. The applicant is to comply with all requirements of the Hunter Water Corporation regarding the connection of water supply and sewerage services, including the payment of any required cash contribution towards necessary amplification of service mains in the locality as a result of the increased intensity of land use proposed. A copy of the Corporation’s compliance certificate (refer s50 Hunter Water Act 1991) is to be included in documentation for a Construction Certificate application.

17. Erosion and sediment control measures are to be implemented prior to the commencement of works and be maintained during the period of construction in accordance with the details set out on an Erosion and Sediment Control Plan that is to be submitted for approval with the Construction Certificate application. Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover.

18. The proposed floodlighting of the premises is to be designed, positioned, and installed, including appropriate shielding and orientation of the lighting fixture, as to not give rise to obtrusive light, interfere with traffic safety or detract from the amenity of surrounding properties in accordance with Australian Standard AS4282:1997 - Control of the obtrusive effects of outdoor lighting. Full details are to be included in the documentation for a Construction Certificate application.

19. All onsite stormwater retention/detention and water quality treatment systems are to be individually identified and sign posted in accordance with Council’s Stormwater and Water Efficiency for Development Technical Manual (Updated 2013). Full details are to be included in documentation for a Construction Certificate application.

20. A structural engineer is to determine the location and depth of the proposed underground tank and On Site Detention and certify that it will not adversely affect any building foundation footings or slabs when the tank is empty. Stormwater Management Plan is to be designed in accordance with current NDCP Section 7.06 Stormwater Management and Newcastle City Council's Stormwater and Water Efficiency Technical Manual. Full details are to be included with documentation for a construction certificate.

21. The developer is to design the following works within Alfred Street frontage of the site at no cost to Council and in accordance with Council’s guidelines, design specifications and Australian Standards:
a) Public Domain Works

i. New footpath (concrete or as specified by Council) along the entire Alfred St frontage between Lorna St and Platt St. Install new ramps at the intersection with Alfred St. Provide new footpath (if required) along the building entry at Platt St.

ii. Upgrade of the existing Bus Stop on Platt St with new pavement, tactile and new seat.

iii. Install (6) new street trees (all frontages) and grass verge areas in accordance with Council requirements and adjust service pit levels to match new footpath level. Note: footpath to achieve maximum cross fall of 2.5%.

iv. Installation of new driveways, removal of redundant driveway and associated roadworks.

v. Installation of new drainage connections.

vi. Street lighting upgrade along Alfred St frontage to Ausgrid Standards.

Detailed public domain plan including civil design & details, survey, cross sections (footpath path being designed with 2.5% cross fall), longitudinal and any street lighting design are to be submitted to Council for review and approval as part of the S138 Road Act Type 2 application, prior to the issue of any construction certificate.

In this regard the separate approval from Council must be obtained for all works within the public road reserve, pursuant to Section 138 of the Roads Act 1993 (Type 2 application), prior to any construction certificate (excluding bulk excavation and demolition works within the site).

Note: An additional fee will be required by Council for the assessment of engineering plans submitted for the public road works. In this regard the developer is advised to confer with Council’s Development & Building Services Section in order to confirm this.

Note: All public domain works are to be constructed to Council satisfaction at no cost to Council prior to the issue of any occupation certificate.

22. A separate application must be lodged and consent obtained from Council for all works within the road reserve pursuant to Section 138 of the Roads Act 1993 (NSW), before the issue of a Construction Certificate.

23. On-site parking accommodation is to be provided for a minimum of 39 car spaces (includes 1 accessible and 7 visitor spaces) and such be set out generally in accordance with the minimum parking layout standards indicated in Element 7.03 ‘Traffic, Parking and Access’ of Council’s adopted Newcastle DCP 2012. Full details are to be included in documentation for a Construction Certificate application.

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

24. The development shall be undertaken in accordance with the requirements of Ausgrid as detailed in the letter dated 11 January 2018.

25. Any proposed paving works within the public footway are to be in accordance with the requirements of Council’s specification (Form PLE/SCO09).

Note: It will be necessary for the Developer to notify water, telecommunications, gas and electricity authorities of the proposed paving works in order to enable the various authorities to carry out and complete any necessary repairs and/or amplification to their respective services before such works are commenced.

26. Prior to commencement of site works the developer is to submit to Council for approval a Construction Traffic Management Plan addressing traffic control measures to be
utilised in the public road reserve during the construction phase.

27. The Construction Traffic Management Plan is to be prepared by a Roads & Maritime Services accredited person with a Design and Audit Traffic Control Plans Certificate in accordance with Australian Standard 1742.3:2006 - Manual of uniform traffic devices - traffic control for works on roads. The plan is to ensure the provision for safe, continuous movement of traffic and pedestrians within the road reserve.

28. 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.

29. All parking bays are to be permanently marked out on the pavement surface.

30. The vehicular entrance and exit driveways and the direction of traffic movement within the site are to be clearly indicated by means of reflectorised signs and pavement markings.

31. Erosion and sediment control measures are to be implemented prior to the commencement of works and maintained during the period of demolition and/or construction in accordance with the requirements of Managing Urban Stormwater: Soils and Construction 4th Edition - Vol. 1 (the ‘Blue Book’) published by Landcom, 2004. Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover.

32. Where the proposed development involves the destruction or disturbance of any existing survey monuments, those monuments affected are to be relocated at no cost to Council by a Surveyor registered under the Surveying and Spatial Information Act 2002 (NSW).

33. All downpipes discharging to the rainwater tanks are to have pre-storage insect, debris and vermin control (e.g. a rainwater head being leaf screened and vermin and insect proof) to minimise the contamination of captured roof water. A first flush device is to be provided for the inlet to the tank and a backflow prevention device is to be installed in the tank overflow outlet before connecting to the stormwater drainage system. If the roof downpipes are charged to the rainwater tank, all pipes are to be chemically welded and the stormwater system is to be designed such that the system is capable of being flushed in the event of pipe blockage (e.g. capped relief access points at the lowest level of stormwater drainage).

34. Toilet facilities are to be available or provided at the work site before works begin and be maintained until the works are completed, at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet is to:
   a) Be a standard flushing toilet connected to a public sewer, or
   b) Have an on-site effluent disposal system approved under the Local Government Act 1993 (NSW), or
   c) Be a temporary chemical closet approved under the Local Government Act 1993 (NSW).

35. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

36. Building demolition is to be planned and carried out in accordance with Australian Standard 2601:2001 - The Demolition of Structures.

37. The demolition works are to be undertaken in accordance with Australian Standard 2601:2001 - The Demolition of Structures and the following requirements:
a) demolition works shall be conducted in accordance with the submitted Hazardous Substances Management Plan and a copy of the Hazardous Substances Management Plan shall be kept on-site for the duration of the proposed development

b) the removal, handling and disposal of any asbestos material is to be undertaken only by an asbestos removal contractor who holds the appropriate class of Asbestos Licence, issued by the WorkCover Authority of NSW

c) a copy of all waste disposal receipts are to be kept on-site for the duration of the proposed development and made available to authorised Council Officers upon request

d) seven working days notice in writing is to be given to Council and the owners/occupiers of neighbouring premises prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number(s) and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor. Notification to owners/occupiers of neighbouring premises shall also include Council’s contact telephone number (49742000) and the Workcover Authority of NSW telephone number (49212900) and

e) on sites where asbestos materials are to be removed, a standard commercially manufactured sign containing the words ‘DANGER ASBESTOS REMOVAL IN PROGRESS’ measuring not less than 400mm x 300mm is to be erected in a prominent position during asbestos removal works.

38. All building materials, plant and equipment is to be placed on the site of the development so as to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road reserve. The storage of building materials on Council reserves including the road reserve is not permitted.

39. A Hazardous Substances Management Plan is to be prepared by a competent person for the building(s) or parts of the building(s) proposed to be demolished in accordance with Australian Standard 2601:2001 - The Demolition of Structures. A copy of the Hazardous Substances Management Plan is to be provided to Council (marked to Attention: Compliance Services) and the demolisher prior to commencement of work.

40. Construction/demolition work that generates noise that is audible at residential premises is to be restricted to the following times:
   - Monday to Friday, 7:00 am to 6:00 pm and
   - Saturday, 8:00 am to 1:00 pm.

   No noise from construction/demolition work is to be generated on Sundays or public holidays.

41. Council’s ‘PREVENT POLLUTION’ sign is to be erected and maintained in a conspicuous location on or adjacent to the property boundary so it is clearly visible to the public or at other locations on the site as otherwise directed by Council for the duration of demolition and construction work.

   Note: Council’s ‘PREVENT POLLUTION’ sign can be obtained by presenting your development application receipt at Council’s Customer Enquiry Counter at 282 King Street Newcastle.

42. A rigid and durable sign is to be erected on any site on which building work, subdivision work or demolition work is being carried out, before the commencement of
the work:
a) showing the name, address and telephone number of the Principal Certifying Authority for building work and subdivision work, and
b) showing the name, address and telephone number of the Principal Contractor for any building work and also including a telephone number on which the Principal Contractor may be contacted at any time for business purposes, and
c) stating that unauthorised entry to the work site is prohibited, and
d) being erected in a prominent position that can be read easily by anyone in any public road or other public place adjacent to the site.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

43. All public trees that are required to be retained must be physically protected in accordance with the City of Newcastle Urban Forest Technical Manual ‘Section 8.0 Protection Measures’.

The tree protection fencing must remain in place and maintained until all works have been completed, with no waste materials, washouts, equipment or machinery to be stored within the fenced area.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE, A SUBDIVISION CERTIFICATE OR A STRATA CERTIFICATE

44. All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a satisfactory state that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to Council’s satisfaction prior to the completion of demolition work or prior to the issue of any occupation certificate in respect of development involving building work.

45. 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.

46. 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.

47. Appropriate acoustic treatment is to be implemented in accordance with the recommendations set out in the report prepared by Acoustic Logic, dated 31/10/2015. Written final certification confirming the recommended acoustic treatment has been implemented in accordance with the requirements of the above report is to be submitted to the Principal Certifying Authority and Council prior to the issue of an Occupation Certificate.

Note: The acoustic consultant may need to be involved during the construction process in order to ensure final certification is achieved.

48. The works within the Road Reserve and associated civil, landscaping and drainage works are to be implemented and construction works are to be completed to Council satisfaction prior to the issue of any Occupation Certificate.
49. All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a satisfactory state that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to Council’s satisfaction prior to the completion of demolition work or prior to the issue of any occupation certificate in respect of development involving building work.

CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT

50. The proposed seniors housing is to be occupied exclusively by ‘seniors or people who have a disability, people who live within the same household with seniors or people who have a disability or staff employed to assist in the administration of and provision of services’ as defined under Clause 18(1) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (NSW). An appropriate notation is to be made on a survey plan and accompanying instrument under Section 88B of the Conveyancing Act 1997 (NSW).

51. The use and occupation of the premises, including all plant and equipment installed thereon, is not to give rise to any offensive noise, as defined under the Protection of the Environment Operations Act 1997.

Should Council consider offensive noise has emanated from the premises, the owner/occupier of the premises will be required to submit an acoustic assessment prepared by a suitably qualified acoustical consultant recommending appropriate acoustic measures necessary to ensure future compliance with this condition and will be required to implement such measures within a nominated period. Furthermore, written certification from the said consultant confirming the recommended acoustic measures have been satisfactorily implemented will be required to be submitted to Council prior to the expiration of the nominated period.

52. The landscaped areas are to be kept free of parked vehicles, stored goods, garbage or waste material and being permanently maintained.

ADVISORY MATTERS

- It is recommended that, prior to commencement of work, the free national community service ‘Dial before you Dig’ be contacted on 1100 or by fax on 1200 652 077 regarding the location of underground services in order to prevent injury, personal liability and even death. Inquiries should provide the property details and the nearest cross street/road.

- Any necessary alterations to public utility installations are to be at the developer/demolisher’s expense and to the requirements of both Council and any other relevant authorities. Council and other service authorities should be contacted for specific requirements prior to the commencement of any works.

- Any proposed business identification sign or advertising sign should be designed in accordance with the provisions of Newcastle Development Control Plan 2012 and be the subject of a separate Development Application approved prior to erection or placement in position.

- Any necessary alterations to public utility installations are to be at the developer/demolisher’s expense and to the requirements of both Council and any other relevant authorities. Council and other service authorities should be contacted for specific requirements prior to the commencement of any works.

- Prior to commencing any building works, the following provisions of Division 6.2 of the Environmental Planning and Assessment Act 1979 are to be complied with:
a) A Construction Certificate is to be obtained; and

b) A Principal Certifier is to be appointed for the building works and Council is to be notified of the appointment; and

c) Council is to be given at least two days notice of the date intended for commencement of building works.

- A Construction Certificate application for this project is to include a list of fire safety measures proposed to be installed in the building and/or on the land and include a separate list of any fire safety measures that already exist at the premises. The lists must describe the extent, capability and basis of design of each of the measures.

- Prior to the occupation or use of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the proposed development. An application for an Occupation Certificate must contain the information set out in Clause 149 of the Environmental Planning and Assessment Regulation 2000 (NSW).

- A copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of NSW Fire Brigades and a further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.

- An annual Fire Safety Statement in the form described in Clause 175 of the Environmental Planning and Assessment Regulation 2000 (NSW) is to be submitted to Council and a copy (together with a copy of the current fire safety schedule) is to be given to the Commissioner of New South Wales Fire Brigades. A further copy of the Statement (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.

- It is an offence under the provisions of the Protection of the Environment Operations Act 1997 (NSW) to act in a manner causing, or likely to cause, harm to the environment. Anyone allowing material to enter a waterway or leaving material where it can be washed off-site may be subject to a penalty infringement notice (‘on-the-spot fine’) or prosecution.

- Failure to comply with the conditions of consent constitutes a breach of the Environmental Planning and Assessment Act 1979 (NSW), which may be subject to a penalty infringement notice (‘on-the-spot fine’) or prosecution.

- It is recommended that, prior to commencement of work, the free national community service ‘Dial before you Dig’ be contacted on 1100 or by fax on 1200 652 077 regarding the location of underground services in order to prevent injury, personal liability and even death. Inquiries should provide the property details and the nearest cross street/road.

END OF CONDITIONS
PROCESSING CHRONOLOGY

DA2017/01562 - 28 Lorna Street, Waratah

12 December 2017 - Development application lodged with Council.
20 December 2017 - Public exhibition - 30 days (extended due to Christmas period).
6 March 2018 - Applicant advised of issues raised after technical assessment of the application.
9 May 2018 - Response received from applicant.
ITEM-9  DAC 17/07/18 - DA2018/00159 - 35 GIPPS STREET CARRINGTON - DEMOLITION OF OUTBUILDINGS AND SECONDARY DWELLING, ERECTION OF TWO STOREY DWELLING

REPORT BY: GOVERNANCE
CONTACT: INTERIM DIRECTOR GOVERNANCE / INTERIM MANAGER REGULATORY AND ASSESSMENT

PART I

PURPOSE

An application has been received seeking consent for the demolition of outbuildings and a secondary dwelling, and the erection of a two-storey dwelling at 35 Gipps Street, Carrington.

The application is referred to the Development Applications Committee for determination, due to the proposed variation to the floor space ratio development standard of the Newcastle Local Environmental Plan 2012 (NLEP 2012) being more than a 10% variation.

A copy of the submitted plans for the proposed development is appended at Attachment A).

The proposed development was publicly notified in accordance with Council’s Public Participation policy and one submission was received in response.

The objector’s concerns relate to a loss of access to perform future building maintenance works due to the erection of a dwelling adjacent to the boundary of the site.

The objector has declined the opportunity to make a presentation at a meeting of the Public Voice Committee of Council

Subject Land: 35 Gipps Street, Carrington NSW 2294
Details of the submission are summarised at Section 3.0 of Part II of this report and the concerns raised are addressed as part of the environmental planning assessment at Section 4.0.

Issues
i) Whether the contravention of Principal Development Standard 4.4 Floor Space Ratio, under Newcastle Local Environmental Plan 2012, is justified.

Conclusion
The proposed development has been assessed having regard to the relevant heads of consideration under Section 4.15(1) of the Environmental Planning and Assessment Act 1979 and is considered to be acceptable subject to compliance with appropriate conditions.

Accordingly, it is recommended that the application be approved on the basis of the submitted plans, subject to the nominated conditions of consent.

RECOMMENDATION
A. That the Development Applications Committee note the objection under Clause 4.6 Exceptions to Development Standards of Newcastle Local Environmental Plan 2012, against the development standard at Clause 4.4 Floor Space Ratio, and considers the objection to be justified in the circumstances and to be consistent with the objectives of Clause 4.4 and the objectives for development within the R2 Low Density Residential zone in which the development is proposed to be carried out; and

B. That DA2018/00159 for the demolition of outbuildings and a secondary dwelling, and the erection of a two-storey dwelling at 35 Gipps Street (to be known as 31 Gipps Street), Carrington be approved and consent granted, subject to compliance with the conditions set out in the Draft Schedule of Conditions at Attachment B; and

C. That the persons who made the submission be advised of Council's determination.

Political Donation / Gift Declaration

Under Section 10.4 of the Environmental Planning and Assessment Act 1979, the applicant, and any person related to this Development Application must report any political donation and/or gift to a Councillor and/or any gift to a Council employee within a two year period before the date of this application.

The applicant has answered NO to the following question on the application form: Have you, or are you aware of any person having a financial interest in the application, made a 'reportable donation' or 'gift' to a Councillor or Council employee within a two year period before the date of this application?
PART II

1.0 THE SUBJECT SITE

The subject property, currently known as 35 Gipps Street, Carrington, is comprised of Lot 8, Lot 9 and Lot 10 in DP 3865. The proposed development relates specifically to Lot 10 of DP 3865 and is nominated to be known in future as 31 Gipps Street, Carrington.

The allotment is rectangular in shape and is relatively flat, with a frontage width of 6.37m to Gipps Street and a depth of 25.15m. The total site area is 158.72m².

The subject allotment is currently occupied by a secondary dwelling, located at the rear of the site, and a metal garage that is built to the front boundary. Both structures are in a dilapidated condition.

The property is located on the west side of Gipps Street, situated at the northern end of the street, near the Hargrave Street intersection. The site is orientated on an east to west axis.

The allotment is immediately bounded to the south and west (rear) by residential properties. A large two storey brick warehouse is built up to the northern boundary of the subject allotment. Directly to the south of the subject site, the remaining built form within 35 Gipps Street consists of a single storey dwelling and ancillary structures situated across Lot 8 and Lot 9.

Existing development surrounding the site comprises of low scale residential properties, characterised by single-storey cottages and freestanding two-storey terrace dwellings. Contemporary two-storey infill development also forms a part of the streetscape in the locality.

Within proximity to the subject site, further to the north, is land utilised for heavy industrial purposes, including for the maintenance and storage of rail infrastructure.

2.0 THE PROPOSAL

The applicant seeks consent for the demolition of all existing structures contained within Lot 10, and the erection of a two-storey single dwelling, built to the north side boundary and partially to the southern boundary.

In response to concerns raised by Council's officers, the plans were amended to incorporate an increase in finished floor levels to comply with the required flood planning requirements for the locality and to demonstrate a setback consistent with the established front building line in the street.

The dwelling will display a double gable roof profile when viewed from the street front elevation. A variation in materiality including light weight cladding and brickwork will result in design of a contemporary nature.
The proposed floor plan layout will provide three bedrooms at the first floor level and primary living spaces at ground floor level. A cantilevered first floor deck, accessed via the master bedroom, will face east onto Gipps Street. A west facing covered rear deck at the ground floor level will be utilised as the principal area of private open space for the occupants. Off-street parking will be provided in the form of single vehicle car garage, integrated into the built form at ground floor level. The existing driveway crossing will be adjusted to align with the garage.

The Gross Floor Area (as defined by NLEP 2012) of the proposed development equates to 120.4m².

A copy of the submitted plans is appended at Attachment A.

The various steps in the processing of the application to date are outlined in the processing chronology (refer to Attachment C).

3.0 PUBLIC NOTIFICATION

The original application was publicly notified in accordance with Council's Public Notification policy for a period of 14 days. One submission was received in response.

The concerns raised by the objector in respect of the proposed development are summarised as follows:

i). Loss of access to perform building maintenance works

The objector's concerns are addressed under the relevant matters for consideration in the following section of this report.

4.0 ENVIRONMENTAL PLANNING ASSESSMENT

The application has been assessed having regard to the relevant matters for consideration under the provisions of Section 4.15(1) of the Environmental Planning and Assessment Act 1979, as detailed hereunder.

4.1 Statutory Considerations

State Environmental Planning Policy 55 – Remediation of Land (SEPP55)

SEPP55 requires that where land is contaminated, Council must be satisfied that the land is suitable in its contaminated state or will be suitable after remediation for the purpose for which the development is proposed.

The subject land is currently being used for residential purposes and Council’s records do not identify any past contaminating activities on the site. The proposal is considered to be acceptable having regard to this policy.
The subject site is listed on Council’s contaminated lands register due to the presence of a black glassy slag and ballast that was used as filling material over 100 years ago in the Carrington locality. Accordingly, a condition relating to the removal and disposal of slag material from the site is recommended.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The aims of this Policy are to protect the biodiversity value of trees and other vegetation in non-rural areas of the State and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. The Policy applies to the Newcastle Local Government Area and to the R2 Low Density Residential zone.

An Arborist report has been submitted for the removal of one Jacaranda tree and one Evergreen Ash tree. The proposed development will provide suitable compensatory planting on the site to offset the removal of the two trees. Conditions of consent are recommended to provide appropriate compensatory planting.

The proposed development is considered consistent with the provisions of the SEPP.

State Environmental Planning Policy No. 71 - Coastal Protection

With respect to SEPP 71 (Coastal Protection), it is considered that the proposed development has suitably addressed the relevant matters of consideration and development controls for development within the coastal zone.

State Environmental Planning Policy (Coastal Management) 2018

This SEPP was made on 23 March 2018 and supersedes previous policies including SEPP71, SEPP14 and the coastal zone clause in NLEP 2012. As this application was lodged prior to the commencement of this policy, in accordance with the savings provisions, this SEPP does not apply but was considered as a draft Environmental Planning Instrument.

The proposed development has suitably addressed the relevant matters of consideration and development controls for development within the coastal zone as required under the Coastal Management SEPP.

State Environmental Planning Policy (Infrastructure) 2007

The application was referred to Ausgrid for comment under the provisions of SEPP (Infrastructure) 2007. A response from Ausgrid has been received, wherein it was identified that the proposed development is suitable for the site and minimum clearances would not be encroached by the proposed development.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX Certificate was lodged with the application, demonstrating that the development can achieve the required water and energy reduction targets. A
condition of consent has been recommended, requiring that the development be carried out in accordance with the BASIX Certificate.

Newcastle Local Environment Plan 2012 (NLEP 2012)

The subject property is within the R2 Low Density Residential zone under the provisions of NLEP 2012. The proposed development, defined as "dwelling house", is permissible in this zone with Council's consent.

The proposed development is consistent with the objectives of the R2 zone, which are:

i) To provide for the housing needs of the community within a low density residential environment.

ii) To enable other land uses that provide facilities or services to meet the day to day needs of residents.

iii) To accommodate a diversity of housing forms that respects the amenity, heritage and character of surrounding development and the quality of the environment.

The following summarises an assessment of the proposal against the provisions of NLEP 2012 that are primarily relevant to the proposed development:

Clause 4.3 - Height of Buildings

The maximum height of buildings for this allotment is 8.5m.

The height of the proposed development is 7.5m above natural ground level. The proposed development is considered to be satisfactory and compliant in respect of building height.

Clause 4.4 - Floor Space Ratio (FSR)

The maximum Floor Space Ratio (FSR) for this site is 0.6:1.

The proposed development will result in a total FSR of 0.76:1, equating to an exceedance of 25m² or 26% above the prescribed maximum FSR for the subject land.

The applicant has submitted a clause 4.6 variation request to this standard. Refer to discussion under Clause 4.6 Exceptions to Development Standards below.

Clause 4.6 - Exceptions to Development Standards

The proposal includes a building that exceeds the maximum Floor Space Ratio under Clause 4.4 of NLEP 2012.
The objectives of Clause 4.4 of NLEP 2012 are:

(a) to provide an appropriate density of development consistent with the established centres hierarchy,

(b) to ensure building density, bulk and scale makes a positive contribution towards the desired built form as identified by the established centres hierarchy.

Clause 4.6 of NLEP 2012 enables consent to be granted to a development even though the development would contravene a development standard. In assessing the proposal against the provisions of clause 4.6, it is noted that:

1. Clause 4.4 is not expressly excluded from the operation of this clause; and

2. The applicant has prepared a written request requesting Council vary the development standard and demonstrating that:

   a. Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

   b. There are sufficient environmental planning grounds to justify contravening the development standard.

The applicant's request to vary the development standard is summarised below:

**Is strict compliance with the development standard unreasonable or unnecessary in this particular case?**

*Negligible in relation to actual adverse outputs resulting from the contravention; no adverse outputs with regards to the objective of the standard being diminished or degraded, including:*

   i) Negligible increases bulk and scale can be affiliated to the contravention.

   ii) The overall density imparted from the development is not notable increase by the exceeded FSR. Rather the internal amenity is enhanced.

   iii) The bordering of the industrial lands infers the increased FSR responds to the hierarchy of centers by acting as transition form.

*The absence of any notable adverse impacts infers compliance simply for the sake of compliance and is not conductive of promoting either the zone or standards objectives. There is an apparent character of similar contraventions in the subject locality. Equally, the adjoinment of industrial land portrays the FSR contravention in a transitional context.*

**Would strict compliance hinder the attainment of the objects specified in Section 5(a)(i) and (ii) of the Environmental Planning and Assessment Act 1979?**
Given the absence of any notable reasons not to allow the noted contravention, supporting the proposed in its current form is envisaged to adequately adhere to the subject objects. Specifically, the development does not act to hinder the objectives of either the Act or the Local EPI and as such is deemed to have maintained to objectives of these instruments.

An assessment of the potential impacts of the contravention, and the envisaged conclusion of their absence, is representative of “the proper management” … of land resource… “for the purpose of promoting the social and economic welfare of the community”. This is the case for the objective of promoting the “orderly and economic use and development of land”

**Would strict compliance with the standard be unreasonable or unnecessary?**

Yes, it is envisaged that compliance in the subject circumstance would be unnecessary.

**Are there sufficient environmental planning grounds to justify contravening the development standard?**

Yes, it is envisaged that there are sufficient environmental planning grounds to justify the contravention. Justification for this mirrors the points made under previously points. There is an absence of any adverse environmental planning related outcomes.

An assessment of the request has been undertaken and it is considered that:

- a) It adequately addresses the matters required to be demonstrated by Clause 4.6(3) of NLEP 2012; and

- b) The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the R2 Low Density Residential zone in which the development is proposed to be carried out; and

- c) The Secretary's concurrence to the exception to the floor space development standard, as required by Clause 4.6(4)(b) of NLEP 2012, is assumed, as per NSW Planning & Environment circular PS 18-003 of 21 February 2018; and

- d) The proposed development will have minimal impact on neighbouring properties in terms of privacy, view loss and overshadowing. The proposed height and scale of the development is not out of character with existing development in the area. The proposed exception to the floor space development standard of NLEP 2012 is considered to be a supportable and relatively minor variation in the context of the site and its locality and strict compliance would be unreasonable in this instance.
Clause 5.5 - Development within the coastal zone

The proposed development is considered to be satisfactory having regard to the relevant objectives and assessment considerations for development within the coastal zone.

Clause 5.10 - Heritage conservation

The subject site is located within proximity to one local heritage item, identified in Schedule 5 as ‘Palms on Gipps Street’. The Palm trees form the landscaped central median that separates traffic travelling in opposite directions on Gipps Street.

The proposed development is considered to have minimal impact on the heritage significance of the palms trees on Gipps Street median.

The proposal is considered to be consistent with the objectives of the Clause.

Clause 6.1 - Acid Sulfate Soils

The site is affected by Class 2 acid sulfate soils. Due to the limited nature of excavation, the likelihood of potential impacts arising from acid sulfate soils is expected to be limited.

A conditions of consent is recommended in respect of the management of acid sulfate soils.

The proposed development is considered satisfactory in this regard.

Clause 6.2 - Earthworks

The proposed development is considered acceptable in regards to this clause. The development proposes minimal ground disturbance and will not have a detrimental impact on any environmental function or process, neighbouring uses or any item of cultural or heritage significance.

Conditions of consent are recommended to address potential sedimentation and erosion control issues.

4.2 Merit Considerations

4.2.1 Newcastle Development Control Plan 2012 (DCP)

(Single Dwellings and Ancillary Development) - Section 3.02

The following comments are made concerning the proposed development and the relevant provisions of Section 3.02:

a) Density - Floor Space Ratio (3.02.01)
The maximum permissible FSR for this site is 0.6:1. The proposed development does not comply with the nominated maximum FSR for the site. Refer to section 4.1 of this report.

b) Height of Buildings (3.02.02)

The proposed development complies with the NLEP 2012 maximum height limit of 8.5m.

c) Street Frontage Appearance (3.02.03)

The development is considered acceptable with regards to street front appearance.

The dwelling will display a front setback that is consistent with the established front setback of both existing and recent infill residential development in the vicinity.

The proposal is considered satisfactory with regard to street frontage appearance.

d) Side/Rear Setbacks (Building Envelope) (3.02.04)

The overall bulk and scale of the proposed dwelling is considered compatible with existing development in vicinity to the site. Given the narrow width of the site, being less than 8m, the DCP provides for building up to both side boundaries.

The development proposes a nil setback to the north boundary adjacent the existing brick warehouse on the adjoining site. This is considered acceptable and consistent with provisions for boundary wall construction.

The development proposes a nil setback to the south boundary (adjacent Lot 9 of 35 Gipps Street) for total length of 6m and to a maximum wall height of 3.3m, associated with the proposed garage. This is considered acceptable and consistent with provisions for side boundary setbacks.

The proposed rear setbacks are also consistent with provisions of the DCP.

It is considered that the development will not be out of character in its location and has suitably responded to the attributes of the site and the established urban character of the locality. The bulk and scale of the proposed development is considered to not create overbearing development for adjoining dwelling houses and their private open space. It is assessed that the proposal will not adversely impact on the amenity of adjoining development with respect to solar access, outlook or coastal breezes.
e) **Landscaping (3.02.05)**

Adequate landscaping areas are available on the site and it is considered that they are satisfactory in accordance with this section of the DCP.

The proposed development will provide 16.7m$^2$ (10.5%) of landscaping to the rear yard and along the southern perimeter of the site. This is considered to be consistent with DCP provisions.

f) **Private Open Space (3.02.06)**

The proposed development will provide a 14.5m$^2$ covered deck at the rear of the dwelling, to be utilised as the principal area of private open space. The private open space is directly accessible from the ground floor living areas and is considered suitable to meet the needs of the dwelling occupants. This is considered consistent with DCP provisions.

g) **Privacy (3.02.07)**

The proposed development is considered to meet the performance criteria of the DCP in relation to privacy.

h) **Solar Access (3.02.08)**

The proposed development is considered to be consistent with the DCP objectives.

It is considered that solar access of the adjoining property (No.35 Gipps Street) will not be significantly adversely impacted by the proposed development due to the existing limited solar access available to the dwelling, which has vegetation and other structures (such as covered outdoor areas) that have significantly reduced the existing level of solar access to the dwelling.

Properties located to the west (rear) of the site, No.30 and No.32 Rodgers Street, will receive the minimum required solar access to their primary area of private open space.

The proposal is considered to be consistent with the performance criteria of the DCP in that the proposed development will not significantly overshadow north facing living area windows and principal areas of private open space of adjacent dwellings.

i) **View Sharing (3.02.09)**

Neither the subject site nor neighbouring properties are afforded with iconic or significant views or vistas. Views to the adjacent heritage item ("Palms on Gipps Street") will be preserved when viewed from the public domain.
The proposed development is considered satisfactory with respect to the relevant acceptable solutions of this section of the DCP.

\[ j \] Car Parking and Vehicular Access (3.02.10)

The proposed development will provide off-street parking for one vehicle on the site.

A reduced setback for the garage is proposed, however this is considered acceptable, as vehicles will be able to safely enter and exit the site. Architectural elements such as the cantilevered first floor deck and portico entry are considered to minimise the appearance of the garage, resulting in an integrated built form when viewed from the street.

The proposed development is considered satisfactory in this regard.

\[ k \] Development within Heritage Conservation Areas (3.02.11)

The proposed development is not located within a heritage conservation area.

\[ l \] Ancillary Development (3.02.12)

The application does not propose ancillary development.

\textit{Flood Management - Section 4.01}

The subject site is identified as land susceptible to flooding and subject to requirements relating to the management of development within flood prone areas. The proposed development was amended to comply with the required minimum flood planning level for the land. The proposed development is considered to acceptable with respect to Section 4.01.

\textit{Mine Subsidence - Section 4.03}

The site is located within a proclaimed mine subsidence district. Prior conditional approval was obtained from Subsidence Advisory NSW.

\textit{Soil Management - Section 5.01}

The proposed development is considered satisfactory. Conditions of consent are recommended to address potential sedimentation and erosion control issues.

\textit{Vegetation Management - Section 5.03}

The proposed development is considered satisfactory with respect to this section. Conditions of consent are recommended for compensatory planting for two trees to
be planted within the site to offset the removal of the two trees species as nominated by the submitted Arborist Report.

Council’s City Greening Services have recommended conditions of consent for the proposed removal and replacement of an existing street tree.

**Traffic, parking and access - Section 7.03**

The proposed development will provide off-street parking for one vehicle, consistent with the required provisions for single dwelling development.

**Stormwater and Water Efficiency - Section 7.06**

The proposed stormwater management plan is in accordance with the relevant aims and objectives of the DCP.

**Waste Management - Section 7.08**

Demolition and waste management will be subject to conditions recommended to be included in any development consent to be issued.

**Public Participation - Section 8.00**

The development was notified in accordance with the requirements of the DCP.

One submission was received during the notification period. The issues raised in the submission are detailed within Part 4.2.5 of this report.

### 4.2.2 Impacts on the Natural and Built Environment

The proposed development will not have any undue adverse impact on the natural or built environment.

The development is compatible with the existing character, bulk, scale and massing of development in the immediate area.

The development will have minimal impact on the natural environment. The proposed removal of vegetation will not have any substantial adverse impacts on any natural ecosystems. Appropriate measures are required to be in place during the construction of the development to minimise any sediments leaving the site or entering waterways.

### 4.2.3 Social and Economic Impacts in the Locality

The proposed development is not likely to have any significant social or economic impacts in the locality.
4.2.4 Suitability of the Site for the Development

The site is within a proclaimed Mine Subsidence District and conditional approval for the proposed development has been granted by Subsidence Advisory NSW.

The site is not subject to any other known risk or hazard that would render it unsuitable for the proposed development.

4.2.5 Submissions made in accordance with the Act or Regulations

One submission was received in response to the public notification of the application.

The submission raised concerns regarding the loss of access to perform future building maintenance works.

There are no easements associated with the subject site that currently allow the adjoining commercial warehouse access to No.35 Gipps Street for right of access to perform maintenance works to the building. It is additionally noted that the warehouse benefits from boundary wall construction that extends for 22.3m of the subject site’s 25.2m boundary, being 90% of the total length of the site.

The proposed development is considered to be consistent with DCP provisions for boundary wall construction in that the adjoining property is constructed of brick masonry and does not contain any windows to the south elevation.

As has been outlined in section 4.2.1 of this report (DCP Section 3.02.04), the proposed development is considered to be consistent with the requirements and controls outlined in the DCP.

4.2.6 Public Interest

The proposed development is considered to be satisfactory having regard to the principles of ecologically sustainable development.

The proposed development does not raise any significant general public interest issues beyond matters already addressed in this report.

5.0 CONCLUSION

The proposal is acceptable against the relevant heads of considerations under section 4.15(1) of the Environmental Planning and Assessment Act 1979 and is supported on the basis that the recommended conditions in Attachment B are included in any consent that is to be issued.
ATTACHMENTS

Attachment A: Submitted Plans - Under Separate Cover - 35 Gipps Street Carrington

Attachment B: Draft Schedule of Conditions - 35 Gipps Street Carrington

Attachment C: Processing Chronology - 35 Gipps Street Carrington

Attachment A - Submitted Plans - Under Separate Cover - 35 Gipps Street Carrington
### DRAFT SCHEDULE OF CONDITIONS

**Application No:** DA2018/00159  
**Land:** Lot 10 DP 3865  
**Property Address:** 35 Gipps Street Carrington NSW 2294  
**Proposed Development:** Demolition of outbuildings and secondary dwelling, erection of two-storey dwelling

### SCHEDULE 1

#### REASONS FOR CONDITIONS

1. The conditions of this consent have been imposed in accordance with Section 80A of the Environmental Planning and Assessment Act 1979 (NSW). The conditions relate to any matter referred to in Section 75C(1) of relevance to the development the subject of the consent and are imposed to ensure that the development is undertaken in an orderly manner, with acceptable impacts on the natural and built environment.

#### APPROVED DOCUMENTATION

2. The development is to be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

<table>
<thead>
<tr>
<th>Plan No / Supporting Document</th>
<th>Reference / Version</th>
<th>Prepared by</th>
<th>Dated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Modified Site Plan</td>
<td>Sheet 2 of 7</td>
<td>Sorenson Design &amp; Planning</td>
<td>21/06/18</td>
</tr>
<tr>
<td></td>
<td>Revision D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ground &amp; First Floor Plans</td>
<td>Sheet 3 of 7</td>
<td>Sorenson Design &amp; Planning</td>
<td>21/06/18</td>
</tr>
<tr>
<td></td>
<td>Revision D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>North South Elevations</td>
<td>Sheet 4 of 7</td>
<td>Sorenson Design &amp; Planning</td>
<td>21/06/18</td>
</tr>
<tr>
<td></td>
<td>Revision D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>West &amp; East Elevation &amp; Section A-A</td>
<td>Sheet 5 of 7</td>
<td>Sorenson Design &amp; Planning</td>
<td>21/06/18</td>
</tr>
<tr>
<td></td>
<td>Revision D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shadow Diagrams</td>
<td>Sheet 6 of 7</td>
<td>Sorenson Design &amp; Planning</td>
<td>21/06/18</td>
</tr>
<tr>
<td></td>
<td>Revision D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stormwater Plan</td>
<td>Sheet 7 of 7</td>
<td>Sorenson Design &amp; Planning</td>
<td>21/06/18</td>
</tr>
<tr>
<td></td>
<td>Revision D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Statement of Environmental Effects</td>
<td>35 Gipps Street,</td>
<td>Sorenson Design &amp; Planning</td>
<td>Unknown</td>
</tr>
<tr>
<td></td>
<td>Carrington</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Addendum - Statement of Environmental</td>
<td>35 Gipps Street,</td>
<td>Sorenson Design &amp; Planning</td>
<td>Unknown</td>
</tr>
<tr>
<td>Effects</td>
<td>Carrington</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BASIX Certificate</td>
<td>Certificate No: 898366S</td>
<td>Evergreen Energy Consultants</td>
<td>01 February 2018</td>
</tr>
<tr>
<td>Arborist Report</td>
<td>35 Gipps Street,</td>
<td>Hunter</td>
<td>03 March 2018</td>
</tr>
</tbody>
</table>
In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

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

3. 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.

4. On-site flood refuge is to be provided in the development. The minimum on-site refuge level in the building is the level of the Probable Maximum Flood event (RL 2.5m AHD). The design and/or suitability of the refuge is to be structurally certified by a practising structural engineer, ensuring that the building is able to withstand the hydraulic loading due to flooding from the Probable Maximum Flood (Flood Level RL 2.5m AHD, Maximum Flow Velocity of floodwaters 0.41m/s). Full details are to be included in documentation for a Construction Certificate application.

5. The site has been identified as a flood storage area requiring that not more than 20% of the site area be filled in accordance with Newcastle Development Control Plan 2012 - Section 4.01 Flood Management. Under floor flood storage areas are to be designed to allow floodwaters to enter and leave the flood storage areas without flow restrictions. The use of suspended floor techniques such as purlin and beam construction, with a minimum 20% by area openings over the full height of the storage area perimeter, is generally satisfactory. Full details are to be provided in documentation for a Construction Certificate application.

6. The floor level of the proposed dwelling (excluding garage) is to be not below 2.5m Australian Height Datum and being indicated on plans for a Construction Certificate application. The finished floor levels are to be certified by a registered Surveyor prior to the placement of the floor material and a copy of the Surveyor’s Certificate is to be forwarded to the Principal Certifying Authority.

7. The whole of the proposed structure below the flood planning level (ie reduced level 2.5m Australian Height Datum) is to be constructed in materials and finishes that are resistant to damage from floodwaters/tidal waters. Any new machinery or equipment, electrical circuitry or fitting, storage unit or similar items likely to be damaged by floodwaters/tidal waters being installed above the said height or alternatively being of materials and functional capability resistant to the effects of floodwaters/tidal waters. Full details are to be included in documentation for a Construction Certificate application.

8. Roof water from the new dwelling is to be directed to the proposed water tank (minimum 4,000L capacity) and being reticulated therefrom to any new toilet cisterns and cold water washing machine taps, with a mains water top up being installed to maintain between 10% and 15% of the tank capacity. Alternatively, an electronically activated mechanical valve device is to be installed to switch any new toilet cisterns and laundry taps to mains water when the tank falls below 10% capacity. The water tank and plumbing is to be installed in accordance with the Plumbing Code of Australia. Full details are to be included in documentation for a Construction Certificate application.
9. Overflows from the roof water tank and any additional discharge controls (if required) are to be directed to Council’s drainage system by underground pipe directly to the street gutter. Full details are to be included in documentation for a Construction Certificate application.

10. The existing Callistemon Viminalis street tree (Council ID 20037) is approved to be removed, subject to arrangements being made for the removal of the street tree by contacting Council’s City Greening Services. All tree removal works are to be carried out by Council at the Developer’s expense.

   One street tree is required to be planted as compensation for the removal of the existing tree. A fee, to be determined by contacting Council’s City Greening Services, is to be paid to Council for the required compensatory planting and evidence of the payment of the required fee is to be included in the documentation for a Construction Certificate application.

   Advisory note - The tree selection and location of the required compensatory tree will be determined by Council’s City Greening Services in accordance with Newcastle City Council Street Tree selection manual. The location of the compensatory tree planting may not be in the immediate proximity of the site.

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

11. If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person’s own expense:

   a) Protect and support the adjoining premises from possible damage from the excavation, and

   b) Where necessary, underpin the adjoining premises to prevent any such damage.

   The above requirements do not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the requirements not applying.

12. All building materials, plant and equipment is to be placed on the site of the development so as to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road reserve. The storage of building materials on Council reserves including the road reserve is not permitted.

13. During construction works, an assessment of acid sulfate soil potential is to be undertaken in the area of excavation. If acid sulfate soils are found to be present, soils are to be treated in accordance with the New South Wales Acid Sulfate Soil Management Advisory Committee’s ‘Acid Sulfate Soil Manual’.

14. A Registered Surveyor’s certificate detailing the setting out of the proposed building on the site, including the relationship of the set out building to property boundaries, is to be submitted to the Principal Certifying Authority before construction is commenced.

15. Any black glassy slag excavated during earthworks and which will not be covered by building structures or reburied on site, is to be removed for disposal at the Summerrich Waste Management Centre or another approved waste disposal site. Any such action is to be confirmed by the submission of evidence of disposal to the Principal Certifying Authority, eg. copy of docket from disposal centre.

16. Any excavated material to be removed from the site is to be assessed, classified,
transported and disposed of in accordance with the Department of Environment and Climate Change’s (DECC) ‘Waste Classification Guidelines Part 1: Classifying Waste’.

17. Any fill material imported into the site is to be Virgin Excavated Natural Material or material subject to a Resource Recovery Order that is permitted to be used as a fill material under the conditions of the associated Resource Recovery Exemption, in accordance with the provisions of the Protection of the Environment Operations Act 1997 and the Protection of the Environment (Waste) Regulation 2014.

18. Documentation demonstrating the compliance with the conditions of the appropriate Resource Recovery Order and Resource Recovery Exemption must be maintained for any material received at the site and subsequently applied to land under the conditions of the Resource Recovery Order and Exemption. This documentation must be provided to Council officers or the Principal Certifying Authority on request.

19. Erosion and sediment control measures are to be implemented prior to the commencement of works and be maintained during the period of demolition and construction in accordance with the requirements of Managing Urban Stormwater: Soils and Construction 4th Edition - Vol. 1 (the ‘Blue Book’) published by Landcom, 2004. Controls are not to be removed until the site is stable with all bare areas supporting an established cover.

20. Toilet facilities are to be available or provided at the work site before works begin and be maintained until the works are completed, at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet is to:

a) Be a standard flushing toilet connected to a public sewer, or
b) Have an on-site effluent disposal system approved under the Local Government Act 1993 (NSW), or

C} Be a temporary chemical closet approved under the Local Government Act 1993 (NSW).

21. A Hazardous Substances Management Plan is to be prepared by a competent person for the building(s) or parts of the building(s) proposed to be demolished in accordance with Australian Standard 2601.2001 - The Demolition of Structures. A copy of the Hazardous Substances Management Plan is to be provided to Council (marked to Attention: Compliance Services) and the demolisher prior to commencement of work.

22. The demolition works are to be undertaken in accordance with Australian Standard 2601.2001 - The Demolition of Structures and the following requirements:

a) Demolition works shall be conducted in accordance with the submitted Hazardous Substances Management Plan and a copy of the Hazardous Substances Management Plan shall be kept on-site for the duration of the proposed development

b) The removal, handling and disposal of any asbestos material is to be undertaken only by an asbestos removal contractor who holds the appropriate class of Asbestos Licence, issued by the WorkCover Authority of NSW

c) A copy of all waste disposal receipts are to be kept on-site for the duration of the proposed development and made available to authorised Council Officers upon request

d) Seven working days’ notice in writing is to be given to Council and the owners/occupiers of neighbouring premises prior to the commencement of any
demolition works. Such written notice is to include the date demolition will
commence and details of the name, address, contact telephone number(s) and
licence details (type of licences held and licence numbers) of any asbestos
removal contractor and demolition contractor. Notification to owners/occupiers of
neighbouring premises shall also include Council’s contact telephone number
(49742000) and the Workcover Authority of NSW telephone number (49212900)
and

e) On sites where asbestos materials are to be removed, a standard commercially
manufactured sign containing the words ‘DANGER ASBESTOS REMOVAL IN
PROGRESS’ measuring not less than 400mm x 300mm is to be erected in a
prominent position during asbestos removal works.

23. The demolisher is to ensure that all services (ie water, telecommunications, gas,
electricity, sewerage etc), are disconnected in accordance with the relevant
authority’s requirements prior to demolition.

24. Any waste containers used in association with the proposed demolition are to be
located on the site where possible.

Note: Where this is not feasible, application must be made for Council’s approval to
position the container on the adjacent public road in accordance with Council’s
adopted Building Waste Container Policy.

25. The demolisher is to ensure that all demolition material is kept clear of the public
footway and carriageway as well as adjoining premises.

26. Waste management shall be implemented in accordance with the approved Waste
Management Plan. At a minimum, the following measures shall be implemented
during the construction phase:

a) A waste container of at least one cubic metre capacity shall be provided,
maintained and regularly serviced from the commencement of operations until
the completion of the building for the reception and storage of waste generated
by the construction of the building and associated waste

b) The waste container is to be, at minimum, constructed with a ‘star’ picket
(corners) and weed control mat (sides), or equivalent. The matting is to be
securely tied to the pickets

c) Appropriate provision is to be made to prevent windblown rubbish leaving the
site and

d) Footpaths, road reserves and public reserves are to be maintained clear of
rubbish, building materials and all other items.

Note: Fines may be issued for pollution/littering offences under the Protection of the

27. A rigid and durable sign is to be erected on any site on which building work,
subdivision work or demolition work is being carried out, before the commencement
of the work:

a) showing the name, address and telephone number of the Principal Certifying
Authority for building work and subdivision work, and

b) showing the name, address and telephone number of the Principal Contractor for
any building work and also including a telephone number on which the Principal
Contractor may be contacted at any time for business purposes, and

c) stating that unauthorised entry to the work site is prohibited, and
d) being erected in a prominent position that can be read easily by anyone in any public road or other public place adjacent to the site.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

28. Construction/demolition work that generates noise that is audible at residential premises is to be restricted to the following times:

- Monday to Friday, 7:00 am to 6:00 pm and
- Saturday, 8:00 am to 1:00 pm.

No noise from construction/demolition work is to be generated on Sundays or public holidays.

29. Council's 'PREVENT POLLUTION' sign is to be erected and maintained in a conspicuous location on or adjacent to the property boundary so it is clearly visible to the public or at other locations on the site as otherwise directed by Council for the duration of demolition and construction work.

Note: Council's 'PREVENT POLLUTION' sign can be obtained by presenting your development application receipt at Council's Customer Enquiry Counter at 282 King Street Newcastle.

30. Where the proposed development involves the destruction or disturbance of any existing survey monuments, those monuments affected are to be relocated at no cost to Council by a Surveyor registered under the Surveying and Spatial Information Act 2002 (NSW).

31. All public trees that are required to be retained must be physically protected in accordance with the City of Newcastle Urban Forest Technical Manual 'Section 8.0 Protection Measures'.

The tree protection fencing must remain in place and maintained until all works have been completed, with no waste materials, washouts, equipment or machinery to be stored within the fenced area.

32. Any demolition/waste building materials that are not suitable for recycling are to be disposed of at Council's Summerhill Waste Management Facility or other approved site.

33. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

34. In the case of residential building work for which the Home Building Act 1989 (NSW) requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force before any building work authorised to be carried out by this consent commences.

35. A residential vehicular crossing is to be constructed across the road reserve, in accordance with the following criteria:

a) Constructed in accordance with Council's A1300 - Driveway Crossings Standard Design Details.

b) In the case of a single car garage/parking space, the driveway crossing, within the road reserve, shall be constructed in alignment with the garage opening and be a maximum of 3 metres wide.

c) Letterboxes, landscaping and any other obstructions to visibility should be kept
clear of or limited in height to 1.2 metre, in the 2 metre by 2.5 metre splay within the property boundary each side of the driveway entrance.

d) The proposed driveway shall be a minimum of 3 metres clear of the trunk of any tree within the public reserve.

e) The proposed driveway shall be a minimum of 750mm clear of the centre of any pole or obstruction within the public reserve and 1 metre clear of any drainage pit.

These works are not approved until consent under Section 138 of the Roads Act 1993 (NSW) has been granted by Council. An application under Section 138 is to be applied for and approved before the commencement of any construction works on the site the subject of this development application.

36. A separate application must be lodged and consent obtained from Council for all works within the road reserve pursuant to Section 138 Roads Act 1993, before the commencement of works.

37. Prior to the commencement of work, a 3m wide all weather vehicle access is to be provided from the kerb and gutter to the building under construction, to reduce the potential for soil erosion. Sand shall not be stockpiled on the all weather vehicle access.

38. All roof and surface waters are to be conveyed to the street gutter by way of a sealed pipe system, extending through the footway to Council requirements, in accordance with Element 7.06 ‘Stormwater’ of Newcastle Development Control Plan 2012.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE, A SUBDIVISION CERTIFICATE OR A STRATA CERTIFICATE

39. A minimum of two replacement trees at a minimum pot size of 45 litres are to be planted. Replacement trees are to be of a species as outlined in the Arborist Report prepared by Hunter Horticultural Services (dated 6 March 2018). Replacement trees are to be maintained to maturity through use of mulch and watering and allowed to achieve their natural height in accordance with Council’s Urban Forest Technical manual. Compensatory plantings are to be completed prior to the issue a Final Occupation Certificate.

40. All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a satisfactory state that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to Council’s satisfaction prior to the completion of demolition work or prior to the issue of any occupation certificate in respect of development involving building work.

41. All commitments listed in the relevant BASIX certificate for the development are to be satisfactorily completed prior to the issue of an Occupation Certificate. Should there be any changes to the specifications of the dwelling that have implications for compliance with the approved certificate, except where restricted or excluded by any other condition of consent, an amended BASIX Certificate can be relied upon as having complied with this condition. A copy of any amended BASIX Certificate is to be provided to Council within fourteen days of receipt.

42. All works within the road reserve required by this consent are to be completed prior to the issue of a Final Occupation Certificate.

43. The premises are to be identified by the provision of house numbers on the building exterior and mailbox such that they are clearly visible from the road frontage.

The minimum numeral height shall be 75mm.
44. Any redundant existing vehicular crossing is to be removed at no cost to Council. The road reserve and kerb being restored to, Council's satisfaction, to match the existing infrastructure. Works are to be completed prior to the issuing of a Final Occupation Certificate for the proposed development.

CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT

45. The premise is allocated the following street address in accordance with Council’s House Numbering Policy and the Surveying and Spatial Regulation.

<table>
<thead>
<tr>
<th>Dwelling on plan</th>
<th>Council Allocated Street Addresses</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>House Number</td>
</tr>
<tr>
<td>Existing Dwelling</td>
<td>35</td>
</tr>
<tr>
<td>Proposed Dwelling</td>
<td>31</td>
</tr>
</tbody>
</table>

ADVISORY MATTERS

- It is recommended that, prior to commencement of work, the free national community service ‘Dial before you Dig’ be contacted on 1100 or by fax on 1200 852 877 regarding the location of underground services in order to prevent injury, personal liability and even death. Inquiries should provide the property details and the nearest cross street/road.

- Any necessary alterations to public utility installations are to be at the developer/demolisher's expense and to the requirements of both Council and any other relevant authorities. Council and other service authorities should be contacted for specific requirements prior to the commencement of any works.

- It is an offence under the provisions of the Protection of the Environment Operations Act 1997 (NSW) to act in a manner causing, or likely to cause, harm to the environment. Anyone allowing material to enter a waterway or leaving material where it can be washed off-site may be subject to a penalty infringement notice ('on-the-spot fine') or prosecution.

- Failure to comply with the conditions of consent constitutes a breach of the Environmental Planning and Assessment Act 1979 (NSW), which may be subject to a penalty infringement notice ('on-the-spot fine') or prosecution.

- For the purpose of applying the provisions of the Building Code of Australia for class 1, 2, 3, 4, 9a (health care) and 9c (aged care) buildings, it is advised that the proposed building is located in a Flood Hazard Area and the:
  a) Defined Flood Level (DFL) is 2.2m Australian Height Datum (AHD)
  b) Flood Hazard Level is 2.5m AHD (Freeboard is 300mm above DFL)
  c) Maximum Flow Velocity of floodwaters for the Defined Flood Event is 0.3m/s

- Any approval for fences on side boundaries, common to other private properties, is independent of any consent or agreement which may be required of any adjoining owner under the provisions of the Dividing Fences Act 1991 (NSW).

- Prior to commencing any building works, the following provisions of Division 6.2 of the Environmental Planning and Assessment Act 1979 are to be complied with:
  a) A Construction Certificate is to be obtained; and
  b) A Principal Certifier is to be appointed for the building works and Council is to be notified of the appointment; and
c) Council is to be given at least two days notice of the date intended for commencement of building works.

- Prior to the occupation or use of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the proposed development. An application for an Occupation Certificate must contain the information set out in Clause 149 of the *Environmental Planning and Assessment Regulation 2000* (NSW).

END OF CONDITIONS
26 February 2018 - Application lodged
26 February 2018 - Preliminary request for information
28 February 2018 - Public notification of the application
7 March 2018 - Additional information provided
12 March 2018 - Submission received
19 April 2018 - Additional information requested
10 May 2018 - Amended plans received
12 June 2018 - Correspondence sent to submitter for participation in Public Voice session
13 June 2018 - Return correspondence from submitter declining participation in Public Voice session
DEVELOPMENT APPLICATIONS COMMITTEE MEETING

17 July 2018

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

REPORTS BY COUNCIL OFFICERS
Attachment A - Plans

DA2017/01562 - 28 Lorna Street, Waratah
Alterations and additions to aged care facility

DISTRIBUTED UNDER SEPARATE COVER
ALTERATIONS AND ADDITIONS TO ST MARTIN DE PORRES RESIDENTIAL AGED CARE FACILITY
ALFRED AND LORNA STREETS
WARATAH
GROSS FLOOR AREA - GROUND FLOOR

ALERTATIONS AND ADDITIONS TO ST MARTIN DE PORRES RESIDENTIAL AGED CARE FACILITY

AREA PLANS

GROSS FLOOR AREA - LEVEL 01

GROSS FLOOR AREA - EXISTING

Name Area

Existing Facilities 1996 m²

GROSS FLOOR AREA - PROPOSED + EXISTING REFURB

LEVEL NAME AREA

GROUND FLOOR Proposed 1134 m²

GROUND FLOOR Existing + Refurbishment 2006 m²

LEVEL 01 Proposed 1107 m²

TOTALS 4247 m²

© Copyright

These drawings and designs and the copyright thereof are the property of

Morrison Design Partnership Pty. Ltd.

and must not be used retained or copied without the written permission of Morrison Design Partnership Pty. Ltd. ACN 001 595 288.

DA - 01 2017-09-29 FOR INFORMATION MM

DA - 02 2017-10-17 DEVELOPMENT APPLICATION ISSUE MM

DA - 03 2017-11-07 DEVELOPMENT APPLICATION ISSUE MM
**Project:**
ALTERATIONS AND ADDITIONS TO ST MARTIN DE PORRES RESIDENTIAL AGED CARE FACILITY
ALFRED AND LORNA STREETS
WARATAH

**ELEVATIONS - REFURBISH**

**EXISTING FACILITIES**

- WT4
- WIN1
- WIN1
- WT1
- RF1
- WT5

**NEW ENTRY**

- SET DOWN
- DRIVEWAY

**EAST ELEVATION - EXISTING REFURB - NEW ENTRY**

- SCALE 1:100

**WEST ELEVATION - EXISTING REFURB - CHAPEL ACTIVITIES**

- SCALE 1:100

**Details:**

- RF1: METAL ROOF. COLORBOND FINISH - COLOUR: LIGHT/DARK GREY
- WIN1: ALUMINIUM FRAMED WINDOW - COLOUR: DARK GREY
- WT1: FACE BRICK - DARK BROWN - MATCH EXISTING
- WT4: FACE BRICK - LIGHT BROWN - MATCH EXISTING
- WT5: WEATHERBOARD CLADDING - LIGHT GREY

**Drawings:**

- DA - 01 2017-09-29 FOR INFORMATION MM
- DA - 02 2017-10-17 DEVELOPMENT APPLICATION ISSUE MM
- DA - 03 2017-11-07 DEVELOPMENT APPLICATION ISSUE MM
CALVARY AGED CARE, WARATAH

DEVELOPMENT APPLICATION

DRAWING SCHEDULE

<table>
<thead>
<tr>
<th>DRG No.</th>
<th>DRAWING TITLE</th>
<th>Rev.</th>
</tr>
</thead>
<tbody>
<tr>
<td>C1.00</td>
<td>Arrangement and Overview Plans</td>
<td></td>
</tr>
<tr>
<td>C1.01</td>
<td>Cover Sheet</td>
<td>3</td>
</tr>
<tr>
<td>C1.02</td>
<td>Specification Notes</td>
<td>3</td>
</tr>
<tr>
<td>C2.01</td>
<td>Sediment and Erosion Control Plan</td>
<td>3</td>
</tr>
<tr>
<td>C2.02</td>
<td>Sediment and Erosion Control Details</td>
<td>3</td>
</tr>
<tr>
<td>C7.01</td>
<td>Stormwater Drainage Plan</td>
<td>3</td>
</tr>
<tr>
<td>C7.02</td>
<td>Stormwater Layout Plan Ground Floor</td>
<td>3</td>
</tr>
<tr>
<td>C7.03</td>
<td>Stormwater Layout Plan Basement</td>
<td>3</td>
</tr>
<tr>
<td>C7.04</td>
<td>On Site Detention Tank Plan and Sections</td>
<td>3</td>
</tr>
<tr>
<td>C7.05</td>
<td>Stormwater Drainage Details</td>
<td>3</td>
</tr>
<tr>
<td>C7.06</td>
<td>Stormwater treatment System Standard Details</td>
<td>3</td>
</tr>
</tbody>
</table>
DRIVEWAY
CONNECT INTO EXISTING COUNCIL STW PIT

NEW SECURITY FENCE

EXIST. BOUNDARY FENCE DEMOLISHED 1.8m HIGH

SUBSTATION

RETAINED

Lobby

EX. BAG STORE

SITTING

MULCH ONLY AREA

TERRACE

ACC. WC

TERRACE

BEDROOM 25

COURTYARD

19.320 +

19.390 +

19.420 +

NEW BEDROOM

NEW SECURITY FENCE

EXISTING FENCE

NEW SECURITY FENCE

EXISTING FENCE

EAST BENCH

GARDENIA, AZALEA

CALLISTEMON

RETAIN RESIDENT GARDEN-

NANDINA, DIOSMA

RETAI

EXISTING CAMELLIA & MURRAYA HEDGES

EXISTING DRANAGE EASEMENT

+ FRL 20.200
ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

REPORTS BY COUNCIL OFFICERS
Attachment A - Plans DA2018/00159 - 35 Gipps Street Carrington
Demolition of outbuildings and secondary dwelling, erection of two storey dwelling

DISTRIBUTED UNDER SEPARATE COVER
GENERAL NOTES

1. All work to be carried out in accordance with the requirements of council, the building code of Australia and current Australian standards.

2. All dimensions and levels to be confirmed prior to construction.

3. Report any discrepancies to the designer.

4. Do not scale off these drawings.

5. These plans are to be read together with the engineers drawings and specifications.

6. Scales apply to sheet size shown in the title.

7. The builder is to check all floor, ceiling and roof levels to ensure that the finished roof height does not exceed the DA approved RL & height limit.

8. Registered Surveyor is to set out the buildings & confirm all levels.

9. All stormwater to be piped to existing system in accordance with LGA requirements.

LEGEND

AW: AWNING WINDOW
CONC: CONCRETE
CT: COOKTOP
DH: DOUBLE HUNG WINDOW
FG: FIXED GLASS
f.w.: FLOOR WASTE
GB: GLASS BLOCKS
HWS: HOT WATER SYSTEM
LW: LOUVER WINDOW
REF: REFRIGERATOR
SD: SLIDING DOOR
s.d.: SMOKE DETECTOR
SW: SLIDING WINDOW
SH: SHOWER
TBC: TO BE CONFIRMED
VA: VANITY BASIN
WM: WASHING MACHINE
WC: WATER CLOSET

NOTE

- The table covering or underlaying of areas as specified in the plans is not to be removed. Further details are covered in the specification.
- All materials of construction are to be installed in accordance with the specification.
- All plumbing, electrical and gas services to be installed in accordance with the relevant parts of the building code of Australia.
- All works to be undertaken in accordance with the local council requirements.
PROPOSED DWELLING, TREES TO BE REMOVED AT, 35 GIPPS STREET, CARRINGTON

GARAGE

FIRST FLOOR PLAN MODIFIED

N 1:100

GROUND FLOOR PLAN MODIFIED

N 1:100

WALL FIRE RATED TO BCA REQUIREMENTS

FLOOR LINE OVER

DECK LINE OVER

DECK LINE OVER

BEAM LINE OVER

WALL FIRE RATED TO BCA REQUIREMENTS

FLOOR LINE UNDER

DECK LINE OVER

BEAM LINE OVER

WALL FIRE RATED TO BCA REQUIREMENTS

FLOOR LINE OVER

DECK LINE OVER

BEAM LINE OVER

WALL FIRE RATED TO BCA REQUIREMENTS

FLOOR LINE UNDER
NORTH ELEVATION

GROUND FLOOR FFL: 2.50
RIDGE RL: 8.90

1000H BALUSTRADE TO BCA REQUIREMENTS
FIRST FLOOR FFL: 5.25
CEILING
DECK

SELECT BRICKWORK FINISH

COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING
22.5° PITCH
HORIZONTAL WEATHERBOARD CLADDING

COLORBOND 'QUAD' METAL GUTTER & FASCIA

COLORBOND 'SPANDEK' METAL ROOF SHEETING
2° PITCH

150 SQ POST TO ENGINEERS DETAILS

8.5H BUILDING HEIGHT LINE

SOUTH ELEVATION

GROUND FLOOR FFL: 2.50
RIDGE RL: 8.90

1000H BALUSTRADE TO BCA REQUIREMENTS
FIRST FLOOR FFL: 5.25
CEILING
DECK

SELECT BRICKWORK FINISH

COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING
22.5° PITCH
HORIZONTAL WEATHERBOARD CLADDING

COLORBOND 'QUAD' METAL GUTTER & FASCIA

COLORBOND 'SPANDEK' METAL ROOF SHEETING
2° PITCH

150 SQ POST TO ENGINEERS DETAILS

8.5H BUILDING HEIGHT LINE

WALL FIRE RATED TO BCA REQUIREMENTS
FRL NOT LESS THAN 60/60/60

CONCEPT 19/12/2017 - MC
FINAL 01/02/2018 - MC
REV B 04/05/2018 - STORMWATER PLAN & FLOOR PLAN REDESIGN
REV C 14/06/2018 - NTH PT AMENDED
REV D 21/06/2018 - DRIVEWAY AMENDED

MCMICHAEL
PROPOSED DWELLING, TREES TO BE REMOVED AT, 35 GIPPS STREET, CARRINGTON

5

MCMICHAEL

Ground Floor FFL: 2.50
RIDGE RL: 8.90
First Floor FFL: 5.25
2,450 300 2,450
450

ALUMINIUM FRAMED DOUBLE HUNG WINDOW
ALUMINIUM FRAMED FIXED GLASS WINDOW
HORIZONTAL WEATHERBOARD CLADDING
SELECT BRICKWORK FINISH
FLOOR STRUCTURES TO ENGINEERS DETAILS
SUBFLOOR VENTILATION TO 3.4.1.2 BCA REQUIREMENTS

8.5H BUILDING HEIGHT LINE

ALUMINIUM FRAMED SLIDING DOOR
SELECT BRICKWORK FINISH
METAL ROOF SHEETING 22.5° PITCH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60
G.L.
G.L.

EXISTING D.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.

8.5H BUILDING HEIGHT LINE

COLORBOND 'QUAD' METAL GUTTER & FASCIA
HORIZONTAL WEATHERBOARD CLADDING
COLORBOND 'CUSTOM ORB' METAL ROOF SHEETING 22.5° PITCH
BRICKWORK FINISH
WALL FIRE RATED TO BCA REQUIREMENTS FRL NOT LESS THAN 60/60/60

G.L.