#### Extraordinary Development Applications Committee 28 July 2020

City of Newcastle

#### ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

EDAC 28/07/2020 – 495-501 HUNTER STREET AND 364 KING STREET, NEWCASTLE – DEMOLITION OF BUILDINGS, ERECTION OF FOURTEEN STOREY MIXED USE DEVELOPMENT WITH THREE RETAIL/COMMERCIAL TENANCIES, 87 RESIDENTIAL UNITS, ASSOCIATED CAR PARKING AND SITE WORKS

PAGE 3	ITEM-23	Attachment A:	Submitted Plans
PAGE 43	ITEM-23	Attachment B:	Draft Schedule of Conditions
PAGE 63	ITEM-23	Attachment C:	Processing Chronology

#### Extraordinary Development Applications Committee 28 July 2020



# Extraordinary Development Applications Committee

28 July 2020



#### ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

EDAC 28/07/2020 - DA2017/01376 - 495-501 HUNTER STREET AND 364 KING STREET, NEWCASTLE - DEMOLITION OF BUILDINGS, ERECTION OF FOURTEEN STOREY MIXED USE DEVELOPMENT WITH THREE RETAIL/COMMERCIAL TENANCIES, 87 RESIDENTIAL UNITS, ASSOCIATED CAR PARKING AND SITE WORKS

ITEM-23 Attachment A: Submitted Plans

#### Extraordinary Development Applications Committee 28 July 2020



# REVISED DEVELOPMENT APPLICATION JUNE 2020

# APPLICANT:

DARREN HOLLOWAY
C/MONTEATH & POWYS
PO BOX 2270
DANGAR NSW 2309
TEL:
02 4926 1388
EMAIL:
dholloway@monteathpowys.com.au



## SITE ADDRESS:

DP 1 87872 &
1 - 67823 | 495 HUNTER STREET
DP 851 578844 | 501 KING STREET
DP 1 1010094 | 364 KING STREEY
NEWCASTLE

# DRAWINGS LIST:

	ARCHITECTURALS
DA 00	TITLE PAGE
D A 0 1	GROUND FLOOR PLAN
D A 0 2	LEVEL 1
D A 0 3	LEVEL 2
D A 0 4	LEVEL 3
D A 0 5	LEVEL 4
D A 06	LEVEL 5 (TYP L5-L8 )
D A 0 7	LEVEL 9 (TOWNHOUSE KING)
D A 08	LEVEL 10 (TOWNHOUSE KING)
D A 0 9	LEVEL 11
D A 10	LEVEL 12
D A 11	LEVEL 13 (TOWNHOUSE HUNTER)
D A 12	LEVEL 14 (TOWNHOUSE HUNTER)
D A 13	NORTH ELEVATION
D A 14	EAST ELEVATION
D A 15	WEST ELEVATION
D A 16	SOUTH ELEVATION
D A 17	LONGITUDINAL SECTION
D A 18	SECTION A-A
D A 19	SECTION B-B
D A 20	SECTION C-C
D A 21	ROOF / SITE PLAN

#### COMPLIANCE DIAGRAM C 01 COMMON SPACE /L SCAPE CALCULATIONS GFA DIAGRAM 01 G F A 0 1 G F A 0 2 GFA DIAGRAM 02 G F A 0 3 GFA DIAGRAM 03 G F A 0 4 GFA DIAGRAM 04 21 JUNE 9A M SH01 B 21 JUNE 12 NOON SH02 B 21 JUNE 3PM SH03 B

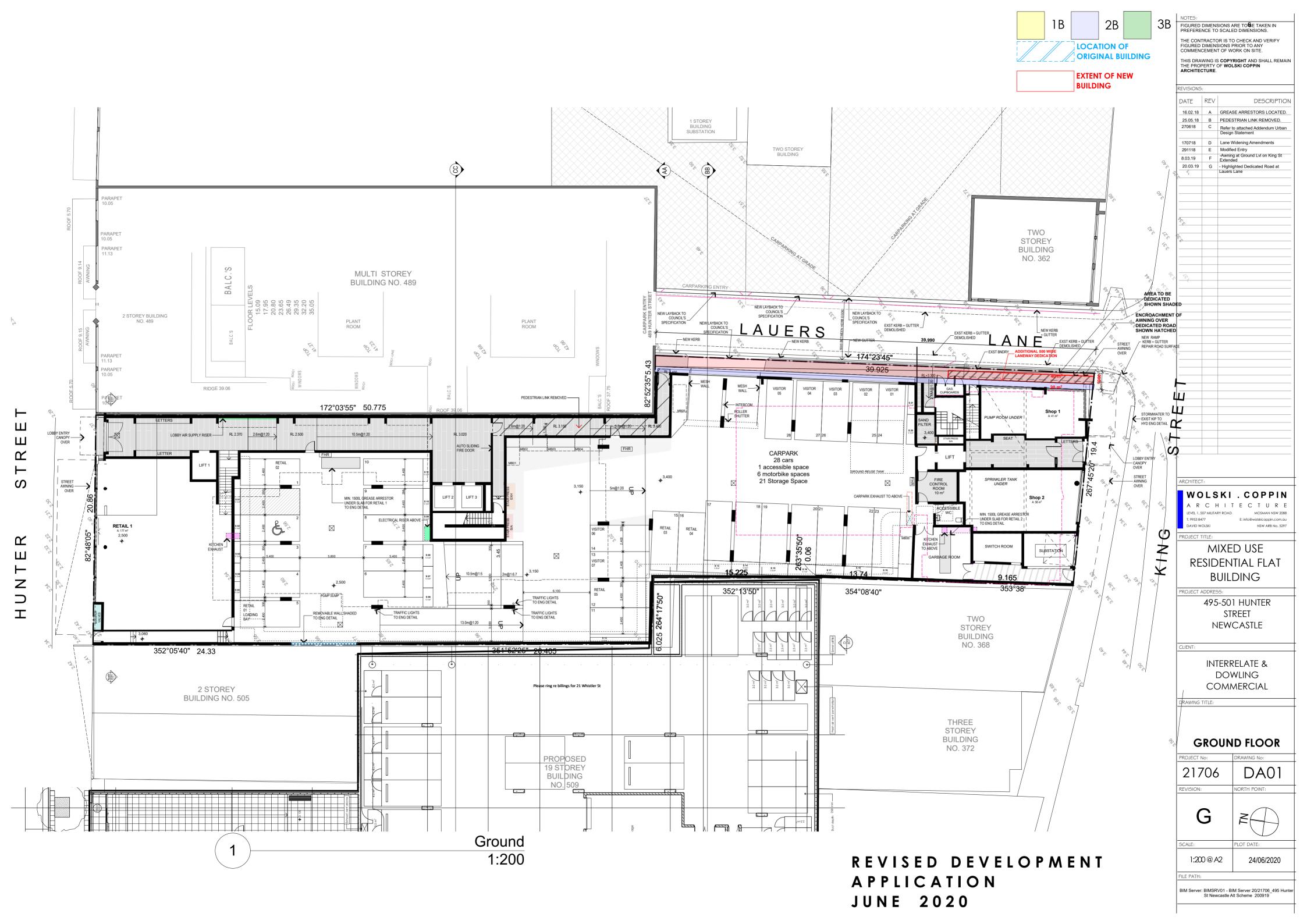
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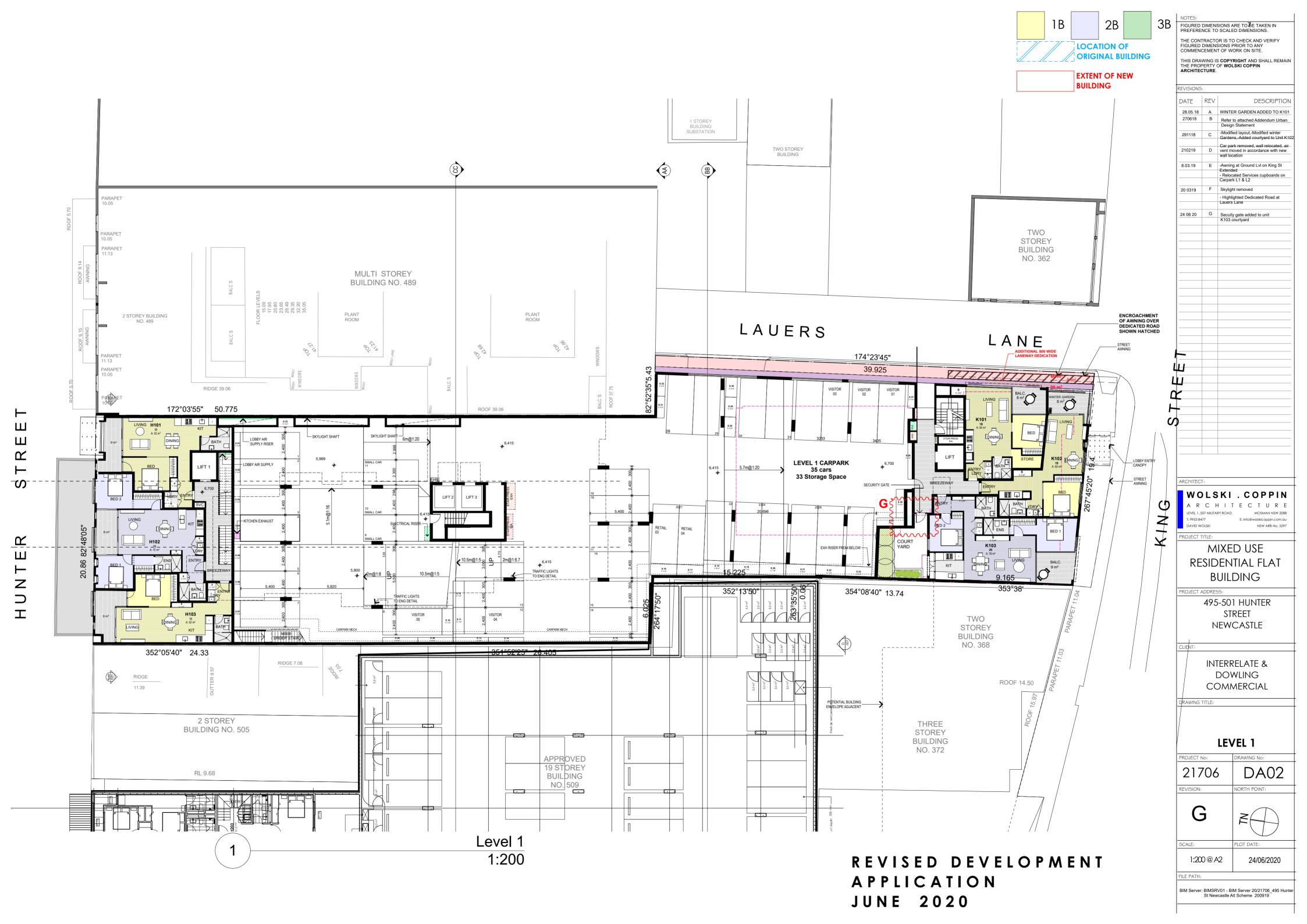
#### WOLSKI . COPPIN

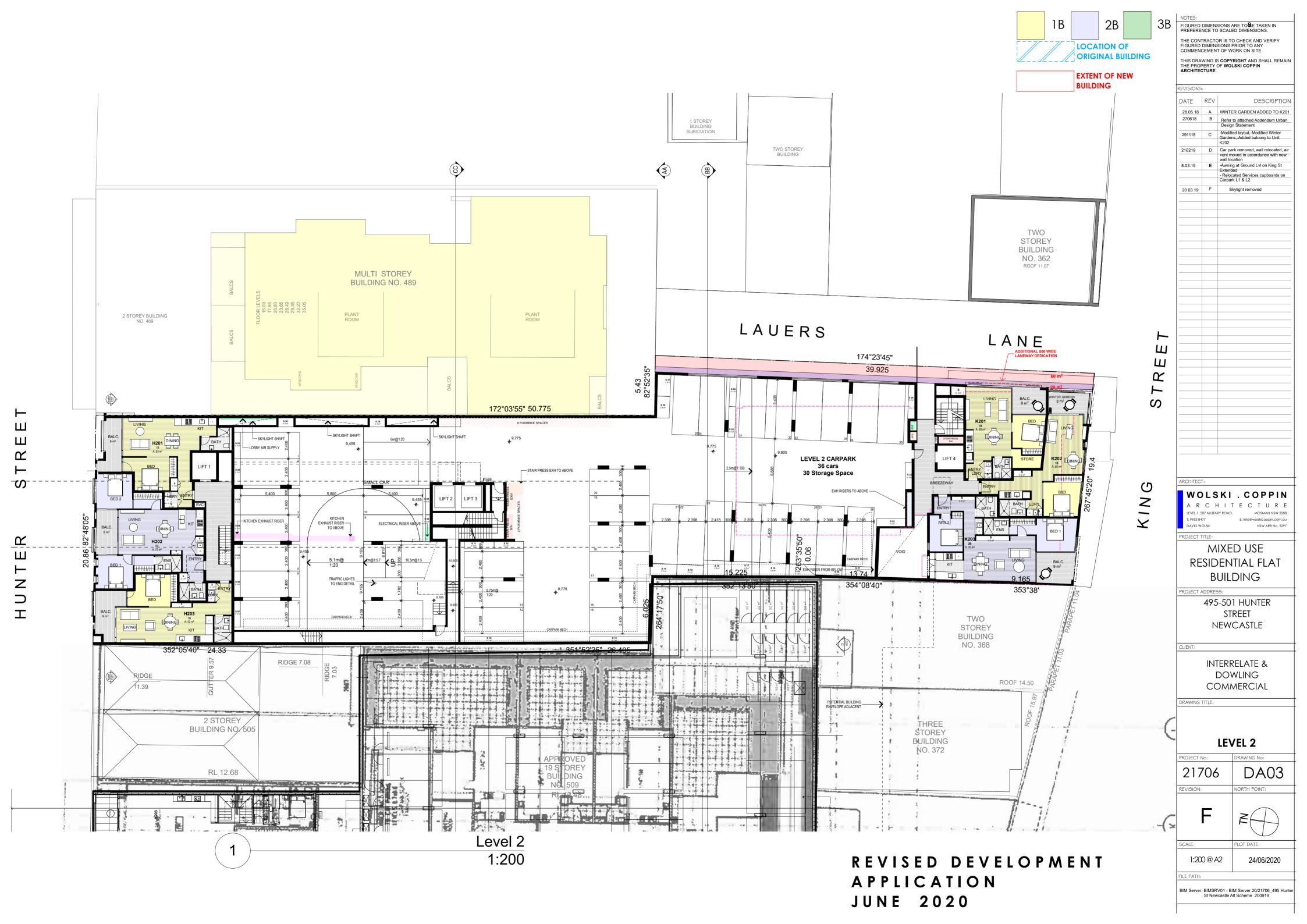
ARCHITECTURE

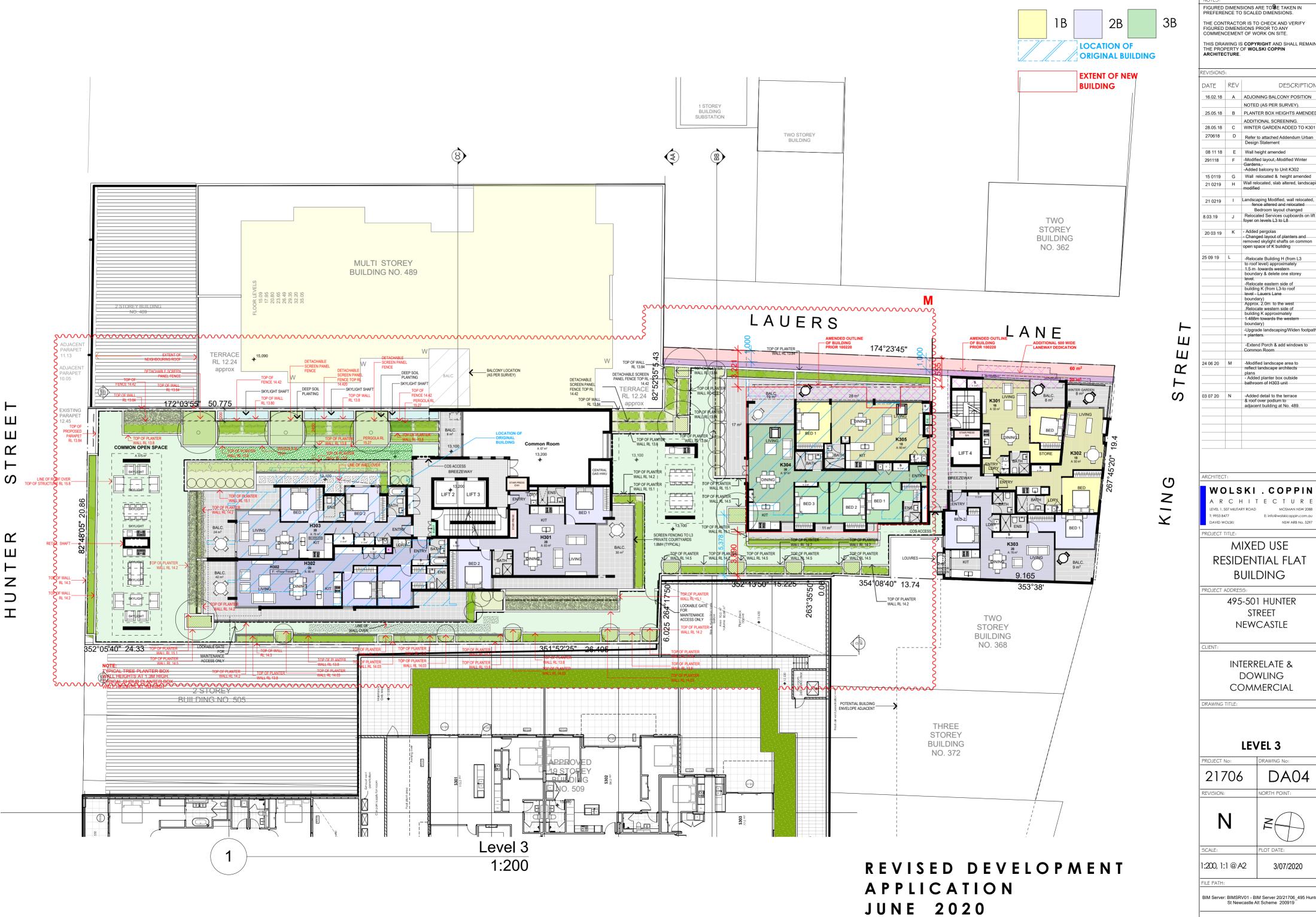
LEVEL 1, 507 MILITARY ROAD MOSMAN NSW 2088
T: 9953 8477 E: info@wolskicoppin.com.au

DAVID WOLSKI NSW ARB No. 5297









FIGURED DIMENSIONS ARE TO SE TAKEN IN PREFERENCE TO SCALED DIMENSIONS. THE CONTRACTOR IS TO CHECK AND VERIFY COMMENCEMENT OF WORK ON SITE. THIS DRAWING IS **COPYRIGHT** AND SHALL REMAIN THE PROPERTY OF **WOLSKI COPPIN ARCHITECTURE**. DESCRIPTION 16.02.18 A ADJOINING BALCONY POSITION 25.05.18 B PLANTER BOX HEIGHTS AMENDED ADDITIONAL SCREENING. -Modified layout,-Modified Winter -Added balcony to Unit K302 Wall relocated & height amended Wall relocated, slab altered, landscapi Bedroom layout changed 20 03 19 K - Added pergolas Changed layout of planters and removed skylight shafts on common open space of K building -Relocate Building H (from L3 to roof level) approximately 1.5 m. towards western boundary & delete one storey level. -Relocate eastern side of building K (from L3-to roof level - Lauers Lane boundary)
Approx. 2.0m to the west -Extend Porch & add windows to -Added detail to the terrace & roof over podium to adjacent building at No. 489. WOLSKI . COPPIN LEVEL 1, 507 MILITARY ROAD MIXED USE RESIDENTIAL FLAT BUILDING 495-501 HUNTER STREET NEWCASTLE **INTERRELATE &** DOWLING COMMERCIAL LEVEL 3 DA04 1:200, 1:1 @ A2 3/07/2020



FIGURED DIMENSIONS ARE TOO E TAKEN IN PREFERENCE TO SCALED DIMENSIONS. THE CONTRACTOR IS TO CHECK AND VERIFY FIGURED DIMENSIONS PRIOR TO ANY COMMENCEMENT OF WORK ON SITE. THIS DRAWING IS **COPYRIGHT** AND SHALL REMAIN THE PROPERTY OF **WOLSKI COPPIN ARCHITECTURE**. DATE REV DESCRIPTION A ADJOINING BALCONY POSITION NOTED (AS PER SURVEY). 25.05.18 B AC UNITS RELOCATED. 270618 C Refer to attached Addendum Urban Design Statement -New Building Setback to King Street -Added balcony to Unit K402,K403, (Similar to L5-L8) 21 0219 E Bedroom layout changed, window extended

8.03.19 F Relocated Services cupboards on lift foyer on levels L3 to L8 -Relocate Building H (from L3 to roof level) approximately 1.5 m. towards western boundary & delete one storey level.
-Relocate eastern side of building K (from L3-to roof level - Lauers Lane boundary) boundary)
Approx. 2.0m to the west
Relocate western side of
building K approximately
1.488m towards the western 24 06 20 H External wall to H403 revised & reduced balcony

2B

1B

WOLSKI . COPPIN

DAVID WOLSKI NSW ARB No. 5297

MIXED USE RESIDENTIAL FLAT BUILDING

495-501 HUNTER STREET **NEWCASTLE** 

INTERRELATE & DOWLING COMMERCIAL

#### LEVEL 4

	V
PROJECT No:	DRAWING No:
21706	DA05
REVISION:	NORTH POINT:
Н	2

1:200 @ A2 24/06/2020

FILE PATH:

BIM Server: BIMSRV01 - BIM Server 20/21706\_495 Hunte St Newcastle Alt Scheme 200919

I



FIGURED DIMENSIONS ARE T**61**E TAKEN IN PREFERENCE TO SCALED DIMENSIONS. THE CONTRACTOR IS TO CHECK AND VERIFY FIGURED DIMENSIONS PRIOR TO ANY COMMENCEMENT OF WORK ON SITE. THIS DRAWING IS **COPYRIGHT** AND SHALL REMAIN THE PROPERTY OF **WOLSKI COPPIN ARCHITECTURE**.

DATE REV DESCRIPTION 291118 A -New Building Setback to
King Street
--Modified layout K501from one
bedder to 3 bedder,(One Unit
Removed)
--Added balcony to Unit K504,K502 21 0219 B Bedroom layout changed, window extended C Relocated Services cupboards on lift foyer on levels L3 to L8 25 09 19 D -Relocate Building H (from L3 to roof level) approximately 1.5 m. towards western boundary & delete one storey level.
-Relocate eastern side of building K (from L3-to roof level - Lauers Lane boundary)
Approx. 2.0m to the west .Relocate western side of building K approximately 1.488m towards the western boundary) 24 06 20 E External wall to H503,H603,H703,H803 revised & WOLSKI . COPPIN NSW ARB No. 5297 PROJECT TITLE: MIXED USE RESIDENTIAL FLAT

BUILDING

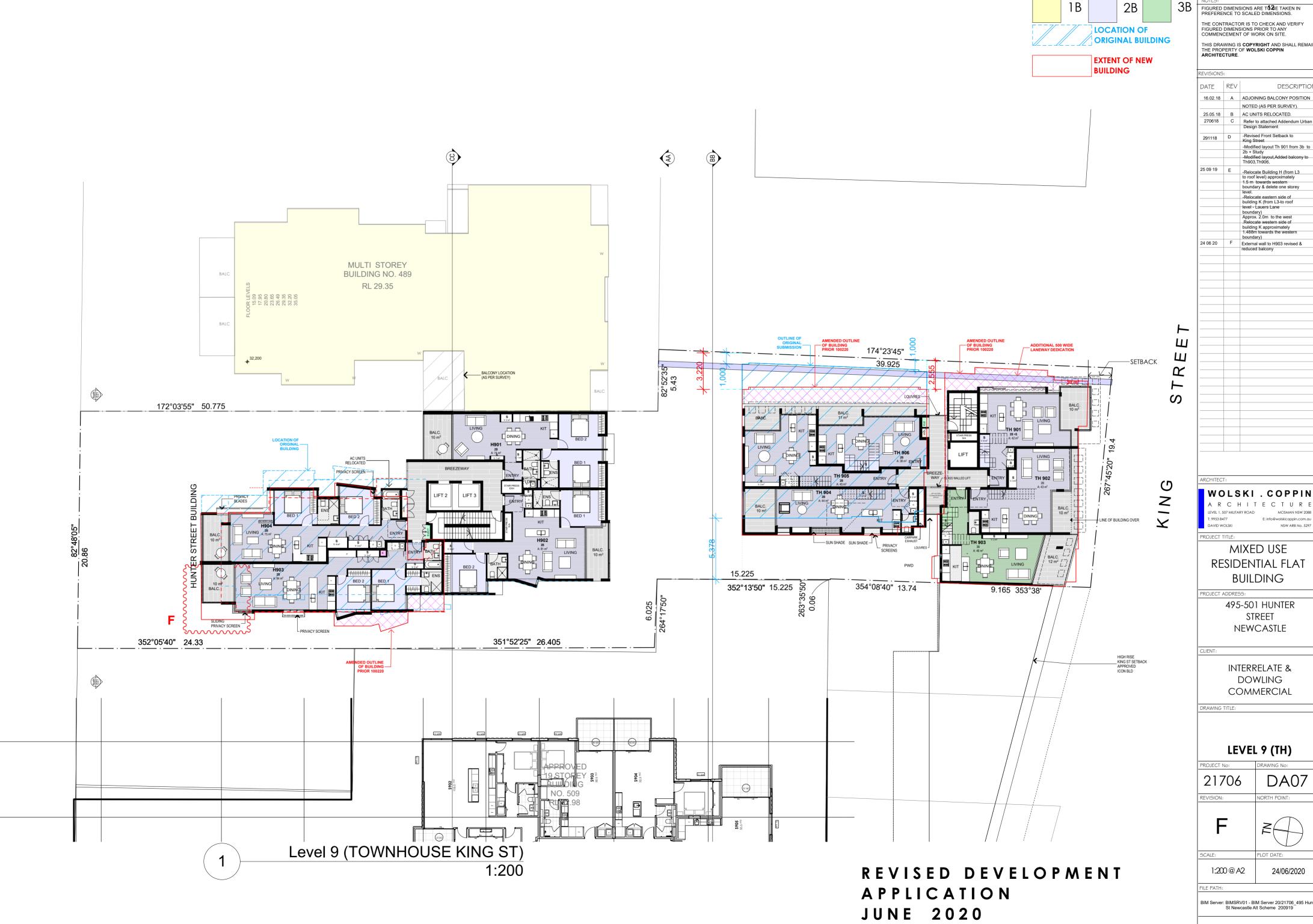
PROJECT ADDRESS:

495-501 HUNTER STREET **NEWCASTLE** 

INTERRELATE & DOWLING COMMERCIAL

# LEVEL 5 (TYPICAL L5-

DRAWING No:				
DA06				
NORTH POINT:				
Z O DATE				
PLOT DATE:				
24/06/2020				



FIGURED DIMENSIONS ARE TO E TAKEN IN PREFERENCE TO SCALED DIMENSIONS. THE CONTRACTOR IS TO CHECK AND VERIFY FIGURED DIMENSIONS PRIOR TO ANY COMMENCEMENT OF WORK ON SITE.

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DESCRIPTION 16.02.18 A ADJOINING BALCONY POSITION NOTED (AS PER SURVEY). 25.05.18 B AC UNITS RELOCATED. -Revised Front Setback to King Street -Modified layout Th 901 from 3b to 2b + Study -Modified layout,Added balcony to Th903,Th906,

boundary)
Approx. 2.0m to the west
Relocate western side of
building K approximately
1.488m towards the wester 24 06 20 F External wall to H903 revised & reduced balcony

MIXED USE RESIDENTIAL FLAT BUILDING

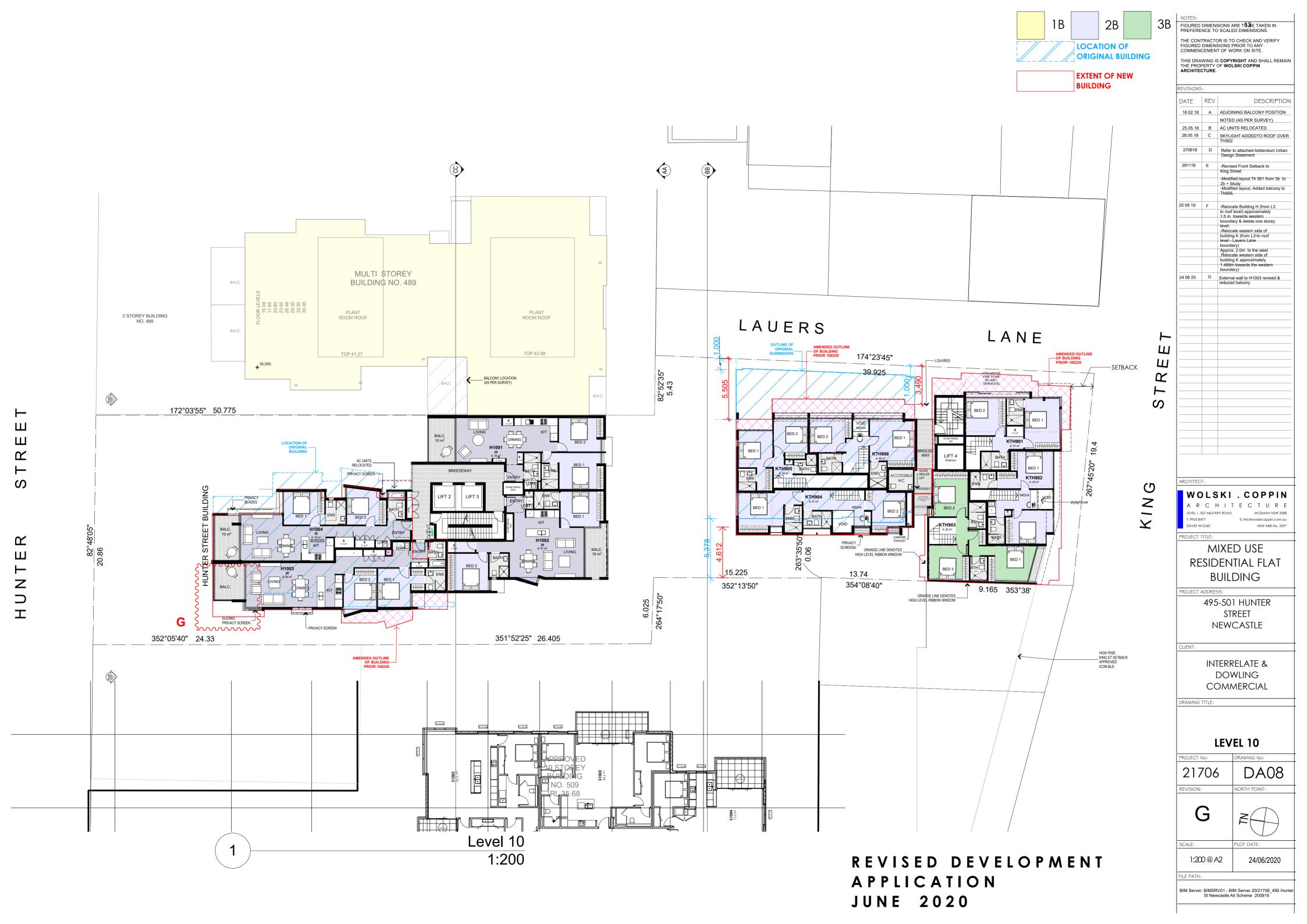
495-501 HUNTER **NEWCASTLE** 

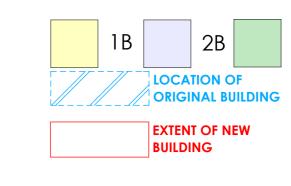
> INTERRELATE & DOWLING COMMERCIAL

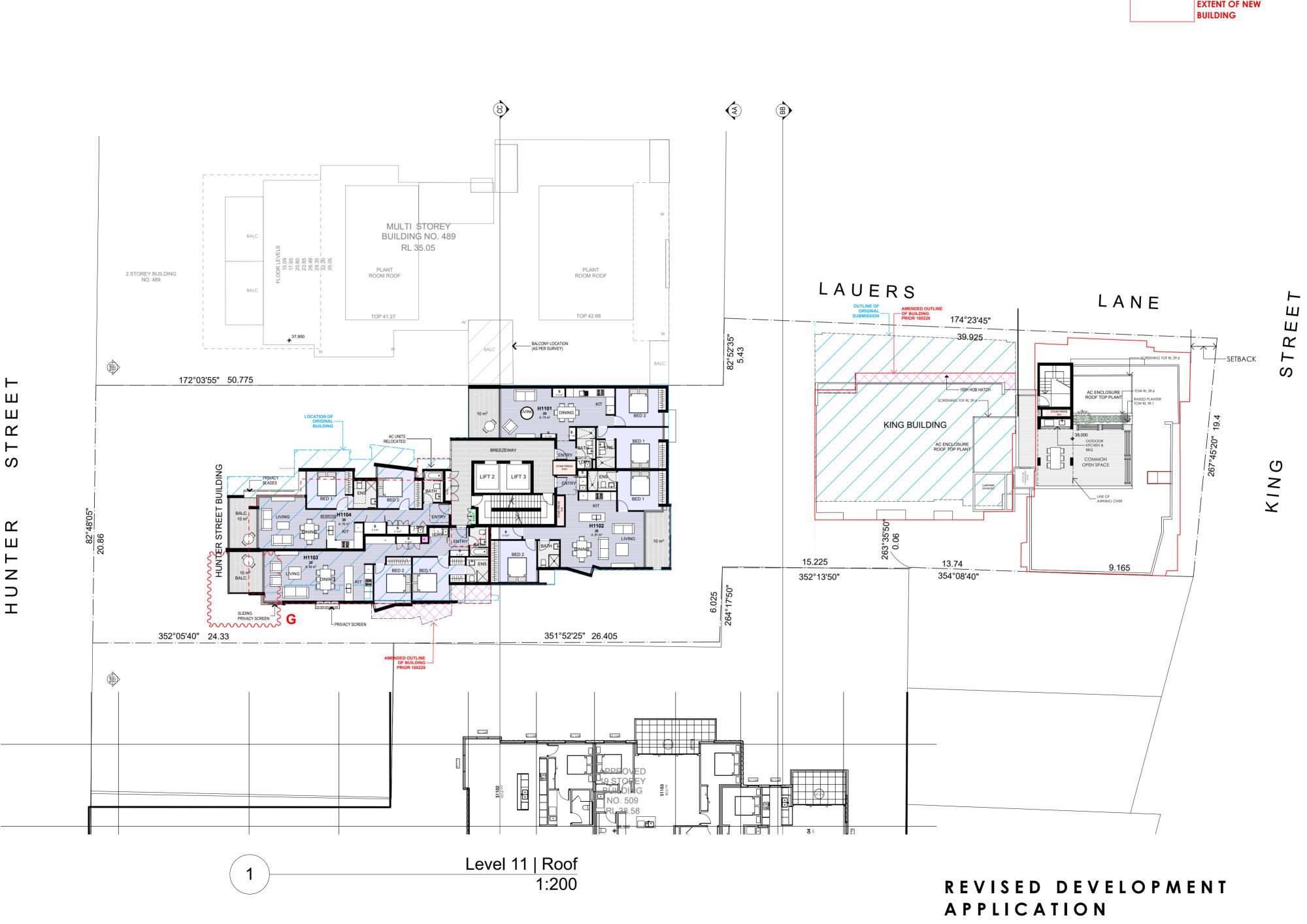
LEVEL 9 (TH)

DA07 24/06/2020

BIM Server: BIMSRV01 - BIM Server 20/21706\_495 Hunte St Newcastle Alt Scheme 200919







FILE PATH: BIM Server: BIMSRV01 - BIM Server 20/21706\_495 Hunte St Newcastle Alt Scheme 200919

FIGURED DIMENSIONS ARE T**64**E TAKEN IN PREFERENCE TO SCALED DIMENSIONS. THE CONTRACTOR IS TO CHECK AND VERIFY FIGURED DIMENSIONS PRIOR TO ANY COMMENCEMENT OF WORK ON SITE. THIS DRAWING IS **COPYRIGHT** AND SHALL REMAIN THE PROPERTY OF **WOLSKI COPPIN ARCHITECTURE**.

DATE REV DESCRIPTION 16.02.18 A ADJOINING BALCONY POSITION NOTED (AS PER SURVEY). 25.05.18 B AC UNITS RELOCATED. 28.05.18 C SKYLIGHT ADDEDTO ROOF OVER
TH902 270618 D Refer to attached Addendum Urban Design Statement - Revised Front Setback to King Street

-Revised Roof
-Revised Common
Space on Street Edge -Relocate Building H (from L3 to roof level) approximately 1.5 m towards western boundary & delete one storey boundary & delete one store level.

-Relocate eastern side of building K (from L3-to roof level - Laures Lane boundary)

Approx. 2.0m to the west.

-Relocate western side of building K approximately

1.488m towards the western bundary.

24 06 20 G External wall to H1103 revised & reduced balcony

WOLSKI . COPPIN

PROJECT TITLE:

MIXED USE RESIDENTIAL FLAT BUILDING

PROJECT ADDRESS: 495-501 HUNTER STREET

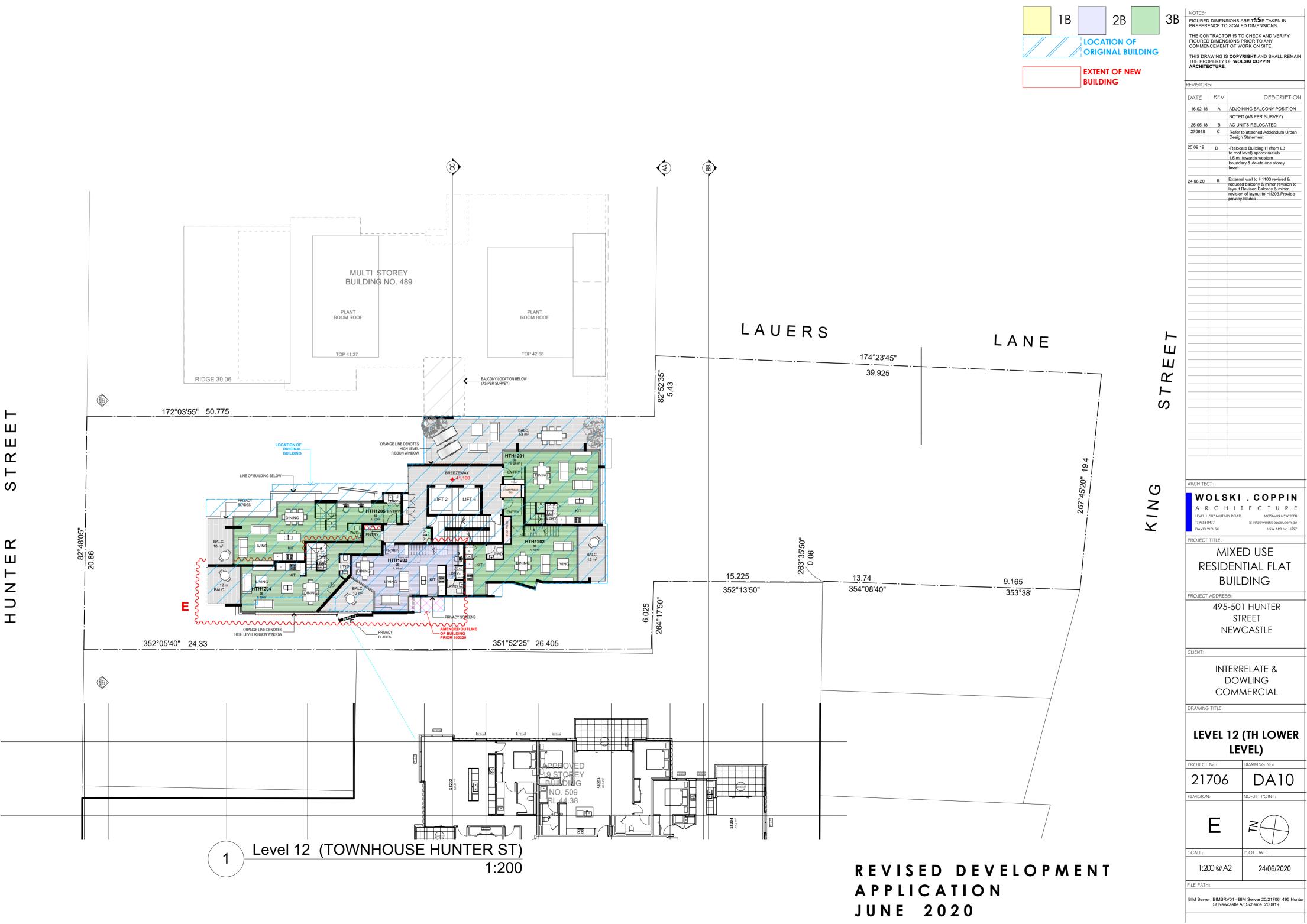
**NEWCASTLE** 

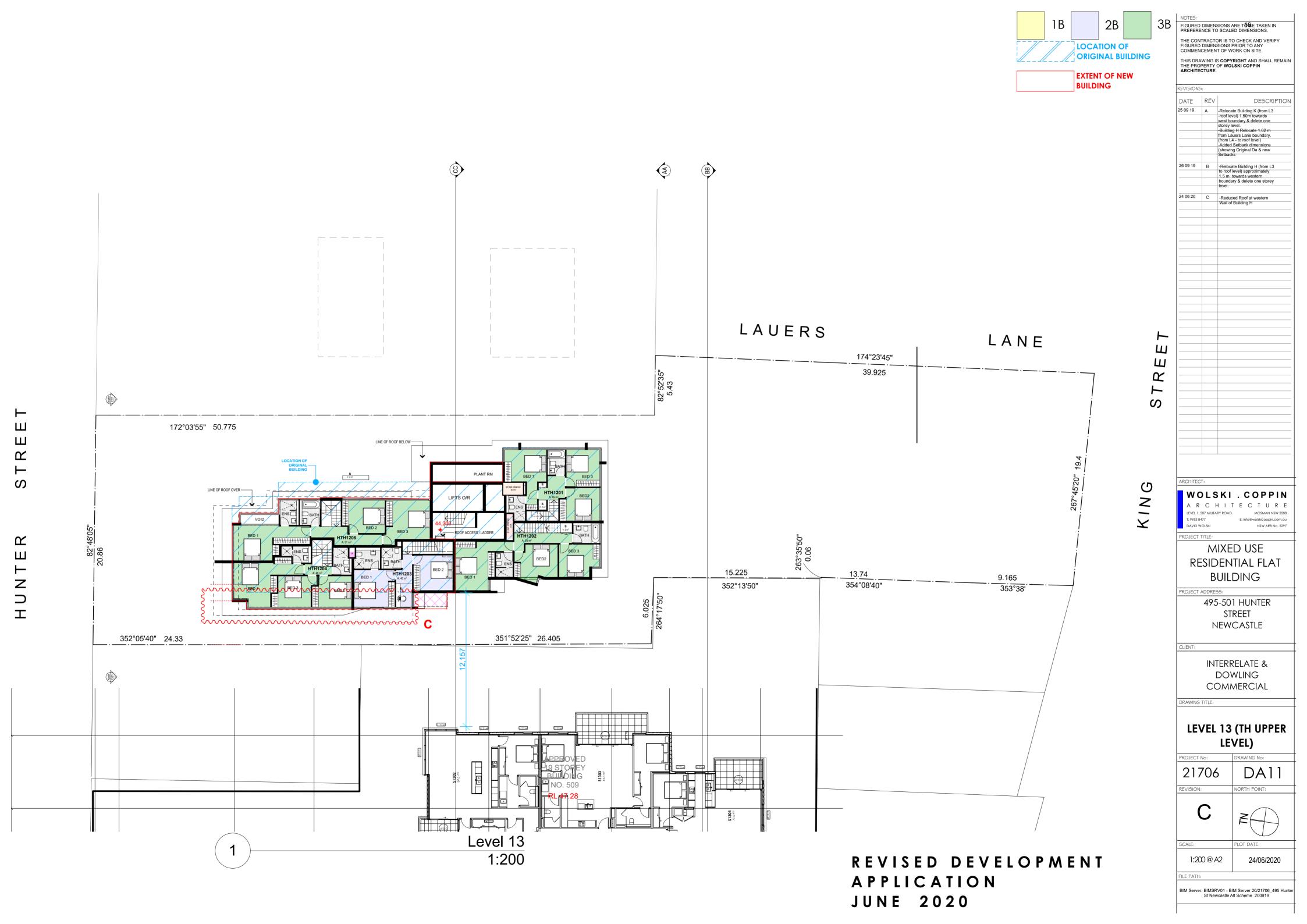
INTERRELATE & DOWLING COMMERCIAL

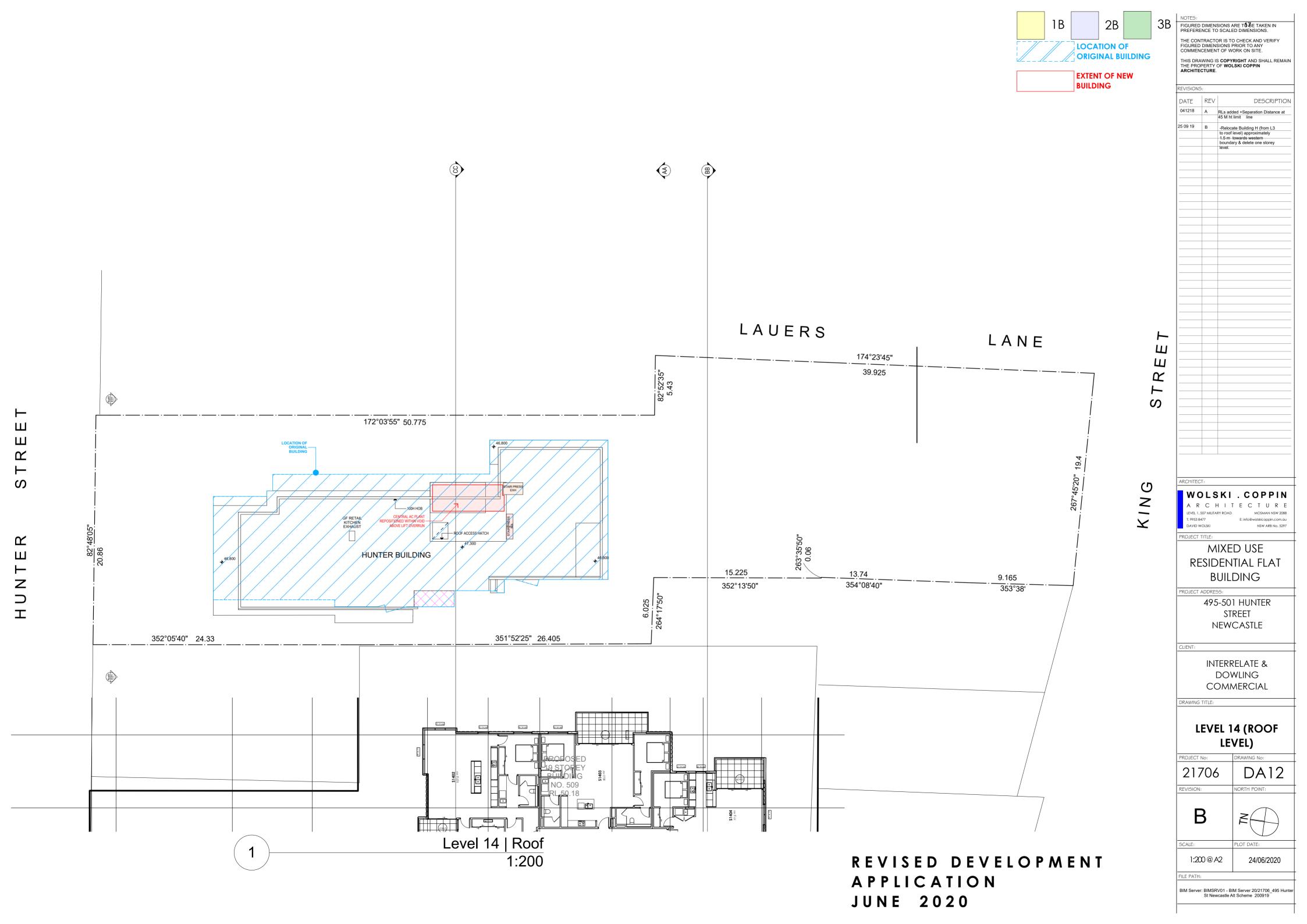
LEVEL 11 & ROOF

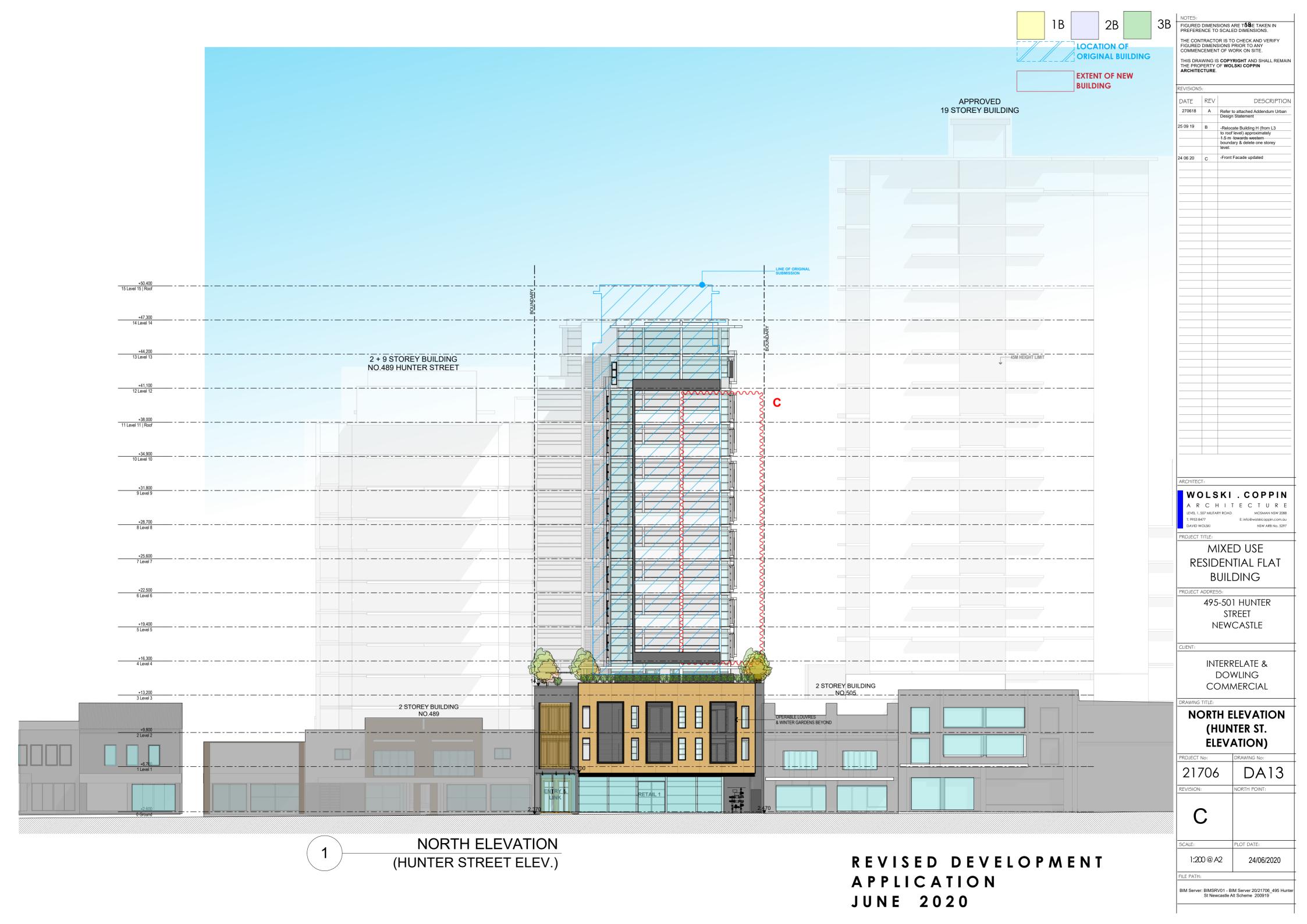
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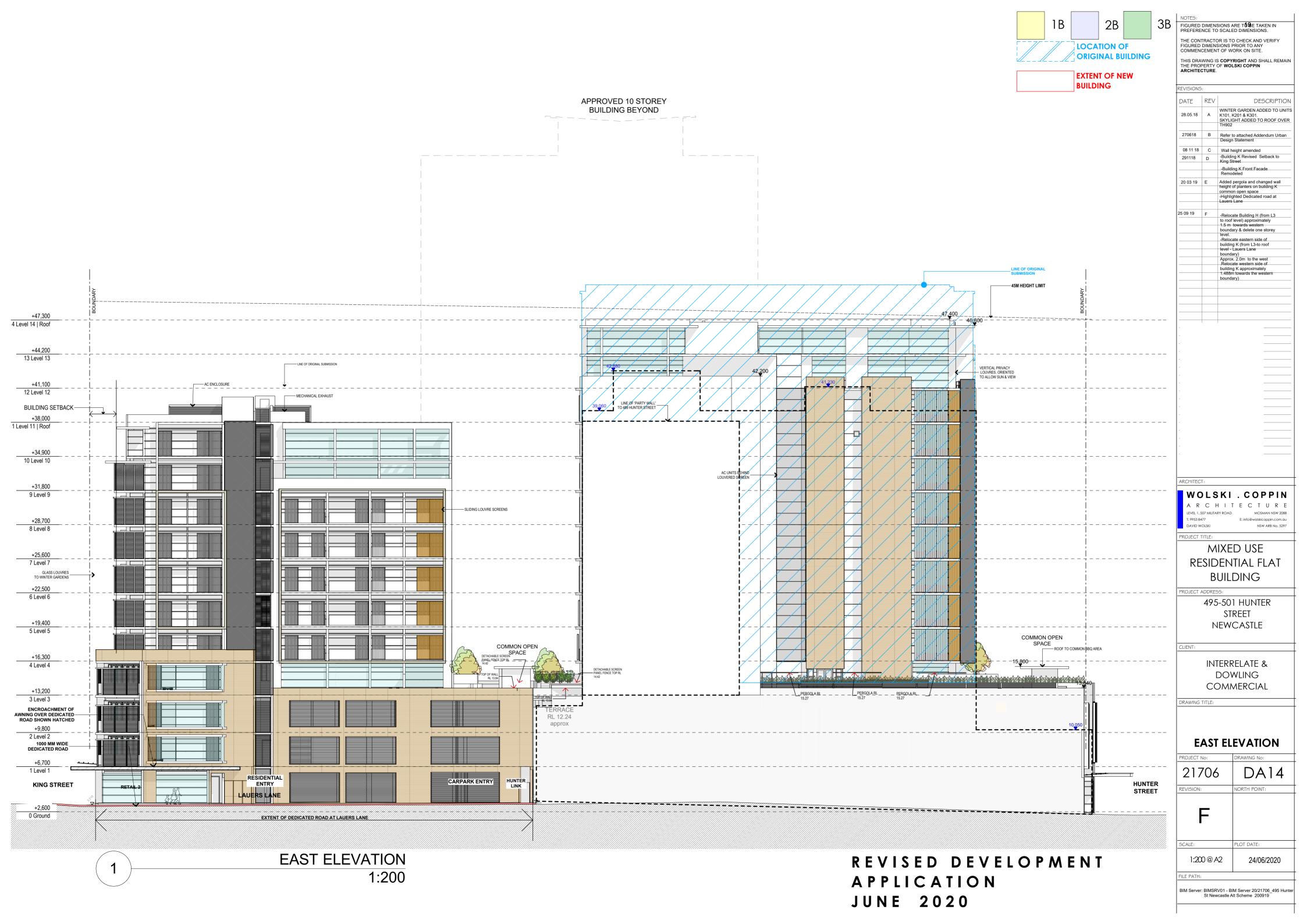
JUNE 2020

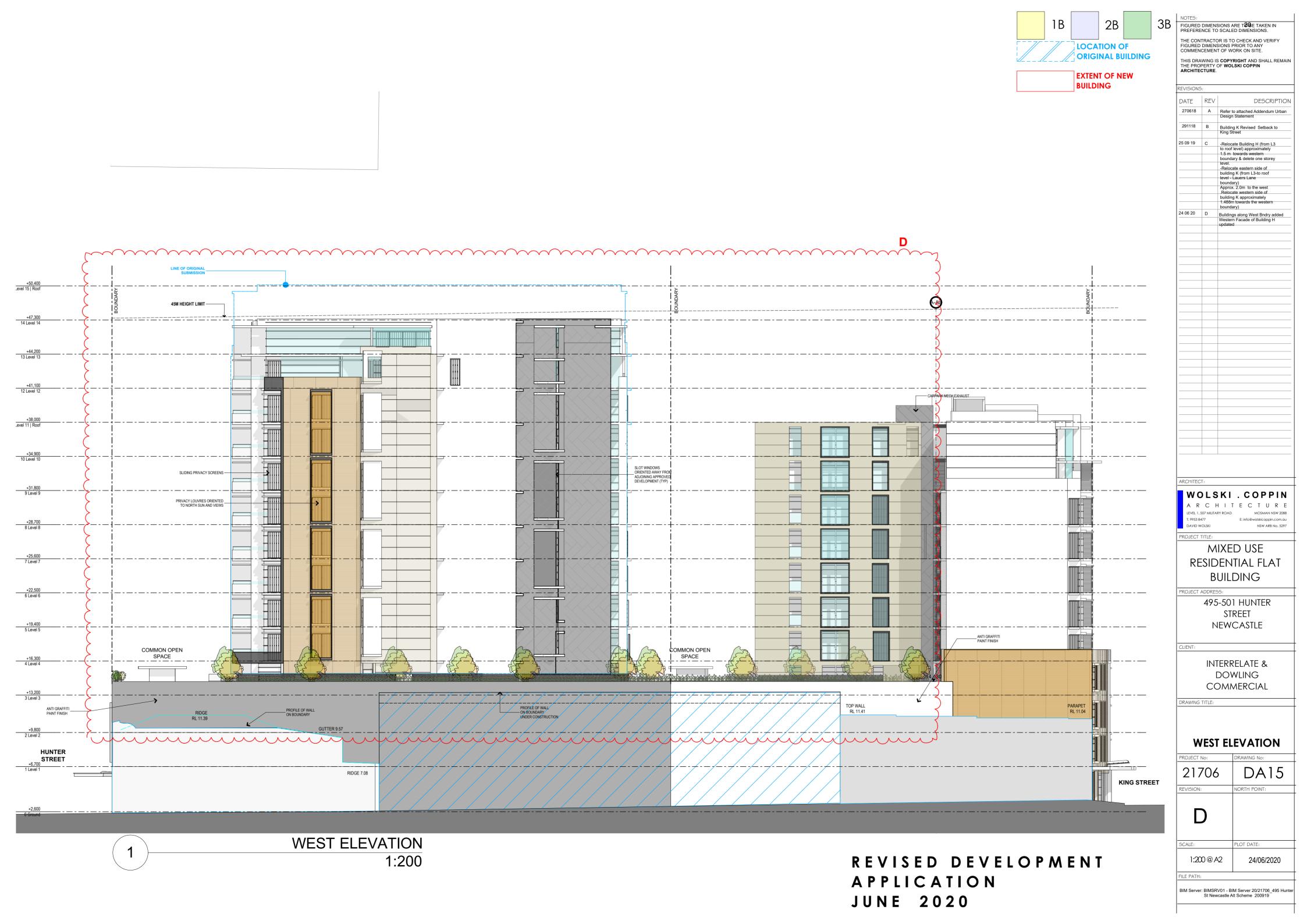


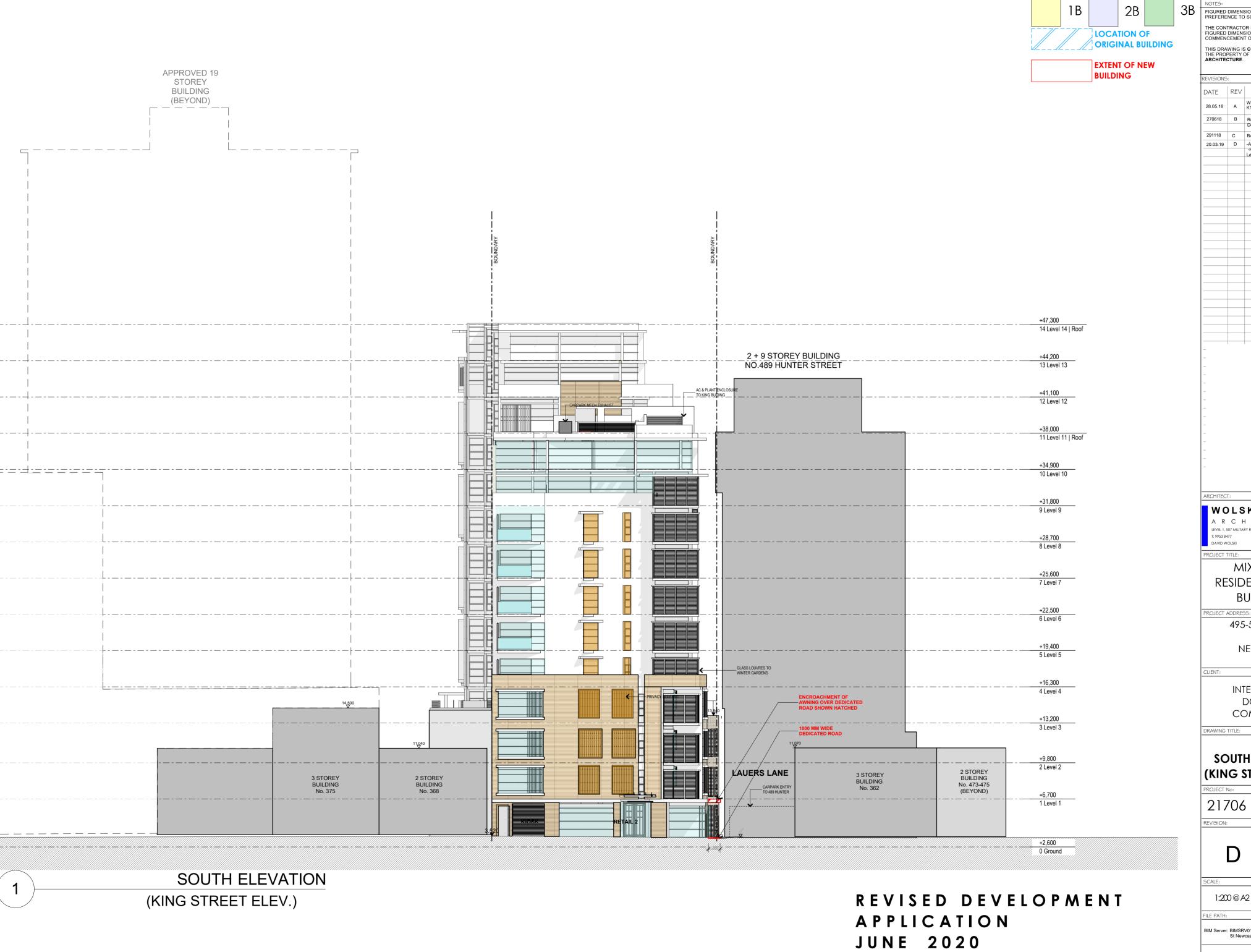












FIGURED DIMENSIONS ARE T21BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS. THE CONTRACTOR IS TO CHECK AND VERIFY FIGURED DIMENSIONS PRIOR TO ANY COMMENCEMENT OF WORK ON SITE. THIS DRAWING IS **COPYRIGHT** AND SHALL REMAIN THE PROPERTY OF **WOLSKI COPPIN ARCHITECTURE**.

DESCRIPTION 28.05.18 A WINTER GARDEN ADDED TO UNITS K101, K201 & K301 270618 B Refer to attached Addendum Urban
Design Statement 20.03.19 D -Awning Extended
-Highlighted Dedicated Road at Lauers Lane WOLSKI . COPPIN

PROJECT TITLE:

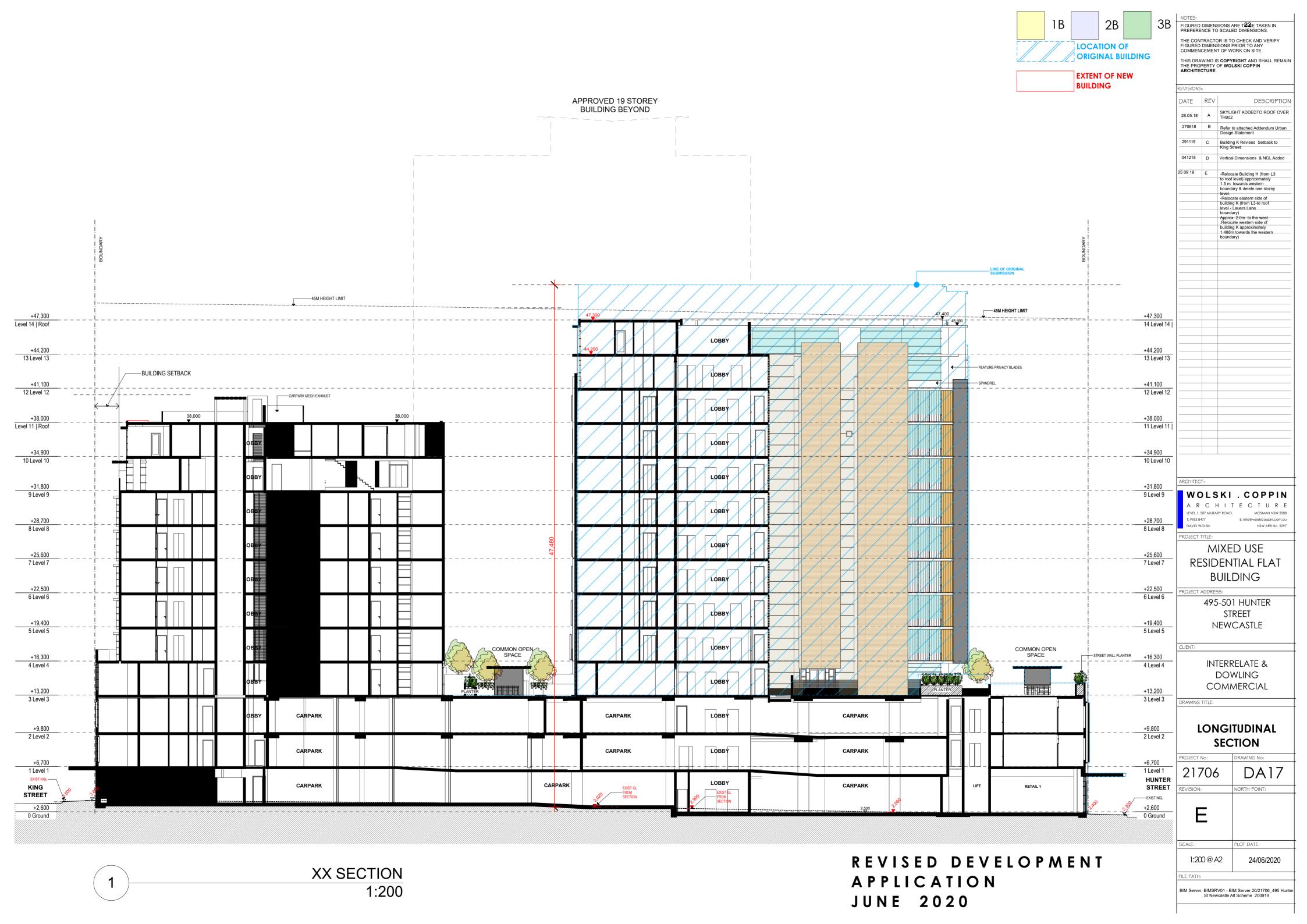
MIXED USE RESIDENTIAL FLAT BUILDING

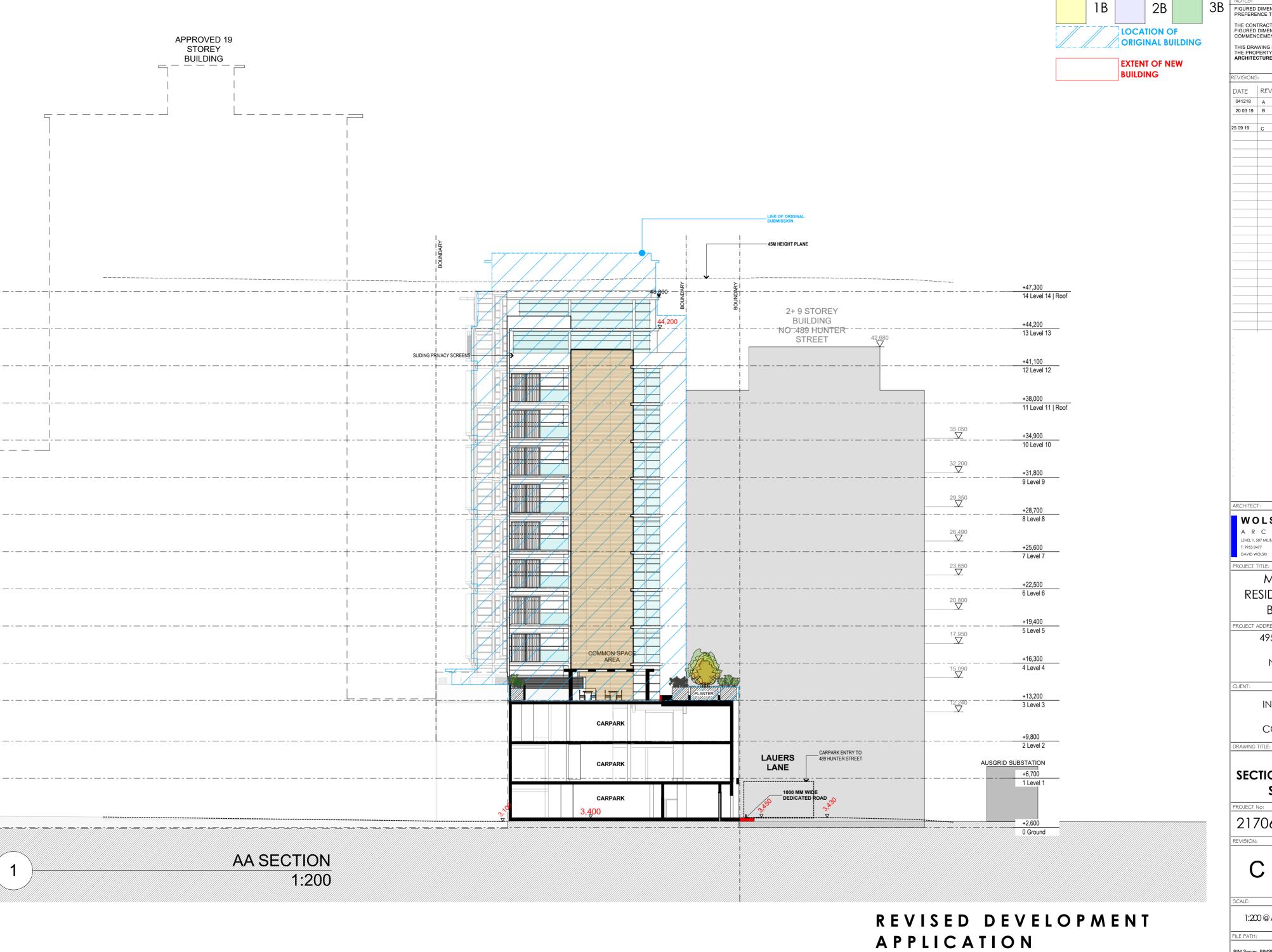
> 495-501 HUNTER STREET **NEWCASTLE**

INTERRELATE & DOWLING COMMERCIAL

#### **SOUTH ELEVATION** (KING ST. ELEVATION)

DA16 21706 REVISION: 1:200 @ A2 24/06/2020 FILE PATH: BIM Server: BIMSRV01 - BIM Server 20/21706\_495 Hunter St Newcastle Alt Scheme 200919





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DATE REV DESCRIPTION 041218 A New RLs & NGL Added 25 09 19 C -Relocate Building H (from L3 to roof level) approximately 1.5 m. towards western boundary & delete one storey level. level.

-Relocate eastern side of building K (from L3-to roof level - Lauers Lane boundary)

Approx. 2.0m to the west Relocate western side of building K approximately 1.488m towards the western-boundary)

WOLSKI . COPPIN

MIXED USE RESIDENTIAL FLAT BUILDING

PROJECT ADDRESS: 495-501 HUNTER

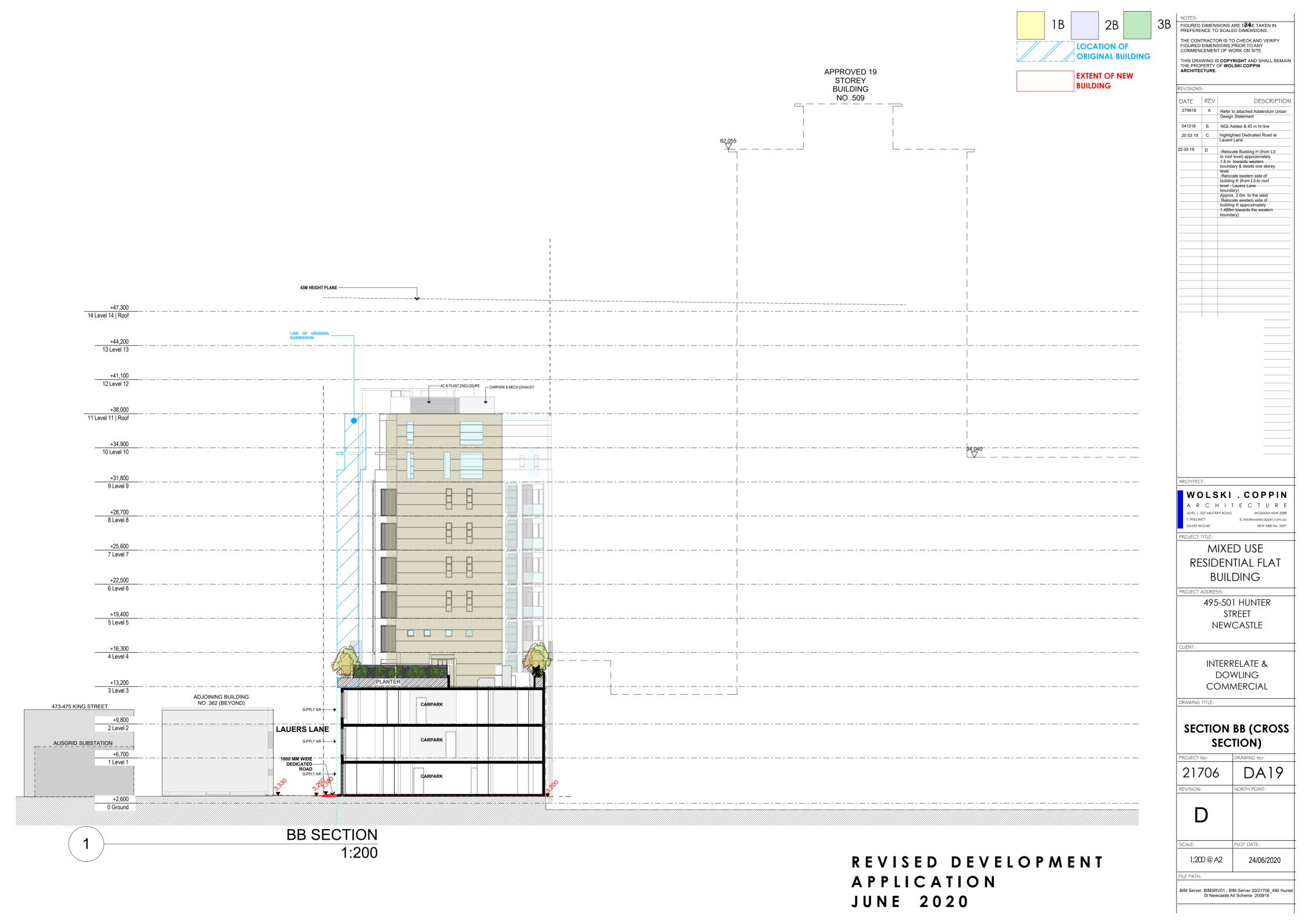
STREET NEWCASTLE

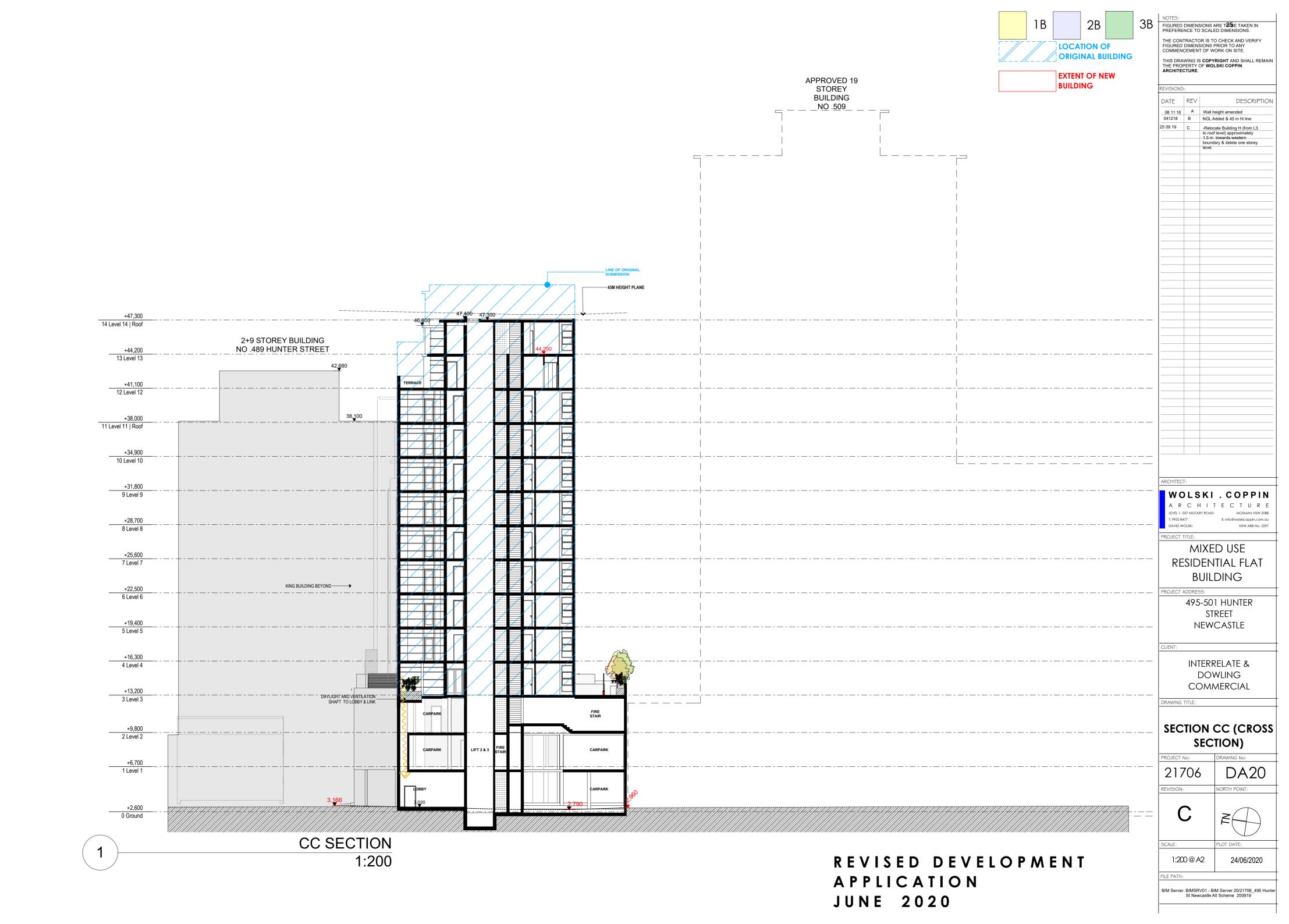
INTERRELATE & DOWLING COMMERCIAL

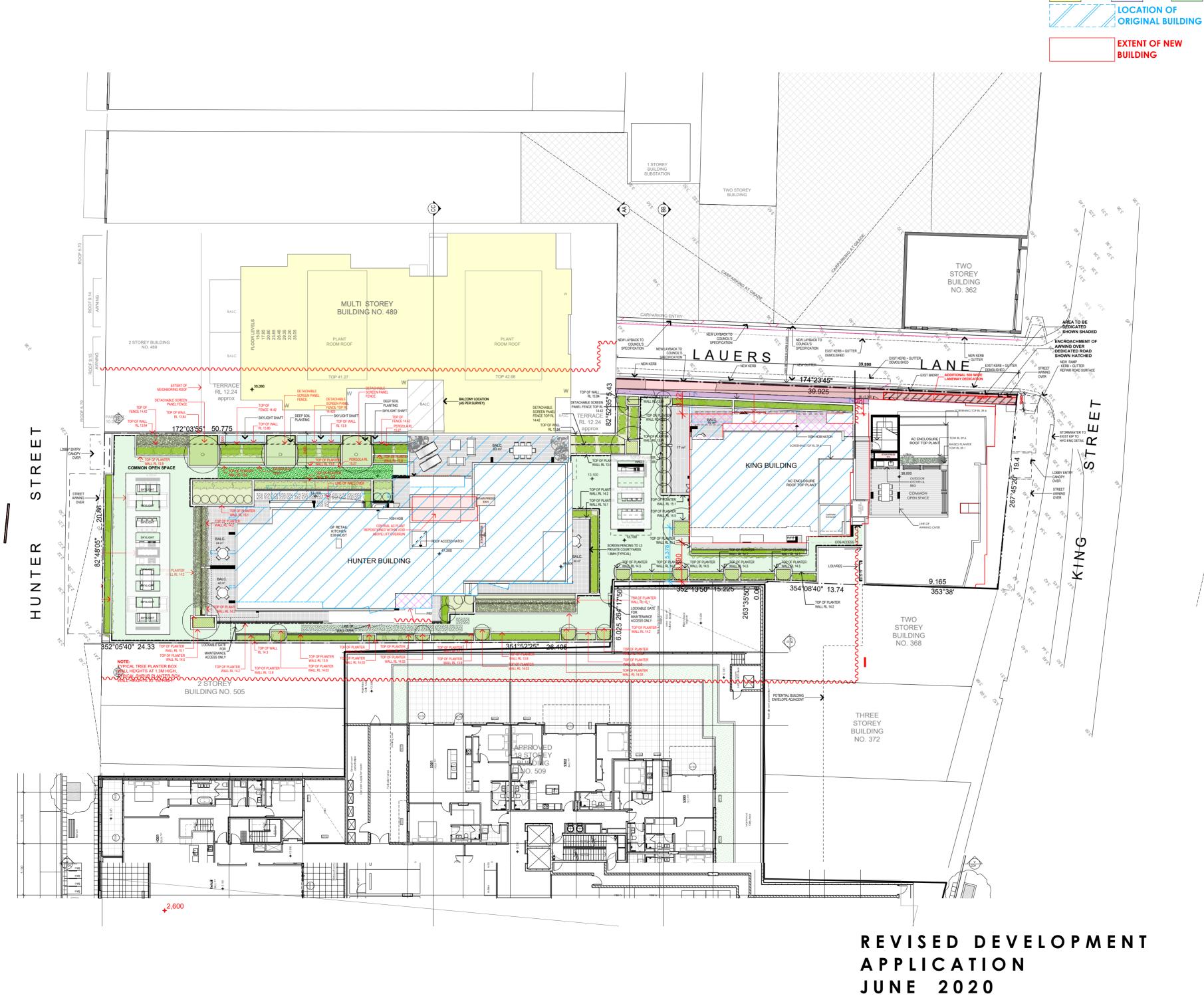
JUNE 2020

#### SECTION AA (CROSS SECTION)

PROJECT No:	DRAWING No:
21706	DA18
REVISION:	NORTH POINT:
С	
SCALE:	PLOT DATE:
1:200 @ A2	24/06/2020
FILE PATH:	
	IM Server 20/21706_495 Hunter Alt Scheme 200919







3B | NOTES:
FIGURED DIMENSIONS ARE T26E TAKEN IN PREFERENCE TO SCALED DIMENSIONS.
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2B

COMMENCEMENT OF WORK ON SITE.

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REVISIONS:

DATE REV DESCRIPTION

16.02.18 A ADJOINING BALCONY POSITION
NOTED (AS PER SURVEY).

25.05.18 B AC UNITS RELOCATED WITH
PLANTER BOX HEIGHTS AMENDED
& ADDITIONAL SCREENING.

28.05.18 C SKYLIGHT ADDEDTO ROOF OVER
TH902

270618 D Refer to attached Addendum Urban
Design Statement

08 11 18 E Wall height amended

291118 F -Building K Revised Setback to
King Street

- Revised Roof
- Revised Common
Space on Street Edge

20 03 19 G Added Pergola & top of wall RLs
on Common Area (1.3)
- Highlighted extent of Dedicated
Road at Lauers Lane

building K (from L3-to roof

boundary)
Approx. 2.0m to the west
.Relocate western side of
building K approximately
1.488m towards the western

ARCHITECT:

WOLSKI. COPPIN

A R C H J T E C T U R E

LEVEL 1, 507 MILITARY ROAD MOSMAN NSW 2088
T: 9953 8477 E: info@wolskicoppin.com.au

DAVID WOLSKI NSW ARB No. 5297

MIXED USE RESIDENTIAL FLAT BUILDING

PROJECT ADDRESS:

495-501 HUNTER STREET NEWCASTLE

CLIENT:

INTERRELATE & DOWLING COMMERCIAL

DRAWING TITLE:

#### **ROOF/SITE PLAN**

PROJECT No: DRAWING No:

21706 DA21

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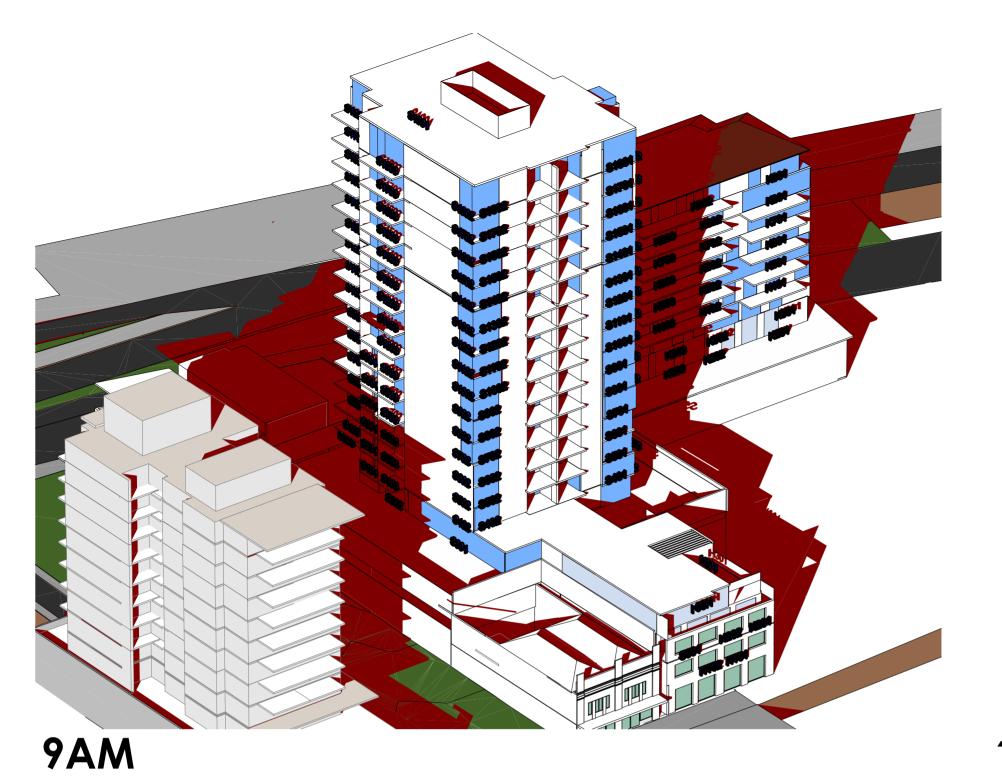
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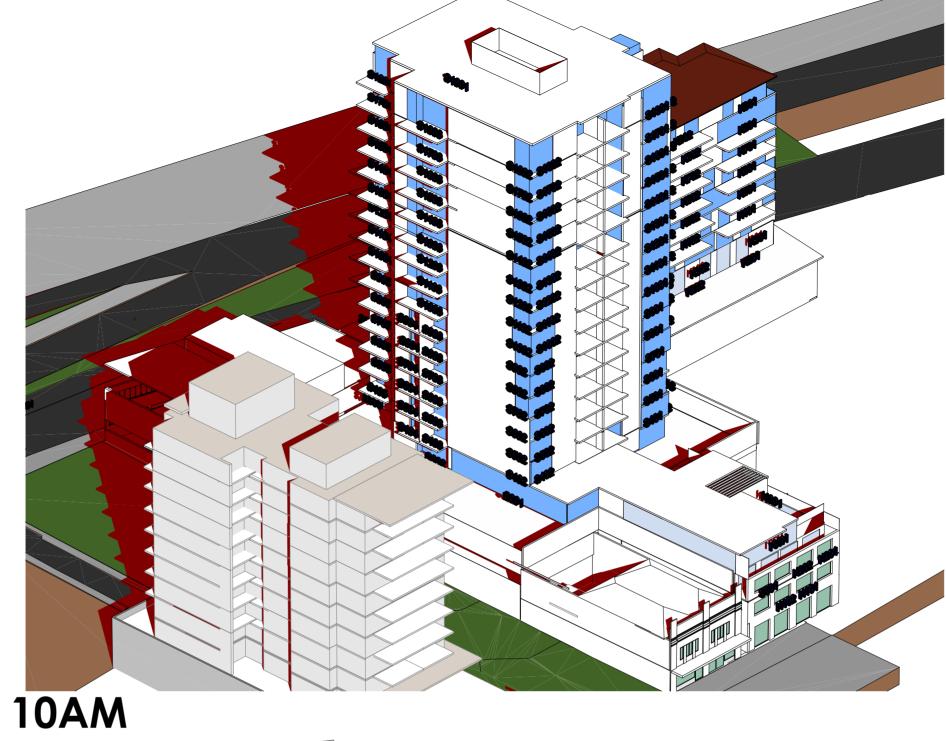
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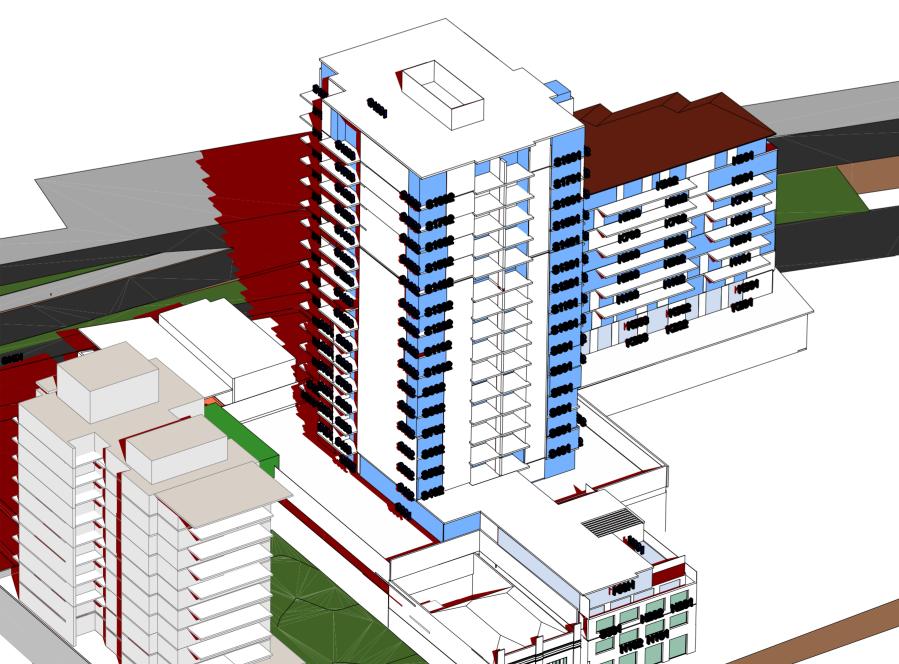
24/06/2020





H102 H101

**12PM** 



**11AM** 

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# WOLSKI . COPPIN ARCHITECTURE

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DESCRIPTION

PROJECT TITLE:

#### MIXED USE RESIDENTIAL FLAT BUILDING

PROJECT ADDRESS:

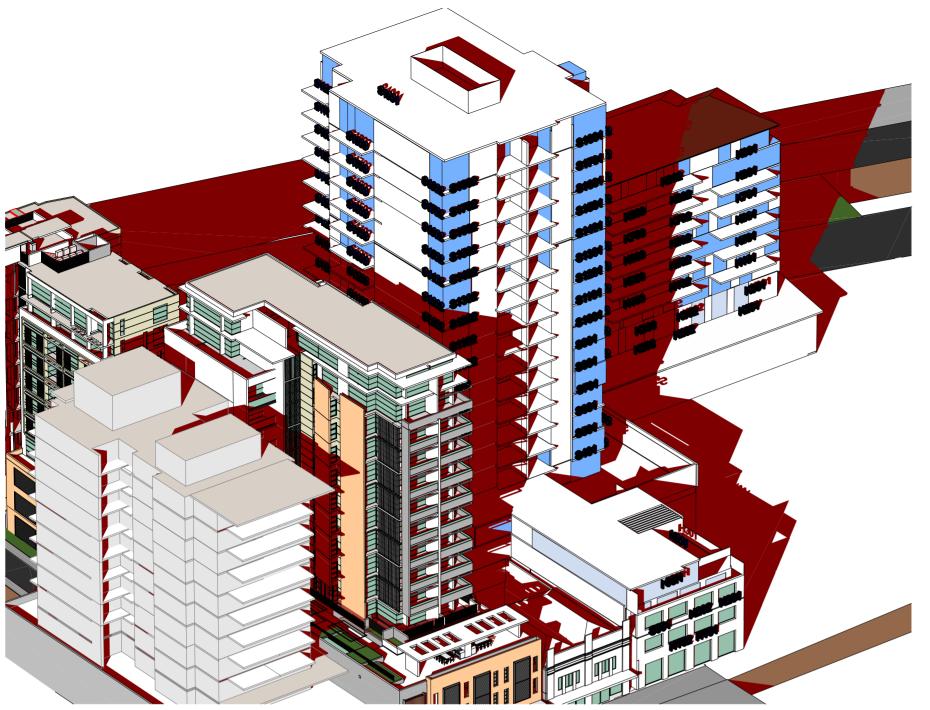
495-501 HUNTER STREET **NEWCASTLE** 

INTERRELATE & DOWLING COMMERCIAL

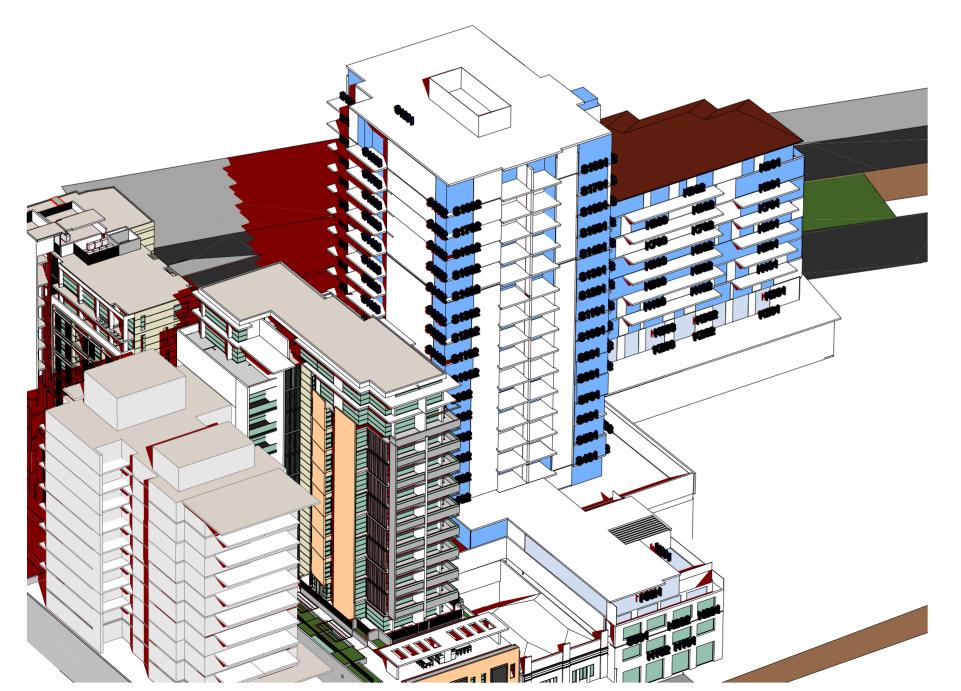
OVERSHADOWING

#### NEIGHBOURING PROPERTY WITHOUT PROPOSED DEVELOPMENT AT 495 HUNTER ST

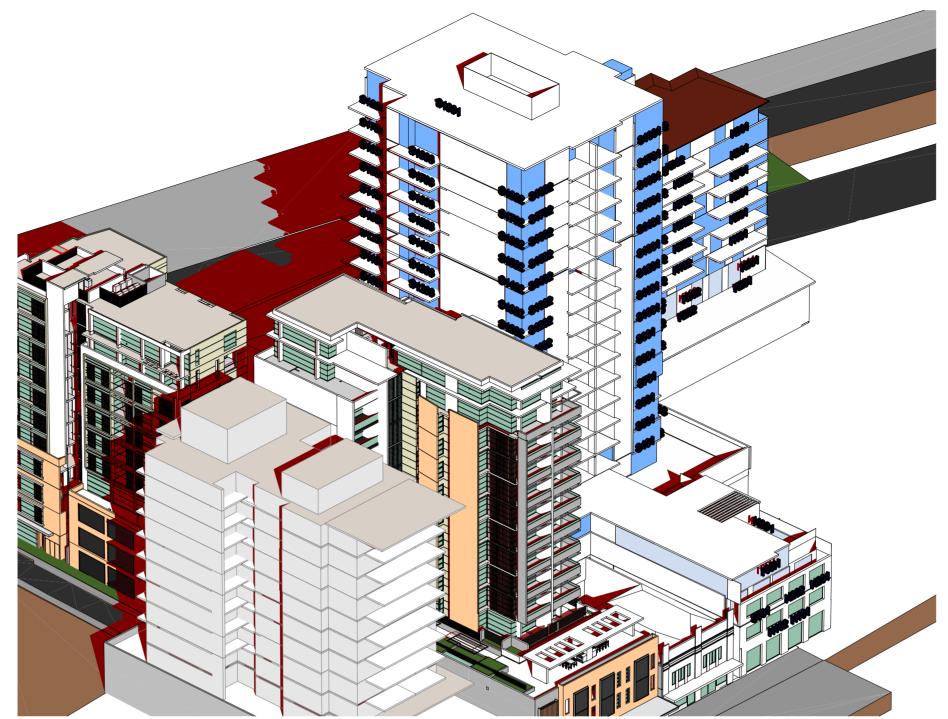
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21706	V01				
REVISION:	NORTH POINT:				
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SCALE:	PLOT DATE:				
1:400, 1:470 @ A2	15/04/2020				



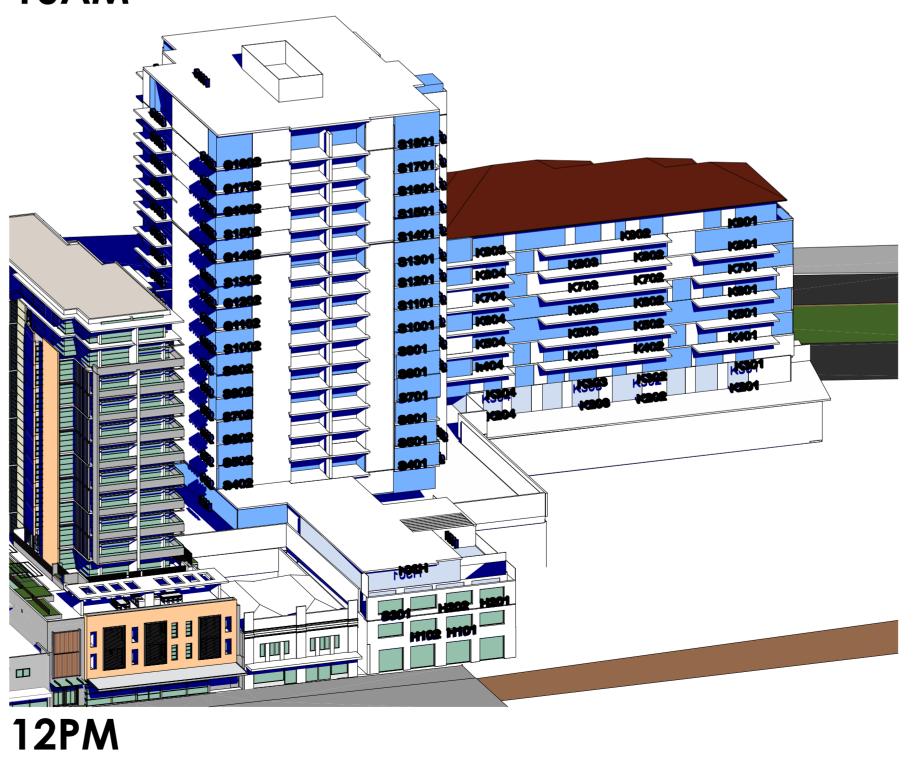
9AM



**11AM** 



**10AM** 



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REVISION	5:	
DATE	REV	DESCRIPTION

WOLSKI . COPPIN A R C H I T E C T U R E

PROJECT TITLE:

MIXED USE RESIDENTIAL FLAT BUILDING

PROJECT ADDRESS:

495-501 HUNTER STREET **NEWCASTLE** 

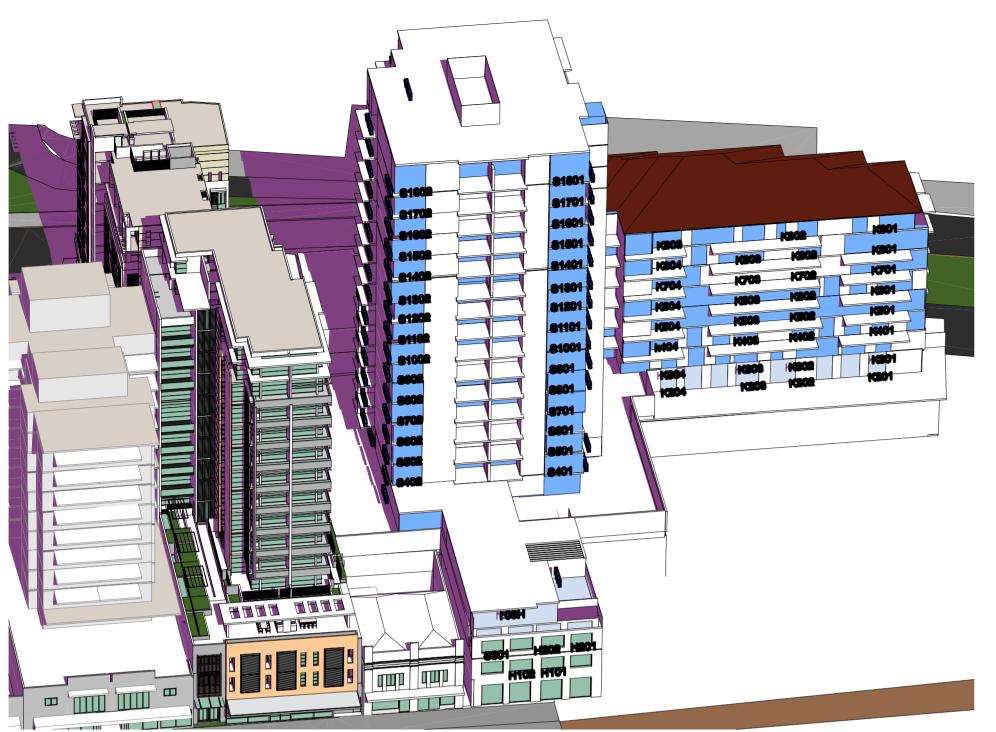
INTERRELATE & DOWLING COMMERCIAL

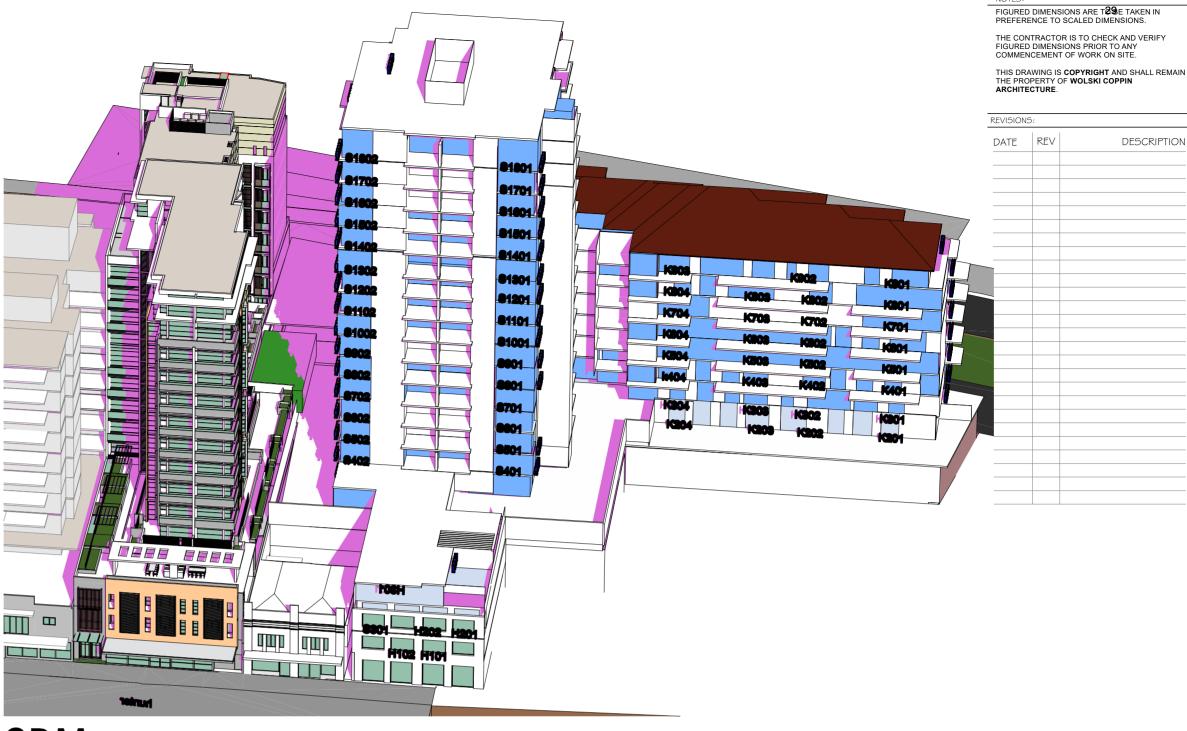
OVERSHADOWING
NEIGHBOURING PROPERTY
WITH PROPOSED DEVELOPMENT
AT 495 HUNTER ST

PROJECT No:	DRAWING No:
21706	V02
REVISION:	NORTH POINT:
	2
SCALE:	PLOT DATE:
1:400, 1:470 @ A2	15/04/2020

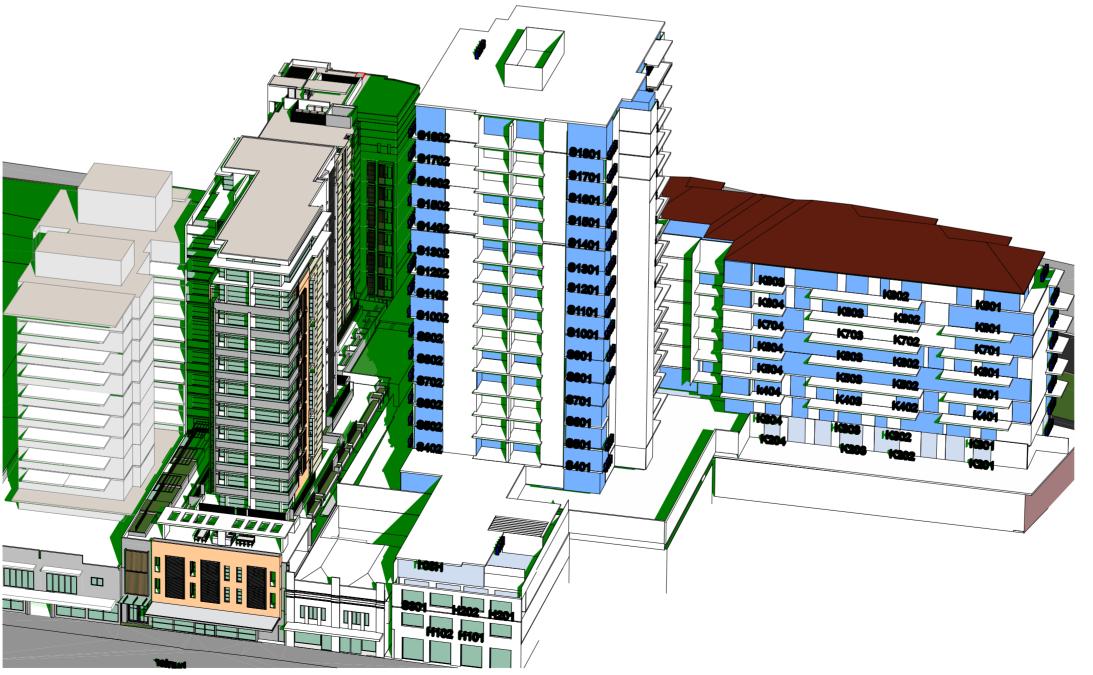
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1PM **2PM** 



**3 PM** 

# WOLSKI . COPPIN

DESCRIPTION

PROJECT TITLE:

MIXED USE RESIDENTIAL FLAT BUILDING

PROJECT ADDRESS:

495-501 HUNTER STREET **NEWCASTLE** 

INTERRELATE & DOWLING COMMERCIAL

**OVERSHADOWING NEIGHBOURING PROPERTY** WITH PROPOSED DEVELOPMENT AT 495 HUNTER ST

PROJECT No:	DRAWING No:
21706	V03
REVISION:	NORTH POINT:
	2
SCALE:	PLOT DATE:
1:470 @ A2	15/04/2020
FILE PATH.	•

J:\Projects2017\21706\_495-501 Hunter St Newcastle \1.ArchiCAD v20 teamwork\Current A20 \0VERSHADOWING 9 04 2020\21706\_495 Hunter St Newcastle OVERSHADOWING NR 4 15 04 20.pln









**IMAGE 1 - VIEW FROM HUNTER ST** 



**IMAGE 3 - VIEW FROM HUNTER ST** 



**IMAGE 5 - INTERNAL VIEW OF HUNTER ST BUILDING** 



**IMAGE 2 - VIEW FROM KING ST** 

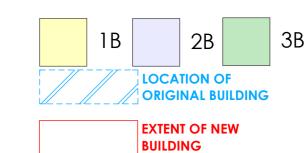


**IMAGE 4 - VIEW FROM KING ST** 



IMAGE 5 - INTERNAL VIEW OF KING ST BUILDING REVISED DEVELOPMENT APPLICATION

JUNE 2020



B

NOTES:

FIGURED DIMENSIONS ARE T33E TAKEN IN PREFERENCE TO SCALED DIMENSIONS.

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REVISIONS:

DATE REV DESCRIPTION

REVISIONS:

DATE REV DE

02.07.20 A 3D VIEWS ADDED

WOLSKI . COPPIN

A R C H I T E C

LEVEL 1, 507 MILITARY ROAD

T: 9953 8477 E: info@w

DAVID WOLSKI

PROJECT TITLE:

MIXED USE

RESIDENTIAL FLAT BUILDING

PROJECT ADDRESS:

495-501 HUNTER STREET NEWCASTLE

CLIENT:

INTERRELATE & DOWLING COMMERCIAL

DRAWING TITLE:

# 3D ELEVATIONAL VIEWS

PROJECT No: DRAWING No:

21706 DA22

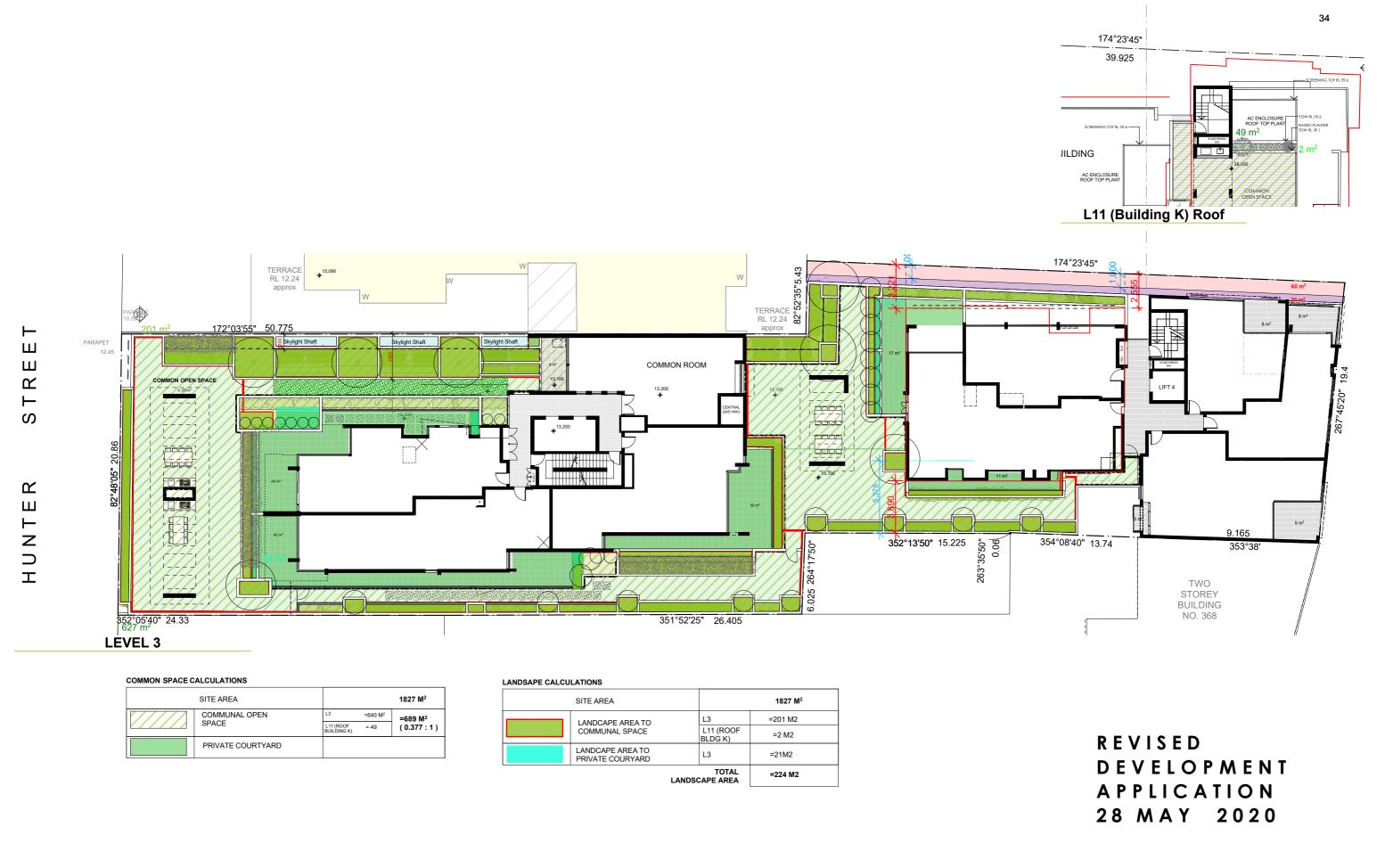
REVISION: NORTH POINT:

SCALE: PLOT DATE:

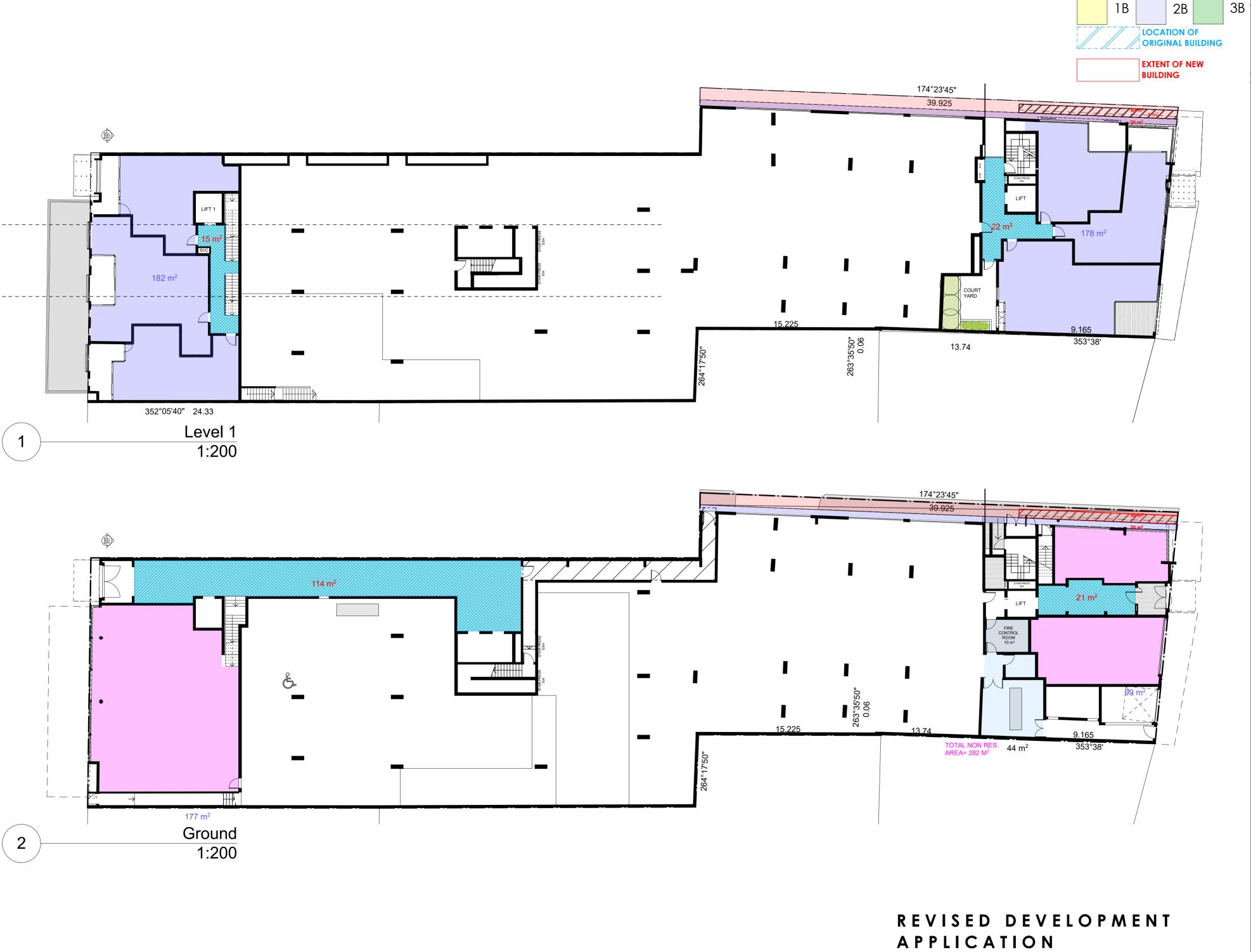
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FILE PATH:

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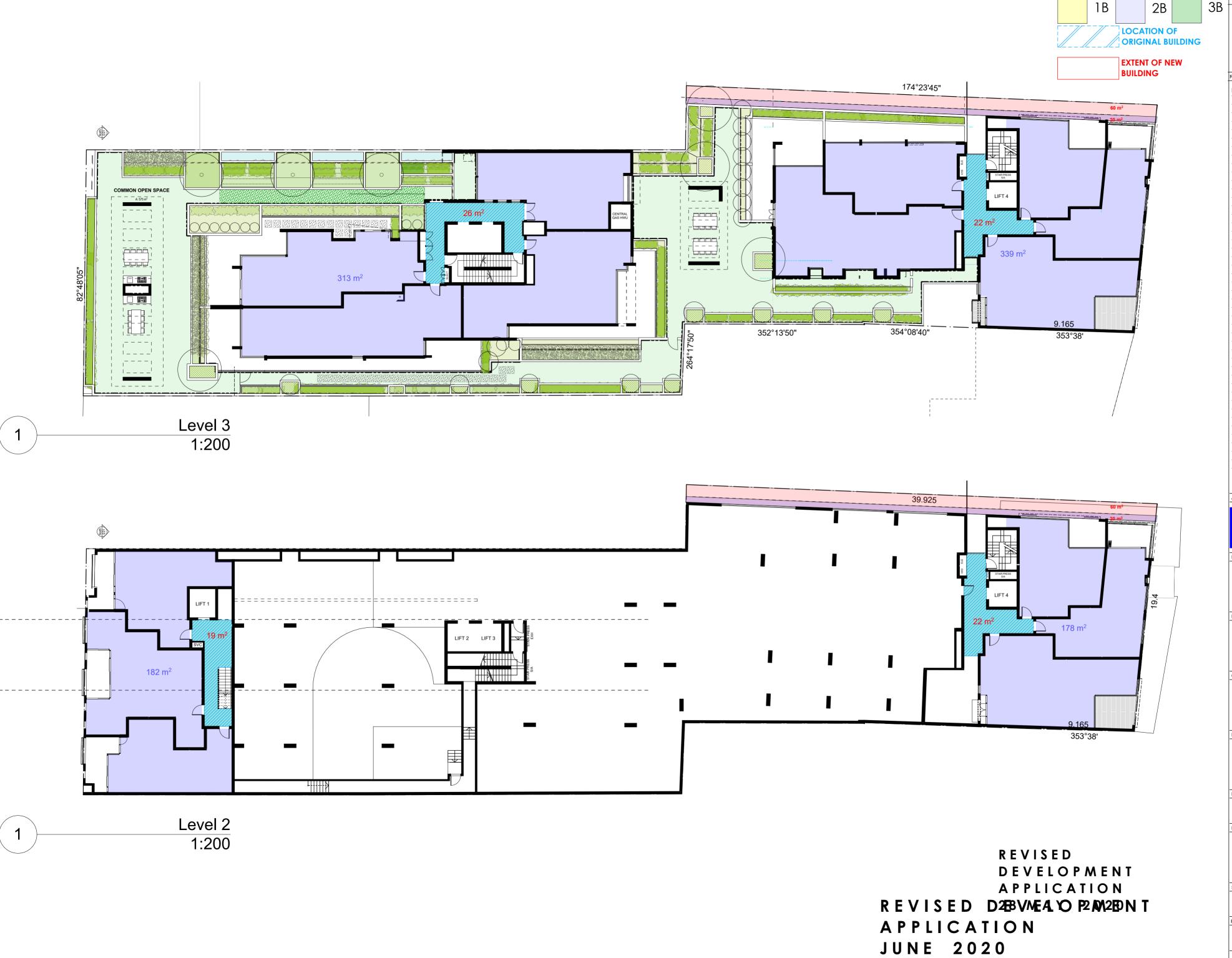


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	DATE	REV	DESCRIPTION	DATE	REV	DESCRIPTION DATE		REV	DESCRIPTION			PROJECT TITLE:	CLIENT: INTERRELATE &	PROJECT No:	DRAWING No:	REVISION:	NORTH POINT:
FIGURED DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.	20 03 19		COMMON SPACE / LANDSCAPE	25 09 1	9 B	-Relocate Building H (from L3 to roof level) approximate y 1.5 m to western boundary & delete one storey level.		-		WOLSKI	. COPPIN	MIXED USE DEVELOPMENT	DOWLING	21706	C01	C	
THE CONTRACTOR IS TO CHECK AND VERIFY FIGURED DIMENSIONS PRIOR TO ANY COMMENCEMENT OF WORK ON SITE.						-Relocate eastern side of building K (from L3-to roof level - Lauers boundary)  Approx. 2.0m to the west .Relocate western side of building K	Lane			A R C H I T	T E C T U R E		COMMERCIAL	SCALE:	<b>CO</b> 1	PLOT DATE:	] [ [ ]
THIS DRAWING IS COPYRIGHT AND SHALL REMAIN THE PROPERTY OF WOLSKI COPPIN				24 061	9 C	approximately 1.488m towards the western boundary)  Common space, Lanscaped calculatione revised	$\pm$			T: 9953 8477 DAVID WOLSKI	E: info@wolskicoppin.com.au NSW ARB No. 5297	PROJECT ADDRESS: 495 - 501 HUNTER STREET	COMMON SPACE/ LANDSCAP	1:250@A3		24/06/2020	
ARCHITECTURE.		+			-		+	-		_		NEWCASTLE	CALCULATIONS	•			-

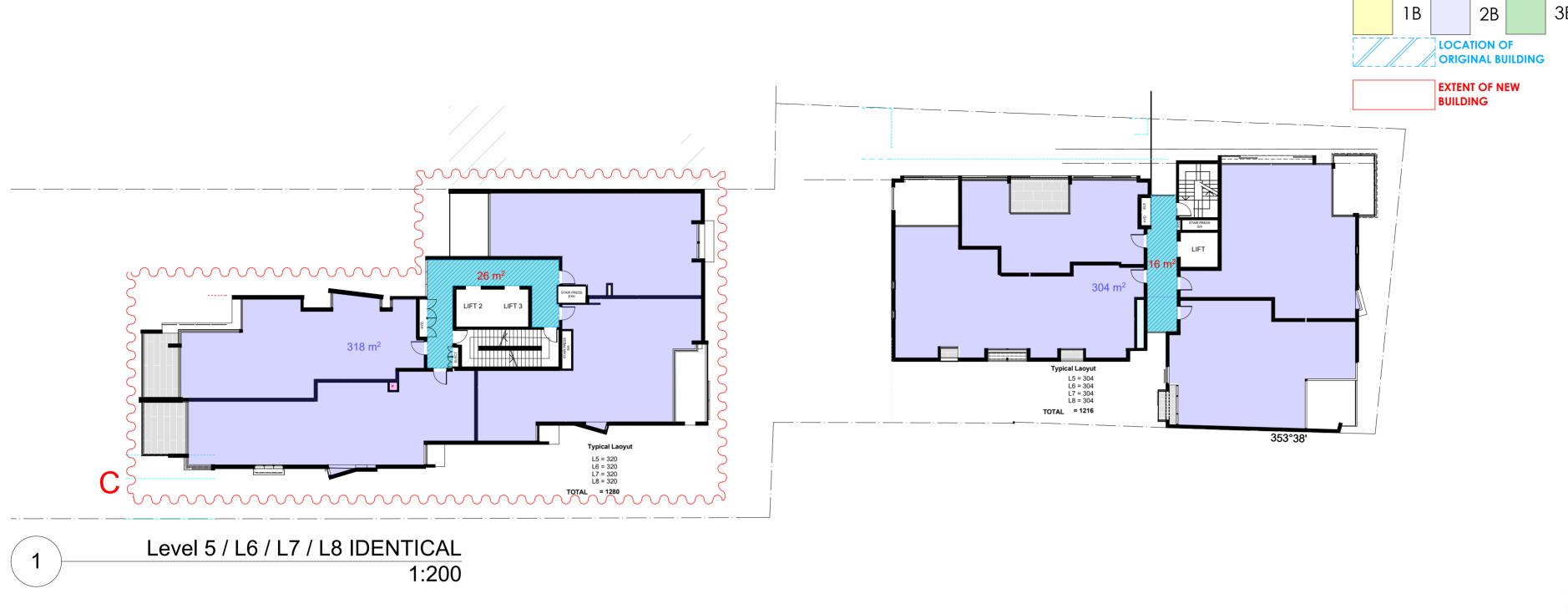


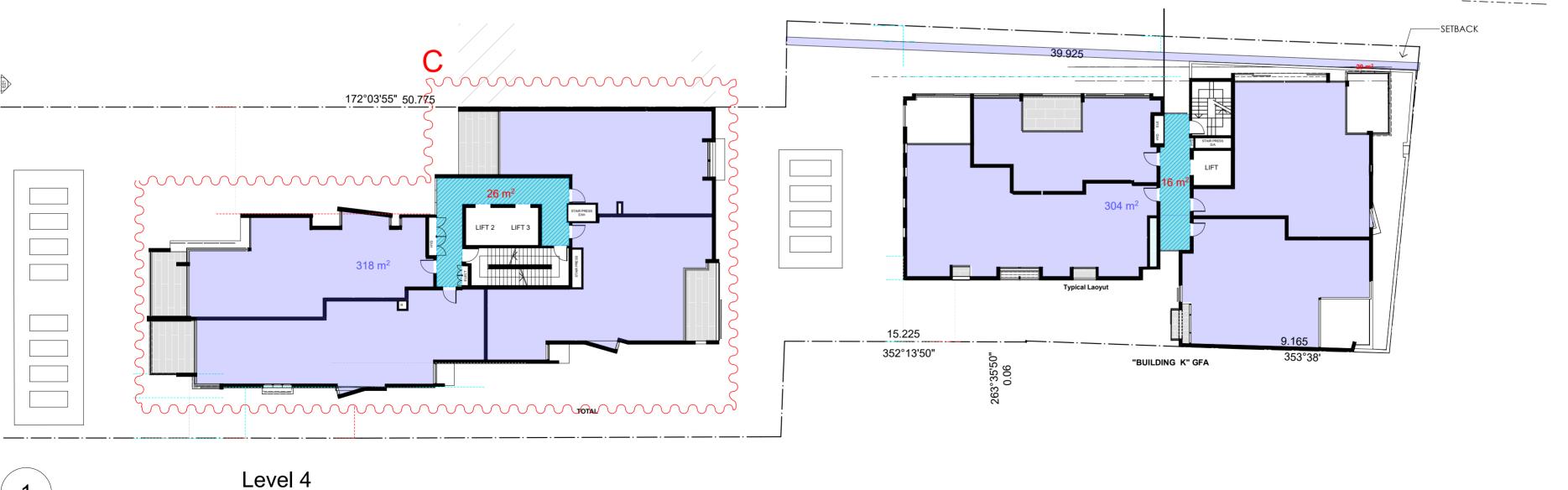
JUNE 2020

3B | FIGURED DIMENSIONS ARE 135 TAKEN IN PREFERENCE TO SCALED DIMENSIONS. THE CONTRACTOR IS TO CHECK AND VERIFY FIGURED DIMENSIONS PRIOR TO ANY COMMENCEMENT OF WORK ON SITE. THIS DRAWING IS **COPYRIGHT** AND SHALL REMAIN THE PROPERTY OF **WOLSKI COPPIN ARCHITECTURE**. DESCRIPTION 26 03 19 A Residential / Commercial GFA Revised ARCHITECT: WOLSKI . COPPIN PROJECT TITLE: MIXED USE RESIDENTIAL FLAT BUILDING PROJECT ADDRESS: 495-501 HUNTER STREET NEWCASTLE INTERRELATE & DOWLING COMMERCIAL GFA CALCULATIONS 01 PROJECT No: GFA01 21706 REVISION: Α SCALE: 1:200 @ A2 24/06/2020 FILE PATH:



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-(One Storey Level Building H L4-L8 Residential GFA Revised REVISION DATE 19 06 20 ARCHITECT: WOLSKI . COPPIN PROJECT TITLE: MIXED USE RESIDENTIAL FLAT BUILDING PROJECT ADDRESS: 495-501 HUNTER STREET **NEWCASTLE** INTERRELATE & DOWLING COMMERCIAL GFA CALCULATIONS 03

PROJECT No:

REVISION:

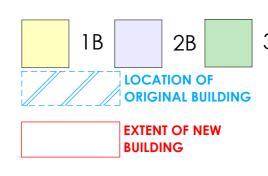
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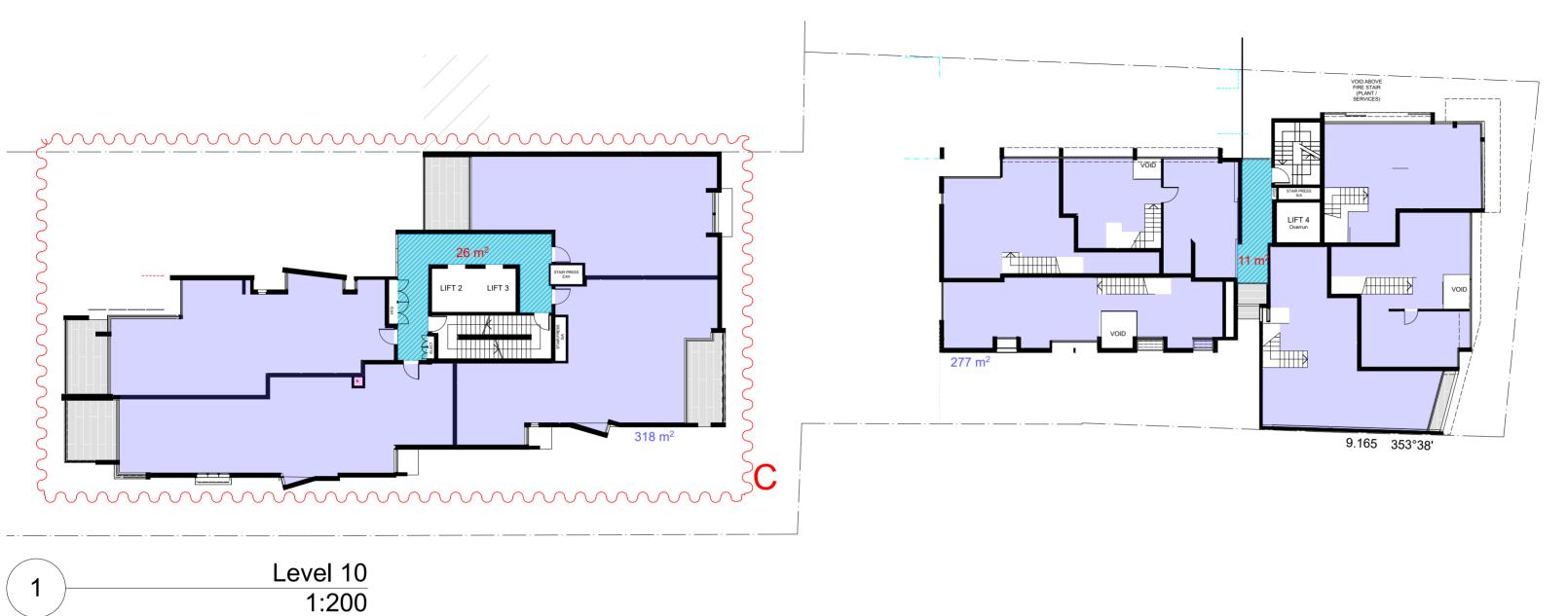
21706

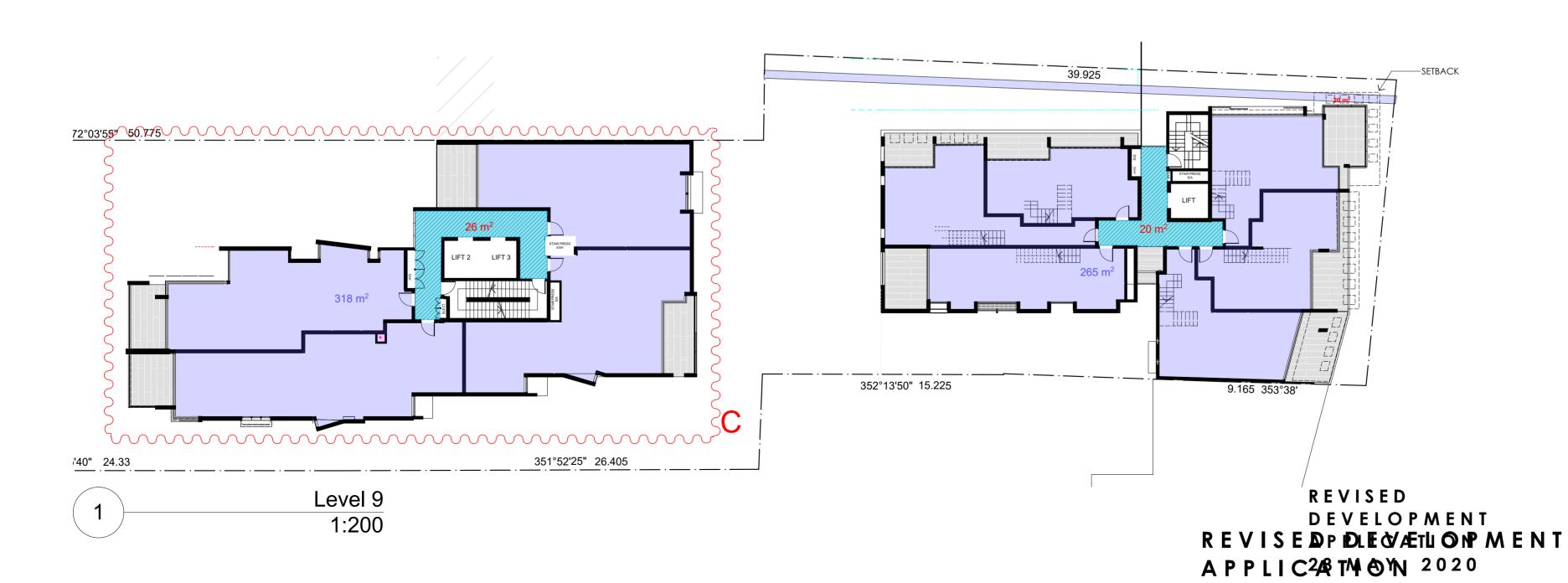
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GFA03

24/06/2020







NOTES:

FIGURED DIMENSIONS ARE T38E TAKEN IN PREFERENCE TO SCALED DIMENSIONS.

THE CONTRACTOR IS TO CHECK AND VERIFY FIGURED DIMENSIONS PRIOR TO ANY COMMENCEMENT OF WORK ON SITE.

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REVISIONS:

REVISION DATE 19 06 20

ARCHITECT:
WOLSKI.COPPIN

A R C H I T E C T U R
LEVEL 1, 507 MILITARY ROAD MOSMAN NSW 20
T: 9953 8477 E: info@wolskicoppin.com.e

PROJECT TITLE:

MIXED USE

RESIDENTIAL FLAT BUILDING

PROJECT ADDRESS:
495-501 HUNTER

STREET NEWCASTLE

CLIENT:

INTERRELATE & DOWLING COMMERCIAL

DRAWING TITLE:

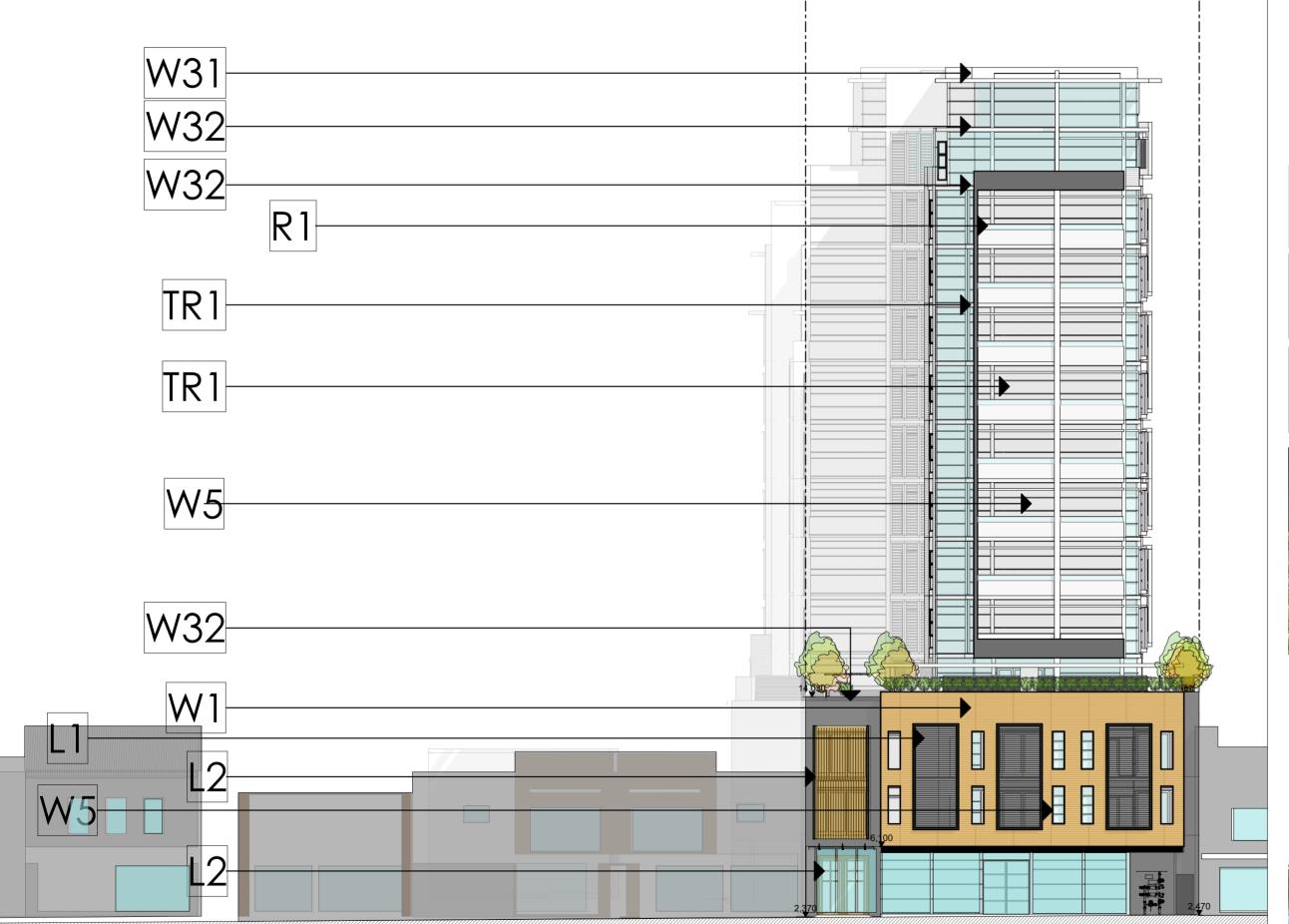
# GFA CALCULATIONS 04

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**JUNE 2020** 

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# FINISHES

## **WALL MATERIALS & FINISHES**



W1 TERRACOTTA CLADDING FACADE COL. PILBARRA OR EQUAL

W12 TERRACOTTA CLADDING FACADE COL. KALBARRI OR EQUAL



W4 ALUCOBOND SPARKLING ANTHRACITE AND GRAY METALLIC 'RANDOM' BLEND

W31 RENDERED MASONRY WATTYL WATTYL WHITE



W33 RENDERED MASONRY WATTYL GREY EMBER (HALF)

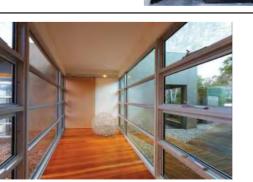


## **VERTICAL & HORIZONTAL LOUVRES SCREENS**

POWDER DURATEC ZUES WHITE

DURATEC COPPER METALLIC CONNETIC

TRI 2 & L1 DURATEC ETERNITY CHARCOAL PEARL



JUNE 2020

## **GLAZING**

COMMERCIAL ALUMNIUM FRAMED GLAZING DUATEC COL. ETERNITY CHARCOAL PEARL

SEMI FRAME-LESS GLASS BLAUTRADE WITH TOP RAIL DURATEC

EVISED DEVELOP MEENNYTCHARCOAL APPLICATION

FIGURED DIMENSIONS ARE T39E TAKEN IN PREFERENCE TO SCALED DIMENSIONS. THE CONTRACTOR IS TO CHECK AND VERIFY FIGURED DIMENSIONS PRIOR TO ANY COMMENCEMENT OF WORK ON SITE. THIS DRAWING IS **COPYRIGHT** AND SHALL REMAIN THE PROPERTY OF **WOLSKI COPPIN ARCHITECTURE**.

DATE	REV	DESCRIPT
28.05.18	Α	Modified Wall height & Finishes
2.10.19	В	
2.10.19		One storey deleted.  Modified Wall Finishes
24 06 20	С	FINISHES UPDATED
_		
_		

ARCHITECT: WOLSKI . COPPIN

PROJECT TITLE:

MIXED USE RESIDENTIAL FLAT BUILDING

PROJECT ADDRESS:

495-501 HUNTER STREET **NEWCASTLE** 

**INTERRELATE &** DOWLING COMMERCIAL

## **EXTERNAL FINISHES** SCHEDULE 01

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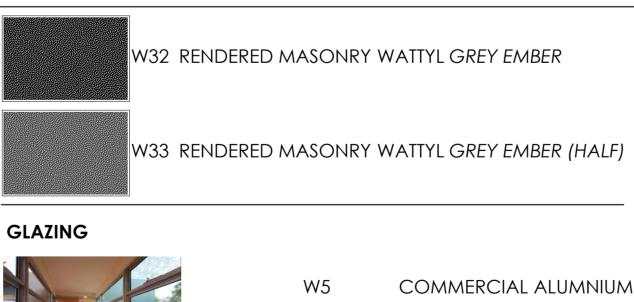
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W5



# FINISHES





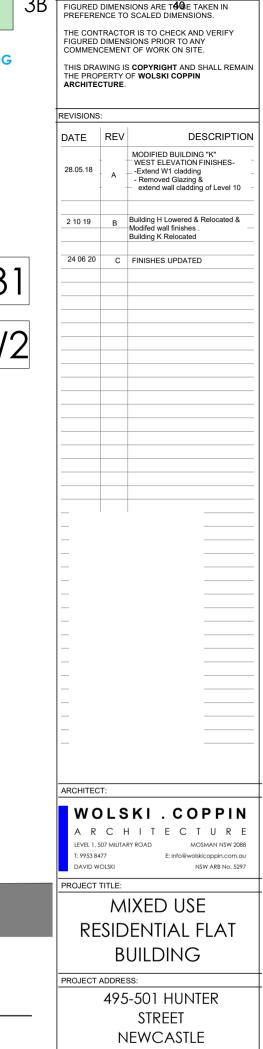


COMMERCIAL ALUMNIUM FRAMED GLAZING DUATEC COL. ETERNITY CHARCOAL PEARL

SEMI FRAME-LESS GLASS BLAUTRADE WITH TOP RAIL DURATEC COL. ETERNITY CHARCOAL PEARL





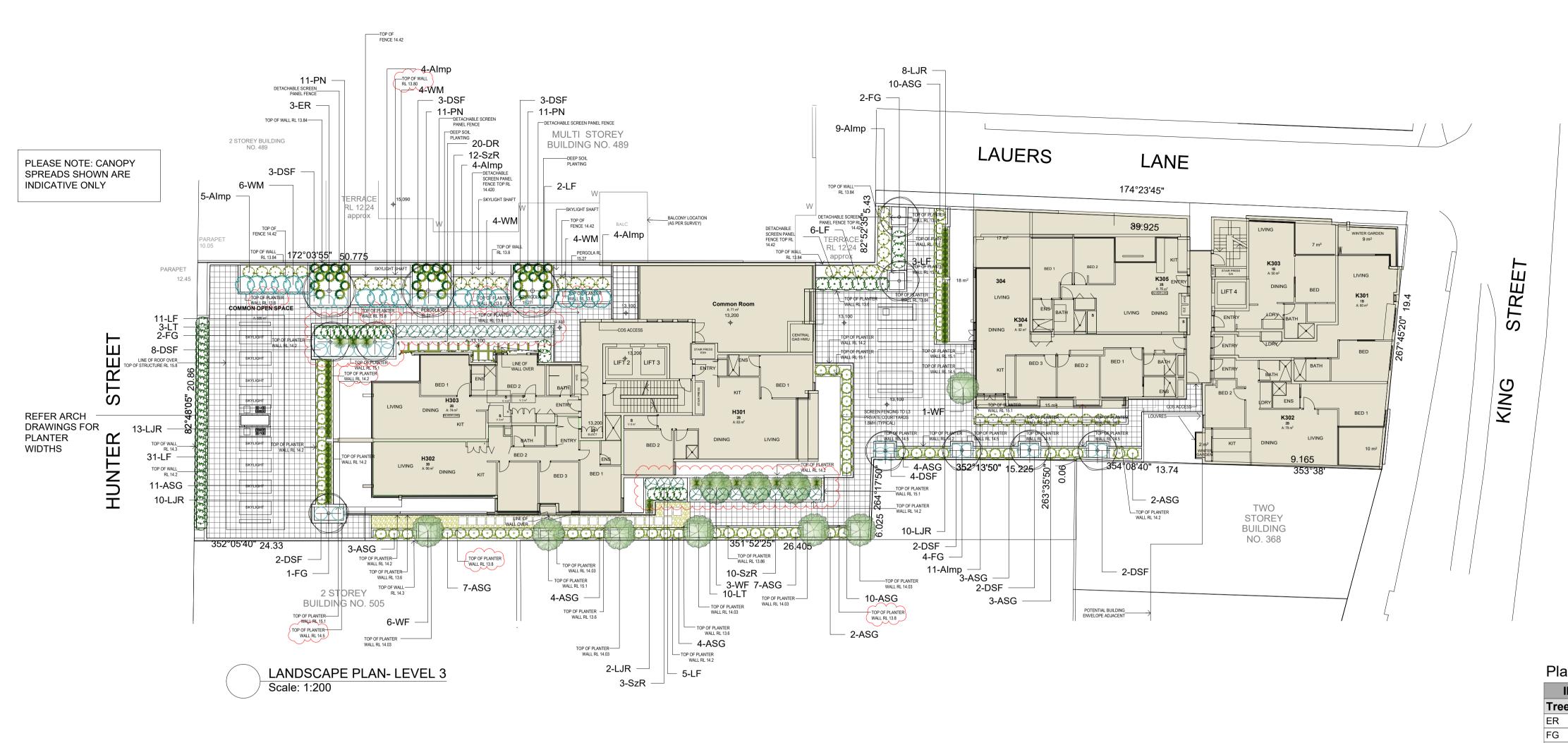


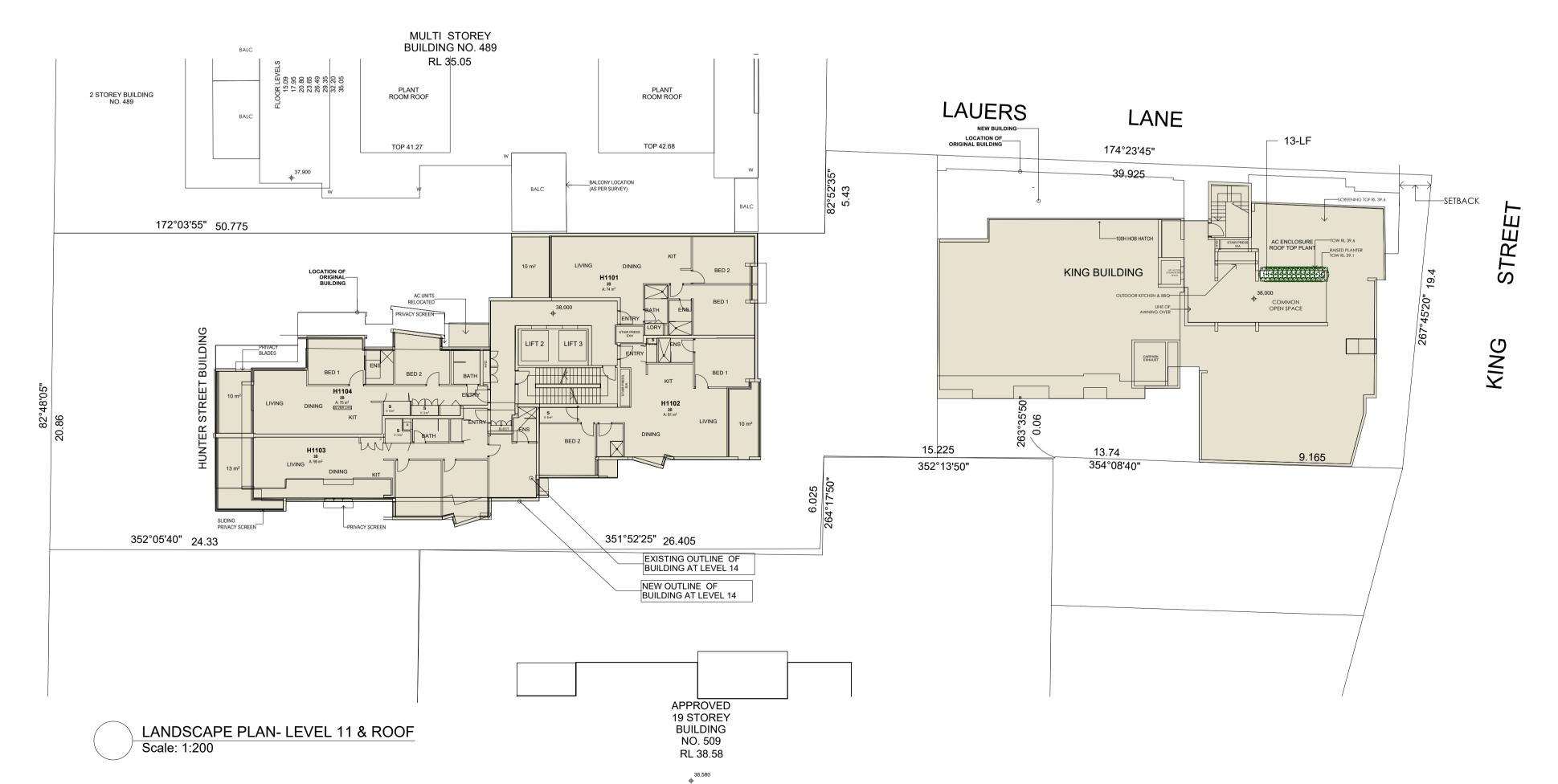
**INTERRELATE &** DOWLING **COMMERCIAL** 

DRAWING TITLE:

## **EXTERNAL FINISHES** SCHEDULE (02)

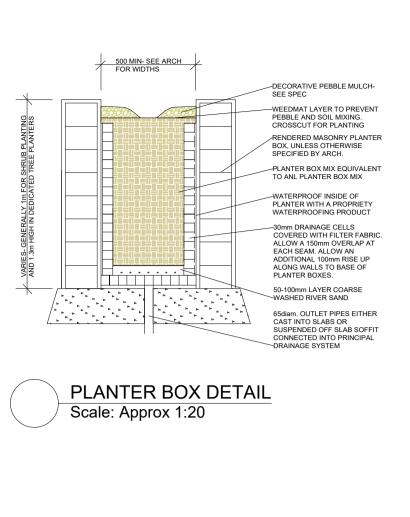
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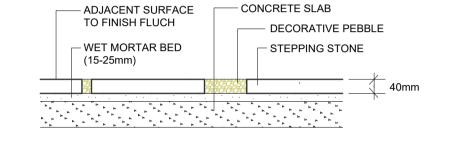




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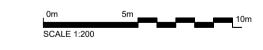




STEPPING STONES IN PLANTING
Scale: Approx 1:20

## Plant List

ID	<b>Botanical Name</b>	Common Name	Pot Size	<b>Mature Height</b>	Mature Spread	Qty
Trees						
ER	Elaeocarpus reticulatus	Blueberry Ash	45L	5 - 10m	3.5 - 6m	3
FG	Fraxinus grifithii	Evergreen Ash	45L	6 - 8m	4 - 6m	9
WF	Waterhousia floribunda	Weeping Lilly Pilly	45L	5 - 10m	3.5 - 6m	10
Shrubs						
ASG	Acmena 'Green Form'	Green Form	200mm	5m	2 - 3m	70
Almp	Acronychia imperforata	Fraser Island Apple	200mm	4m	3m	37
ВМ	Buxus microphylla	Japanese Box	200mm	1m	1m	13
LF	Leptospermum 'Foreshore'	'Foreshore'	200mm	0.5m	1m	58
SzR	Syzygium 'Resilience'	Resilience	200mm	3m	1m	25
WM	Westringia mundi	Mundi	200mm	0.6m	1.5m	18
Ground	l Covers					
DR	Dichondra repens	Kidney Grass	tube	0.0 - 0.3m	0.0 - 0.3m	20
DSF	Dichondra 'Silver Falls'	Silver Kidney Weed	140mm	0.0 - 0.3m	1.2 - 2.0m	29
LJR	Liriope 'Just Right'	Just Right	140mm	0.45 - 0.6m	0.3 - 0.6m	43
Grasse	s					
LT	Lomandra 'Tanika'	Dwarf mat rush	140mm	0.45 - 0.6m	0.6 - 0.9m	13
PN	Pennisetum 'Nafray'	Nafray	140mm	0.6 - 0.75m	0.3 - 0.6m	33
Climbe	rs					



B PER NOTES OF MEETING 02.08.18
C REDUCED PLANT CANOPIES TO EAST 07.11.18
D BUILDING SHIFTED WEST 23.01.20
E PLANTER BOXES WIDER & HIGHER 29.01.20

CHIEFIT CATALYST PROJECT CONSULTING

Proposed Multi Residential Development
495-501 Hunter Street
NEWCASTLE

Landscape Plan

Date

AUGUST 2017

1:200 @ A1

Lubov Pan
BLARCH (UNSW)

Drawing No.

US 71046 LP.01E



PO BOX 261 | 67 McMICHAEL ST | MARYVILLE | NSW 2293 T: 02 4961 4980 | F: 02 4969 1282 | E: admin@forumengs.com.au A.B.N. 48 157 853 677

## LANDSCAPE WORK SPECIFICATION Project:

#### **PRELIMINARIES**

#### 1.01 GENERAL

The following general conditions should be considered prior to the commencement of landscape works:

- The landscape plans should be read in conjunction with the architectural plans, hydraulic plans, service plans and survey prepared for the proposed development.
- All services including existing drainage should be accurately located prior to the commencement of landscape installation. Any proposed tree planting which falls close to services will be relocated on site under the instruction of the landscape architect.
- Installation of conduit for required irrigation, electrical and other services shall be completed prior to the commencement of hardscape works and hardstand pours.
- All outdoor lighting specified by architect or client to be installed by qualified electrician
- Anomalies that occur in these plans should be brought to our immediate attention.
- Where an Australian Standard applies for any landscape material testing or installation technique, that standard shall be followed.
- All work is to be carried out to a tradesman-like standard.

#### 1.02 PROTECTION OF ADJACENT FINISHES

The Contractor shall take all precautions to prevent damage to all or any adjacent finishes by providing adequate protection to these areas / surfaces prior to the commencement of the Works

#### 1.03 EROSION & POLLUTION CONTROL

The Contractor shall take all proper precautions to prevent the erosion of soil from the subject site. The contractor shall install erosion & sediment control barriers and as required by council, and maintain these barriers throughout the construction period. Note that the sediment control measures adopted should reflect the soil type and erosion characteristics of the site.

Erosion & pollution control measures shall incorporate the following:

- Construction of a sediment trap at the vehicle access point to the subject site.
- Sediment fencing using a geotextile filter fabric in the location indicated on the erosion control plan or as instructed on site by the landscape architect.
- Earth banks to prevent scour of stockpiles
- Sandbag kerb sediment traps
- Straw bale & geotextile sediment filter.
- Exposed banks shall be pegged with an approved Jute matting in preparation for mass planting

Refer to "Sitewise Reference Kit" as prepared by DLWC & WSROC (1997) for construction techniques

#### **SOIL WORKS**

#### 2.01 MATERIALS

#### **Planter Box Areas**

Imported soil mix is only to be installed to planter boxes following the completion of sheet drainage installation. All planter boxes are to be backfilled with an imported soil mix suitable for planter box applications, for their entire depth. The backfilling is to be undertaken in 150mm deep layers with a light compaction by foot at each layer to reduce the extent of settling in the future. The soil is to finish 100mm below the finished edge of the planter box to allow for mulch installation.

**Soil Mix:** Equivalent to OZ landscaping supplies planter box mix is to be used in planter boxes.

#### 2.02 INSTALLATION

#### a) Drainage Works

Install surface and subsurface drainage where required and as detailed on the drawing. Drain subsurface drains to outlets provided, with a minimum fall of 1:100 to outlets and / or service pits.

#### **PLANTING**

#### 3.01 MATERIALS

#### a) Quality and Size of Plant Material

In General, the principles & standards outlined in "Specifying Trees - a guide to assessment of tree quality" by Ross Clark will be demanded in the quality of all planting stock specified. These principles include, but are not limited to:

Above - Ground Assessment:

The following plant quality assessment criteria should be followed: Plant true to type, Good vigour and health, free from pest & disease, free from injury, self-supporting, good stem taper, has been pruned correctly, is apically dominant, has even crown symmetry, free from included bark & stem junctions, even trunk position in pot, good stem structure Below - Ground Assessment:

Good root division & direction, rootball occupancy, rootball depth, height of crown, non-suckering For further explanation and description of these assessment criteria, refer to Ross Clark's book.

All Plant material shall be to the type and size specified. No substitutions of plant material shall be permitted without written prior approval by the Landscape Architect. No plant shall be accepted which does not conform to the standards listed above.

#### b) Fertilizers

Fertilizers shall be approved slow release fertilisers suitable for the proposed planting types. Note that for native plants, specifically Proteaceae family plants including Grevillea species, low phosphorus fertilizers shall be used.

#### c) Mulch

Mulch shall be an approved leaf litter equal to "Forest Blend" as supplied by ANL. In areas of high wind velocity, pebble mulch will be used in lieu of organic leaf litter mulch. Pebbles are to be laid on weedmat to prevent soil and mulch mixing. Weedmat to be crosscut to accomodate planting. Mulch shall be completely free from any soil, weeds, rubbish or other debris.

#### 3.02 INSTALLATION

#### a) Setting Out

All planting set out shall be in strict accordance with the drawings, or as directed. Note that proposed tree planting located near services should be adjusted at this stage. Notify Landscape Architect for inspection for approval prior to planting.

#### b) Planting

All plant material shall be planted as soon after delivery as possible. Planting holes for trees shall be excavated as detailed and specified. Plant containers shall be removed and discarded, and the outer roots gently teased from the soil mass. Immediately set plant in hole and backfill with specified soil mix, incorporating the approved quantity of fertiliser for each plant type. Ensure that plants are set plumb vertically and root balls set to the consolidated finished grades detailed on the drawings. Compact the backfilled soil and saturate by hand watering to expel any remaining air pockets immediately after planting.

#### c) Staking and Tying

Trees shall be of a quality that, when planted, are freestanding, without the aid of stakes or ties, else they will be rejected.

#### d) Mulching

Mulch should be spread so that a compacted thickness of 75mm is achieved after settlement in all planting beds and around each individual plant. Apply immediately following planting and watering in, ensuring that a 50mm radius is maintained around the trunk of each plant . In all planter boxes, mulch to finish between 25-50mm below top of planter.

There shall be no mixing of soil and mulch material

#### e) Root Barrier

Ensure root barrier is installed to all edges/junctions beween the garden bed and adjacent hard surfaces including but not limited to retaining walls, carparking, paths, underground pipes and tanks and buildings within a 3m radius of the trunk of any proposed trees.

Root barrier: Equivalent to treemax root barrier. Install root barrier to manufacturer's instructions.

#### f) Stepping Stones

Precast concrete slabs of 400-500mm SQ (or similar approved dimensions) shall be placed as indicated on plan at 200mm intervals. Finish and colour of stepping stones shall be nominated by the client. Install stepping stones as detail, flush with adjoining elements. Compact area under stepping stones locally where stepping stones occur in garden areas and generally where stepping stones occur in pea gravel areas

#### g) Pea Gravel/Decorative Pebble

Compact area for pea gravel and Decorative Pebble installation with vibrating plate compactor before installation of pea gravel or Decorative Pebble.

Gravel/Pebbles are to be installed loose to the gap between the installed stepping stones. They are to finish flush with the adjacent paved surface and be topped up should they settle after installation. At the edges of a stepping stone and gravel/pebble area the gravel/pebble is to be retained by a garden edge.

Gravel Inlays: Pebbles:

Equivalent to 10mm Indo Cream pea gravel. Equivalent to 20mm Indo Cream Pebble

#### h) Filter Fabric in Planter Boxes

All planter boxes are to have sheet drainage equivalent to 50mm Atlantis Drainage Cell installed to their entire base and sides finishing 200mm below the top of the finished planter walls. A 3-4 oz non-woven filter fabric is to cover the sheet drainage prior to the addition of planter soil. Drainage cell is only to be installed after the planter boxes have been waterproofed and tested for water tightness (by others) and there is a drainage point (by others) within each planter, which in turn drains to the site stormwater system. The Landscape Contractor is to confirm to their satisfaction that the planter boxes are waterproofed and well drained prior to the installation of any sheet drainage.

#### HARDSCAPE WORKS

#### 4.01 GENERAL

The Contractor shall undertake the installation of all hardscape works as detailed on the drawing, or where not detailed, by manufacturers specification

- Paving - refer to typical details provided, and applicable Australian Standards.

Permeable paving may be used as a suitable means of satisfying Council permeable surface requirements, while providing a useable,

hardwearing, practical surface. In most instances, the client shall nominate the appropriate

paving material to be used.

Planters on-slab - refer to the details provided and the architectural plans for size & dimensions. Waterproof as detailed, and backfill with specified soil mix

Australian Standards shall be adhered to in relation to all concrete, masonry & metal work. Some details are typical and may vary on site. All hardscape works shall be setout as per the drawings, and inspected and approved by the Landscape Architect prior to installation. All workmanship shall be of the highest standard. Any queries or problems that arise from hardscape variations should be bought to the attention of the Landscape Architect.

#### **IRRIGATION WORKS**

#### 5.01 GENERAL (PERFORMANCESPECIFICATION)

New irrigation systems to planting areas shall be a Commercial Grade Irrigation System conforming to AS 3500 & the latest Sydney Water Code

The irrigation system shall be installed prior to all planting works. It shall incorporate a commercially available irrigation system, with dripper lines for all trees, and suitable jet sprinkler heads for the shrub species specified. It shall also incorporate a suitable back flow prevention device for the scale of works, an in-line filter, check valves, and suitable high and low density poly hose fittings and PVC piping to achieve flow rates suitable for specified planting.

The landscape contractor shall check the existing pressure available from the ring mains and size irrigation piping to suit. Supply shall be from local hose cock where available. All piping and fittings are to be buried 50mm below the finished soil levels in garden bed areas, and secured in position at 5m centre with galv wire pins. Sizing of pipes shall be done so as to ensure that the working pressure at the end of the line does not decrease by more than 5%.

Upon completion of installation, the system shall be tested and all components are to be satisfactorily functional and operational prior to approval. Should any defect develop, or the capacity or efficiency of the system decline during the agreed maintenance system, then these faults shall be immediately rectified.

Detailed drawings of the entire proposed irrigation system shall be made available to the client for records and future maintenance of the system.

#### **CONSOLIDATION AND MAINTENANCE**

#### 6.01 GENERAL

The consolidation and maintenance period shall be 12 months beginning from the approved completion of the specified construction work (Practical Completion). A qualified landscape maintenance contractor shall undertake the required landscape maintenance works. Consolidation and maintenance shall mean the care and maintenance of Contracted works by accepted landscaping or horticultural practices, ensuring that all plants are in optimum growing conditions and appearance at all times, as well as rectifying any defects that become apparent in the contracted works.

This shall include, but not be limited to, the following items where and as required:

- Watering all planting and lawn areas / irrigation maintenance.
- Clearing litter and other debris from landscaped areas.
- Removing weeds, pruning and general plant maintenance.
   Replacement of damaged, stolen or unhealthy plants.
- Make good areas of soil subsidence or erosion.
- Topping up of mulched areas.
- Spray / treatment for Insect and disease control.
- Fertilizing with approved fertilizers at correct rates.
- Mowing lawns & trimming edges each 14 days in summer or 18 days in winter
- Maintenance of all paving, retaining and hardscape elements.

On the completion of the maintenance period, the landscape works shall be inspected and at the satisfaction of the superintendent or landscape architect, the responsibility will be signed over to the client.



# Extraordinary Development Applications Committee

28 July 2020



#### ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

EDAC 28/07/2020 – DA2017/01376 – 495-501 HUNTER STREET AND 364 KING STREET, NEWCASTLE – DEMOLITION OF BUILDINGS, ERECTION OF FOURTEEN STOREY MIXED USE DEVELOPMENT WITH THREE RETAIL/COMMERCIAL TENANCIES, 87 RESIDENTIAL UNITS, ASSOCIATED CAR PARKING AND SITE WORKS

ITEM-23 Attachment B: Draft Schedule of Conditions

# Extraordinary Development Applications Committee 28 July 2020



#### DRAFT SCHEDULE OF CONDITIONS



**Application No:** DA2017/01376

**Land:** Lot 1 DP 1010094

Lot 851 DP 578844 Lot 1 DP 67823 Lot 1 DP 87872

**Property Address:** 495 - 501 Hunter Street and

364 King Street Newcastle NSW 2300

Proposed Development: Demolition of buildings, erection of mixed-use development

including three commercial/retail tenancies, 83 residential

apartments, associated car parking and site works.

#### **SCHEDULE 1**

#### APPROVED DOCUMENTATION

1. 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.

Plan No / Supporting Document	Reference / Version	Prepared by	Dated
Architectural Plans -		Wolski Coppin Architecture	24/06/2020
	Project No. 21706, Rev C Dwg No.C01 Rev A Dwg No.GFA01, Rev B Dwg No.GFA02, Rev C Dwg No.GFA03 - GFA04,	Wolski Coppin	24/06/2020
3D Elevational Views	Project No. 21706, Rev A Dwg No.DA22	Wolski Coppin	02/07/2020
External Finishes Schedule	Project No.21706, Rev C		24/06/2020
01 and 02	Dwg No.F01 - F02		
Photomontages	Page 1 to 3	Pair Studio	1/07/2020
Stormwater Management Plan	Job No. NL171579 Rev B	Northrop Consulting Engineers	20/09/2017
	3	Forum Urban Sanctum	29/01/2020
Shadow Diagrams - with and without development	Project No.21706, Dwg No.V01, V02, V03	Wolski Coppin	15/04/2020
Two Expert Opinion - Solar	-	Steve King	28 May
Access and Ventilation		Consultant Walsh	2018 24
Assessment Solar Access Review		Analysis	June 2020

Basix Certificate		Evergreen Energy Consultants	03/07/2020
Crime Prevention through Environmental Design - CPTED	Doc ID: 2017/0179, Rev 1	Monteath & Powys	23/01/2019
Preliminary Site Investigation for Contamination	Project 9137.00, Doc No. R002.Rev 0	Douglas Partners	30 August 2018
Noise Impact Assessment	Ref: 17-2090-R1	Reverb Acoustics	September 2017
Traffic Impact Assessment	P0882	SECA Solution	29/01/2018
Green Travel Plan (Transport Access Guide)	-	Monteath & Powys	-
Waste Management Plan	Ref No. 17/0179 Rev: Final	Monteath & Powys	01/02/2019

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. A total monetary contribution of \$595,875.39 is to be paid to the City of Newcastle, pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979*, such contribution to be payable prior to the issue of the first Occupation Certificate in respect of the proposed development.

The payment deferral arrangements enabling payment prior to the issue of the first Occupation Certificate applies from the 8th July 2020 to the 25 September 2020, when the COVID-19 prescribed period ends. The payment deferral arrangements cease to apply if a Construction Certificate has not been issued for the development by 25 September 2022.

#### Note:

- a) This condition is imposed in accordance with the provisions of the City of Newcastle's Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019.
- The City of Newcastle's Section 7.12 Newcastle Local Infrastructure Contributions
   Plan 2019 permits deferred or periodic payment of levies in certain circumstances.
   A formal modification of this condition will be required to enter into a deferred or periodic payment arrangement.
- c) Certifiers are required to obtain documentation from City of Newcastle confirming the payment of infrastructure contributions prior to the issuing of an occupation certificate.
- d) The amount of contribution payable under this condition has been calculated on the basis of the current rate as at the date of consent and is based on the most recent quarterly Consumer Price Index (CPI) release made available by the Australian Bureau of Statistics (ABS). The CPI index rate is expected to rise at regular intervals and therefore the actual contribution payable is indexed and recalculated at the CPI rate applicable on the day of payment.

CPI quarterly figures are released by the ABS on a date after the indexation quarter and, as a guide, these approximate dates are as follows:

Indexation quarters	Approx release date
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September	Late October
December	Late January
March	Late April
June	Late July

Any party intending to act on this consent should contact City of Newcastle's Customer Enquiry Centre for determination of the indexed amount of contribution on the date of payment.

- 3. The proposed awnings are to be designed in a manner that is consistent with Element 7.10 'Street Awnings and Balconies' of the Newcastle Development Control Plan. Under awning lighting is to be provided to the area's Lighting category in accordance with AS1158. The design of the awning should allow for street tree planting. Full details are to be included in documentation for any Construction Certificate application. Note: A separate Section 138 Type 2 (specifically for awning) application will be required for the awnings.
- 4. On-site parking accommodation is to be provided for a minimum of 99 vehicles (includes minimum of 12 visitor parking spaces and 5 retail spaces), 5 motorbike spaces and 86 bicycle parking (Class 2) and 4 visitor bicycle 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 Development Control Plan 2012. 5 car spaces including a loading space are to be allocated to the retail tenancies and to be used as visitor spaces after business hours and a minimum of 12 spaces are to be suitably delineated as visitor parking within the ground floor car parking area. Full details are to be included in documentation for a Construction Certificate application.
- 5. The car parking and vehicular access is to be designed to comply with AS/NZS 2890.1:2004 Parking facilities Off-street car parking and AS/NZS 2890.6:2009 Parking facilities Off-street parking for people with disabilities. Full details are to be included in documentation for a Construction Certificate application.
- 6. 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.
- 7. A suitable traffic management device in the form of a 'traffic control lights, line markings and signs is to be installed in an appropriate location within the site, such device to be constructed 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.
- 8. Roof water from the proposed new work is to be directed to the proposed water tank with a minimum capacity of 29,000 litres and being reticulated 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 designed in accordance with the Plumbing Code of Australia (National Construction Code Volume 3). 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 means of an inter-allotment drainage line or underground pipe directly to the street gutter. Full details are to be included in documentation for a Construction Certificate application.

- 10. All stormwater runoff from the proposed development being managed in accordance with the requirements of Element 7.06 'Stormwater' of Newcastle Development Control Plan 2012, the associated Technical Manual and the latest issue of AS 3500.3 as applicable, as indicated on the stormwater management concept plan prepared by Northrop Consulting Engineers Job No. NL171579 Drg. No. C03DA and C07DA Rev B dated 20/09/2017. Full details are to be included in documentation for a Construction Certificate application.
- 11. The floor level of all proposed buildings or building additions is to be verified on plans for a Construction Certificate application. The proposed retail units and driveway floor levels are to be set at least 50-100mm above the surrounding footpath level.
- 12. The proposed lighting including car park lighting 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 AS 4282: 1997 Control of the obtrusive effects of outdoor lighting. CCTV cameras are to be installed around the perimeter of the site at appropriate locations for security and surveillance. Full details are to be included in the documentation for a Construction Certificate application.
- 13. A commercial 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) The driveway crossing, within the road reserve, shall be a maximum of 7 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 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 must be lodged and consent obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of a Construction Certificate.

- 14. 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)*. The consent must be obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of a Construction Certificate.
- 15. The Developer designing and constructing the following works in connection with the proposed development within the King St, Lauers Lane and Hunter St public road reserve, adjacent to the site, at no cost to Council and in accordance with Council's guidelines and design specifications:

#### Lauers Lane/King St Frontages

- i. Lauers Lane modification and widening generally as per the concept architectural plan Dwg No DA01.
- ii. Provide footpath continuation at the intersection of Lauers Lane and King St as per the NCTC recommendations dated 18/03/2019 Item No. 33.
- iii. Public domain works on King St frontage including street tree planting on King St.
- iv. New Drainage for Lauers Lane as required and stormwater connections.
- v. Regulatory signage and Line marking as required.

- vi. Any associated repair works due to impact from the proposed development.
- vii. Provision of street lighting and security surveillance cameras to CN Standards.
- viii. Clearly indicate the portion of land required to be dedicated as road reserve.

Works on King St and Lauers Lane to generally include road pavement, kerb and gutter, footpath and any additional pavement treatment over the footpath continuation, drainage works and associated streetscape & civil works.

#### **Hunter St Frontage**

- i. Removal of redundant driveway and provision of new footpath or repair of existing footpath.
- ii. Stormwater connections.
- iii. New street trees.

Engineering design plans and specifications for the works being undertaken within the public road reserve are required to be prepared by a suitably qualified practising civil engineer with experience and competence in the related field and submitted to Council for approval pursuant to Section 138 of the *Roads Act 1993 (NSW)*. The consent must be obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of a Construction Certificate.

- 16. The portion of the site required for road widening along Lauers Lane/King St (generally as indicated on the architectural plan Dwg No DA01) is to be noted on a survey plan and is to be submitted to Council with the Public Domain Plan (Section 138 Application) prior to the issue of any Construction Certificate.
- 17. All proposed planting and landscape elements indicated on the submitted landscape concept plan or otherwise required by the conditions of this consent are to be detailed on a comprehensive landscape plan and specification. The plan and specification are 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
  - 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
  - i) maintenance periods.

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

18. 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 Section 50 *Hunter Water Act 1991*) is to be included in documentation for a Construction Certificate application.
- 19. The design and construction of the proposed development is to be in accordance with the relevant requirements of *Australian Standard 4674:2004 Design, Construction and Fit-Out of Food Premises*. Full details are to be included in the documentation for the Construction Certificate application.
- 20. A statement from a qualified designer, verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles of *State Environmental Planning Policy No. 65 Design Quality of Residential Apartment Development*, is to be submitted to the Certifier prior to the issue of a Construction Certificate.

Note: 'Qualified Designer' means a person registered as an architect in accordance with the Architects Act 2003.

21. The landscaping / planter box treatments along the eastern boundary at podium level are to be extended to the end where the boundary meets the Hunter Street boundary. Additional landscaping shall be provided along the portion of the western boundary toward the Hunter Street end at podium level, which is presently exposed to the adjoining property. A revised landscaping plan incorporating these additions shall be submitted to the Principal Certifying Authority with the Construction Certification application.

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

- 22. Approval from Dept. of Primary Industries (DPI previously known as NSW Office of Water) under the Water Management Act 2000 for a Groundwater Licence to be attained prior to the commencement of any extraction of groundwater. A copy of the Groundwater Licence will need to be provided to Council.
- 23. Temporary ground anchors are to be designed and installed along the road reserve and adjoining properties to protect the existing properties. The design of the temporary ground anchors is to be carried out by qualified and practicing structural and geotechnical engineers.
  - Any proposed ground anchors impacting the Road Reserve will require approval from the relevant Roads Authority for installation of the temporary ground anchors prior to the start of any bulk excavation works. The temporary ground anchors are to be destressed and any timber is to be removed from the road reserve to the satisfaction and requirements of the relevant Roads Authority.
- 24. Groundwater shall not be allowed to be discharged into adjoining roads stormwater system, sewerage system etc. without the controlling authority's approval and/or owner's consent/s. Approval from the controlling authority and any requirements of the approving authority is to be complied with prior to the commencement of any extraction of groundwater.
- 25. 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.
- 26. The Construction Traffic Management Plan is to be prepared by a Roads & Traffic Authority accredited person with a Design and Audit Traffic Control Plans Certificate in accordance with Australian Standard 1742.3 2002. The plan is to ensure the provision for safe, continuous movement of traffic and pedestrians within the road reserve.

- 27. 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.
- 28. On-site car parking accommodation is to be provided for a minimum of 99 vehicles (includes minimum of 12 visitor parking spaces and 5 retail spaces), 5 motorbike spaces and 86 bicycle parking (Class 2) and 4 visitor bicycle spaces vehicles and such being set out generally in accordance with the details indicated on the submitted plans except as otherwise provided by the conditions of consent.
- 29. All parking bays are to be permanently marked out on the pavement surface with retail and visitor car parks suitably delineated.
- 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. 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*, or
- c) Be a temporary chemical closet approved under the *Local Government Act 1993*.
- 32. Building demolition is to be planned and carried out in accordance with *Australian Standard 2601:2001 The Demolition of Structures*.
- 33. 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 the City of Newcastle and to the demolisher prior to commencement of work.
- 34. Demolition works are to be undertaken in accordance with *Australian Standard* 2601:2001 The Demolition of Structures and the following requirements:
  - Demolition works are to be conducted in accordance with the submitted Hazardous Substances Management Plan and a copy of the Hazardous Substances Management Plan is to 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 required class of Asbestos Licence, issued by SafeWork NSW;
  - 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 City of Newcastle officers upon request;
  - d) Seven working days' notice in writing is to be given to the City of Newcastle and the owners/occupiers of neighbouring premises prior to the commencement of any demolition work. 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 is also to include City of Newcastle's contact telephone number (4974 2000) and the SafeWork NSW telephone number (4921 2900); 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.
- 35. If construction / demolition work is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the need to enclose a public place, a hoarding or fence is to be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.
- 36. An application is to be made to and approved by the City of Newcastle for the erection of a hoarding or part closure of the footway prior to construction being commenced. Such overhead structure or protective fence is to comply with the Work Health and Safety Act 2011, Work Health and Safety Regulation 2011 and any relevant approved industry code of practice. Notice of intention of commencement is to be given to SafeWork NSW.
- 37. 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 Certifier 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.

- 38. All building work is to be carried out in accordance with the provisions of the National Construction Code.
- 39. All excavations and backfilling are to be executed safely and excavations are to be properly guarded and protected to prevent them from being dangerous to life and property.
- 40. 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 is to, at that 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.

- 41. All building materials, plant and equipment is to be placed on the site of the development, 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 City of Newcastle reserves, including the road reserve, is not permitted.
- 42. 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 Certifier before construction is commenced.
- 43. A survey certificate prepared by a Registered Surveyor is to be submitted to the Principal Certifier upon completion of the floor slab formwork, before concrete is poured, to verify that the siting of the building in relation to adjacent boundaries is in accordance with the development consent.
- 44. Certification is to be prepared by a Registered Surveyor and submitted to the Principal Certifier at the stages of construction indicated:
  - a) On completion of ground floor construction, confirming that the floor levels are in accordance with the approved levels.
  - b) On completion of each subsequent floor level, confirming that the floor levels are in accordance with the approved levels.
  - c) When the roof has been completed, confirming that the building does not exceed the approved levels.
- 45. 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.

46. City of Newcastle'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 the City of Newcastle, for the duration of demolition and construction work.

The sign can be obtained by presenting your development application receipt at City of Newcastle's Customer Enquiry Centre, Wallsend Library or the Master Builders Association Newcastle.

- 47. Any excavated material to be removed from the site is to be assessed and classified in accordance with the NSW Environment Protection Authority's 'Waste Classification Guidelines Part 1: Classifying Waste' and be transported and disposed of in accordance with the provisions of the Protection Of The Environment Operations Act 1997 and the Protection Of The Environment (Waste) Regulation 2014.
- 48. 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.*
- 49. Documentation verifying compliance with the conditions of a relevant Resource Recovery Order and Resource Recovery Exemption are to be maintained for any material received at the site and subsequently applied to land under the conditions of

- the Resource Recovery Order and Resource Recovery Exemption. This documentation is to be provided to City of Newcastle officers or the Principal Certifier on request.
- 50. 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 the Erosion and Sediment Control Plan submitted with the application, and with the below requirements:
  - a) Control over discharge of stormwater and containment of run-off and pollutants leaving the site is to be undertaken through the installation of erosion control devices such as catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams and sediment basins and controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover; and
  - b) Erosion and sediment control measures are to be designed in accordance with the requirements of the *Managing Urban Stormwater: Soils and Construction 4<sup>th</sup> Edition Vol. 1* (the 'Blue Book') published by Landcom, 2004.
- 51. Prior to the commencement of work, a 3.0m 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 or soil is not to be stockpiled on the all-weather vehicle access.
- 52. All necessary measures are to be undertaken to control dust pollution from the site. These measures are to include, but are not limited to:
  - a) Restricting topsoil removal;
  - b) Regularly and lightly watering dust prone areas (note: prevent excess watering as it can cause damage and erosion);
  - c) Alter or cease construction work during periods of high wind; and
  - d) Erect green or black shadecloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.
- 53. The premises are to be constructed, including the installation of all equipment, fixtures and fittings, in accordance with the requirements of *Australian Standard 4674:2004 Design, construction and fit-out of food premises*.
- 54. All external items of air conditioning plant are to be screened or positioned in such a manner as to not detract from the visual presentation of the building.
- 55. Prior to any site works commencing, the Developer preparing a Construction Management Plan (CMP) such to be designed and implemented to manage all environmental aspects associated with the construction works, including off site impacts such as transport to and from the site. Two copies of the CMP are to be provided to the Principal Certifying Authority and the CMP is to be maintained on site during all site works and be made available to Authorised officers upon request. The CMP is to include but not be limited to:
  - a) A site management strategy, identifying and addressing issues such as environmental health and safety, site security, and traffic management.
  - b) A soil and water management strategy, detailing erosion and sediment control, management of soil stockpiles, control and management of surface water and groundwater. Procedures should be included to ensure that all roads adjacent to the site are kept free and clear from mud and sediment.

- c) A dust management strategy, detailing procedures to minimise dust generation, with particular reference to control techniques and operational limits under adverse meteorological conditions.
- d) A waste minimisation strategy that aims to avoid production of waste and maximise reuse, recycling or reprocessing of potential waste material.
- e) A community relations plan that aims to inform local residents and other local stakeholders of the proposed nature and timeframes for construction activities together with contact details for site management.
- f) A noise management strategy detailing measures to minimise the impact of the construction phase on the amenity of the locality, in accordance with Australian Standard AS2436, 1981 'Guide to Noise control on Construction, Maintenance and Demolition sites'. Noise monitoring during the construction phase should be incorporated into the programme.

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

- 56. 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 the City of Newcastle with Occupation Certificate documentation.
- 57. All works within the road reserve required by this consent are to be completed prior to the issue of an Occupation Certificate.
- 58. 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 Occupation Certificate for the proposed development.
- 59. 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.
- 60. 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.
- 61. The portion of the land required for road widening along Lauers Lane/King St is to be transferred to Council for dedication as road reserve. A detailed survey plan is to be submitted with an accompanying Subdivision Certificate Application for Council certification and such plan is to be registered with the NSW Government Land & Property Information prior to issue of any Occupation Certificate.
  - Note: All associated survey and legal work is to be undertaken by the Developer at the Developers expense. The land is to be dedicated to Council as a Road Reserve at no cost to Council.
- 62. An application is to be made for a Subdivision Certificate. The application is to be accompanied by the appropriate fee and supported by .pdf copies of the following

documentation, together with any other documentation required under the conditions of this consent:

- a) The original survey plan of subdivision prepared by a Registered Surveyor;
- b) The original Administration Sheet; and
- c) The original instruments prepared under s88B of the *Conveyancing Act,1919*, as appropriate.
- 63. A Green Travel Plan for the development is to be prepared and implemented prior to occupation of the development. The Green Travel Plan is to be in accordance with Element 7.03 'Traffic, Parking and Access' of Council's adopted Newcastle Development Control Plan 2012 and the draft Green Travel Plan submitted with the development application.
- 64. All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a condition that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to City of Newcastle'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.
- 65. The whole of the land the subject of this Development consent is to be consolidated into a single title and documentary evidence of the lodgement for registration of a survey plan of consolidation with NSW Land Registry Services is to be submitted to the City of Newcastle prior to the issuing of an Occupation Certificate for the proposed development.
- 66. A Landscape Practical Completion Report is to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate. The report is to verify that all landscape works have been carried out in accordance with the comprehensive landscape design plan and specifications that were required to be included in documentation for a Construction Certificate application and is to verify that an effective maintenance program has been commenced.
- 67. Acoustic treatment is to be implemented in accordance with the recommendations set out in the report prepared by Reverb Acoustics, dated September 2017. Written final certification verifying that the recommended acoustic treatment has been implemented in accordance with the requirements of the above report is to be submitted to the Principal Certifier and the City of Newcastle 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 that final certification is achieved.

- 68. A post construction dilapidation report prepared by a suitability qualified person is to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate, to ascertain whether any physical damage, caused by the construction work, has occurred to the adjoining buildings, infrastructure and roads. The report is also to be forwarded to the City of Newcastle and will be made available in any private dispute between neighbours regarding damage arising from construction works.
- 69. Prior to issue of an Occupation Certificate, the food business is to notify the relevant enforcement agencies, under the *Food Act 2003* and (for licensed food businesses) under the *Food Regulation 2010*. Notification is to be provided to the City of Newcastle and the NSW Food Authority.

Note: To arrange notification of the food business with the City of Newcastle, go to <a href="http://www.newcastle.gov.au">www.newcastle.gov.au</a> and download a copy of the 'Council Food Business Notification Form' or contact City of Newcastle's Environmental Health Services on (02) 4974 2525. To notify with the NSW Food Authority go to

<u>www.foodnotify.nsw.gov.au</u> <a href="http://www.foodnotify.nsw.gov.au"> and follow the instructions.

70. A statement from a qualified designer, verifying that the development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles of State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development, is to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Note: 'Qualified Designer' means a person registered as an architect in accordance with the Architects Act 2003.

71. Written certification is required, prepared by a suitably qualified person, which demonstrates that the plans and documentation submitted with the Construction Certificate has incorporated the recommendations of the Crime Prevention through Environmental Design (CPTED), prepared by Monteath & Powys and dated 23/01/2019. This certification is to be submitted to the Principal Certifying Authority prior to issue of an Occupation Certificate.

# CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT

72. The hours of operation or trading of the commercial / retails premises are to be not more than from:

DAY	START	FINISH
Monday	7:00am	6:00pm
Tuesday	7:00am	6:00pm
Wednesday	7:00am	6:00pm
Thursday	7:00am	6:00pm
Friday	7:00am	6:00pm
Saturday	7:00am	6:00pm
Sunday	7:00am	6:00pm

unless a separate application to vary the hours of operation or trading has been submitted to and approved by Council.

73. 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 City of Newcastle consider that 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 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, verifying that the recommended acoustic measures have been satisfactorily implemented, will be required to be submitted to City of Newcastle prior to the expiration of the nominated period.

74. The use and occupation of the premises is not to give rise to the emission of any 'air impurity' as defined under the Protection of the Environment Operations Act 1997, that interferes unreasonably with the amenity of neighbouring premises and/or other sensitive receivers.

Should City of Newcastle consider that unreasonable levels of air impurities have been emitted from the premises, the owner/occupier will be required to engage a suitably qualified consultant to recommend measures to control emission of air impurities to an

acceptable level and such measures will be required to be implemented within a nominated time period. Furthermore, written certification from the suitably qualified consultant will be required to be submitted to City of Newcastle, confirming that air impurity emissions from the premises do not interfere unreasonably with the amenity of neighbouring premises and/or other sensitive receptors, before the expiration of the nominated period.

- 75. A Landscape Establishment Report is to be submitted to the City of Newcastle following completion of a three month maintenance period, verifying that satisfactory maintenance of the landscape works has been undertaken and any necessary rectification measures have been carried out.
- 76. The driveway crossing, parking areas and stormwater management system are to be properly maintained for the life of the development.
- 77. All vehicular movement to and from the site is to be in a forward direction.
- 78. Proposed parking areas, vehicle bays, driveways and turning areas are to be maintained clear of obstruction and be used exclusively for purposes of car parking, loading and unloading, and vehicle access, respectively. Under no circumstances are such areas to be used for the storage of goods or waste materials.
- 79. Waste management (recyclable and non-recyclable) is to be collected from the storage areas, as identified on the approved plans, serviced from King St and returned immediately to the refuse storage areas. Under no circumstances are garbage bins to be presented to King Road for kerbside collection or remain at kerbside after collection.
- 80. The premise/s is/are allocated the following street address/es in accordance with City of Newcastle's *House Numbering Policy* and the *Surveying and Spatial Regulation*.

11	Council Allocated Street Addresses			
Unit on plan	House Number	Street Name	Street Type	Suburb
Retail 1	1/495	Hunter	Street	Newcastle
Shop 1	2/364	King	Street	Newcastle
Shop 2	3/364	King	Street	Newcastle
H101	101/495	Hunter	Street	Newcastle
H102	102/495	Hunter	Street	Newcastle
H103	103/495	Hunter	Street	Newcastle
K101	105/364	King	Street	Newcastle
K102	106/364	King	Street	Newcastle
K103	107/364	King	Street	Newcastle
H201	201/495	Hunter	Street	Newcastle
H202	202/495	Hunter	Street	Newcastle
H203	203/495	Hunter	Street	Newcastle
K201	204/364	King	Street	Newcastle
K202	205/364	King	Street	Newcastle
K203	206/364	King	Street	Newcastle
H301	301/495	Hunter	Street	Newcastle
H302	302/495	Hunter	Street	Newcastle
H303	303/495	Hunter	Street	Newcastle
K301	304/364	King	Street	Newcastle

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K302	305/364	King	Street	Newcastle
K303	306/364	King	Street	Newcastle
K304	307/364	King	Street	Newcastle
K305	308/364	King	Street	Newcastle
H401	401/495	Hunter	Street	Newcastle
H402	402/495	Hunter	Street	Newcastle
H403	403/495	Hunter	Street	Newcastle
H404	404/495	Hunter	Street	Newcastle
K401	405/364	King	Street	Newcastle
K402	406/364	King	Street	Newcastle
K403	407/364	King	Street	Newcastle
K404	408/364	King	Street	Newcastle
H501	501/495	Hunter	Street	Newcastle
H502	502/495	Hunter	Street	Newcastle
H503	503/495	Hunter	Street	Newcastle
H504	504/495	Hunter	Street	Newcastle
K501	505/364	King	Street	Newcastle
K502	506/364	King	Street	Newcastle
K503	507/364	King	Street	Newcastle
K504	508/364	King	Street	Newcastle
H601	601/495	Hunter	Street	Newcastle
H602	602/495	Hunter	Street	Newcastle
H603	603/495	Hunter	Street	Newcastle
H604	604/495	Hunter	Street	Newcastle
K601	605/364	King	Street	Newcastle
K602	606/364	King	Street	Newcastle
K603	607/364	King	Street	Newcastle
K604	608/364	King	Street	Newcastle
H701	701/495	King	Street	Newcastle
H702	702/495	Hunter	Street	Newcastle
H703	703/495	Hunter	Street	Newcastle
H704	704/495	Hunter	Street	Newcastle
K701	705/364	King	Street	Newcastle
K702	706/364	King	Street	Newcastle
K703	707/364	King	Street	Newcastle
K704	708/364	King	Street	Newcastle
H801	801/495	Hunter	Street	Newcastle
H802	802/495	Hunter	Street	Newcastle
H803	803/495	Hunter	Street	Newcastle
H804	804/495	Hunter	Street	Newcastle
K801	805/364	King	Street	Newcastle
K802	806/364	King	Street	Newcastle
NOUZ	000/304	Killy	<u> આ સ્કા</u>	inewcastie

K803	807/364	King	Street	Newcastle
K804	808/364	King	Street	Newcastle
H901	901/495	Hunter	Street	Newcastle
H902	902/495	Hunter	Street	Newcastle
H903	903/495	Hunter	Street	Newcastle
H904	904/495	Hunter	Street	Newcastle
TH901 & KTH901	905/364	King	Street	Newcastle
TH902 & KTH902	906/364	King	Street	Newcastle
TH903 & KTH903	907/364	King	Street	Newcastle
TH904 & KTH904	908/364	King	Street	Newcastle
TH905 & KTH905	909/364	King	Street	Newcastle
TH906 & KTH906	910/364	King	Street	Newcastle
H1001	1001/495	Hunter	Street	Newcastle
H1002	1002/495	Hunter	Street	Newcastle
H1003	1003/495	Hunter	Street	Newcastle
H1004	1004/495	Hunter	Street	Newcastle
H1101	1101/495	Hunter	Street	Newcastle
H1102	1102/495	Hunter	Street	Newcastle
H1103	1103/495	Hunter	Street	Newcastle
H1104	1104/495	Hunter	Street	Newcastle
H1201 & HTH1201	1201/495	Hunter	Street	Newcastle
H1202 & HTH1202	1202/495	Hunter	Street	Newcastle
H1203 & HTH1203	1203/495	Hunter	Street	Newcastle
H1204 & HTH1204	1204/495	Hunter	Street	Newcastle
H1205 & HTH1205	1205/495	Hunter	Street	Newcastle

#### **ADVISORY MATTERS**

- Any proposed business identification sign or advertising sign is to be designed in accordance with the provisions of Newcastle Development Control Plan 2012 and be the subject of a separate Development Application that is to be approved prior to the sign being erected or placed in position, except when such signage meets 'exempt development' criteria.
- A separate development application is to be submitted to and approved by the City of Newcastle in respect of any specific proposed use of the three retail/commercial premises prior to occupation approved as part of this mixed use 'shop top housing' development.
- 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 the City of Newcastle and any other relevant authorities. City of Newcastle and other service authorities should be contacted for specific requirements prior to the commencement of any works.

Full restoration of the damage is to be carried out to the City of Newcastle's satisfaction prior to issue of any Occupation Certificate in respect of the development.

- Prior to commencing any building works, the following provisions of Part 6 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 the City of Newcastle is to be notified of the appointment; and
  - c) The City of Newcastle 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 are
  to describe the extent, capability and basis of design of each of the measures.
- Development applications are not assessed against the provisions of the National Construction Code. An application to modify the application under the *Environmental* Planning and Assessment Act 1979 will be required if design amendments that cause the proposal to be inconsistent with the development consent are necessary to comply with the provisions of the Building Code of Australia.
- Prior to the occupation or use of a new building, or occupation or use of an altered portion of, or an extension to a building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the proposed development. An application for an Occupation Certificate is to contain the information set out in Clause 149 of the Environmental Planning and Assessment Regulation 2000.
- 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 is to be submitted to the City of Newcastle 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 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 (ie '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, which may be subject to a penalty infringement notice (ie 'on-the-spot fine') or prosecution.

#### **END OF CONDITIONS**

#### **SCHEDULE 2**

#### REASONS FOR THE DETERMINATION & CONSIDERATION OF COMMUNITY VIEWS

The determination decision was reached for the following reasons:

- The proposed development, subject to the recommended conditions, is consistent with the objectives of the applicable environmental planning instruments, being; *Newcastle Local Environmental Plan 2012* (NLEP) and applicable State Environmental Planning Policies.
- The proposed development is, subject to the recommended conditions, consistent with the objectives of the Newcastle Development Control Plan 2012 (NDCP).
- The proposed development is considered to be of an appropriate scale and form for the site and the character of the locality.
- The proposed development has appropriate management and mitigation of impacts through conditions of consent.
- The proposed development, subject to the recommended conditions, will not result in unacceptable adverse impacts upon the natural or built environments.
- The proposed development is a suitable and planned use of the site and its approval is within the public interest.

#### REASONS WHY THE CONDITIONS HAVE BEEN IMPOSED

The following conditions are applied to:

- Confirm and clarify the terms of Council's determination;
- Identify modifications and additional requirements that will result in improved compliance, development and environmental outcomes;
- Prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts;
- Set standards and measures for acceptable environmental performance; and
- Provide for the ongoing management of the development.

# Extraordinary Development Applications Committee

28 July 2020



#### ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

EDAC 28/07/2020 - DA2017/01376 - 495-501 HUNTER STREET AND 364 KING STREET, NEWCASTLE - DEMOLITION OF BUILDINGS, ERECTION OF FOURTEEN STOREY MIXED USE DEVELOPMENT WITH THREE RETAIL/COMMERCIAL TENANCIES, 87 RESIDENTIAL UNITS, ASSOCIATED CAR PARKING AND SITE WORKS

ITEM-23 Attachment C: Processing Chronology

# Extraordinary Development Applications Committee





## **PROCESSING CHRONOLOGY**

### DA 2017/01376 - 495-501 Hunter Street & 364 King Street Newcastle

2 November 2017	-	Application lodged	
11 November 2017	-	Public notification	
21 February 2018	-	Advice from Urban Design Consultative Group meeting	
30 April 2018	-	Request for additional information	
May and June 2018	-	Advice from Urban Design Consultative Group	
26 June 2018	-	Amended plans submitted	
June and November 2018	-	Request for additional information	
15 January 2019	-	Amended plans submitted	
24 January 2019	-	Request for additional information	
12 February 2019	-	Public notification of amended plans	
20 February 2019	-	Advice from Urban Design Consultative Group meeting	
28 Feb – April 2019	-	Additional information submitted	
16 July 2019	-	Application considered at Public Voice Committee meeting	

28 August 2019	-	CN final advice letter – request for additional information
October 2019	-	Amended plans submitted
29 October 2019	-	Public notification of amended plans
20 November 2019	-	Advice from Urban Design Consultative Group meeting
18 February 2020	-	Application considered at Public Voice Committee meeting
12 March 2020	-	Meeting held with Applicant regarding outstanding issues Email advice following meeting of outstanding issues

### THE CITY OF NEWCASTLE Report to Development Applications Committee Meeting on 28 July 2020



20 April 2020	-	Public notification of amended plans
27 May 2020	-	Advice from Urban Design Consultative Group meeting (March plan set)
5 June 2020	-	Urban Design Consultative Group meeting advice provided to applicant with request for information
24 June 2020	-	Amended plans and additional information submitted in response to request for information, following UDCG advice of 27 May 2020
2 July 2020	-	Photomontages submitted
3 July 2020	-	BASIX Certificate submitted