



**ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER**

**DAC 18/08/2020 – DA2019/01378 – 131 BEAUMONT STREET,  
HAMILTON – SHOP TOP HOUSING - CHANGE OF USE FROM  
SERVICED APARTMENT AND ALTERATIONS AND ADDITIONS**

<b>PAGE 3</b>	<b>ITEM-30</b>	<b>Attachment A:</b>	Submitted Plans
<b>PAGE 53</b>	<b>ITEM-30</b>	<b>Attachment B:</b>	Draft Schedule of Conditions
<b>PAGE 61</b>	<b>ITEM-30</b>	<b>Attachment C:</b>	Processing Chronology

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**ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER**

**DAC 18/08/2020 – DA2019/01378 – 131 BEAUMONT STREET,  
HAMILTON – SHOP TOP HOUSING - CHANGE OF USE FROM  
SERVICED APARTMENT AND ALTERATIONS AND ADDITIONS**

**ITEM-30      Attachment A:      Submitted Plans**

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Proctor Residence

# Proposed Outdoor Living on Fourth Floor

Boulevard on Beaumont  
Fourth Floor  
131 Beaumont Street  
Hamilton NSW 2303



Artist View - Tudor Street

Stephen Rose Architects

Nominated Architect - N.S.W. Registration No.: 4234 - ABN 16 051 664 067 - 6 Shiraz Close HINTON N.S.W. 2321 - Ph: 0413 609 585

ISSUE:  
**V9**

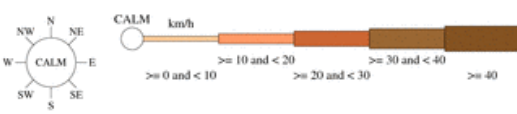
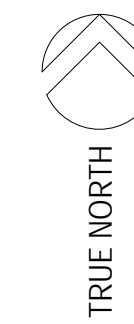
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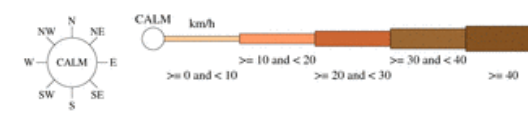
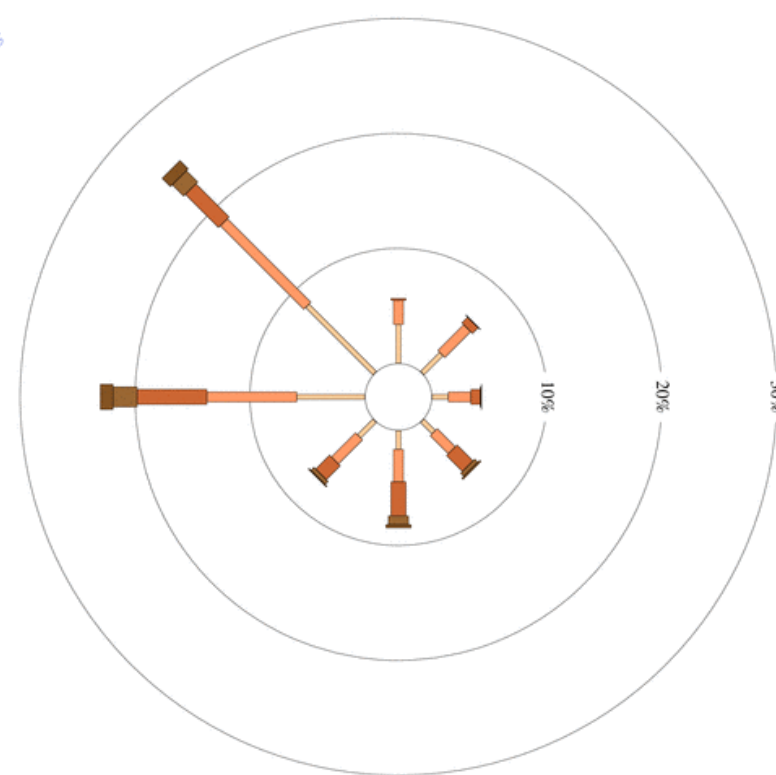


**AERIAL VIEW OF SITE AND SURROUNDS**

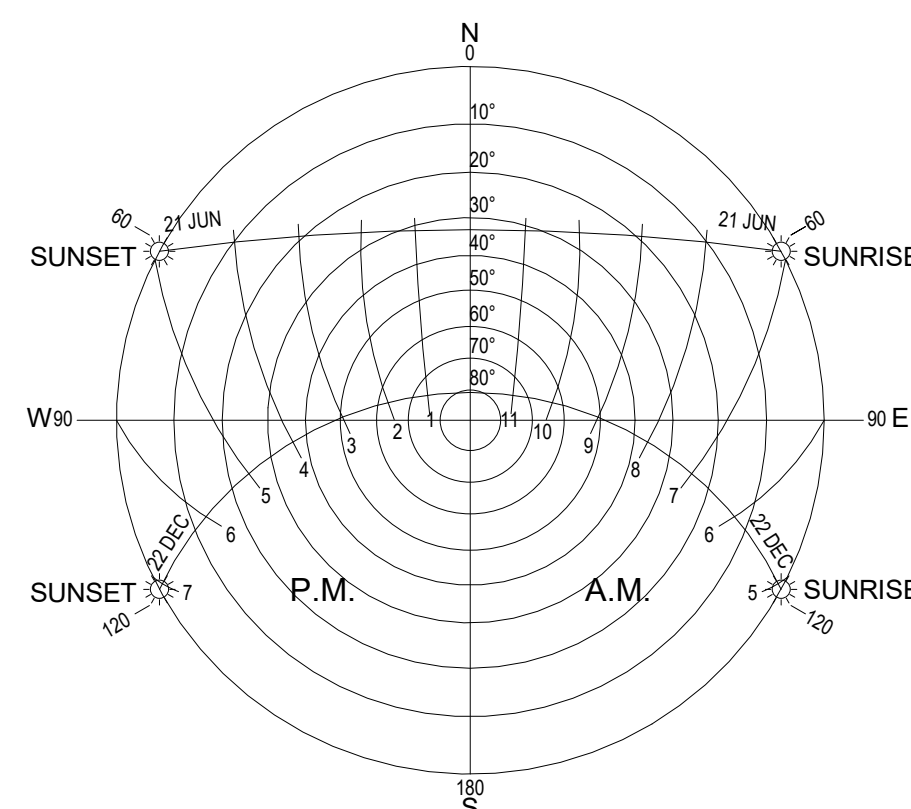
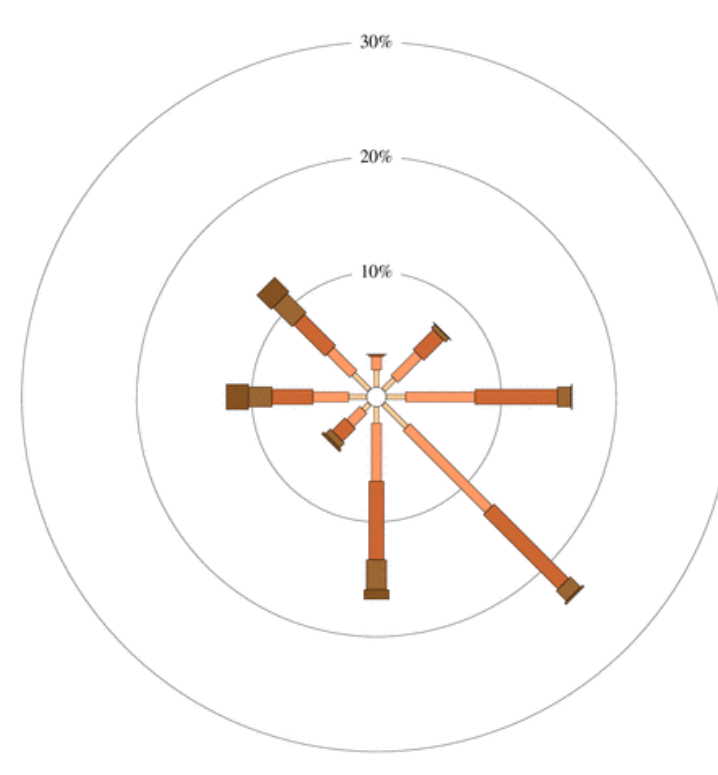
BOULEVARD ON BEAUMONT SHOWN ENCOMPASSED BY RED DASHED LINES  
PHOTOGRAPH COURTESY OF NEARMAP



9 am  
26167 Total Observations  
Calm 15%



3 pm  
26141 Total Observations  
Calm 4%



SEASONAL SOLAR MOVEMENT DIAGRAM  
TIMES ARE EASTERN STANDARD



**WIND ROSES**



PHOTO 01



PHOTO 02



PHOTO 03



PHOTO 04

Number	Revision Description	Date
6		

**DA Submission**



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**STEPHEN ROSE ARCHITECTS**

A.B.N. 16 051 664 067  
T: (02) 4930 5688  
NOMINATED ARCHITECT  
NS.W. REGISTRATION: 4234  
6 SHIRAZ CLOSE HINTON NSW  
M: 0413 609 585

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**Proposed Outdoor Living  
on Fourth Floor**

CLIENT  
**Proctor Residence**

SITE  
**Boulevard on Beaumont  
Fourth Floor  
131 Beaumont Street  
Hamilton NSW 2303**

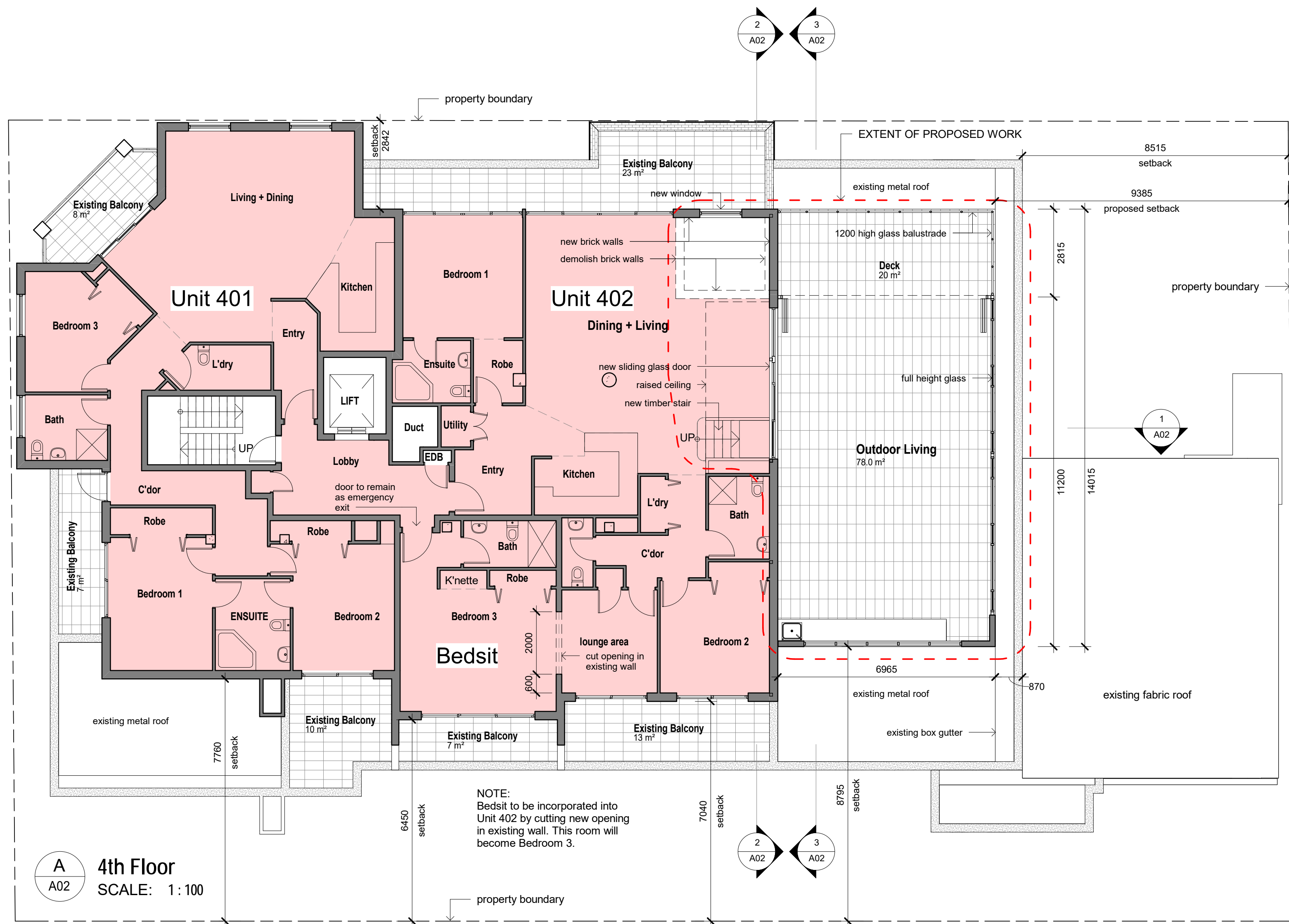
SHEET REFERENCE  
**Site Analysis**

WORK TO FIGURED DIMENSIONS ONLY  
CHECK ALL DIMENSIONS ON SITE

DRAWN	CURRENT REVISION	SCALE
DATE <b>December 2019</b>	<b>1</b>	
PROJECT NUMBER	ISSUE	DRAWING NUMBER
<b>587</b>	<b>V9</b>	<b>A01</b>

PLOT DATE: 18/12/2019 4:48:12 AM





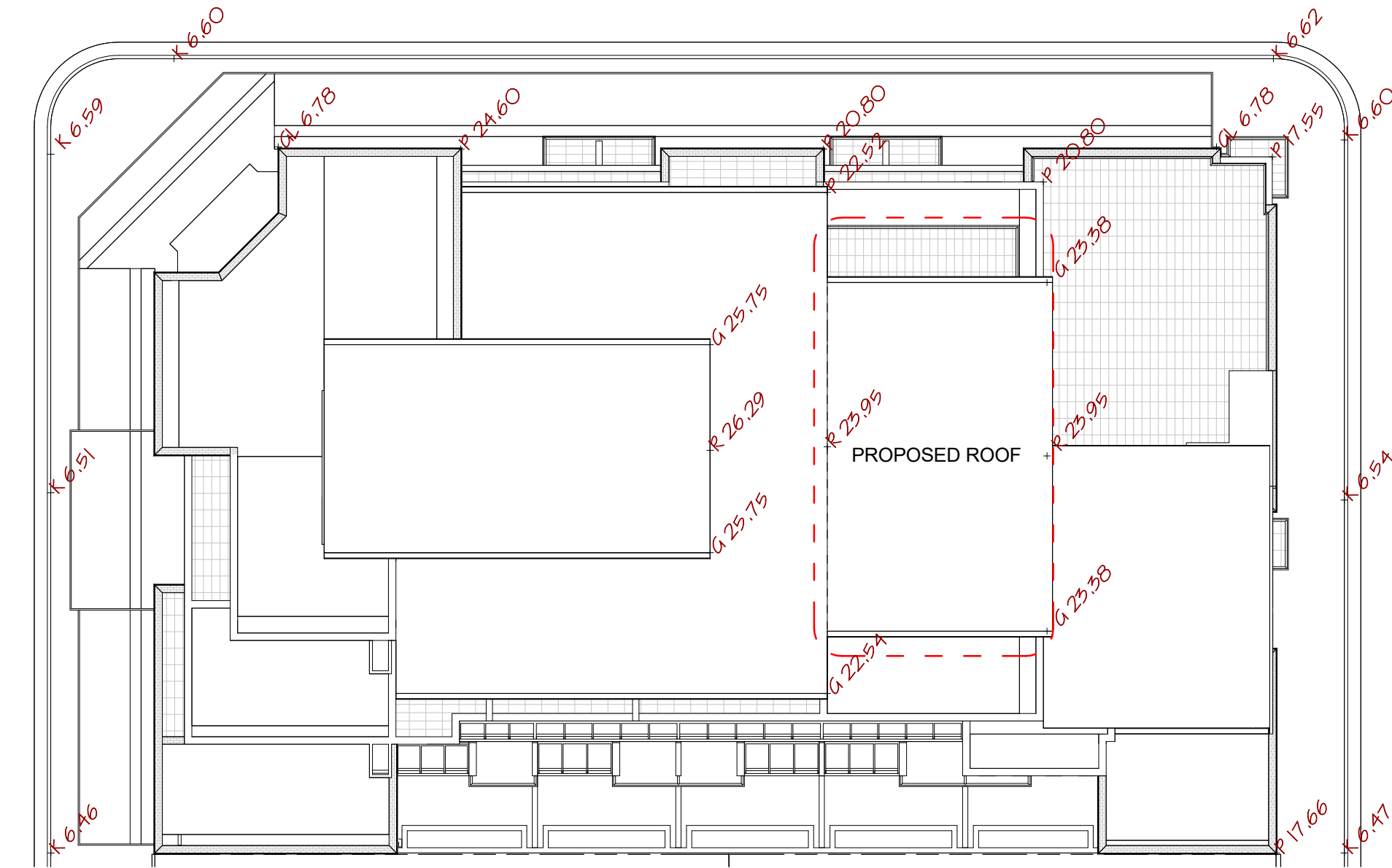
**A** 4th Floor  
SCALE: 1:100

Note: Units 401, 402 and Bedsit Unit are all under one ownership

**TUDOR STREET**

**BEAUMONT STREET**

**MURRAY STREET**



**B** Site Plan - Reference Levels  
SCALE: 1:200

NOTE: Existing and proposed roofs of 4th Floor exceed 17m height limit by maximum of 170mm depending on which ground RL is used.

**PROJECT INFORMATION**

EXISTING SITE + FLOOR AREAS

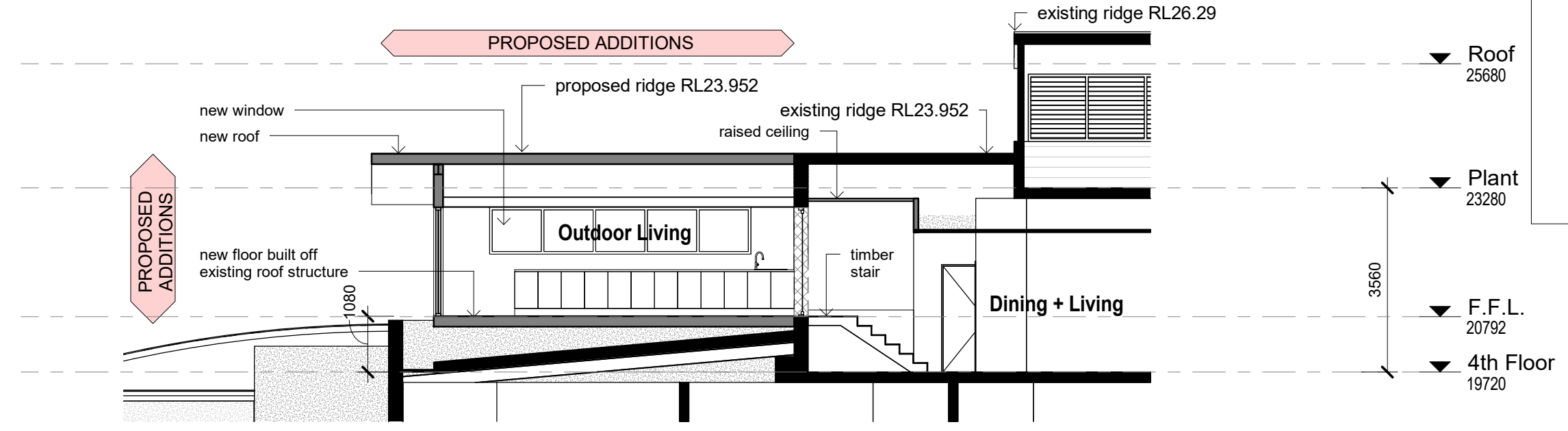
SITE AREA:	1050.2 m <sup>2</sup>
GROUND FLOOR AREA:	471.6 m <sup>2</sup>
FIRST FLOOR AREA:	830.8 m <sup>2</sup>
SECOND FLOOR AREA:	803.1 m <sup>2</sup>
THIRD FLOOR AREA:	583.6 m <sup>2</sup>
FOURTH FLOOR AREA:	322.8 m <sup>2</sup>

**PROPOSED ADDITIONAL FLOOR AREAS**

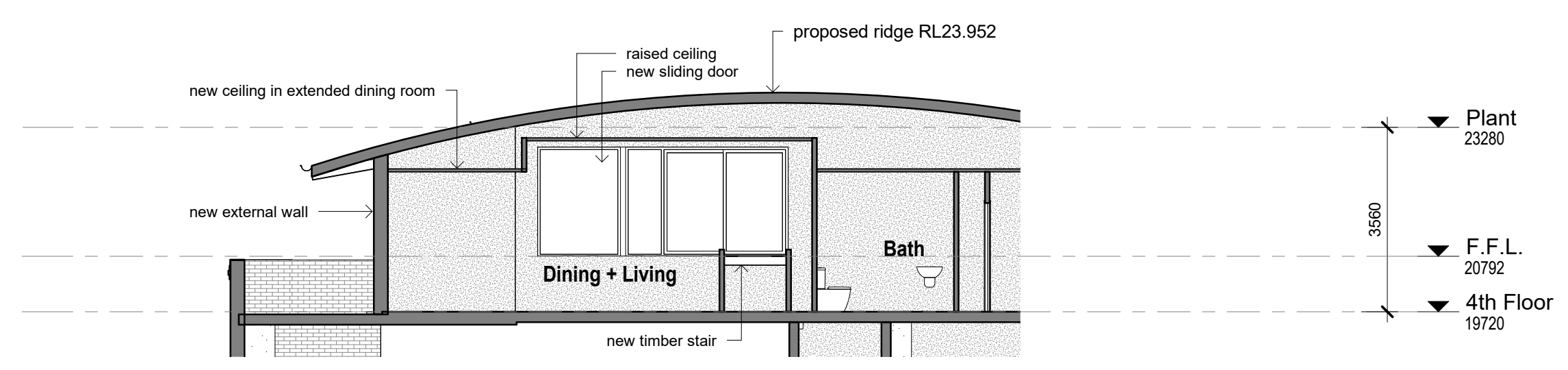
FOURTH FLOOR	
INTERNAL:	7.8 m <sup>2</sup>
OUTDOOR LIVING:	78 m <sup>2</sup>
DECK:	20 m <sup>2</sup>

**REFERENCE LEVELS LEGEND**

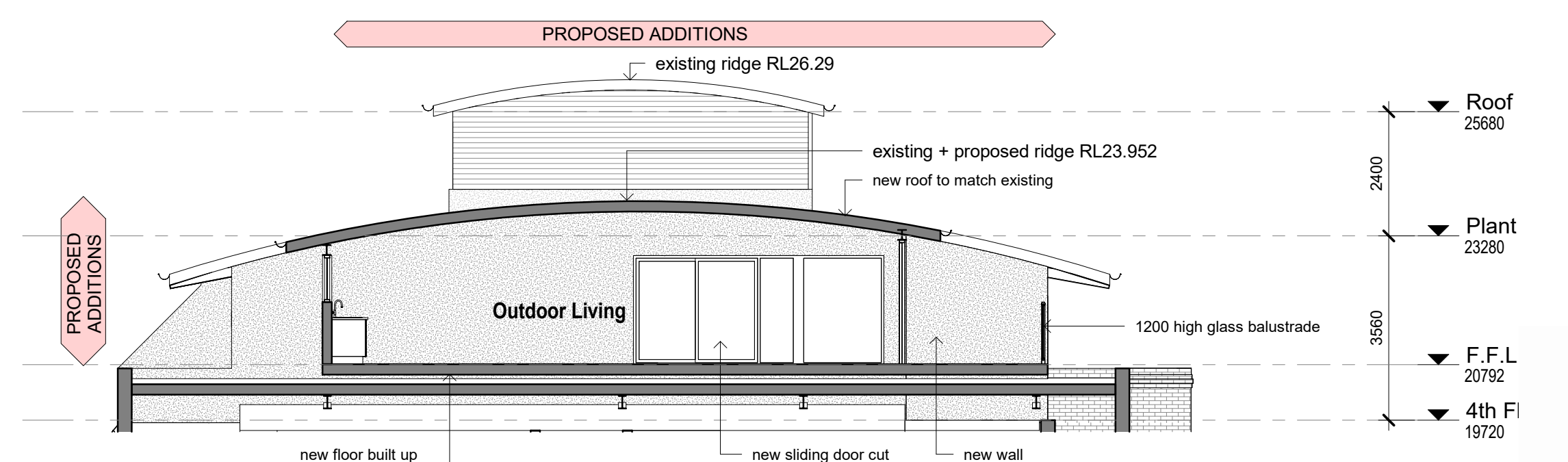
- K 6.60 DENOTES KERB LEVEL OF 6.60
- G 6.75 DENOTES GUTTER LEVEL OF 6.75
- P 20.80 DENOTES PARAPET LEVEL OF 20.80
- R 23.95 DENOTES RIDGE LEVEL OF 23.95



**1** Section 1  
SCALE: 1:100



**2** Section 2  
SCALE: 1:100



**3** Section 3  
SCALE: 1:100

BSA File Reference: 15328			
Building Sustainability Assessments enquiries@buildingsustainability.net.au		Ph: (02) 4962 3439 www.buildingsustainability.net.au	
<b>SUMMARY OF BASIX COMMITMENTS - ALTERATIONS AND ADDITIONS</b>			
This is a summary of the BASIX Commitments as detailed in the BASIX Certificate. Refer to the CURRENT BASIX Certificate for complete details. For definitions refer to basix.nsw.gov.au			
<b>FIXTURES AND SYSTEMS</b>			
Hot Water System (if applicable)			
Type	n/a		
<b>Lighting</b>			
A minimum of 40% of new or altered light fixtures must be fitted with fluorescent, compact fluorescent, or light-emitting-diode (LED) lamps.			
<b>Fixtures</b>			
All new or altered water fixtures (toilet cisterns, shower roses or taps) must have a minimum 3 Star water rating.			
<b>CONSTRUCTION</b>			
Insulation to be installed to all new or altered floors, walls, ceilings and roofs as described below. The recommended values are standard construction practice and will exceed or be equal to minimum BASIX requirements.			
Floors	Added R Value	Other Specifications	
Walls	All	R1.5	
Ceilings	Adjacent to roof space	R2.0	
Glazing to all new or altered windows or doors can be as described for clear or toned glazing. Other glazing systems must have U and SHGC values no greater than those listed. All values calculated to NFRC conditions.			
	Glazing & Frame	U Value	SHGC Value
	Single clear in aluminium	7.63	0.75
To all windows UNO			
Shading details (eaves, sunshades, awnings, blinds etc.) are those as drawn on the plans and elevations.			
Skylights to be as described OR no greater than the U and SHGC values listed.			
	Frames	Glazing	U Value SHGC Value
For construction in NSW the BCA Vol 1 or 2 must also be complied with, in particular the following: - Thermal construction in accordance with Vol 1 Section J1.2 or Vol 2 Part 3.12.1.1 - Thermal breaks in accordance with Section J1.3(d) & 1.5(c) or Part 3.12.1.2(c) & 3.12.1.4(b) - Compensating for loss of ceiling insulation in accordance with Section J1.3(c) or Part 3.12.1.2(e) - Floor insulation in accordance with Section J1.6(c) & (d) or Part 3.12.1.5(a)(iii) or (c) & (d) - Building sealing in accordance with Section J3 or Part 3.12.3.1 to 3.12.3.6.			

Number	Revision Description	Date

**DA Submission**



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**STEPHEN ROSE ARCHITECTS**  
 A.B.N. 16 051 664 067  
 T: (02) 4930 5688  
 NOMINATED ARCHITECT  
 NSW REGISTRATION 4234  
 6 SHIRAZ CLOSE HINTON NSW  
 M: 0413 609 585

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**Proposed Outdoor Living on Fourth Floor**

CLIENT  
**Proctor Residence**

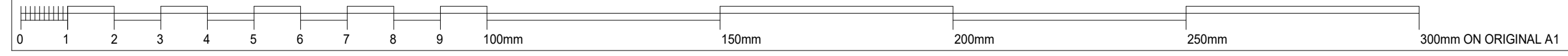
SITE  
**Boulevard on Beaumont Fourth Floor  
131 Beaumont Street  
Hamilton NSW 2303**

SHEET REFERENCE  
**Floor Plan and Sections 1, 2 + 3**

WORK TO FIGURED DIMENSIONS ONLY  
CHECK ALL DIMENSIONS ON SITE

DRAWN	CURRENT REVISION	3
DATE	December 2019	SCALE As indicated
PROJECT NUMBER	ISSUE	DRAWING NUMBER
<b>587</b>	<b>V9</b>	<b>A02</b>

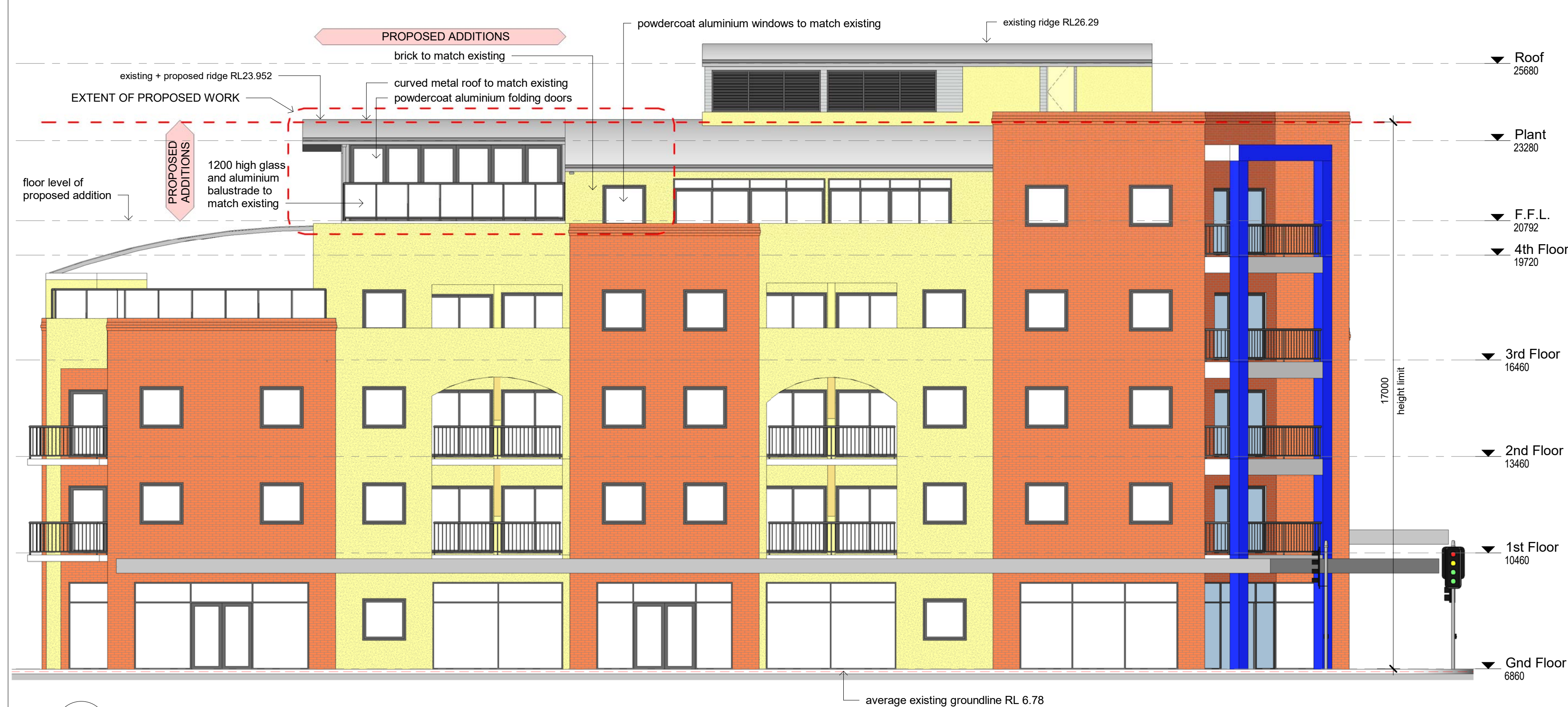
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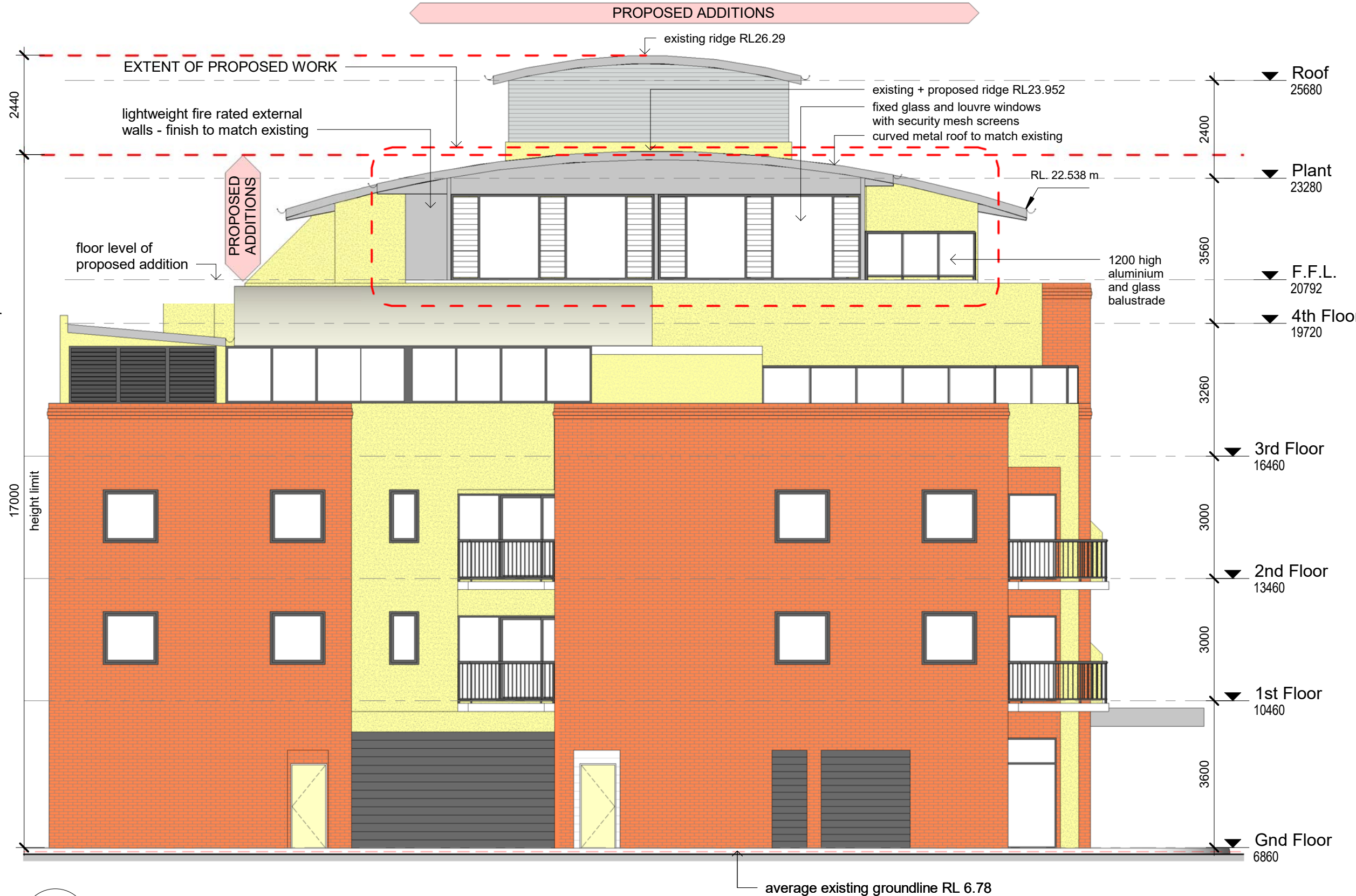


Number	Revision Description	Date
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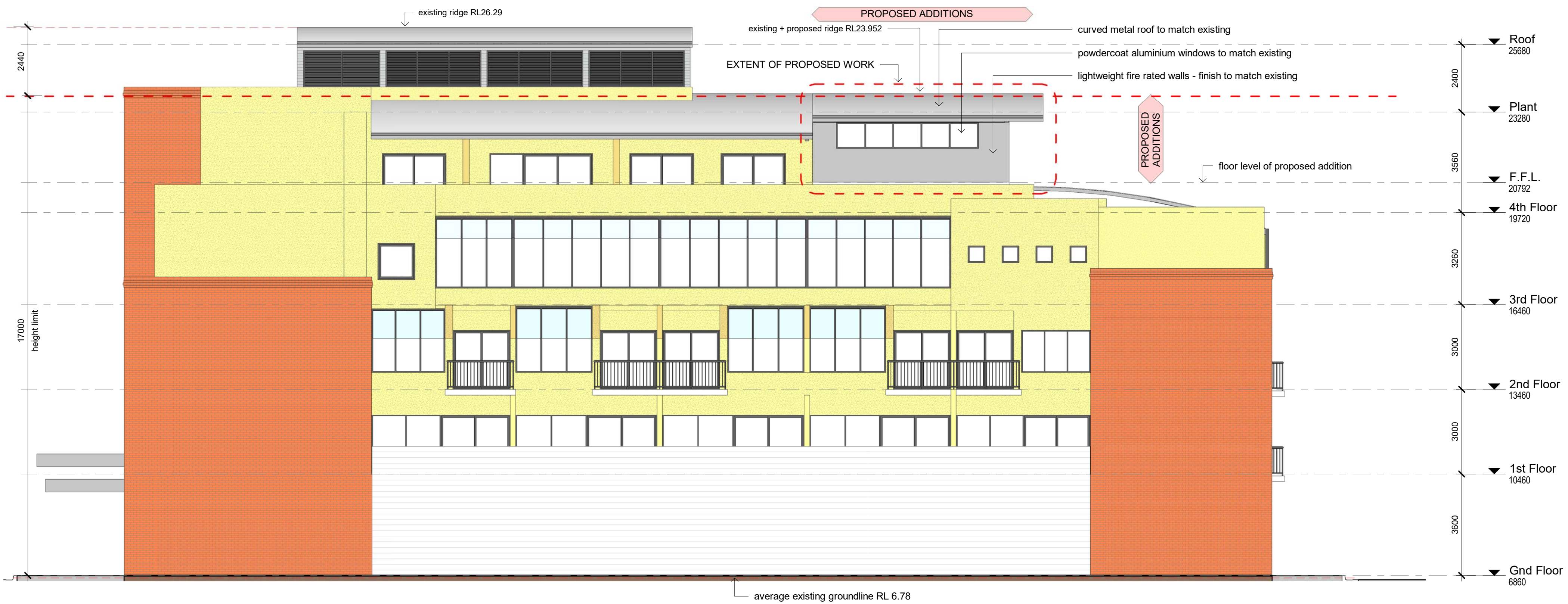
DA Submission



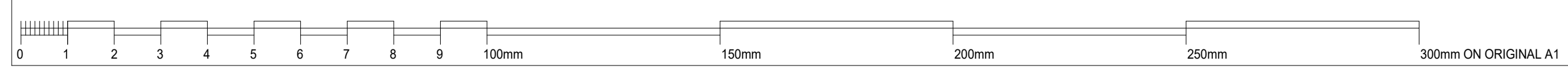
**A** Tudor Street Elevation  
A03 SCALE: 1 : 100



**B** Murray Street Elevation  
A03 SCALE: 1 : 100



**C** South Elevation  
A03 SCALE: 1 : 100



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**STEPHEN ROSE ARCHITECTS**  
A.B.N. 16 051 664 067  
T: (02) 4930 5688  
NOMINATED ARCHITECT  
NS.W. REGISTRATION: 4234  
6 SHIRAZ CLOSE HINTON NSW  
M: 0413 609 585

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PROJECT  
**Proposed Outdoor Living on Fourth Floor**

CLIENT  
**Proctor Residence**

SITE  
**Boulevard on Beaumont Fourth Floor  
131 Beaumont Street  
Hamilton NSW 2303**

SHEET REFERENCE  
**Tudor+ Murray Streets and South Elevations**

WORK TO FIGURED DIMENSIONS ONLY  
CHECK ALL DIMENSIONS ON SITE

DRAWN	DATE	PROJECT NUMBER	ISSUE	DRAWING NUMBER
	December 2019	587	V9	A03

PLOT DATE: 18/12/2019 4:50:05 AM



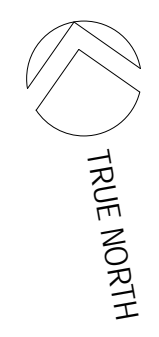
Number	Revision Description	Date

DA Submission

PROJECT INFORMATION - EXISTING

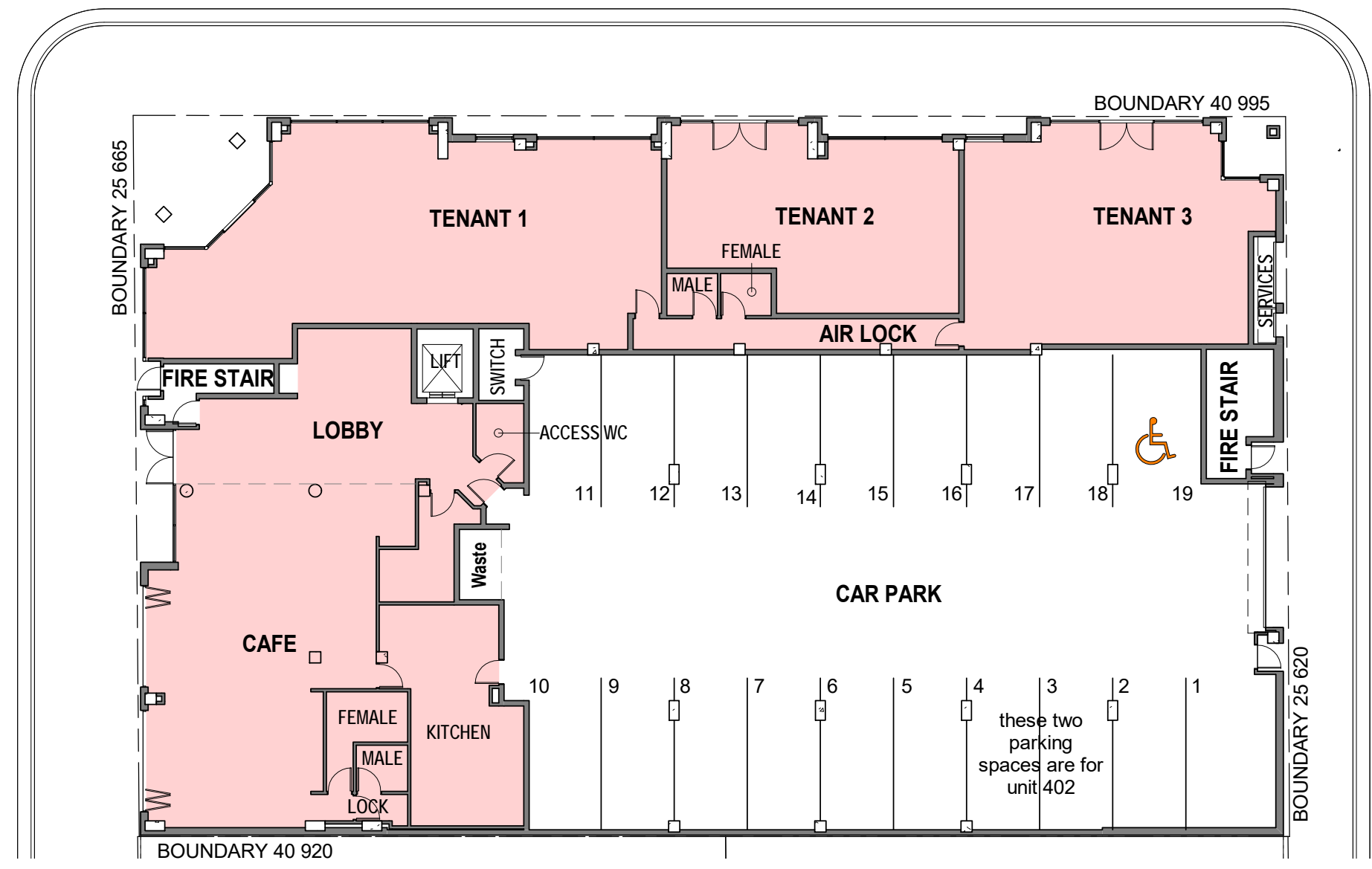
EXISTING SITE + FLOOR AREAS

SITE AREA:	1050.2 m <sup>2</sup>
GROUND FLOOR AREA:	471.6 m <sup>2</sup>
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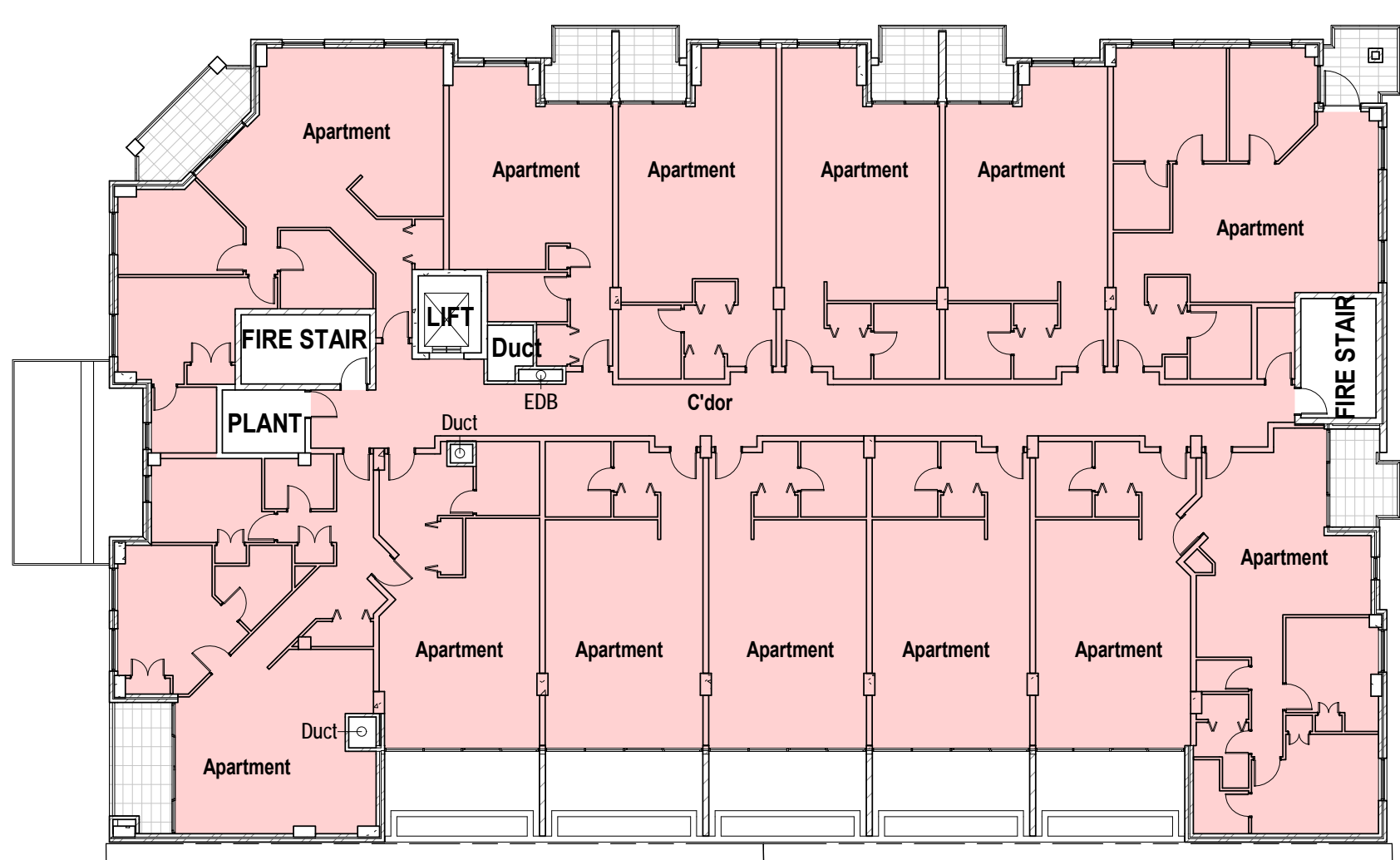
BEAUMONT STREET

TUDOR STREET

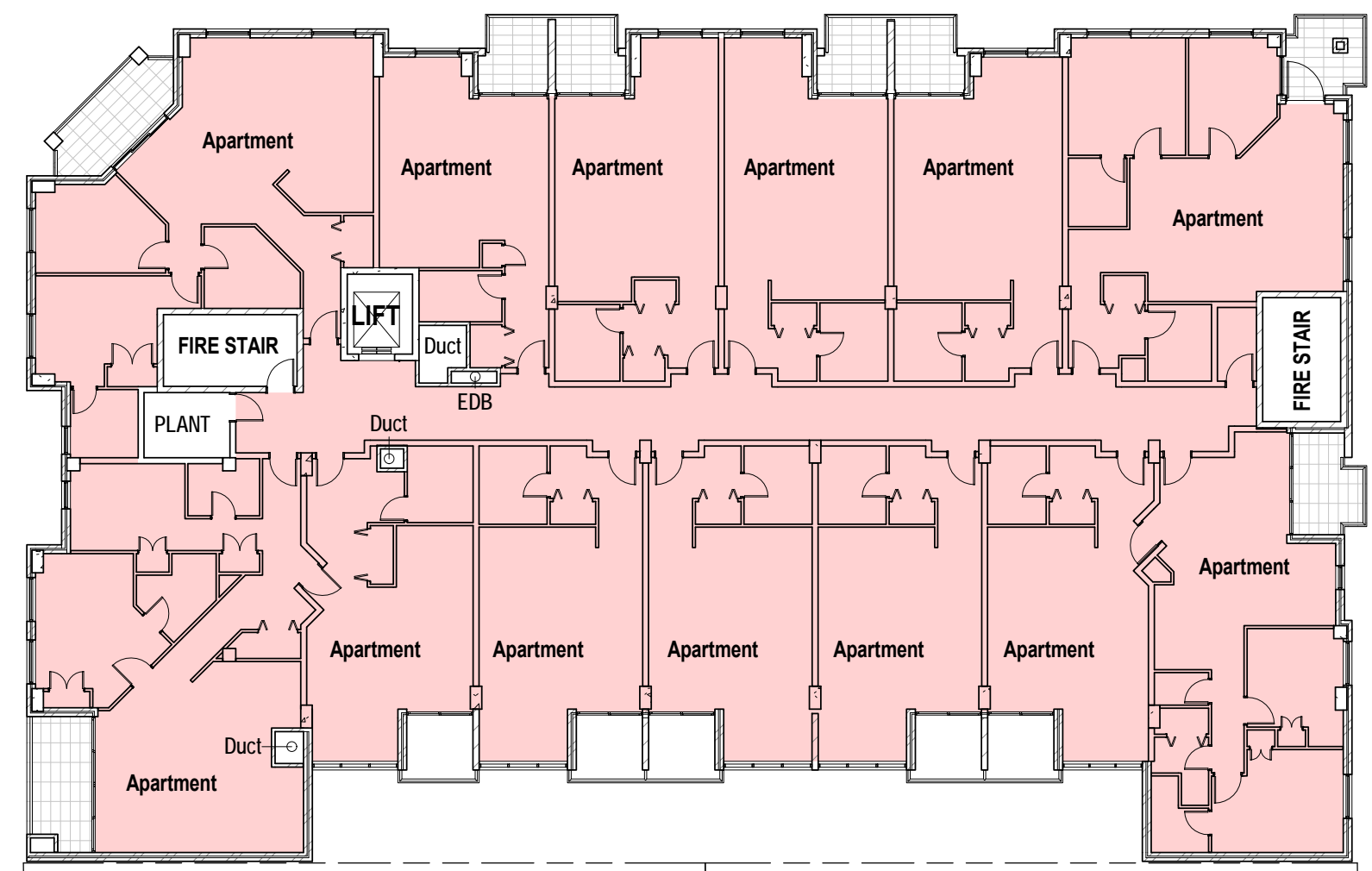


1 Gnd Floor  
A04 SCALE: 1:200

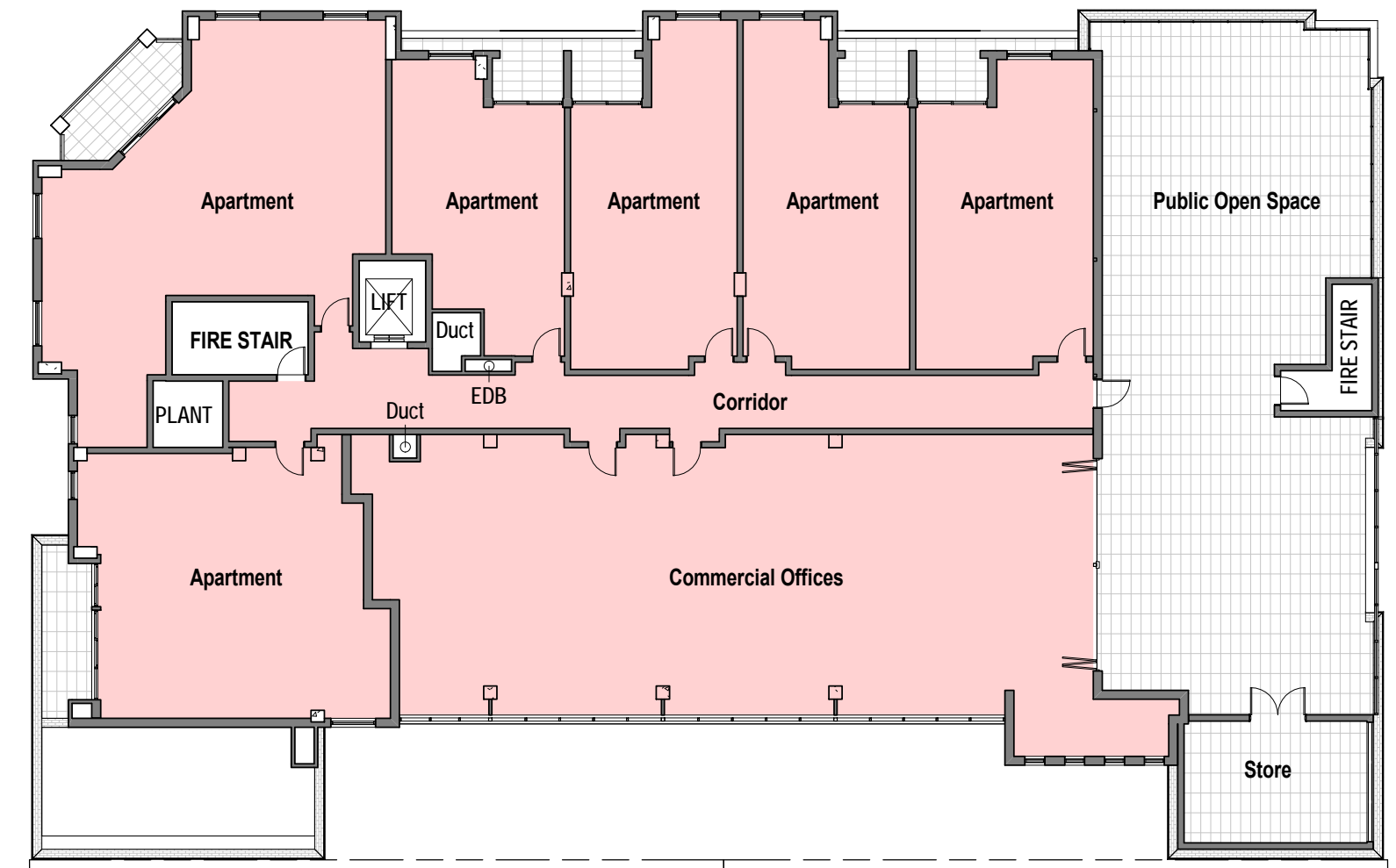
MURRAY STREET



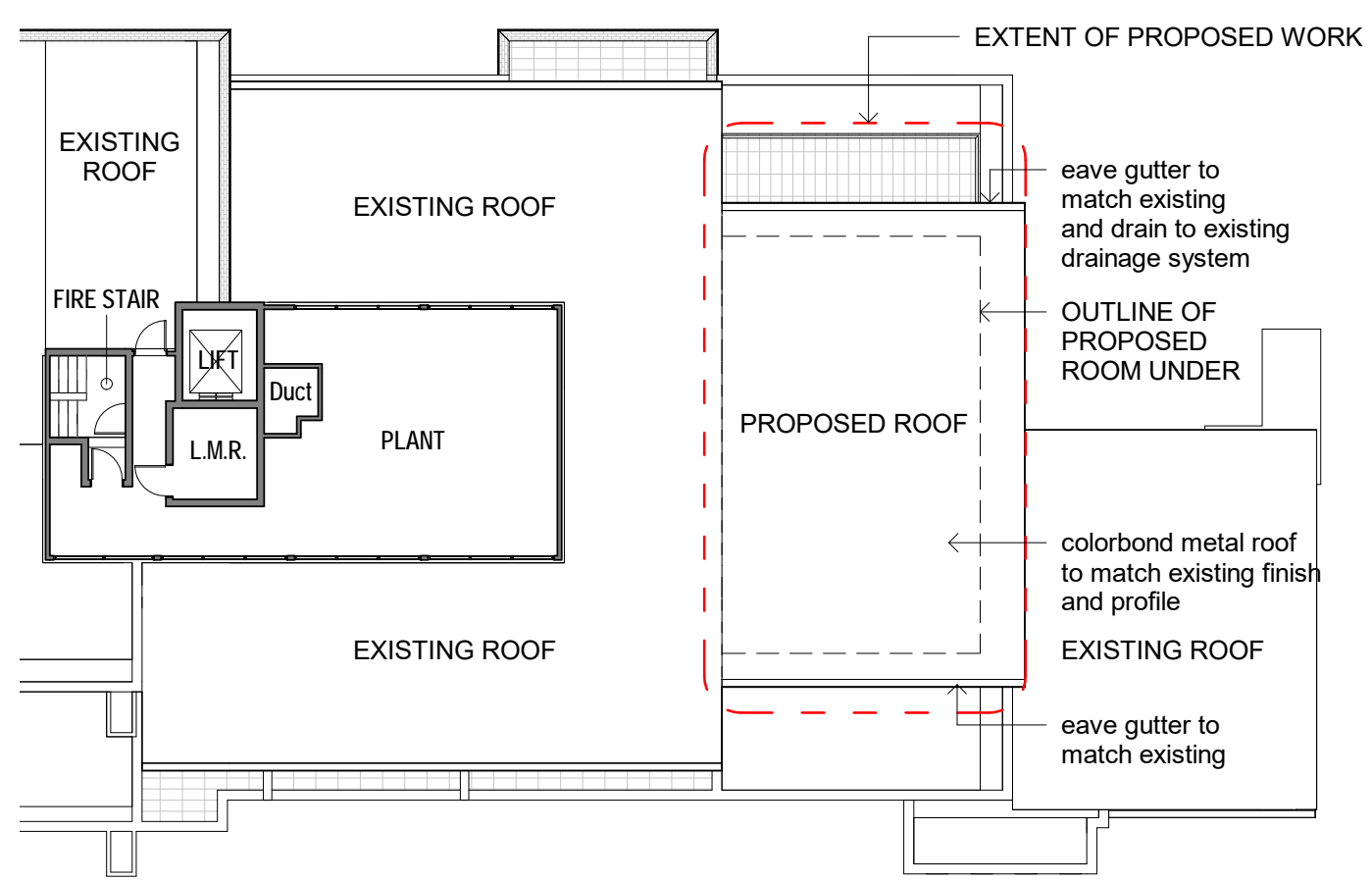
2 1st Floor  
A04 SCALE: 1:200



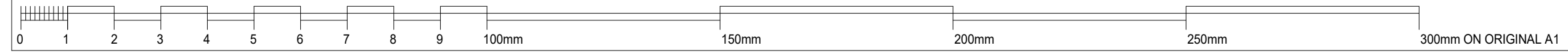
3 2nd Floor  
A04 SCALE: 1:200



4 3rd Floor  
A04 SCALE: 1:200



5 Plant  
A04 SCALE: 1:200



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A.B.N. 16 051 664 067  
T: (02) 4930 5688  
NOMINATED ARCHITECT  
NS.W. REGISTRATION 4234  
6 SHIRAZ CLOSE HINTON NSW  
M: 0413 609 585

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Proposed Outdoor Living on Fourth Floor

CLIENT  
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131 Beaumont Street  
Hamilton NSW 2303**

SHEET REFERENCE  
**Floor Plans - Existing**

WORK TO FIGURED DIMENSIONS ONLY  
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DRAWN	CURRENT REVISION	1
DATE <b>December 2019</b>	SCALE	<b>As indicated</b>
PROJECT NUMBER	ISSUE	DRAWING NUMBER
<b>587</b>	<b>V9</b>	<b>A04</b>

PLOT DATE: 18/12/2019 3:54:29 PM





Artist View 1 - Tudor Street



Artist View 2 - Tudor Street

Number	Revision Description	Date
10		

DA Submission

PROPOSED ADDITIONS

PROPOSED ADDITIONS

Member Level 1  
Australian Institute  
of Architects  
2018

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**STEPHEN ROSE  
ARCHITECTS**

A.B.N. 16 051 664 067  
T: (02) 4930 5688  
NOMINATED ARCHITECT  
NS.W. REGISTRATION: 4234  
6 SHIRAZ CLOSE HINTON NSW  
M: 0413 609 585

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PROJECT  
**Proposed Outdoor Living  
on Fourth Floor**

CLIENT  
**Proctor Residence**

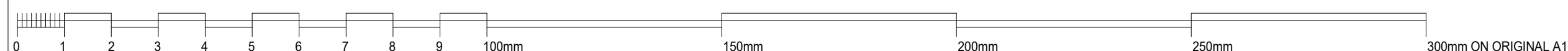
SITE  
**Boulevard on Beaumont  
Fourth Floor  
131 Beaumont Street  
Hamilton NSW 2303**

SHEET REFERENCE  
**Artist Views 1 + 2**

WORK TO FIGURED DIMENSIONS ONLY  
CHECK ALL DIMENSIONS ON SITE

DRAWN	CURRENT REVISION
DATE <b>December 2019</b> SCALE <b>1 : 1</b>	<b>1</b>
PROJECT NUMBER <b>587</b> ISSUE <b>V9</b> DRAWING NUMBER <b>A05</b>	

PLOT DATE: 18/12/2019 4:51:14 AM





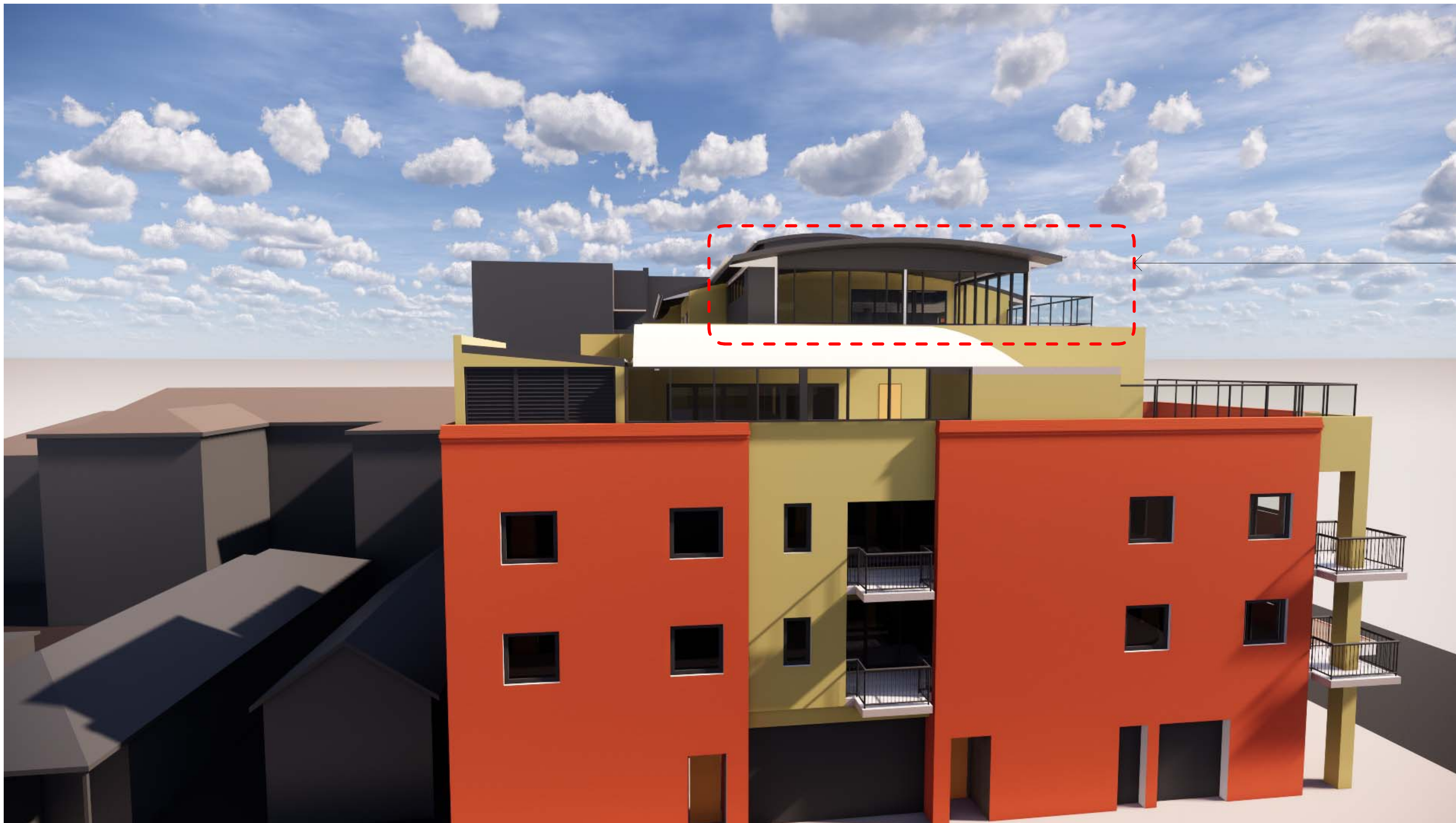
Number	Revision Description	Date
11		

DA Submission



PROPOSED ADDITIONS

Artist View 3 - Murray Street



PROPOSED ADDITIONS

Artist View 4 - Murray Street

Member Level 1  
Australian Institute  
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ARCHITECTS**

A.B.N. 16 051 664 067  
T: (02) 4930 5688  
NOMINATED ARCHITECT  
NS.W. REGISTRATION: 4234  
6 SHIRAZ CLOSE HINTON NSW  
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PROJECT  
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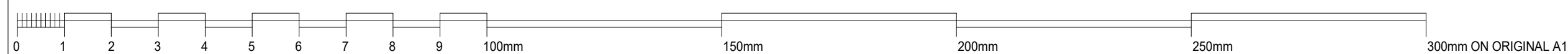
SITE  
**Boulevard on Beaumont  
Fourth Floor  
131 Beaumont Street  
Hamilton NSW 2303**

SHEET REFERENCE  
**Artist Views 3 + 4**

WORK TO FIGURED DIMENSIONS ONLY  
CHECK ALL DIMENSIONS ON SITE

DRAWN	CURRENT REVISION	1
DATE <b>December 2019</b>	SCALE <b>1 : 1</b>	
PROJECT NUMBER <b>587</b>	ISSUE <b>V9</b>	DRAWING NUMBER <b>A06</b>

PLOT DATE: 18/12/2019 4:51:40 AM





Number	Revision Description	12	Date

**DA Submission**



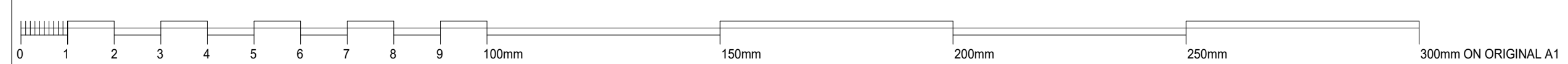
PROPOSED ADDITIONS

Artist View 5 - Murray Street



PROPOSED ADDITIONS

Artist View 6 - Murray Street



**Member Level 1**  
Australian Institute  
of Architects  
2018

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ARCHITECTS**

A.B.N. 16 051 664 067  
T: (02) 4930 5688  
NOMINATED ARCHITECT  
NS.W. REGISTRATION: 4234  
6 SHIRAZ CLOSE HINTON NSW  
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Hamilton NSW 2303**

SHEET REFERENCE  
**Artist Views 5 + 6**

WORK TO FIGURED DIMENSIONS ONLY  
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DRAWN	CURRENT REVISION	1
DATE <b>December 2019</b>	SCALE <b>1 : 1</b>	
PROJECT NUMBER <b>587</b>	ISSUE <b>V9</b>	DRAWING NUMBER <b>A07</b>

PLOT DATE: 18/12/2019 4:52:09 AM

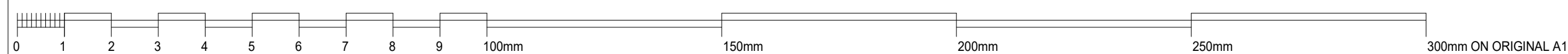




Artist View - Existing Building - Tudor Street View



Artist View - Proposed Work - Tudor Street View



Number	Revision Description	Date
1		

DA Submission

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Australian Institute  
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2018

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**STEPHEN ROSE  
ARCHITECTS**

A.B.N. 16 051 664 067  
T: (02) 4930 5688  
NOMINATED ARCHITECT  
NS.W. REGISTRATION: 4234  
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Hamilton NSW 2303**

SHEET REFERENCE  
**Artist Views showing  
existing and proposed  
Tudor Street Views**

WORK TO FIGURED DIMENSIONS ONLY  
CHECK ALL DIMENSIONS ON SITE

DRAWN	CURRENT REVISION	1
DATE <b>December 2019</b>	SCALE <b>1 : 1</b>	
PROJECT NUMBER <b>587</b>	ISSUE <b>V9</b>	DRAWING NUMBER <b>A08</b>

PLOT DATE: 18/12/2019 4:52:56 AM

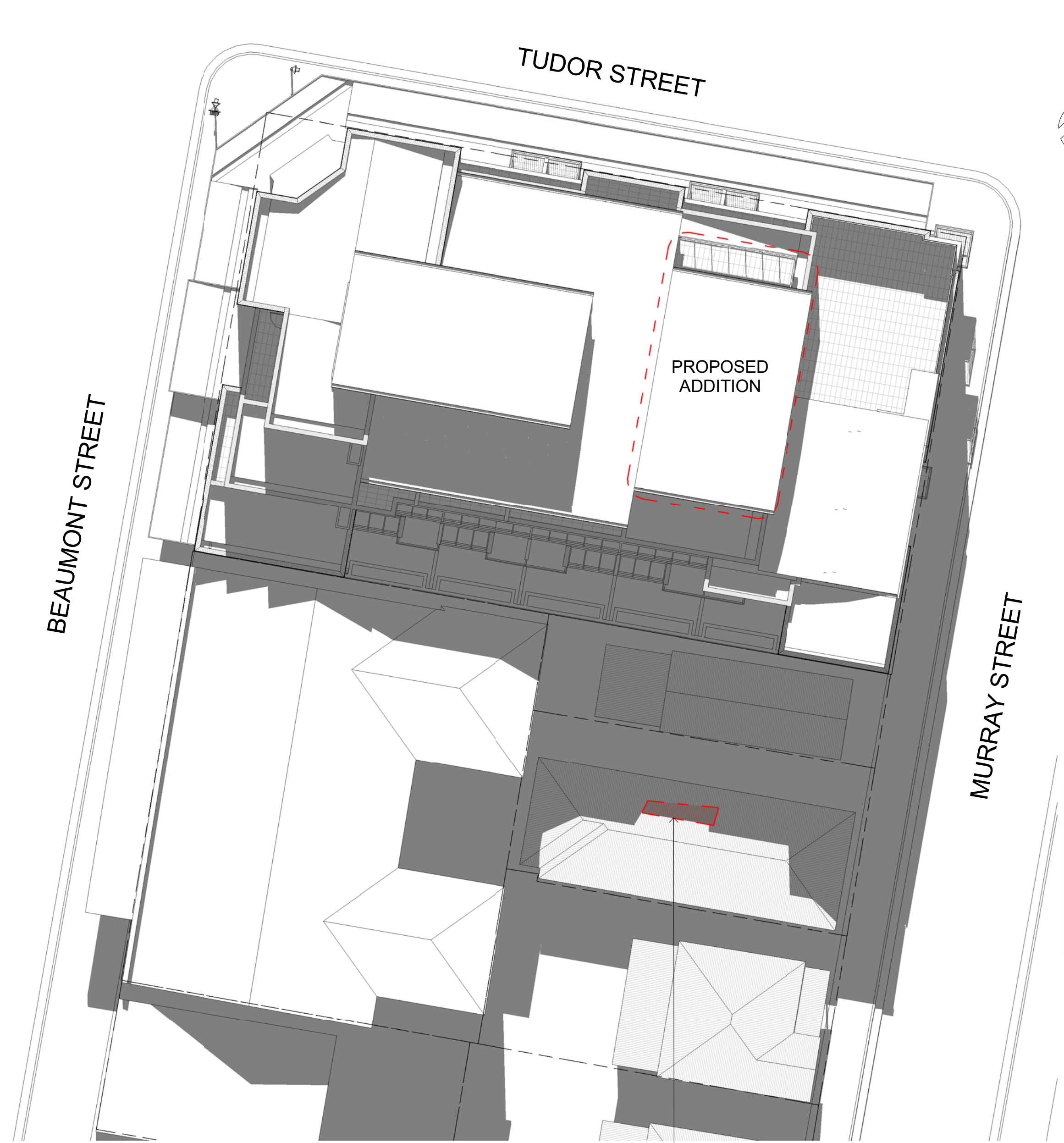


Number	Revision Description	Date
14		

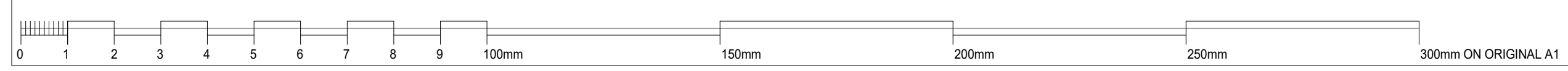
**DA Submission**



Shadow Diagram - 9am 22 June



Shadow Diagram - Noon 22 June



**Member Level 1**  
Australian Institute  
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**STEPHEN ROSE ARCHITECTS**  
A.B.N. 16 051 664 067  
T: (02) 4930 5688  
NOMINATED ARCHITECT  
NS.W. REGISTRATION: 4234  
6 SHIRAZ CLOSE HINTON NSW  
M: 0413 609 585

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**Proposed Outdoor Living  
on Fourth Floor**

CLIENT  
**Proctor Residence**

SITE  
**Boulevard on Beaumont  
Fourth Floor  
131 Beaumont Street  
Hamilton NSW 2303**

SHEET REFERENCE  
**Shadow Diagrams -  
June 22**

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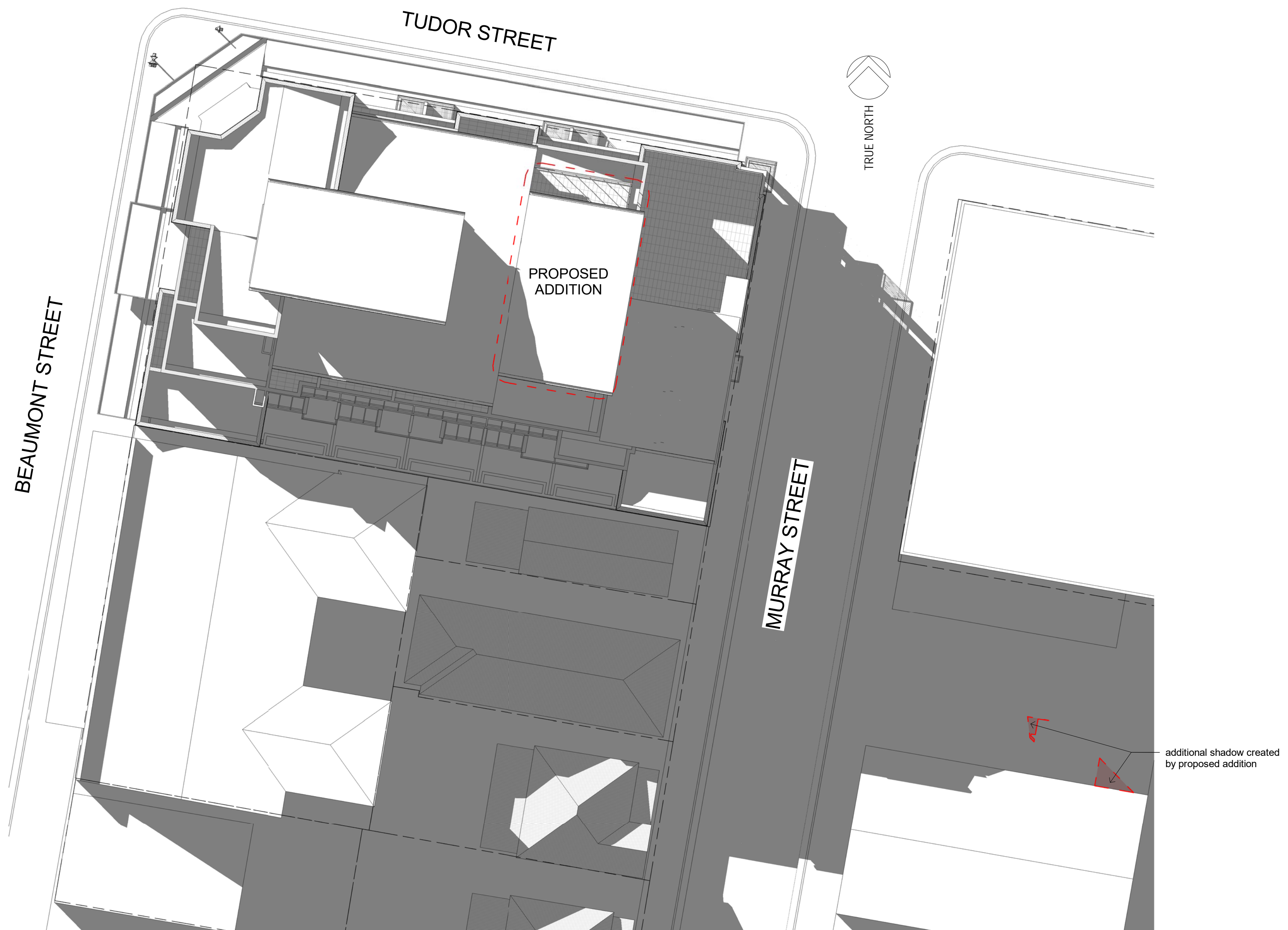
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DATE <b>December 2019</b>	SCALE <b>1 : 200</b>	
PROJECT NUMBER	ISSUE	DRAWING NUMBER
<b>587</b>	<b>V9</b>	<b>A09</b>

PLOT DATE: 18/12/2019 4:53:35 AM

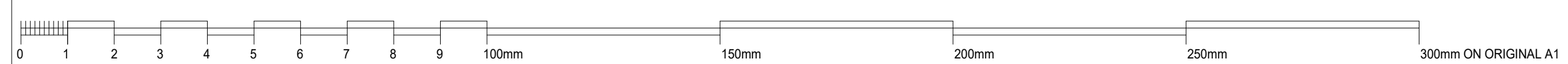


Number	Revision Description	Date
15		

DA Submission



Shadow Diagram - 3pm 22 June



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**STEPHEN ROSE ARCHITECTS**  
A.B.N. 16 051 664 067  
T: (02) 4930 5688  
NOMINATED ARCHITECT  
NS.W. REGISTRATION: 4234  
6 SHIRAZ CLOSE HINTON NSW  
M: 0413 609 585

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**Proposed Outdoor Living on Fourth Floor**

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131 Beaumont Street  
Hamilton NSW 2303**

SHEET REFERENCE  
**Shadow Diagram - June 22**

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DRAWN	CURRENT REVISION	1
DATE <b>December 2019</b>	SCALE	<b>1 : 200</b>
PROJECT NUMBER	ISSUE	DRAWING NUMBER
<b>587</b>	<b>V9</b>	<b>A10</b>

PLOT DATE: 18/12/2019 4:54:09 AM



## **Statement of Environmental Effects**







Addition to existing building  
and change of use to shop-  
top housing

**131 Beaumont Street, Hamilton**

Submitted to Newcastle City Council  
On Behalf of Stephen Rose

December 2019

## REPORT REVISION HISTORY

Revision	Date Issued	Revision Description				
01 DRAFT	29/11/19	Draft for client review				
		<table border="0"> <tr> <td><b>Prepared by</b></td> <td><b>Verified by</b></td> </tr> <tr> <td>Chloe Boyd <i>Assistant Project Planner</i></td> <td>Mark Schofield <i>Director</i></td> </tr> </table>	<b>Prepared by</b>	<b>Verified by</b>	Chloe Boyd <i>Assistant Project Planner</i>	Mark Schofield <i>Director</i>
<b>Prepared by</b>	<b>Verified by</b>					
Chloe Boyd <i>Assistant Project Planner</i>	Mark Schofield <i>Director</i>					
02 FINAL	17/12/19	Revision tracking notes				
		<table border="0"> <tr> <td><b>Prepared by</b></td> <td><b>Verified by</b></td> </tr> <tr> <td>Chloe Boyd <i>Assistant Project Planner</i></td> <td>             Mark Schofield <i>Director</i> </td> </tr> </table>	<b>Prepared by</b>	<b>Verified by</b>	Chloe Boyd <i>Assistant Project Planner</i>	 Mark Schofield <i>Director</i>
<b>Prepared by</b>	<b>Verified by</b>					
Chloe Boyd <i>Assistant Project Planner</i>	 Mark Schofield <i>Director</i>					
03 Revised FINAL	19/12/19	Minor edits to correct plan information				
		<table border="0"> <tr> <td><b>Prepared by</b></td> <td><b>Verified by</b></td> </tr> <tr> <td>Chloe Boyd <i>Assistant Project Planner</i></td> <td>             Mark Schofield <i>Director</i> </td> </tr> </table>	<b>Prepared by</b>	<b>Verified by</b>	Chloe Boyd <i>Assistant Project Planner</i>	 Mark Schofield <i>Director</i>
<b>Prepared by</b>	<b>Verified by</b>					
Chloe Boyd <i>Assistant Project Planner</i>	 Mark Schofield <i>Director</i>					

**Disclaimer**

This report has been prepared by City Plan Strategy & Development P/L with input from a number of other expert consultants (if relevant). To the best of our knowledge, the information contained herein is neither false nor misleading and the contents are based on information and facts that were correct at the time of writing. City Plan Strategy & Development P/L accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in information in this publication.

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**APPENDICES**

Appendix	Document	Prepared by
1	Architectural Plans	Stephen Rose Architects
2	Clause 4.6 Variation Request (Height)	CPSD
3	Clause 4.6 Variation Request (FSR)	CPSD
4	Statement of Heritage Impact	Heritas
5	Acoustic Report	Reverb Acoustics
6	Pre-DA Advice	Newcastle City Council
7	Body Corporate Letter of Consent	CSTM Strata Group
8	BASIX Certificate	DPIE
9	Site Waste Minimisation Management Plan	Stephen Rose Architects

CPSD have relied on the information in the listed appendices, prepared by professionals in their field, for the preparation of this SEE.



## 1. EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) has been prepared for Stephen Rose by City Plan Strategy and Development Pty Ltd (CPSD) to accompany a Development Application (DA) to Newcastle City Council. The site is located at 131 Beaumont Street, Hamilton and relates to existing Unit 402 and the neighbouring 'Bedsit' only ("the site").

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act, 1979* and Clause 50 of the Environmental Planning and Assessment Regulation, 2000. The purpose of this SEE is to:

- describe the proposed development and its context;
- assess the proposal against the applicable planning controls and guidelines; and
- assess the potential environmental impacts and mitigation measures.

This SEE relates to the development proposal comprising of:

- change of use from 'serviced apartment' to 'shop top housing';
- the construction of an outdoor living area (incorporating a deck);
- enclosure of existing outdoor deck, increasing general internal living space; and,
- minor internal alterations to accommodate access to the proposed outdoor area.

The proposed development is defined as 'shop top housing' under the Newcastle Local Environmental Plan 2012 and is permissible with consent within the B2 - Local Centre zone.

This SEE demonstrates that the proposal is generally consistent with the relevant statutory controls. The proposed development exceeds the maximum Height of Buildings and Floor Space Ratio development standards prescribed for the site under Clause 4.3 and 4.4, respectively. A request to vary each of these development standards pursuant to Clause 4.6 of the NLEP are included at Appendices 2 and 3. Importantly, the proposed exceedances reflect a minor variation and encourage the provision of amenable private open space for the proposed dwelling.

A pre-lodgement meeting was held with Newcastle City Council prior to the preparation of this DA. Section 3.7 of this SEE provides a detailed response to the issues raised by Council at the pre-lodgement meeting.

The SEE concludes this proposal is of an appropriate scale and bulk, is consistent with the desired future character of the area, is well designed and has no unreasonable amenity impacts. It is considered that the proposal will deliver a suitable and appropriate development for the site and is worthy of approval.

## 2. SITE ANALYSIS

The site is located at 131 Beaumont Street, Hamilton. It comprises one lot and is legally described as SP 62579. Tudor Street bounds the site to the north, while Beaumont Street bounds the site to the west. To the south, the site is entirely constrained by other buildings, though Murray Street provides access to the south-east. The dimensions of the site are outlined in Table 1 and a Site Plan is provided in Figure 1.

Table 1: Site dimensions

Boundary	Dimension (mm)
North	40.9
East	25.6
South	40.9
West	25.6

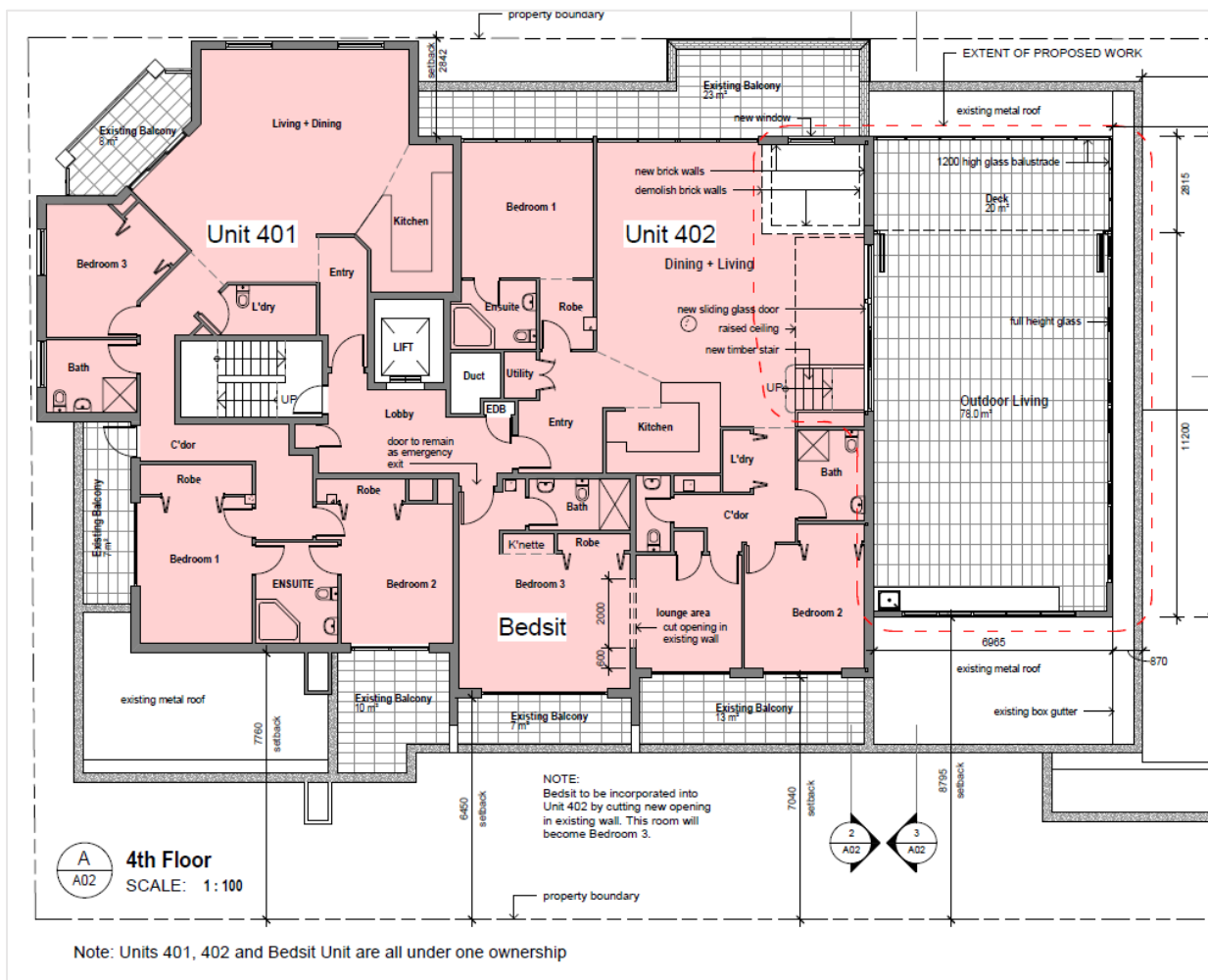


Figure 1: Site Plan of the fourth floor.

## 2.1. Site Description

### 2.1.1. Existing Improvements

The site comprises a five-storey building, with ground-floor commercial and retail uses and four storeys of serviced apartments. Secure car parking is provided internally at the ground-floor level, with access provided via Murray Street. A number of bus stops are located along both Tudor Street and Beaumont Streets.

The site is relatively flat, features no vegetation or trees and is not mapped as bushfire prone land. However, it is classified as 'Very Low Risk' flood prone land (see Section 6.6.2) and is in the Newcastle Mine Subsidence District. Additionally, the site is in the Hamilton Business Centre Heritage Conservation Area (see Section 6.3.8), though the site itself is not a heritage item. Adjacent to the site are a number of heritage items (see Section 6.3.8), with I148 (Scots Kirk Presbyterian Church) to the north-east and I149 (Former Bank of New South Wales) to the west of the site. A site plan of the existing building is provided in Figure 1 and an aerial view of the site is provided in Figure 2. Views of the site are provided in Plate 1 to Plate 3.

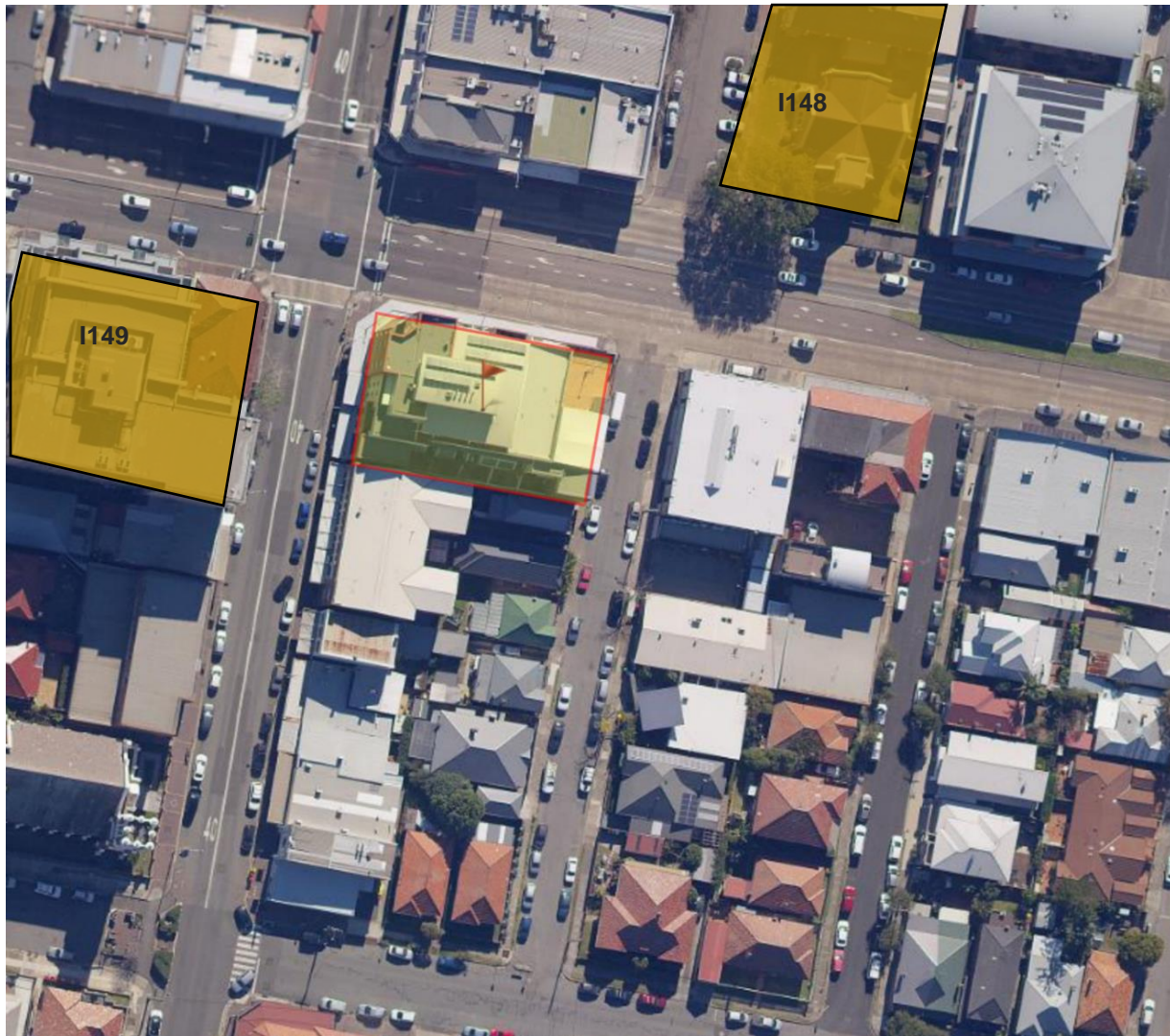


Figure 2: Aerial view of the site, with the site highlighted in yellow. Base source: SixMaps.



Plate 1: View of the site looking east. Source: Google Maps.





Plate 2: View of the site looking south. Source: Google Maps.



Plate 3: View of the site looking west. Source: Google Maps.

### 2.1.2. Surrounding Uses

The site is surrounded by a range of uses, including retail, commercial, community and residential uses. Across Tudor Street, to the north of the site, are two-storey commercial buildings. To the east is a single-storey community church, beyond which mixed-use buildings are the predominant form of development. To the south, residential buildings predominate, with two single-storey dwellings located directly adjacent to the rear of the building. The heritage-listed former Bank of NSW building is located across Beaumont Street, to the west of the site. The surrounding uses are demonstrated below in Plate 4 - Plate 7.



Plate 4: View of the two-storey commercial buildings to the north of the site. Source: Google Maps.



Plate 5: View of the community church located to the east of the site, with the site visible to the right. Source: Google Maps.





*Plate 6: View of the adjoining single-storey residential buildings to the south of the site. The rear of the site is visible to the extreme right of the photo. Source: Google Maps.*



*Plate 7: View of the heritage-listed former Bank of NSW building to the west of the site. Source: Google Maps.*

## **2.2. Relevant Planning History**

In 1998, the site was development approval was granted for a 'commercial café and carparking on ground floor and residential service s [sic] apartments above' under DA1998/0665. This is the DA which approved the existing building and its use as 38 Serviced Apartments. In 2000, the apartments were approved for strata subdivision under DA2000/0636.

There has been several other minor alterations and additions to the site over recent years, including new signage and improvements to the ground-floor café.



### **3. DESCRIPTION OF DEVELOPMENT**

#### **3.1. Overview**

The proposal generally involves:

- changing the use of Unit 402 from serviced apartment to shop-top housing;
- the addition of an outdoor living space;
- the addition of a deck attached to the proposed outdoor living space;
- minor internal alterations to accommodate the proposed outdoor living space, including:
  - a new north-facing window;
  - the replacement of the existing brick wall;
  - the addition of a sliding door (providing access to the proposed outdoor living space);
  - the addition of new timber stairs (providing access to the proposed outdoor living space);
  - the enclosure of the existing outdoor deck, increasing the general internal living area; and,
  - incorporation of the Bedsit into Unit 402, by cutting a new opening into the existing wall between existing Bedroom 3 and the Bedsit.

The proposed site plan is provided in Figure 3 below and the proposed dwelling layout is provided in Figure 4.

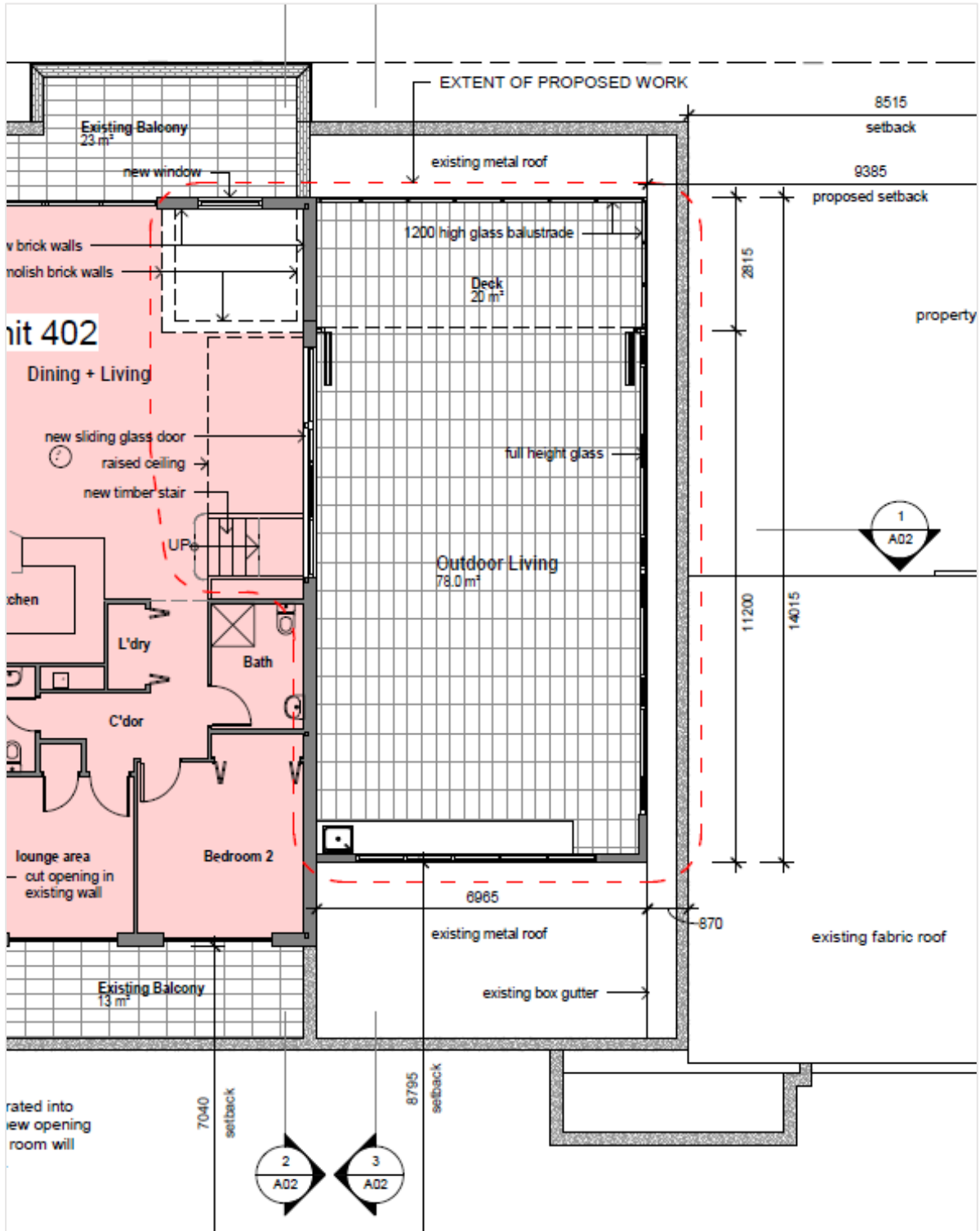


Figure 3: The proposed site plan, demonstrating the minor internal works in relation to the proposed outdoor living space.

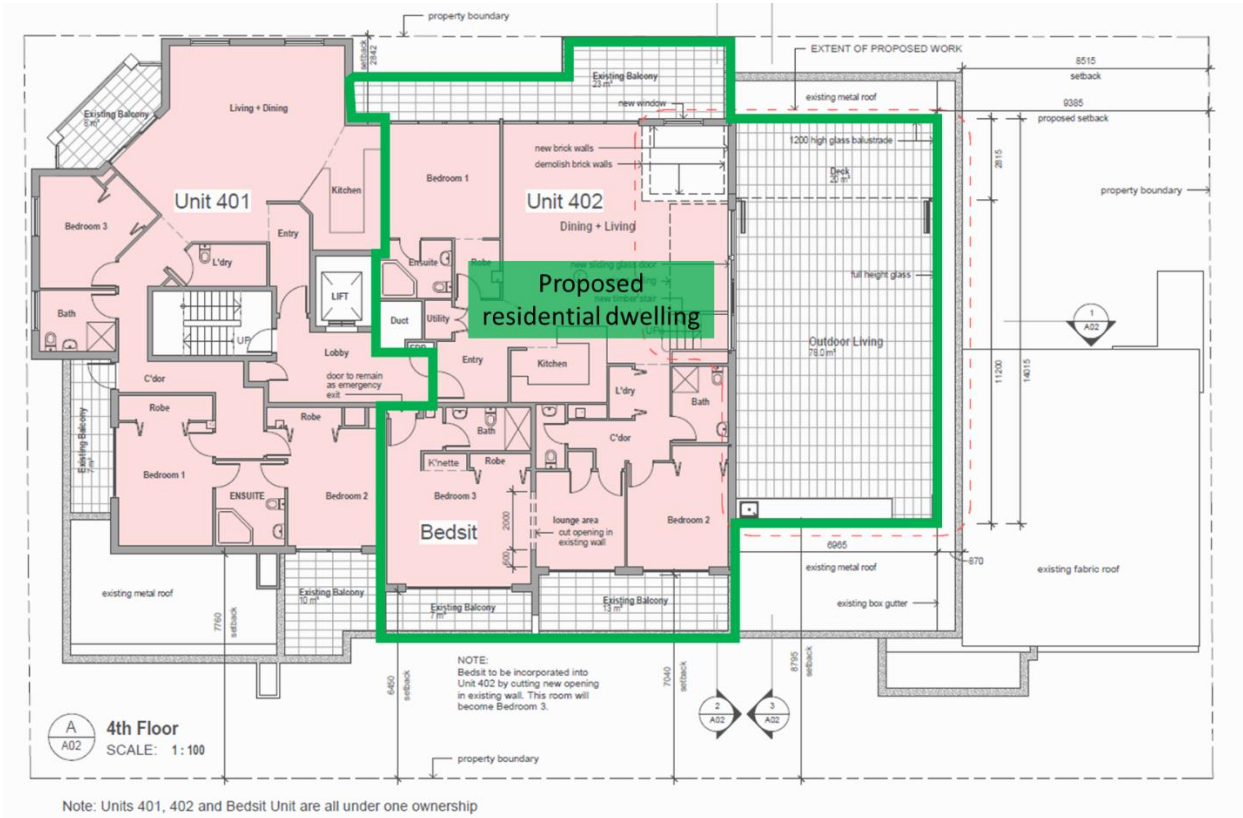


Figure 4: Layout of the proposed dwelling, outlined in green.

### 3.2. Construction

Key construction elements for the proposal include the following:

- the addition of an outdoor living space;
- the addition of a deck attached to the proposed outdoor living space;
- minor internal alterations to accommodate the proposed outdoor living space, including:
  - a new north-facing window;
  - the demolition and part replacement of the existing brick wall (which forms the existing outdoor deck to be enclosed);
  - the addition of a sliding door (providing access to the proposed outdoor living space);
  - the addition of new timber stairs (providing access to the proposed outdoor living space); and,
- Minor internal alterations to incorporate Bedsit into Unit 402, including cutting an opening into the existing wall.

### 3.3. Development Statistics

The key statistics and elements of the project are shown in Table 2 below:

Table 2: Development Statistics.

Element	Proposal
Site Area	1,050.2m <sup>2</sup>
Gross Floor Area	3,097.7m <sup>2</sup>
Maximum Height	17.17m
Total Apartments	Two (2)
Total Parking	Unchanged

### 3.4. Architectural Intent and Materiality

The outdoor living space and associated deck has been designed to integrate with the existing building fabric. This includes the use of a curved roof and similar materials as well as the placement of the proposed addition within the existing roof area boundary.

The proposed materials comprise:

- a curved metal roof;
- powdercoat aluminium windows;
- brick;
- colorbond metal roof;
- continuation of existing guttering materials;
- fixed glass and louvre windows with security mesh screens;
- glass and aluminium balustrade; and,
- lightweight fire rated walls.

### 3.5. Access and Parking

#### 3.5.1. Access

The proposed development does not seek to alter the existing parking, vehicular and pedestrian access arrangements. Additionally, there are no proposed changes to existing service accesses. This is addressed in detail in Section 6.5.

### 3.6. Cost of Works

The Cost of Works of the project is estimated at \$100,000. Newcastle City Council will therefore be the consent authority.

### 3.7. Pre-DA Meeting

A Pre-DA Meeting was held on 20 August 2019. Table 3 outlines the issues discussed with Council and the resolutions proposed by this application. The Pre-DA Advice provided by Council is provided in Appendix 6.

Table 3: Pre-Lodgement issues raised by Council.

Item	Comment
Change of use	The proposed change of use from serviced apartment to shop top housing is addressed in Section 6.3.1.
Floor Space Ratio	The proposed floor space ratio variation has been addressed in the Clause 4.6 Variation Request provided at Appendix 3. The FSR exceedance is also addressed in Section 6.3.16.3.2.
Building Height	The proposed building height variation has been addressed in the Clause 4.6 Variation Request provided at Appendix 2. The height exceedance is also addressed in Section 6.3.2.
Heritage Conservation Area	A Statement of Heritage Impact has been prepared by Heritas provided at Appendix 4. Section 6.3.8 provides an assessment of the impact of the proposed development on the heritage conservation area.
Parking	The proposed development does not seek to alter the existing car parking arrangements. This is discussed in Table 7.
Shadowing and Privacy	Shadow diagrams are provided in the architectural plans provided at Appendix 1 and overshadowing and privacy are discussed in Section 6.3.4 and Section 6.3.6, respectively.
Owners Consent	Owners consent from the Body Corporate is provided at Appendix 7.
Waste	The proposed development does not seek to alter the existing waste management arrangements. This is detailed in Section 6.5.
Stormwater Management	The impacts of the proposed development on the existing stormwater management system is outlined in Section 6.4.1.
Acoustic	An Acoustic Report has been prepared by Reverb Acoustics and is provided at Appendix 5.

## 4. STATUTORY PLANNING CONSIDERATIONS

### 4.1. Overview

The relevant statutory framework considered in the preparation of this report comprises:

- *Environmental Planning and Assessment Act, 1979*;
- Environmental Planning and Assessment Regulation 2000;
- State Environmental Planning Policy No. 55 - Remediation of Land;
- State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Infrastructure) 2007; and,
- Newcastle Local Environmental Plan 2012.

Where relevant, these controls are addressed below.

### 4.2. Environmental Planning and Assessment Act 1979

#### 4.2.1. Section 1.3 – Objects

The *Environmental Planning and Assessment Act, 1979* (the Act) is the principle planning and development legislation in New South Wales. In accordance with Section 1.3, the objectives of the Act are:

##### 1.3 Objects of Act

*The objects of this Act are as follows:*

- (a) *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) *to promote the orderly and economic use and development of land,*
- (d) *to promote the delivery and maintenance of affordable housing,*
- (e) *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) *to promote good design and amenity of the built environment,*
- (h) *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) *to provide increased opportunity for community participation in environmental planning and assessment.*

For the reasons set out below, it is considered that the proposed development satisfies the above stated objects of the Act:

- the addition of the outdoor living space promotes good design and amenity, as it integrates with the existing building form and has minimal impact on the streetscape and neighbouring properties; and,
- the change of use promotes the orderly and economic use of land for residential purposes in a well-serviced and accessible location.

**4.2.2. Section 4.15 of EP&A Act 1979**

Section 4.15(1) of the Act as amended specifies the matters which a consent authority must consider when determining a development application. The relevant matters for consideration under Section 4.15 of the Act are addressed in Table 4 below.

*Table 4: Section 4.15 of EP&A Act 1979.*

Section	Comment
Section 4.15(1)(a)(i) Any environmental planning instrument	Consideration of relevant instruments is discussed in Section 4.
Section 4.15(1)(a)(ii) Any draft environmental planning instrument	Not relevant to this application.
Section 4.15(1)(a)(iii) Any development control plan	Consideration of relevant the development control plan is discussed in Section 5.
Section 4.15(1)(a)(iiia) Any planning agreement	Not relevant to this application.
Section 4.15(1)(a)(iv) Matters prescribed by the regulations	Refer to Section 4.3.
Section 4.15(1)(a)(v) Any coastal zone management plan	Not relevant to this application.
Section 4.15(1)(b) - (e)	Refer to Section 6 of this SEE for consideration of (b), (c) and (e). Matter (d) relates to submissions and is a matter for the consent authority.

**4.2.3. Section 4.46 – Integrated Development**

This section of the Act defines integrated development as matters which require consent from Council and one or more approvals under related legislation. In these circumstances, prior to granting consent Council must obtain from each relevant approval body their General Terms of Approval (GTA) in relation to the development. The proposed development is classified as Integrated Development, as the site is located in the Newcastle Mine Subsidence District and requires approval from Subsidence Advisory NSW.

**4.3. Environmental Planning and Assessment Regulation 2000**

**4.3.1. Clause 92 – Demolition**

All demolition work will be undertaken in accordance with Clause 92 of the Regulation requiring the consent authority to consider AS 2601 - 1991: The Demolition of Structures.

#### 4.3.2. Clause 98 – Compliance with the BCA

Pursuant to the prescribed conditions under Clause 98 of the Regulation, any building work "must be carried out in accordance with the requirements of the Building Code of Australia".

### 4.4. State Environmental Planning Policies

#### 4.4.1. State Environmental Planning Policy No 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Contaminated Lands (SEPP 55) establishes State-wide provisions to promote the remediation of contaminated land.

Clause 7 of the SEPP 55 requires that a consent authority must not grant consent to a development unless it has considered whether a site is contaminated, and it is satisfied that the land is suitable (or will be after undergoing remediation) for the proposed use.

Clause 7 of the SEPP 55 requires that a consent authority must not grant consent to a development if it has considered whether a site is contaminated, and if it is, that it is satisfied that the land is suitable (or will be after undergoing remediation) for the proposed use.

The site was historically the location of a general store which included a chemist, grocer and ironmonger (hardware store). The Statement of Heritage Impact provided at Appendix 4 provides further information. These uses are unlikely to have caused contamination and, given that the site was approved as serviced apartments as recently as 1998, the site is unlikely to be contaminated.

Furthermore, given that the proposed works do not seek to undertake earthworks, the likelihood of uncovering contaminated soils and land is highly unlikely.

Regardless, should contaminated soils be identified on-site during construction, appropriate stop-work measures would be undertaken in order to identify and mitigate the contamination.

#### 4.4.2. State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development

During the Pre-DA Consultation, SEPP 65 was raised as a potential issue to be addressed in the SEE. The Pre-DA advice provided by Newcastle City Council indicated that *the provisions of the policy do not apply if the proposed shop top development will not result in the existing building containing 4 or more dwellings*. The proposed change of use will result in the creation of one dwelling; therefore, SEPP 65 does not apply. The Pre-DA advice provided by Council is provided at Appendix 6.

#### 4.4.3. State Environmental Planning Policy (Building Sustainability Index: BASIX) – 2004

The aim of this Policy is to establish a scheme to encourage sustainable residential development (the BASIX scheme). This on-line assessment tool calculates the dwelling's energy and water scores based on a range of design data.

SEPP BASIX requires the submission of a BASIX certificate to accompany an application for development consent for any "BASIX affected building". The proposed addition is captured under Part B and C(i) under the definition of a 'BASIX affected development'. A BASIX certificate for the residential component of the development is provided at Appendix 8.




4.4.4. State Environmental Planning Policy (Infrastructure) 2007



Table 5: SEPP (Infrastructure) Compliance Table.



Clause	Comment	Comply
<p>Clause 101 - Development with frontage to classified road</p>	<p>2(a) Vehicular access to the site is provided via Murray Street to the east of the site and not the classified road (Tudor Street).</p> <p>2(b)(i) The design of the vehicular access to the land will not adversely impact the classified road, as it is provided via a secondary street (Murray Street).</p> <p>2(b)(ii) The proposed development will not result in the emission of smoke or dust that can adversely affect the classified road.</p> <p>2(b)(iii) The proposed development will not create an increase in the number of vehicles currently accessing the site as no additional car spaces are sought by this DA. The change of use proposed does not seek to increase the number of bedrooms on-site and is therefore not likely to increase the number of vehicles associated with the site.</p> <p>2(c) The proposed development seeks to change the use of the site from serviced apartments to shop top housing. While this is a sensitive use, the Noise Impact Assessment provided at Appendix 5 demonstrates that the proposed dwelling <i>is suitable for the intended purpose</i> and that no modifications to the existing building are required in order to comply with the SEPP.</p> <p>Additionally, the proposed addition to the dwelling is to be used as an outdoor living space and is unlikely to be significantly impacted by traffic noise. The proposed addition will also be setback approximately 4m from the road, reducing acoustic impacts on future residents.</p>	<p>✓</p>
<p>Clause 102 - Impact of road noise or vibration on non-road development</p>	<p>The proposed development is captured under this clause as it is classified as residential development. However, the most recent, relevant Annual Average Daily Traffic (AADT) count indicates that the site does not meet the threshold for this clause. In 2018, the Belford Street 'permanent counter' calculated AADT levels to be 17,587 vehicles. The location of this permanent counter relates directly to Tudor Street and provides a clearer assessment than the Donald Street permanent counter, which calculates AADT to be 32,522 vehicles per day.</p> <p>Given the sensitive land use, however, a Noise Impact Assessment was undertaken to assess the impacts of the classified road on residents. It concluded that the site is suitable for use as a dwelling.</p> <p>3(a) The Assessment identified that noise level measurements imply that <i>noise levels during the night period (10pm-7am) as low as 31-32dB(A) in the bedroom facing Tudor Street</i> (p.4). This demonstrates compliance with Clause 102 3(a).</p> <p>3(b) The Assessment identified that noise level measurements relating to the living room in Unit 402 complies with the noise level target of 40dB(A) within other habitable rooms (p.4). This demonstrates compliance with Clause 102 3(b).</p> <p>Therefore, the proposed development complies with the requirements of SEPP (Infrastructure).</p>	<p>✓</p>

### 4.5. Newcastle Local Environmental Plan 2012

Table 6: NLEP Compliance Table.

Control	Comment	Comply
1.2 Aims of Plan	The proposed development respects the cultural heritage and sense of place of the City of Newcastle whilst encouraging the development of diverse and compatible land uses in and around the City of Newcastle. The proposed development also encourages a diversity of housing types in well-connected locations.	✓
2.2 Zoning of land to which Plan applies	The site is zoned B2 - Local Centre, as demonstrated in Figure 5.  <p>Figure 5: B2 Zoning, with site outlined in green. Base source: NLEP.</p>	✓
Land Use Table Zone B2 Local Centre	The proposed development meets the objectives of the B2 zone as it maintains active retail and business frontages and creates a residential dwelling that benefits from and contributes to the creation of a liveable and attractive environment. The proposed development also maintains the viability of the Newcastle City Centre.	✓
4.3 Height of Buildings	The maximum height limit applying to the site is 17m (see Figure 6). The proposed development has a maximum height limit of 17.17m, a 1% variation. The proposed exceedance will have a minimal impact on neighbouring buildings, heritage values in the locality and the visual impact of the building, while providing amenity for future residents. This variation is addressed in Section 6.3.2 and the Clause 4.6 Variation Request provided at Appendix 2.	No.

Control	Comment	Comply
	 <p data-bbox="386 842 1114 869">Figure 6: Height of Buildings, with site outlined in green. Base Source: NLEP.</p>	
<p data-bbox="198 932 350 995">4.4 Floor Space Ratio</p>	 <p data-bbox="386 1446 1021 1474">Figure 7: FSR map, with site outlined in green. Base source: NLEP.</p> <p data-bbox="386 1520 1263 1730">The Floor Space Ratio (FSR) prescribed for the site is 2:1 (see ), with the FSR of the existing building 2.86:1. The proposed development generates an additional 85.8m<sup>2</sup> of floor area, increasing the FSR to 2.95:1. (increasing the FSR by 4.74%). This is of minimal impact, as the resulting built form will not have a substantial impact on the streetscape and neighbouring buildings. This variation is addressed in the Clause 4.6 Variation Request provided at Appendix 3.</p>	<p data-bbox="1325 926 1370 953">No.</p>
<p data-bbox="198 1751 358 1839">5.10 Heritage Conservation</p>	<p data-bbox="386 1751 1263 1814">The site is located within an identified Heritage Conservation Area (see Figure 8).</p> <p data-bbox="386 1818 1263 1936">(4) A Statement of Heritage Impact has been prepared to assess the impact of the proposed addition on the Hamilton Business Centre Conservation Area. The report concluded that the impact of the proposed development was minimal and would not pose a negative impact on any nearby heritage</p>	<p data-bbox="1333 1751 1357 1776">✓</p>

Control	Comment	Comply
	<p>items (p.16), and that it was <i>generally sympathetic with the Hamilton Business Centre Conservation Area</i> (p.16). Section 6.3.8 provides greater detail on the implications of the proposed development on the Conservation Area.</p> <p>(5) The consent authority may require that a heritage management document assessing the impacts of the proposed development on the heritage conservation area be prepared prior to granting consent to a development in a heritage conservation area. See Section 6.3.8 for more information on the Statement of Heritage Impact undertaken for the site.</p>  <p>Figure 8: Heritage Conservation Area, with site outlined in yellow. Source: Planning Portal.</p>	
<p>6.1 Acid Sulfate Soils</p>	<p>The site is affected by Class 4 Acid Sulfate Soils (see Figure 9). The proposed works do not seek to undertake excavation; therefore, the proposal is compliant with Acid Sulfate Soils controls. This is discussed further in Section 6.4.</p>  <p>Figure 9: Acid Sulfate Soils map, with site outlined in green. Base Source: NLEP.</p>	<p>✓</p>

## 5. OTHER PLANNING CONSIDERATIONS

The relevant planning framework considered in the preparation of this report comprises:

- Newcastle Development Control Plan (NDCP) 2012.

### 5.1. Newcastle Development Control Plan 2012

Consideration of compliance and/or consistency with the relevant provisions within the NDCP 2012 is provided in Table 7 below. The proposed development demonstrates full compliance with the relevant provisions of the NDCP 2012 or consistency with their intent.

Table 7: NDCP Compliance Table

Control	Comment	Comply
<b>4.01 Flood Management</b>		
Development (type/s) to which this section applies.	This section does not apply to the site as the proposed development is classified as 'minor additions'. The existing building area is 1,050.2m <sup>2</sup> (falling into the >750m <sup>2</sup> category) and the extent of the additions is 105.8m <sup>2</sup> (less than the 150m <sup>2</sup> limit).	N/A
<b>4.03 Mine Subsidence</b>		
Controls	The proposed development will be lodged as Integrated Development. Subsidence Advisory NSW will be able to provide comment during the assessment process.	✓
<b>4.04 Safety and Security</b>		
4.04.01 CPTED Principles	The proposed development is intended for private use and is only accessible for residents of the proposed dwelling. As a result, CPTED principles have not been actively incorporated into the design of the proposed works. However, the proposed additions provide opportunity for passive surveillance over the streetscape, potentially increasing the safety of the broader area. It is also noted that the proposed dwelling would be located in a secure building, with access codes at the foyer. The serviced apartments and the proposed unit have access to night staff if they require assistance. This reduce opportunities for crime, as access is restricted to those who are staying or residing in the building.	No.
<b>5.05 Heritage Items</b>		
5.05.06 Development in the vicinity of a heritage item	The proposed works are in the vicinity of two heritage items (as identified in Table 6). A Statement of Heritage Impact was undertaken and identified that the proposed works <i>are not considered to pose a negative impact on any heritage items</i> (p. 16). This is discussed in Section 6.3.8.	✓

Control	Comment	Comply
<b>6.02 Heritage Conservation Areas</b>		
Hamilton Business Centre Conservation Area  Summary Statement of Heritage Significance	Noted. The impact of the proposed addition on the Hamilton Business Centre Conservation Area is discussed in Section 6.3.8.	✓
6.02.01 Alterations and Additions in Heritage Conservation Areas.	<p>While situated in a Heritage Conservation Area (HCA), the 'host building' is not a heritage item and was constructed circa 1990s. It is identified in the Statement of Heritage Impact as being a non-contributory building. As a result, the proposed works seek to integrate with the existing building form, respecting its design and reducing any impacts on the heritage values of the HCA. The potential impacts of overshadowing, overlooking and views are addressed further in Sections 6.3.4, 6.3.6, and 6.3.7.</p> <p>The 'Non-Contributory Buildings' controls are assessed below:</p> <p>(a) the proposed works do not seek to remove 'inappropriate elements', as the area in which the proposed works will be undertaken is a roof space which presents no architectural features.</p> <p>(b) the proposed works would not impact on the prevailing character of the area and would not substantially increase the buildings height, bulk and scale. The addition is located to the rear of the building when viewed from Beaumont Street, reducing its overall impact.</p>	✓
6.02.02 Materials and Design in Heritage Conservation Areas	The site is not a heritage item; however, the proposed materials and design reflect the existing building form. The existing building was constructed circa 1990s and does not reflect the typical heritage style associated with the HCA. Despite this, the proposed materials are sympathetic to the surrounding built form and do not draw further attention to the existing building.	✓
<b>6.06 Hamilton Renewal Corridor</b>		
Strategic Overview	The site is identified as part of Precinct 2 - Beaumont Street Intersection, which has a retail/commercial focus.	
6.06.02 Building Form		
A. Floor Space Ratios	The proposed addition increases the existing FSR exceedance of the site, as addressed in the Clause 4.6 Variation Request at Appendix 3.	No.



Control		Comment	Comply
B.	Height	The proposed addition exceeds the height limit outlined in the NLEP, as addressed in the Clause 4.6 Variation Request at Appendix 2.	No.
D.	Upper Storey Setbacks	<p>The existing building was constructed prior to the implementation of the NDCP 2012, meaning it has not been designed to meet the upper storey setbacks provided in the NDCP. As a result, the proposed works will not incorporate the required setbacks. Despite this, the proposed works do meet a number of the control objectives.</p> <p>The proposed addition has been set back approximately 0.87m from the third-floor roof edge in order to ensure a minimal visual impact from the streetscape. This eastern boundary has a 9.4m setback between the property boundary and the proposed addition. The southern setback from the property boundary to the proposed addition is approximately 6.9m, while the northern setback is approximately 2.8m.</p> <p>While these setbacks are non-compliant, they reduce the visual impact of the proposed addition and encourage ongoing privacy and amenity for neighbouring buildings.</p> <p>Additionally, the proposed addition will be used for the provision of private open space, improving the amenity of the proposed dwelling. The building mass, form and articulation of the proposed addition reflects the existing building style and form, further reducing visual impact.</p>	No.
E.	Building Design Elements	The proposed addition effectively integrates into the existing building form and style, which was designed prior to the introduction of the NDCP 2012. The proposed works do not seek to alter the existing ground-level façade. The façade treatment of the building will remain unchanged, though the proposed works will incorporate visual articulation elements such as windows and a balustrade.	✓
<b>6.10 Beaumont Street Hamilton</b>			
6.10.01 Urban Structure		The proposed development will not impact the nearby heritage items (as discussed in Section 6.3.8). Additionally, the proposed works will not impact the 'approach' to the Beaumont St commercial centre and does not propose new carparking areas.	Yes.
6.10.02 Urban Form			
A.	Height	The proposed addition exceeds the height limit outlined in the NLEP 2012, as addressed in Section 6.3.1 and the Clause 4.6 Variation Request at Appendix 2. The upper storey setbacks	No.

Control		Comment	Comply
		related to the proposed works are discussed in this table in relation to Part 6.06.02 of the NDCP 2012.	
B.	Density	The proposed addition increases the existing FSR exceedance of the site, as addressed in the Clause 4.6 Variation Request at Appendix 3.	No.
C	View Corridors	The site is identified as a 'landmark approach', with Tudor Street identified as a 'view corridor'. Given the approximate 2.8m setback of the proposed development from the Tudor Street property boundary, there will be minimal impact on the Tudor Street view corridor and will have a negligible impact on pedestrian views of the site. The proposed addition is also set to the rear of the site when viewed from Beaumont Street, negating any potential impacts on the Beaumont Street view corridor. Additionally, the proposed works do not block any key views for pedestrians.	✓
E.	Corner Sites	The site is not identified as a 'strong corner identity'. The proposed works do not seek to alter the architectural form and style of the existing building, with the proposed addition creating a minimal impact on the value of the corner aspect of the building. The proposed addition is oriented away from the corner of Beaumont and Tudor Streets and integrates effectively with the existing building fabric. Any impacts on the Tudor and Beaumont Streets corner view will be negligible.	✓
G.	Envelope Design	The design of the proposed works would integrate with the existing building fabric, reflecting the curved roof style of the upper levels and the hierarchy of windows associated with the building. The design also reflects the existing enclosed public open space on the third floor of the building. This integration of design has a positive contribution to the image of the Beaumont Street commercial area and assists in reducing any potential visual impacts.	✓
<b>7.03 Traffic, Parking and Access</b>			
7.03.01 Traffic Studies and Plans			✓
A.	Traffic Impact Study	A Traffic Impact Study was considered unnecessary for the proposed works, given they are minor in nature and propose no changes to the existing parking, vehicular, pedestrian and services access.	No.
B.	Construction Traffic Management Plan	The construction traffic associated with the proposed works will not have a significant impact on traffic movement, pedestrians and parking, given the works are relatively minor in nature. A	No.



Control		Comment	Comply
		Construction Traffic Management Plan can be prepared at the Construction Certificate stage, if required.	
7.03.02 Parking Provision			
A.	Parking Rates	<p>The proposed dwelling consists of a three-bedroom apartment, attracting a parking rate of 1.4 spaces (pursuant to Table 1). The existing two (2) spaces allocated to the proposed dwelling adequately meet this requirement.</p> <p>The change of use and proposed alterations and additions to the existing building will not result in an intensification of use. The number of people to be accommodated in the proposed shop-top housing apartments remains the same as those currently accommodated in the serviced apartments. Additionally, there are sufficient car parks provided within the building, as demonstrated above.</p> <p>It is noted that the parking requirement of 1.4 spaces has been rounded up to two (2) car parks to ensure there is no deficiency in car parking.</p> <p>The proposed works will not result in a loss of on-street parking spaces, does not proposed stack parking and will not alter existing service and courier access and parking facilities.</p>	✓
B.	Variations to Parking Rates	The proposed development will meet the car parking requirements provided in Table 1, as it provides 2 spaces to the 1.4 space requirement.	✓
C.	Bike Parking	Separate bicycle storage is not provided with the building. However, ample space within the proposed apartment is provided to store residents' bicycles.	No.
E.	Parking for People with a Disability	One disabled parking space is provided within the existing ground-floor internal car park. The proposed works do not seek to provide additional disabled car spaces.	N/A
7.03.03 Travel Demand Management		<p>The proposed development is not captured as 'major development' as defined in the NDCP; therefore, the provisions of Parts A, B and C do not apply. Part D provisions similarly do not apply, as the proposed development does not seek to issue Resident and Visitor Parking Permits.</p> <p>In addition to this, a number of bus stops along both Beaumont Street and Tudor Street provide access to regular bus services. Hamilton Train Station is also located nearby and is approximately 10-minutes' walking distance from the site. Any additional transport demands generated by the proposed development can therefore be efficiently catered to.</p>	N/A

Control	Comment	Comply
<b>7.06 Stormwater</b>		
General	As the proposed works are relatively minor in nature and do proposed to undertake earthworks, it is considered unnecessary to provide an Erosion and Sediment Control Plan and Stormwater Management Plan. The architectural plans provided at Appendix 1 demonstrate that the proposed addition will connect and drain to the existing drainage system as outlined in the 'Plant Level' plans on A05. It is also noted that the proposed addition and works will not create an increase in impervious surfaces, as the addition is to be constructed over an existing roof.	✓
<b>7.08 Waste Management</b>		
7.08.01 General Requirements	A SWMMP has been prepared by Stephen Rose Architects and is provided at Appendix 9.	✓
7.08.02 Demolition and Construction	A SWMMP has been prepared by Stephen Rose Architects and is provided at Appendix 9. The proposed works involve no excavation and the SWMMP outlines the appropriate management of the waste generated from the proposed works.	✓
7.08.03 Operational Waste	A. Residential Development  The proposed works do not relate to the construction of new residential development; therefore, the existing residential waste management services will continue unchanged. This includes the management of household waste and recycling.	✓

## 6. ENVIRONMENTAL IMPACT ASSESSMENT

### 6.1. Overview

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 4.15 of the Act.

### 6.2. Context and Setting

The proposed works have minimal impact on the surrounding streetscape and will not impact on the nearby heritage items identified in Figure 8. The design of the addition maintains the stepped form of the building, providing both integration with the existing form and minimised visual impacts. The Statement of Heritage Impact identifies that *the bulk of the addition is positioned towards the rear of the building* (p.16), preserving the existing form of building and minimising the prominence of the addition. The proposed works are set back approximately 2.8m from the Tudor Street property boundary and approximately 9.3m from the Murray Street property boundary. These measures reduce the overall visual impact of the proposed works. Additionally, the proposed change of use to shop-top housing is consistent with the commercial/residential mix existing in this area of Hamilton. As such, the proposed works are considered suitable and appropriate for the surrounding context and setting.

### 6.3. Built Environment

#### 6.3.1. Change of Use

The proposed change of use is a logical step in providing residences in 'Precinct 2' of the Hamilton Renewal corridor. The addition of a dwelling will contribute to the Precinct's 60 additional dwelling target and will provide a permanent residential aspect for the existing building. The amenity associated with the proposed apartment is considered suitable, with significant north-eastern solar access provided to the proposed dwelling. The proposed outdoor living space will allow this solar access to be fully utilised and will increase the private open space opportunities available to the residents. It is noted that the current bed-sit would become Bedroom 3 in the proposed dwelling, increasing its access to quality private open space.

Additionally, the combination of serviced apartments and residential apartments in one building is suitable. Serviced apartments are self-contained accommodation which can be used by tourists or visitors for both long- and short-term stays. This self-contained accommodation mimics the living style of permanent residential accommodation, reducing conflicts between residents and visitors. Given the location of the proposed residential dwelling on the fourth floor and the single neighbouring dwelling, any impacts for either residents or visitors is expected to be minimal due to the limited number of people who can reside/stay on the fourth-floor.

Therefore, the proposed change of use is considered to provide suitable levels of amenity to convert the existing serviced apartment into shop-top housing.

#### 6.3.2. Height, Bulk and Scale

As discussed in Table 6, the proposed works will exceed the FSR of 2:1. The impacts of this exceedance are minimal - it relates to the provision of a living space which will increase the amenity of the proposed dwelling for future residents. The design of the proposed addition minimises its contribution to bulk building form, largely because it maintains the existing stepped form of the building, proposes to maintain the existing colour and materials schemes and is sufficiently set back from the property boundary fronting Tudor and Murray Streets. These design measures combine to ensure the proposed addition does not present an overwhelming addition on the upper levels of the building. This is addressed further in the Clause 4.6 Variation at Appendix 3.

Additionally, as discussed in Table 6, the proposed works will exceed the maximum building height of 17m. However, this exceedance occurs due to the design of the roof on the addition. This design reflects the existing curved style of the roof and ensures the integration of the proposed addition with the existing building. Further consideration of the exceedance and its impacts are provided in the Clause 4.6 Variation at Appendix 2.

### 6.3.3. Design and Materials

The proposed materials to be used are outlined in Section 3.4 and reflect a continuation of the existing materiality of the site. This includes the use of:

- powdercoat aluminium windows to match existing;
- brick to match existing;
- colorbond metal roof to match existing;
- continuation of existing guttering materials; and,
- lightweight fire rated walls - finish to match existing.

The design of the proposed addition also reflects the established building style, with the use of a curved metal roof to imitate the existing form. The proposed window also reflects the existing small square form, feeding into the hierarchy of window size evident within the building style. Overall, these design choices encourage the integration of the proposed additions and alterations with the existing form, reducing its impact from the streetscape.

### 6.3.4. Overshadowing

The proposed development would create some additional overshadowing of the surrounding buildings. However, the impacts of this would be negligible, as the additional shadows would fall on the roof of the most immediate adjacent dwellings and an existing hardstand car parking space. No further overshadowing of private open space would occur as a result of the proposed addition. Given that the overshadowing of roofs and a carparking area would not present any amenity impacts for existing residents, the proposed works are considered a suitable size and scale to have minimal impact. For further reference, see the Shadow Diagrams are provided in the Architectural Plans at Appendix 1.

### 6.3.5. Amenity

The proposed development will create greater amenity for the residents of the proposed dwelling. The works would provide an additional 78m<sup>2</sup> of outdoor living space, while also providing a 20m<sup>2</sup> deck for external amenity. The proposed outdoor living area would capitalise on the favourable north-eastern orientation of the building, promoting solar access and natural ventilation throughout the space and its adjoining rooms. As such, the proposed dwelling would have greater amenity following the construction of the proposed works.

### 6.3.6. Privacy

Privacy of neighbouring dwellings was raised as a concern in the Pre-DA Meeting held with Newcastle City Council. There are two residential dwellings adjacent to the south-east of the existing building which were identified as being potentially impacted by the proposed addition. In order to mitigate any potential impacts, the addition has been designed and located to reduce overlooking of neighbouring buildings. The southern wall of the proposed addition features windows at the top of the wall, directing the eye to the skyline and cityscape beyond, rather than the dwellings adjacent. Additionally, the location of the proposed addition on the third floor of the existing building assists in mitigation efforts, as it again encourages the eye to the horizon, rather than below the building edge. The stepped form of the southern aspect of the existing building also reduces opportunities for overlooking the neighbouring dwellings. As such, the potential

impacts on neighbouring dwellings' privacy has been considered and measures taken to reduce any impacts on those dwellings.

### 6.3.7. Views

The proposed works would not impact identified view corridors, as outlined in 6.10(C) in Table 7. Additionally, the existing building is one of the tallest in the Beaumont and Tudor Street areas and is therefore unlikely to extinguish the view of another building nearby. As such, the impact of the proposed additions is considered minimal.

### 6.3.8. Heritage

Figure 8 demonstrates the location of the site within the Hamilton Business Centre Conservation Area and its location relative to other heritage items. Due to this, a Statement of Heritage Impact was undertaken to assess the impact of the proposed development. The Statement considered the history of the Hamilton and Beaumont Street area, identifying the core aspects of its significance and the relationship of the existing building with those aspects. While Beaumont St buildings are recognised as typically constructed between 1890-1930 (p.7), the existing building is an example of post-earthquake (1990s) in-fill development. This infill development tends to provide a separate character to the earlier buildings of the area, with the existing building recognised as *keeping with the contextual design of the Beaumont Street shopping strip characterised by post 1990 infill development* (p.15).

The Statement considered the objectives and noted significance of the Hamilton Business Centre and the NDCP and the proposed additions were found to *generally align* (p.14) with these objectives.

The Statement found that *the proposed alterations and additions to 131 Beaumont Street, Hamilton are considered generally sympathetic with The Hamilton Business Centre Conservation Area, and are not considered to pose a negative impact on any nearby heritage items*. As such, the proposed development is considered appropriate within the Conservation Area.

### 6.3.9. Building and Construction

Compliance with the BCA will be demonstrated with the Construction Certificate documentation. A final Construction Management Plan (CMP) will be prepared by the appointed contractor, once the terms of any approval granted by Council are known. Accordingly, it is anticipated that Council will include appropriate conditions within any consent notice requiring the preparation and approval of a CMP prior to works commencing.

## 6.4. Natural Environment

### 6.4.1. Water Management

The roof of the proposed addition will connect to the building's existing stormwater system. It is noted that the proposed addition does not exceed the existing patio area and therefore will not create an increase in impervious surfaces, reducing the overall potential stormwater run-off impacts.

### 6.4.2. Soil Management

As the proposed development does not seek to undertake excavation work, an Erosion and Sediment Control Plan was not prepared. It is highly unlikely that the proposed works will impact on any surrounding soils, given their location on the third-floor roof of an existing building.



### 6.4.3. Air and Microclimate

Some dust is anticipated during the construction period, particularly given some demolition is involved. This impact can be managed through measures such as wetting down work areas/stockpiles, stabilising exposed areas, preventing material tracking out onto public roadways, covering loads on all departing trucks and working to weather conditions. The proposal is otherwise not expected to give rise to any long term or adverse impacts on local or regional air quality.

A final CMP will be provided by the builder, once appointed, prior to the issue of the Construction Certificate.

### 6.4.4. Noise and Vibration

A Noise Impact Assessment was undertaken at the advice of Newcastle City Council. Tudor Street is identified as a classified road (as discussed in Table 5) and the impacts of the volume of traffic on Tudor Street on the proposed dwelling have been considered. The Assessment concluded that *the site is suitable for the intended purpose, with no further acoustic modifications required*, demonstrating the minimal impact of Tudor Street on residential amenity. Refer to Appendix 5 for further information.

## 6.5. Servicing and Waste

### Demolition and Construction Waste

A Site Waste Minimisation Management Plan is provided at Appendix 9 which outlines the measures that will be undertaken to reduce site waste. This includes the appropriate recycling of steel studs and bricks and the efficient disposal of material offcuts.

### Residential Waste Collection

There are no proposed changes to the existing residential waste collection services.

## 6.6. Site Suitability

### 6.6.1. Geotechnical

The site does not propose earthworks but is located in a Mine Subsidence District. The size of the proposed development means it is not classified as a 'deemed approval' by Subsidence Advisory NSW (SA NSW). This DA is Integrated Development (as outlined Section 204.2.3), allowing SA NSW to review and approve the plans during the assessment process. Section 4.4.1 discusses SEPP 55 requirements and considerations and identifies that the likelihood of contaminated land at the site is low. As such, there are few geotechnical constraints relating to the site.

### 6.6.2. Flooding

The site is classified as 'Very Low Risk' flood prone land (see Figure 10 below). As the proposed development will not impact the flow of floodwater or the likelihood of the site to flood, it is considered to have a negligible impact.



Figure 10: Flooding risk relating to the site, with site outlined in red. Base Source: Newcastle City Council.

**6.6.3. Services and Utilities**

The proposed development is unlikely to place additional demands on the existing electrical, gas, telecommunications, water and sewer connections, as the apartments will not increase the number of bedrooms and therefore likely residents.

**6.6.4. Conclusion**

The suitability of the land to accommodate additions and alterations of this type and scale was established by the analysis completed by Council through the preparation of LEP.

The subject site is not affected by any policy that restricts development because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulphate soils or any other risk.

SEPP 55 was addressed in Section 4.4.1. The historical land uses relating to the site indicate that there are unlikely to be any impediments to the proposed residential development.

Therefore, the site is suited to the proposed change of use to a residential dwelling and the proposed alterations and additions.

**6.7. Social and Economic Effects**

Pursuant to case law of *Ex Gratia P/L v Dungog Council* (NSWLEC 148), the question that needs to be answered is “Whether the public advantages of the proposed development outweigh the public disadvantages of the proposed development”.

There are no unreasonable impacts that will result from the proposed development; therefore, the benefits of providing two additional dwellings in a highly accessible, established and well serviced area outweigh any disadvantage. As such, the proposed development will have an overall public benefit.

## 7. CONCLUSION

This DA seeks approval for a change of use from 'serviced apartment' to 'shop top housing' and alterations and additions to the proposed dwellings at 131 Beaumont Street, Hamilton.

This SEE has undertaken an environmental assessment of the proposal and has concluded that the proposal provides a built form which is consistent and compatible with the desired future character of the site and the surrounding locality.

In summary, the proposal is considered to:

- be an appropriate response to the context, setting, planning instruments and development guidelines and other considerations outlined in Section 4.15(1) of the Environmental Planning and Assessment Act, 1979.
- provide a built form consistent with, and appropriate to, the desired future character of the site. The proposed design and additions are considered suitable for the Hamilton Business Centre Conservation Area and to pose little-to-no impact on nearby heritage items.
- provide additional amenity for the future residents of the proposed dwelling, by increasing external living space.
- have no adverse impacts on the environment, traffic, parking, waste management, stormwater management or other external features or services.

The benefits provided by the proposed development outweigh any potential impacts and is it is therefore considered to be in the public interest. The proposal will deliver a suitable and appropriate development and is worthy of approval.



**ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER**

**DAC 18/08/2020 – DA2019/01378 – 131 BEAUMONT STREET,  
HAMILTON – SHOP TOP HOUSING - CHANGE OF USE FROM  
SERVICED APARTMENT AND ALTERATIONS AND ADDITIONS**

**ITEM-30      Attachment B:      Draft Schedule of Conditions**

**DISTRIBUTED UNDER SEPARATE COVER**



**Application No:** DA2019/01378

**Land:** SP 62579  
Lot 36 SP 62579  
Lot 37 SP 62579

**Property Address:** 131 Beaumont Street Hamilton NSW 2303  
36/131 Beaumont Street Hamilton NSW 2303  
37/131 Beaumont Street Hamilton NSW 2303

**Proposed Development:** Shop top housing - change of use from serviced apartment and alterations and additions

**SCHEDULE 1**

**APPROVED DOCUMENTATION**

- 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
Floor & Section Plan	Proj No 587 Dwg No A02 V9 Dwg No A04 V9	Stephen Rose Architects	18/12/19
Elevation Plan	Proj No 587 Dwg No A03 V9	Stephen Rose Architects	18/12/19

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**

- A total monetary contribution of \$1000.00 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 a Construction Certificate in respect of the proposed development.

Note:

- 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.

- iii) 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:

<b>Indexation quarters</b>	<b>Approximate release date</b>
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. All new impervious surfaces, including driveways and paved areas are to be drained to the nominated discharge controls. Details are to be included in documentation for a Construction Certificate application.
4. Adequate ventilation being provided to the residential units in accordance with the requirements of the Building Code of Australia. Full details are to be included in the documentation for a Construction Certificate application.

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

5. Building demolition is to be planned and carried out in accordance with *Australian Standard 2601:2001 - The Demolition of Structures*.
6. Any waste containers used in association with the proposed demolition are to be located on the site where possible.

Note: Where this is not feasible, an application is to be made for the City of Newcastle's approval to position the container on the adjacent public road in accordance with City of Newcastle's adopted Building Waste Container Policy.

7. The demolisher is to ensure that all demolition material is kept clear of the public footway and carriageway as well as adjoining premises.
8. Any demolition/waste building materials that are not suitable for recycling are to be disposed of at City of Newcastle's Summerhill Waste Management Facility or other approved site.
9. 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.

10. Certification is to be prepared by a Registered Surveyor and submitted to the Principal Certifier at the stages of construction indicated:
  - a) When the roof has been completed, confirming that the building does not exceed the approved levels.
11. 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.
12. 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*.
13. 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.

14. All building work is to be carried out in accordance with the provisions of the National Construction Code.
15. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force, such a contract of insurance is to be in force before any building work authorised to be carried out by this consent commences.
16. 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.
17. All additional roof and surface waters are to be conveyed to the street gutter by connection to the existing stormwater system.
18. 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.

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

- Existing strata lots 37 and 38 SP 62579 are to be consolidated into a single strata lot 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.
- An application is to be made for a Strata Certificate in accordance with the requirements of the *Strata Schemes Development Act 2015*.
- 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.
- 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.
- The premises are allocated the following street addresses in accordance with City of Newcastle's *House Numbering Policy* and the *Surveying and Spatial Regulation*.

Unit-Number-on-plan	Council-Allocated-Street-Addresses			
	House-Number	Street-Name	Street-Type	Suburb
Proposed-Unit-401	401/131	Beaumont	Street	Hamilton
Proposed-Unit-402	402/131	Beaumont	Street	Hamilton

### **ADVISORY MATTERS**

- 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.
- 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.

- 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.
- 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*.
- 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.



**ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER**

**DAC 18/08/2020 – DA2019/01378 – 131 BEAUMONT STREET,  
HAMILTON – SHOP TOP HOUSING - CHANGE OF USE FROM  
SERVICED APARTMENT AND ALTERATIONS AND ADDITIONS**

**ITEM-30**      **Attachment C:**      Processing Chronology

**DISTRIBUTED UNDER SEPARATE COVER**





**PROCESSING CHRONOLOGY**

**DA2019/01378 - 131 BEAUMONT STREET, HAMILTON**

- 19 December 2019 - Application lodged
- 20 January - 6 February 2020 - Public notification