



CITY OF NEWCASTLE

PUBLIC VOICE COMMITTEE

Councillors,

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

DATE: Tuesday 20 April 2021

TIME: 6.00pm

VENUE: Council Chambers
Level 1
City Administration Centre
12 Stewart Avenue
Newcastle West NSW 2300

J Bath
Chief Executive Officer

**City Administration Centre
12 Stewart Avenue
NEWCASTLE WEST NSW 2302**

13 April 2021

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**PUBLIC VOICE COMMITTEE
20 April 2021**

CONTENTS

Item	Business	Page
APOLOGIES/LEAVE OF ABSENCE		
DECLARATIONS OF PECUNIARY / NON-PECUNIARY INTEREST		
PUBLIC VOICE SESSIONS		
		3
ITEM-1	PV 20/04/21 - 99 FREDERICK STREET, MEREWETHER - DA2020/01212 - PUB - ALTERATIONS, ADDITIONS AND SIGNAGE	3
ITEM-2	PV 20/04/21 - 120 PARRY STREET AND 16 HALL STREET, NEWCASTLE WEST - DA2020/00322 - DEMOLITION (EXISTING BUILDING) AND MIXED-USE DEVELOPMENT (EIGHT STOREY) - INCLUDING RESIDENTIAL (30 APARTMENTS) AND GROUND FLOOR RETAIL / BUSINESS	11

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PUBLIC VOICE SESSIONS

ITEM-1 **PV 20/04/21 - 99 FREDERICK STREET, MEREWETHER - DA2020/01212 - PUB - ALTERATIONS, ADDITIONS AND SIGNAGE**

APPLICANT: **KDA NOMINEES PTY LTD**
OWNER: **KDA NOMINEES PTY LTD**
REPORT BY: **GOVERNANCE**
CONTACT: **DIRECTOR GOVERNANCE / MANAGER REGULATORY, PLANNING AND ASSESSMENT**

BACKGROUND

An application has been received seeking consent for pub - alterations, additions and signage.

The site is known as ‘The Beaches Hotel’ at 99 Frederick Street, Merewether and is occupied by a multi-storey building used as a food and drink premises – pub.

The application is referred to the Development Applications Committee (DAC) for determination, due to 114 submissions of objection received during the notification period.



Subject Land: 99 Frederick Street, Merewether

The application was publicly notified in accordance with the City of Newcastle’s (CN) Community Participation Plan (CPP). In response, 114 submissions were received.

The key concerns raised by the objectors in respect of the amended development include:

- i) Acoustic impacts
- ii) Antisocial behavior
- iii) Change of use
- iv) Parking impacts
- v) Hours of operation

Further details of the issues raised by the objectors is provided at section 4.0.

Following a preliminary assessment of the application, the submitted plans were amended in response to concerns raised in the submissions and by CN officers.

A copy of the submitted amended plans for the proposed development is attached at **Attachment A**.

1.0 THE SITE

The subject property comprises Lot 1, DP 7975, 99 Frederick Street Merewether and is an irregular corner site and has an area of approximately 1,797m². The site has frontages to Frederick Street (44m), Ridge Street (54m) and Ranclaud Street (18m).

The existing pub has facades facing toward the east and south. An existing driveway cross over is on Ridge Street with parking located at the rear of the building. Footpaths traverse all the street frontages.

The existing site is a listed local heritage item, 'Beach Hotel '(I299), as identified within Schedule 5 of the Newcastle Local Environmental Plan 2012 (NLEP 2012). Another local heritage item the 'Holy Family Parish Hall '(I306) is located in Ridge Street approximately 200m from the western boundary of the subject property.

The site is located within the coastal management area as identified in State Environmental Planning Policy Coastal Management 2018. The site is mapped as a 'Coastal use area' under the policy.

The wider area has a broad mixture of developments including single and double storey commercial, retail and residential along Frederick and Ridge Streets. The location is within the coastal environment with views of the ocean and parks.

The existing car parking area contains minor landscaped areas. The remainder of the site is devoid of vegetation.

2.0 THE PROPOSAL

The applicant seeks consent for pub - alterations, additions and signage. The proposed works are over three levels and include:

The Lower Ground Floor

Currently functions as a cafe and includes the 'back of house' areas for the pub include:

- i) Layout change in café.
- ii) New stairs from lower ground floor to ground floor terrace.
- iii) A new accessibly compliant step ramp is proposed to provide equitable access from the footpath to the lower ground floor.

The Ground Floor

Continued use as a bar, gaming and dining area. Currently this area includes the location of live music venue, this is to move to the first floor:

- i) Feature staircase from ground floor to first floor.
- ii) Changes to existing terrace (external) including:
 - a) Realignment of existing stairs from Frederick Street and beach showers for public use. Including gate access to the existing terrace.
 - b) Existing windows and doors are proposed to be replaced throughout the building.

The First Floor

Continued use as a bar and dining area and new live music venue:

- i) Removal of Manager's accommodation.
- ii) Additions including sanitary facilities, stair void, storage and office (located toward the west of the building).
- iii) Existing terrace to the east to change to floor area.
- iv) New terrace area replacing the additions of an awning, shade structure and glazed roof (for terrace area below).
- v) New bi-folding doors to open out into the existing southern terrace area.
- vi) Existing balustrade on southern terrace to be replaced with 1800mm high glazed acoustic barrier.

Maximum number of patrons

The proposal includes a change to the maximum occupancy of the premises proposed reducing maximum number of persons (existing 1,500 to reduce maximum number to 1,230).

Condition 34 of the current development consent DA2011/1197 states:

'The maximum number of persons permitted in the premises is to be restricted to a total of 1,500 persons total (180 persons – Level 1, 951 persons - Upper Ground Level, 141 persons – Lower Ground Level). A sign must be displayed in a prominent position in the building stating the maximum number of persons that are permitted in the building.'

A similar condition of consent stating the maximum number of patron allowable in the premises will be recommended for the proposed development if consent is granted.

Approved licensing hours of operation

According to the revised Statement of Environmental Effects (SEE), *'The approved licensing hours of operation will not change as a result of this proposal. Revised licensing plans appropriate to the proposal will be submitted to the Office of liquor and Gaming Regulations when suitable.'*

The SEE states the approved hours of operations in accordance with Liquor Licence number LIH400117094 are as in Table 1 following:

Table 1: Existing approved hours of operation-Liquor Licence

	Ground Floor	Lower Ground & First Floor
Monday to Saturday	5:00am to 3:00am	5:00am to 12:00am
Sunday	10:00am to 10:00pm	10:00am to 10:00pm

According to the SEE, *'The only exception to the above 'is the hours of operation of the terrace facing Ridge Street. The intended operating hours of this terrace is 10am-10pm Monday-Sunday.'*

The current trading hours on which the submitted Noise Impact Assessment was based on are *'...10am-3am Monday to Saturday and 10am-10pm Sunday, with all amplified entertainment to cease prior to 12am.'*

A copy of the amended plans is at **Attachment A**. The various steps in the processing of the application to date are outlined in the Processing Chronology appended at **Attachment B**.

3.0 PUBLIC NOTIFICATION

In accordance with CN's CPP, the application was publicly notified for a period of 14 days between 5 November and 15 November 2020. During the notification period, 114 submissions of objections were received.

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

a) Statutory and Policy Issues

- i) Change of Use – the proposal is changing from a pub to a nightclub.

b) Amenity Issues

- i) Privacy – direct views across Ridge Street to existing residential development.
- ii) Noise – increased capacity in the outdoor areas will result in more noise.
- iii) Anti-social behaviour – increased patronage will result in more anti-social behaviour, such as litter, property damage, fighting and other alcohol related behaviour.

c) Traffic and Parking Issue

- i) Parking Impact Assessment – increased patronage will result in further on street car parking impacts.

d) Miscellaneous

- i) Hours of operation – the proposed hours of operation will impact on the amenity of the area.

4.0 DEVELOPMENT OFFICER PLANNING COMMENTS

The submitted application has been assigned to Senior Development Officer, Ian Clark for assessment. The following comments are provided for information.

Land Use Zone

The site is located in the B1 Local Centre Zone under the Newcastle Local Environmental Plan 2012 (NLEP 2012). The proposal pub - alterations, additions and signage is permissible within the zone subject to development consent. A change of use a is not proposed, and the principal use of the site will remain a pub.

Floor Space Ratio (FSR)

The Floor Space Ratio (FSR) map of the NLEP 2012 provides for a maximum FSR of 1.5:1. The proposal complies with an FSR of 0.1.2:1.

Height of Building

The height of buildings map of the NLEP 2012 provides for a maximum height of 11m. The proposed development complies, with a maximum height of 10.998m. The site slopes from the rear to the front of the site, and the proposed development responds to the natural contours by presenting as triple storey to the front of the site, and double storey to the rear of the site.

Heritage

As indicated above, the existing building on the subject land is a local heritage item listed in Schedule 5 of the NLEP 2012. CN's Heritage Assessment Officer has considered the proposal and provided the following comments:

- a) *The proposed glazed area to the former balcony opening is to be recessed further than the proposed 200mm to provide an improved interpretation of the original opening.*
- b) *The width of the proposed first floor terrace facing Frederick Street is to be reduced to sufficiently maintain the prominence of the c1940 Cyril Ruwald design. The edge of the proposed terrace should be no further forward than the front building line of the original projecting curved form of the first floor (proposed bar area) to avoid blocking any views to the heritage building from Frederick Street.*
- c) *The proposed external shutters to the windows of the first floor are not supported and are to be removed.'*

These concerns were included in a Request for Additional Information dated 28 January 2021 sent to the applicant. In response, on 18 March 2021 the applicant submitted supplementary documentation, a revised Statement of Environmental Effects and amended architectural plans. According to a covering letter prepared by the project architects, *'Council's Heritage feedback has been acknowledged and has been incorporated into the revised architectural drawings.'*

The revised plans are currently being assessed by CN's Heritage Assessment Officer.

Noise Impact

The application includes a Noise Impact Assessment (NIA) which has been reviewed by a CN Senior Environmental Protection Officer, and consideration has been given to the noise impact upon current and future residential receivers.

The report has assessed the operation of the premises against the Office of Liquor and Gaming Authority (OLGA) noise criteria, which requires the following:

- i) *The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz–8kHz inclusive) by more than 5dB between 7:00am and 12:00 midnight at the boundary of any affected residence.*
- ii) *The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz–8kHz inclusive) between 12:00 midnight and 7:00am at the boundary of any affected residence.'*

The NIA specifies that the proposed expanded operations of the pub can meet compliance with the required acoustic criteria. The NIA includes several structural

attenuation recommendations as well as venue management recommendations to help ensure noise impacts are minimised. Further noise control recommendations include:

'First Level Bar

- i) *Entertainment should be restricted to Discos, duos, soloists, etc. No live bands.*
- ii) *All exterior windows and doors on the south facade must be closed when amplified entertainment takes place.*
- iii) *No access is permitted to the south terrace when amplified entertainment takes place.*
- iv) *In the event of valid complaints arising from amplified music, we recommend installing an electronic Sound Limiter or similar limiting device in affected areas. These devices have been proven capable of controlling low frequency emissions and are a cost-effective solution for minor noise exceedances.*

First Floor Terraces

- i) *No PA system or amplified entertainment is permitted on Terraces. Emergency announcements are excluded from this requirement.*
- ii) *Background "incidental" music is permitted on the terraces. A limiting SPL of 65dB(A), Lmax is to be set at a distance of 3 metres from the speakers. Once this output limit is achieved, corresponding references should be assigned to the sound system controls and should only be accessed by responsible staff familiar with the system settings.*
- iii) *No access is permitted to the south terrace when amplified entertainment takes place in First Level Bar.*
- iv) *All external windows and doors leading to the south terrace must be closed when amplified entertainment takes place in the First Level Bar.'*

The abovementioned recommendations would be included as conditions of any development consent.

Social Impacts

The applicant has provided a Social Impact Comment and Plan of Management (POM) within the submitted documentation, which outlines proposed strategies to mitigate social impacts, including anti-social behavior and impact to residential amenity that could arise as a result of the proposed development. Measures include:

- a) Security deployed externally to proactively control patron queues and people approaching the venue for entry.
- b) Hotel will engage a person to identify patrons who become intoxicated within the premises on a Friday and Saturday night from 9pm. Details of the intoxicated patron will be recorded and communicated to the security and bar staff and 'corrective advice' will be offered to the patron.
- c) All security personnel will be issued with a 2-way radio for operational purposes.

Traffic and Parking Impacts

Further information has been requested to provide for additional on street parking survey data during normal summer period. The information has been received and is currently under assessment.

The above issues, and matters raised in the received submissions, will be addressed in a comprehensive environmental assessment report to be submitted to the Development Applications Committee for consideration and determination.

ATTACHMENTS

Item 1 Attachment A: Submitted Plans – 99 Frederick Street, Merewether

Item 1 Attachment B: Processing Chronology – 99 Frederick Street, Merewether

Item 1 Attachments A - B distributed under separate cover

ITEM-2 **PV 20/04/21 - 120 PARRY STREET AND 16 HALL STREET, NEWCASTLE WEST - DA2020/00322 - DEMOLITION (EXISTING BUILDING) AND MIXED-USE DEVELOPMENT (EIGHT STOREY) - INCLUDING RESIDENTIAL (30 APARTMENTS) AND GROUND FLOOR RETAIL / BUSINESS**

APPLICANT: **PARRY & HALL PROJECTS PTY LIMITED**
OWNER: **PARRY & HALL PROJECTS PTY LIMITED**
REPORT BY: **GOVERNANCE**
CONTACT: **DIRECTOR GOVERNANCE / MANAGER REGULATORY, PLANNING AND ASSESSMENT**

PURPOSE

A Development Application (DA2020/00322) has been received seeking consent for the demolition of existing building and the erection of an eight storey mixed-use development comprising ground floor retail / business tenancy and residential flat building (30 apartments), car parking and associated site works at 120 Parry Street and 16 Hall Street, Newcastle West.



Subject Land: 120 Parry Street and 16 Hall Street, Newcastle West

The submitted application has been assigned to Development Officer, Elle Durrant for assessment.

The development application (DA) is referred to the Development Applications Committee (DAC) for determination due to the value of the project, the variations in height and the number of submissions.

The construction value of the proposed development (\$12,811,710) exceeds the staff delegation limit of \$10M.

The proposed variation to the height of buildings (HoB) development standard of the Newcastle Local Environmental Plan 2012 (NLEP 2012) is more than a 10% variation. A 20% variation is proposed at the Parry Street tower (towards south) and a 16% variation proposed at the Hall Street tower (towards north).

The number of submissions received during public notification is in excess of the staff delegation limit of 25.

The original proposal was publicly notified between 1 May 2020 to 15 May 2020. A total of 26 submissions were received during the first notification period.

The original proposal has been amended several times during the assessment process.

The current amended proposal was publicly re-notified between 24 December 2020 to 25 January 2021. A total of 21 submissions were received during the second notification period.

The proposal is integrated development pursuant to section 4.46 under the *Environmental Planning and Assessment Act 1979* (EP&A Act), as approval is required from Subsidence Advisory NSW (SA) under the *Coal Mine Subsidence Compensation Act 2017*, due to the location of the subject site being within a proclaimed Mine Subsidence District.

A copy of the current amended drawings for the proposed development is at **Attachment A**.

1.0 THE SITE

The subject site consists of two allotments described as Lots 126 and 121, Sec J, DP 978906, backing onto one another with a physical address of 120 Parry Street and 16 Hall Street Newcastle West respectively. Combined, the lots are rectangular in shape and have a total area of 1102.8m² with a 13.7m frontage to both Parry and Hall Streets. The subject site is relatively flat, with a gentle fall to the Parry Street boundary (south).

Both lots, 120 Parry Street and 16 Hall Street, currently contain separate single storey commercial and industrial premises. The subject site contains no existing vegetation being completely covered in hardstand.

The subject site is zoned R4 High Density Residential. The surrounding area over recent years has been undergoing a transition from single or double storey commercial and industrial uses into a mixed-use precinct characterised by ground level commercial uses with high rise residential apartments above. The influx of large-scale residential developments bringing with them associated cafes, bars and restaurants to serve the increasing residential population.

The adjoining land either side of 120 Parry Street has been recently developed for similar sized mixed-use developments; the land adjoining to the west (122 Parry Street) contains an eight storey mixed-use development with ground level commercial and 30 residential apartments above; and the land adjoining to the east (118 Parry Street) contains an eight storey mixed-use development with ground level commercial and 12 residential apartments above.

The existing development on either side of 16 Hall Street comprises low scale, single-storey commercial / industrial type buildings that extend to the common side and rear boundaries; the land adjoining to the west (18 Hall Street) contains an

existing single storey light industrial / commercial building currently occupied by a cabling business; and the land adjoining to the east (14 Hall Street) has development consent (DA2017/00932, approved 21 December 2018) for an eight storey mixed-use development comprising ground floor commercial and 33 residential apartments above.

Number One and Number Two Sports Grounds are located to the south of the subject site, directly across Parry Street.

2.0 THE PROPOSAL

The applicant seeks consent for the demolition of existing buildings and erection of an eight storey mixed-use development comprising ground floor retail / business tenancy with residential flat building (30 apartments), car parking and associated site works at 120 Parry Street and 16 Hall Street Newcastle West.

The proposed development is massed into two separate towers; one on each lot addressing their respective street frontages (Parry Street and Hall Street). Each tower is provided with a separate ground floor lobby for pedestrian access from their respective street frontages. The Parry Street tower includes a ground floor retail / business tenancy. Additionally, the ground floor comprises areas to be shared between the two proposed towers including; services, waste storage, bicycle storage, and a central car parking area with vehicle access provided from the Hall Street frontage.

A total of 45 car parking spaces are provided, consisting of one retail / business car space, and 44 residential car spaces, accommodated in two mechanical car stackers (7 car stacker spaces will be dedicated to residential visitor parking and the remaining 37 allocated to the residential apartments).

The proposal has been amended during the assessment process in response to assessment matters, including issues raised by City of Newcastle's (CN) Urban Design Consultative Group (UDCG).

A copy of the current amended drawings for the proposed development is at **Attachment A**.

The various steps in the processing of the application to date are outlined in the Processing Chronology at **Attachment B**.

3.0 PUBLIC NOTIFICATION

The original proposal was advertised and publicly notified for a period 14 days, between 1 May to 15 May 2020, in accordance with CN's Community Participation Plan. A total of 26 submissions were received during the first notification period.

During the assessment of the DA the original proposal has been amended several times. The current amended proposal was re-notified for a period of 14 days, between 24 December 2020 to 25 January 2021 (the period between 20 December

and 10 January is excluded from the calculation of a period of public exhibition in accordance with CN's Community Participation Plan). A total of 21 submissions were received during the re-notification period.

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

a) Statutory and Policy Issues

- i) Height of building: the proposal does not comply with HoB development standard of 24m under the NLEP 2012.
- ii) Frontage widths: the subject site does not comply with the site frontage width control under the Newcastle Development Control Plan 2012 (NDCP 2012) section 3.03 Residential Development.
- iii) Building setbacks: the proposal does not comply with front, side and rear boundary setback controls under the NDCP 2012 section 3.03 Residential Development.
- iv) Solar access: the proposal does not achieve the solar access requirements under the State Environmental Planning Policy (SEPP65) and the Apartment Design Guide (ADG).

b) Amenity Issue

- i) Overshadowing: the proposal will overshadow the principle useable area and landscaping areas of the communal open space at 122 Parry Street.
- ii) Overshadowing: the proposal will overshadow the north facing balconies of apartments 101, 201, 301, 401, 501 and 601 at 122 Parry Street.
- iii) Air circulation: the blank side boundary walls of the Parry Street tower will block the prevailing summer breezes currently received by the apartments and communal open space at 122 Parry Street.
- iv) Views / outlook: the blank side boundary walls of the Parry Street tower will result in loss of views / outlook towards the northeast from the communal open space and north facing balconies of apartments 101, 201, 301, 401, 501 and 601 at 122 Parry Street.
- v) Acoustic: the operation of the mechanical car stacker and associated equipment will result in unacceptable levels of noise for neighbouring residential receivers.
- vi) Acoustic: the Hall Street tower communal rooftop terrace will result in unacceptable levels of noise for neighbouring residential receivers.

- vii) Overlooking: the Hall Street tower communal rooftop terrace will overlook the apartments and communal open space at 122 Parry Street.

c) Design and Aesthetic Issues

- i) Streetscape: the floor levels of the Parry Street tower do not align with the existing adjoining buildings.
- ii) Bulk and scale: the depth of the Parry Street tower is inconsistent with the existing adjoining buildings.
- iii) Bulk and scale: the height of the Hall Street tower is inconsistent with the existing streetscape of Hall Street and would be overwhelming.

d) Traffic and Parking Issues

- i) Operation and maintenance of mechanical car stacker: mechanical failure of the car stackers will increase demand for onstreet car parking.
- ii) Demolition and construction impacts: the proposal will result in disruptions to public domain during demolition and construction.

e) Miscellaneous

- i) Flood management: the impact of water inundation in heavy rain events on the underground mechanical car stacker pit. Additionally, the submissions identified ongoing water egress issues occurring in the basement of 122 Parry Street.
- ii) Stormwater management: the stormwater infrastructure in the immediate area is inadequate.
- iii) Mines subsidence: the Mines Subsidence Assessment Report submitted with the DA, and subsequently amended during the assessment process, is inadequate.
- iv) Waste management: servicing from Parry Street not achievable.
- viii) Inaccurate documentation: the original architectural drawing set submitted with the DA incorrectly represented the extent of the north facing balconies of apartments 201, 301, 401, 501 and 601 at 122 Parry Street.

4.0 DEVELOPMENT OFFICER PLANNING ASSESSMENT

The submitted application has been assigned to Development Officer, Elle Durrant for assessment.

The subject site is located in the R4 High Density Residential zone under the NLEP 2012 and the proposed mixed-use development (comprising retail / business premises and residential flat building) is permissible with consent.

The height of the development is 29m for the Parry Street tower (towards south) and 27.85m for the Hall Street tower (towards north), measured to the lift overruns. This equates to a 20% and 16% variation to the HoB development standard (clause 4.3 under the NLEP 2012) for the Parry Street and Hall Street towers respectively. Permissible height limit being 24m.

In accordance with the requirements of clause 4.6, the applicant has submitted a written request to vary the development standard imposed by clause 4.3 of the NLEP 2012.

The floor space ratio (FSR) map provides for a maximum FSR of 3:1. The current amended proposal has an FSR of 2.94:1, which complies.

The subject site has a 13.7m frontage to both Parry and Hall Streets. Under the NDCP 2012 section 3.03 - Residential Development, the proposal does not comply with the 15m frontage width prescribed for residential flat buildings within the R4 zone.

The front, side and rear boundary setback controls under the NDCP 2012 section 3.03 Residential Development are for residential development where there are no locality specific controls. The subject site is located within the Newcastle City Centre, and as such the locality specific controls in section 6.01 Newcastle City Centre under the NDCP 2012 are applicable. Section 6.01 describes a 16m street wall height for the subject site with zero setbacks for the front, side and rear boundary up to a height of 16m and then a 6m setback above. Variations to these front, side and rear boundary setbacks are proposed.

The Parry Street tower has a zero setback from the Parry Street frontage at ground level, which complies with the relevant NDCP 2012 control. Above this however, the Parry Street tower is generally setback 4.5m, with a framed 'pop out' element around the central balconies on levels 2 to 5 that is setback 1.5m from the Parry Street boundary. The design is similar for the Hall Street tower with the exception of the western third of the building, which has an increased setback of 7.5m from the Hall Street frontage above the ground level, and the framed 'pop out' element which only occurs on levels 2 to 4 and has a zero setback from the Hall Street boundary.

Whilst both towers do not strictly comply with the front boundary setbacks prescribed under the NDCP 2012, the UDCG 'commended the building forms fitting with the streetscapes along Hall and Parry Street.'

The proposed development is largely built to both side boundaries (east and west) for the height of both towers, although the design is articulated towards the center of the site where a 1.8m and 4.5m setback is provided from the east and west boundaries respectively.

CN's UDCG have considered the application on two occasions. First, on 17 July 2019, prior to lodgment of the DA. Following lodgment, the DA was referred to the UDCG for the second time on 27 May 2020 and advice received.

The UDCG has assessed the proposal in regards to design quality and amenity, including; streetscape (street wall heights), building bulk and scale, building separation (boundary setbacks), building depths, solar access (including overshadowing of neighbouring properties), natural ventilation (including local conditions of prevailing winds), visual privacy and acoustic impacts.

The UDCG's May 2020 advice was generally supportive of the proposal provided the solar access and overshadowing issues raised by the UDCG are addressed to the satisfaction of CN. In response to both CN staff assessment and the UDCG advice, amendments made to the proposal and additional solar and massing studies were provided during the assessment process, which demonstrate the impacts appear satisfactory. The current amended proposal will be electronically referred to the UDCG for their final advice, prior to reporting the DA to DAC for determination.

CN's Environmental Health Services has assessed potential acoustic impacts to neighboring properties, and the impacts are considered acceptable.

Amendments were made during the assessment for the proposal to adequately be serviced by CN's Waste Collection Services without disruption to traffic, on street parking and without requiring the presentation of waste bins to the street frontage.

The DA was referred to SA on 15 April 2020. An amended Mines Subsidence Assessment Report was submitted and forwarded to SA. The most recent advice from SA (October 2020) has requested additional updates to, and a peer review of, the Amended Mine Subsidence Assessment Report. The applicant is liaising directly with SA in this regard, and it is understood the peer review is underway.

Amendments were made during the assessment process, and additional documentation provided by the applicant to address concerns raised by CN regarding engineering requirements with provision of onsite car parking, driveway construction, works within the road reserve, stormwater disposal, relocation of power supply pole on Hall Street, and the ongoing operation and maintenance of the car stacker system.

ATTACHMENTS

Item 2 Attachment A: Submitted Plans - 120 Parry Street and 16 Hall Street, Newcastle West

Item 2 Attachment B: Processing Chronology - 120 Parry Street and 16 Hall Street, Newcastle West

Item 2 Attachments A - B distributed under separate cover