# ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

# DAC 15/11/22 – 292 MAITLAND ROAD MAYFIELD - DA2021/01338 - SHOP TOP HOUSING - INCLUDING DEMOLITION OF EXISTING STRUCTURES

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## ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

DAC 15/11/22 – 292 MAITLAND ROAD MAYFIELD - DA2021/01338 - SHOP TOP HOUSING - INCLUDING DEMOLITION OF EXISTING STRUCTURES

ITEM-19 Attachment A: Submitted Plans

### ARCHITECTURAL DRAWING SCHEDULE A00 **COVER SHEET** ARCHITECTS STATEMENT A01 A02 LOCATION PLAN A03 SURVEY

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A06 SITE PLAN

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A13 PENTHOUSE FLOOR PLAN

A14 **ROOF PLAN** 

A15 **ELEVATIONS SHEET 01 ELEVATIONS SHEET 02** A16 A17 **ELEVATIONS SHEET 03** A18 SECTION A-A & B-B

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MAYFIELD **RESIDENTIAL APARTMENTS** 

MAITLAND RD, MAYFIELD, NSW 2320 **DAISSUE** 

YIELD

BASEMENT GROUND LEVEL 47 RESIDENTIAL CAR SPACES
5 x TENANCY SPACES
12 COMMERCIAL CAR SPACES + 11 VISITOR CAR SPACES
61 BICYCLE PARKING SPACES
6 x 1 BED + 10 x 2 BED

LEVEL 03 LEVEL 04

7 x 1 BED + 6 x 2 BED 7 x 1 BED + 6 x 2 BED 5 x 1 BED + 6 x 2 BED 0 x 1 BED + 2 x 2 BED + 3 x 3 BED

TOTAL

25 x 1 BED + 30 x 3 BED + 3 x 3 BED 58 APARTMENTS, 5 TENANCIES, 70 CAR SPACES, 61 BICYCLE SPACES

A00 REV C

21/09/2021 DA ISSUE

29/09/2021 DA ISSUE 22/07/2022 RESPONSE TO UDRP COMMENTS MF BC BC MF BC BC

| DRN | CHKD | VRFD | PROJECT: 292 MAITLAND RD, MAYFIELD

MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD

292 MAITLAND RD, MAYFIELD, NSW

DRAWING: COVER SHEET

21/09/2021

13155 DA **A00** 



# architects statement

Our clients brief for the development site, located at the corner of Maitland Road & Baker Street Mayfield, was to design a high end mixed use residential building. To create a distinctive project thats sits comfortably within the existing Mayfield building stock, a design that would embrace environmental, social and aesthetic elements. The development, based on new urbanism principles, will be a catalyst for activation of Webb Park, the renewal corridor and the local area.

The built form is conceived as two buildings on the site that run parallel with Maitland Road. The buildings are separated by 12m internally to maximise light and ventillation to the apartments, but to also provide a high level of amenity to the residents by creating visual connections to the landscaped areas at podium level and visual connections to Webb Park and the heritage buildings along the Mayfiled renewal corridor. A pedestrian link has been proposed along the eastern boundary, adjacent to the existing Mayfield Hotel. This would provide a visual and physical connection to Webb Park from Maitland Road, with the intention of further activating the park. While the edges of the link have been addressed with tenancy, communal spaces and landscape, it is envisiged that this corridor could potentially be further widened and further activated if the adjacent site is ever redeveloped.

Building A has its main frontage facing Maitland Road and with tenancy space on the ground floor of the development providing an active street frontage. Residential entry is along Baker Street, which feeds into the existing residential area. The zero setback of this building reinforces the urban edge and reinforces the prominent corner of the site.

Building B addresses Webb Park with tenancy and communal spaces breaking out along the ground floor of the development. A deep soil landscape zone at the south eastern corner draws the park on to the site softening the corner of the building while also highlighting the link through to Maitland Road. The building takes advantage of the views while also creating opportunities for casual surveillence of the park and the proposed pedestrian link. The upper floors of this building have intentionally been setback from the park to reduce overshadowing and create a more considered scale.

The communal open spaces on the upper floors are designed to be passive spaces for small gatherings, with opportunities to garden and read. The intention is to activate the ground plane in particular Webb Park and take advantage of the local facilities that are available within walking and riding distance of the site. Private and semi private landscaped areas on the podium level provide visual connections for the central apartments, softening the building, absorbing sound and creating natural privacy screens for the podium terraces. The location of the communal space on the ground floor breaks out to Webb Park and the proposed pedestrian link creating opportunities for more recreational activities.

The architectural design is modern, with the aim to be timeless. It acknowledges the existing Mayfield building stock but it also pays homage to the history of the steel workers who lived in this area. The design of the facade came from a historical analysis of the pre-1950's workers who would ride on their bicycles past this site to work at the former BHP Steelworks. A history of cycling which is seldom known or acknowledged and ties in with the current aims of Mayfield renewal corridor to activate the streetscape and promote active transportation. The language of the bicycle and the storage sheds that proliferated the former BHP site have been borrowed and form part of the language of the facade.

Detailed attention has been paid to the proportion of the building, both horizontal and vertical. Stylistically the development achieves an elegant aesthetic through the use of layered elements and materials including, face brick, glazed brick, metal cladding, timber soffits, batten screens and glazing. The material articulation breaks down the bulk of the building appearance from ground level and responds to the human scale of the pedestrians passing by. The articulation of materials also responds to the environment and adds positively to the streetscape.

The overall design of this mixed use residential development provides a quality urban design and architectural outcome that strongly contributes to the Mayfield area. The architecture is modern, yet timeless in its proportions and materials, incorporating sustainable principles that will be a benchmark future developments to contribute to the streetscape and public realm. The building aims to enrich the character of the area and represents an exciting new development to be appreciated by existing and new residents.

Bede Campbell Director - EJE Architecture Registered Architect Board Reg 9837 cnr maitland rd & baker st mayfiled







MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD NSW, 2304

DRAWING: LOCATION PLAN

22/07/2022 1:5000

A02 13155 DA





- FEATURES SHOWN TO SCALE ACCURACY.
   THIS PLAN IS SUITABLE FOR DETAILED
- PLANNING AND DESIGN AT THE SCALE'S STATED. THE PLAN MAY NOT BE SUITABLE FOR ANY OTHER PURPOSE OR FOR USE AT ANY OTHER SCALE'S.

  3. SERVICES LOCATED ONLY WHERE VISIBLE.
- SERVICES LUCATED ONLY WHERE VISIBLE.
   THE LOCATION OF ALL UNDERGROUND SERVICES WHETHER SHOWN ON THE PLAN OR NOT, SHOULD BE PRECISELY DETERMINED BEFORE ANY CONSTRUCTION WORK COMMENCES AND MEASURES TAKEN TO PROTECT THESE SERVICES FROM DAMAGE.
- PROTECT THESE SERVICES FROM DAMAGE
  5. CONTOUR INTERVAL 0.1m
  6. THE BOUNDARIES SHOWN ARE
  APPROXIMATE ONLY. THE BOUNDARIES
  SHOWN HAVE BEEN COMPILED FROM THE
  RELEVANT DEPOSITED PLANS, FURTHER
  SURVEY WILL BE REQUIRED IF
  CONSTRUCTION IS TO TAKE PLACE ON OR
  ADJACENT TO THE BOUNDARIES.

### TREE TABLE

TREE NO.	SPREAD	TRUNK	HEIGHT
T1	2	0.1	2
T2	2	0.1	2

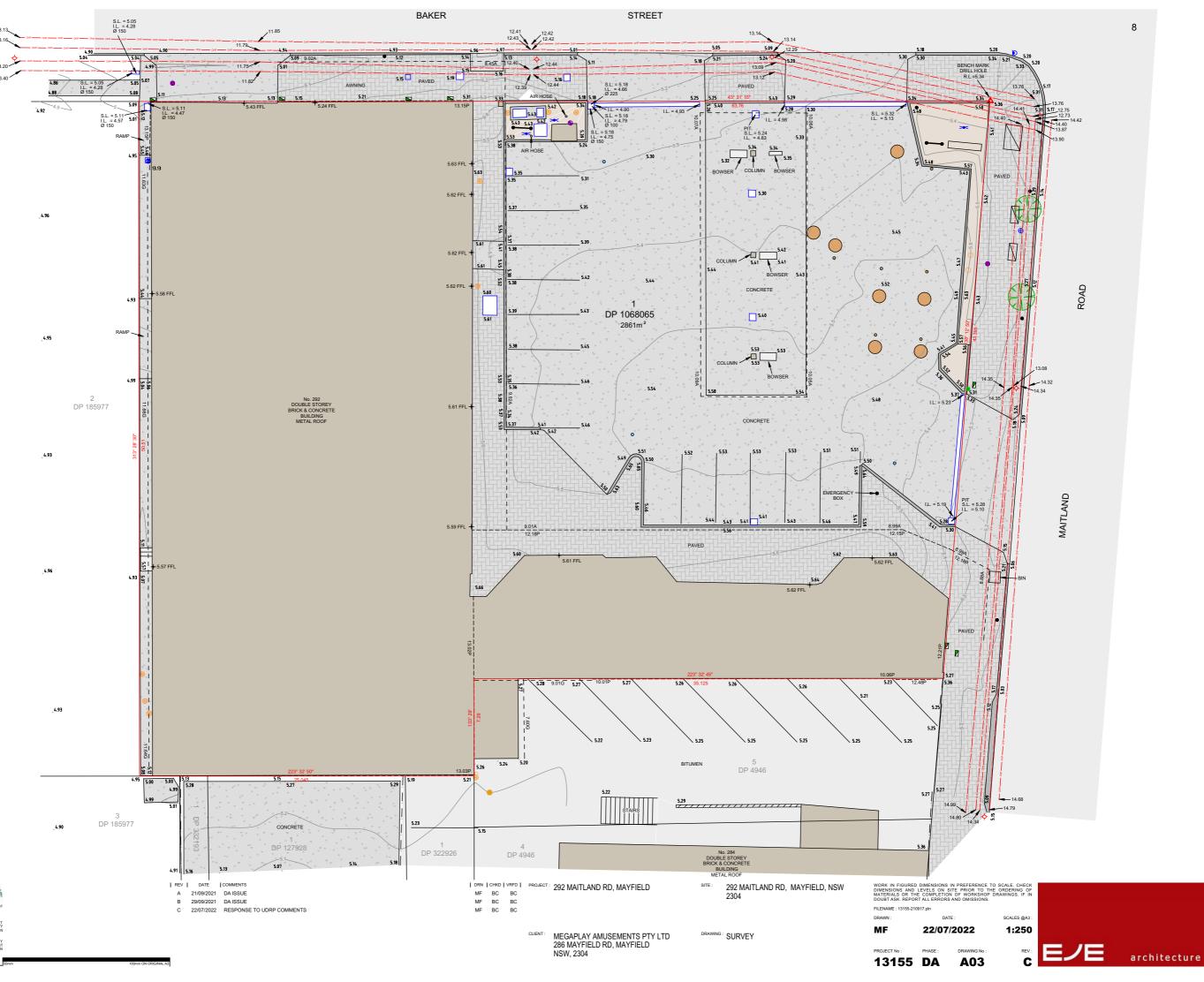




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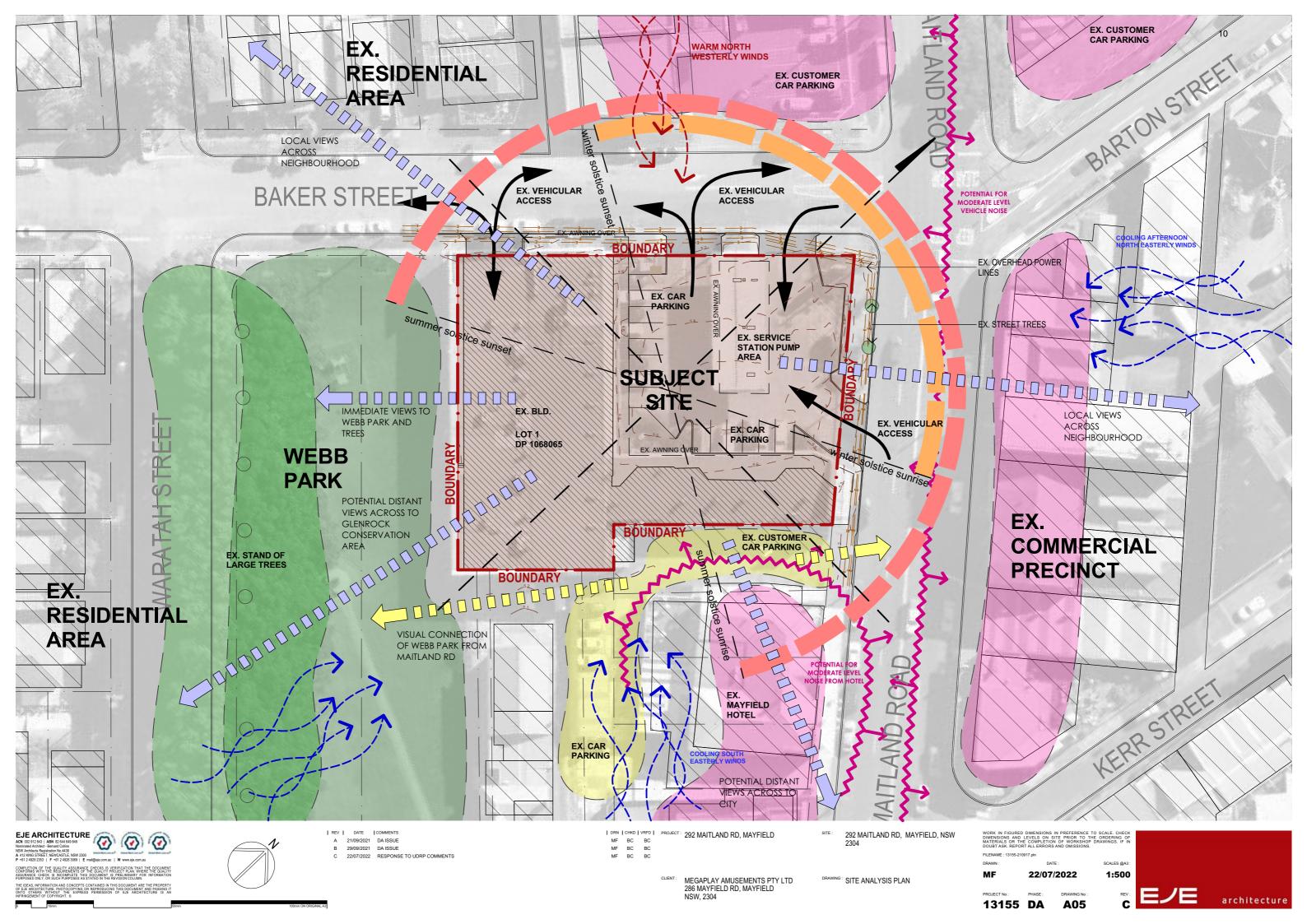


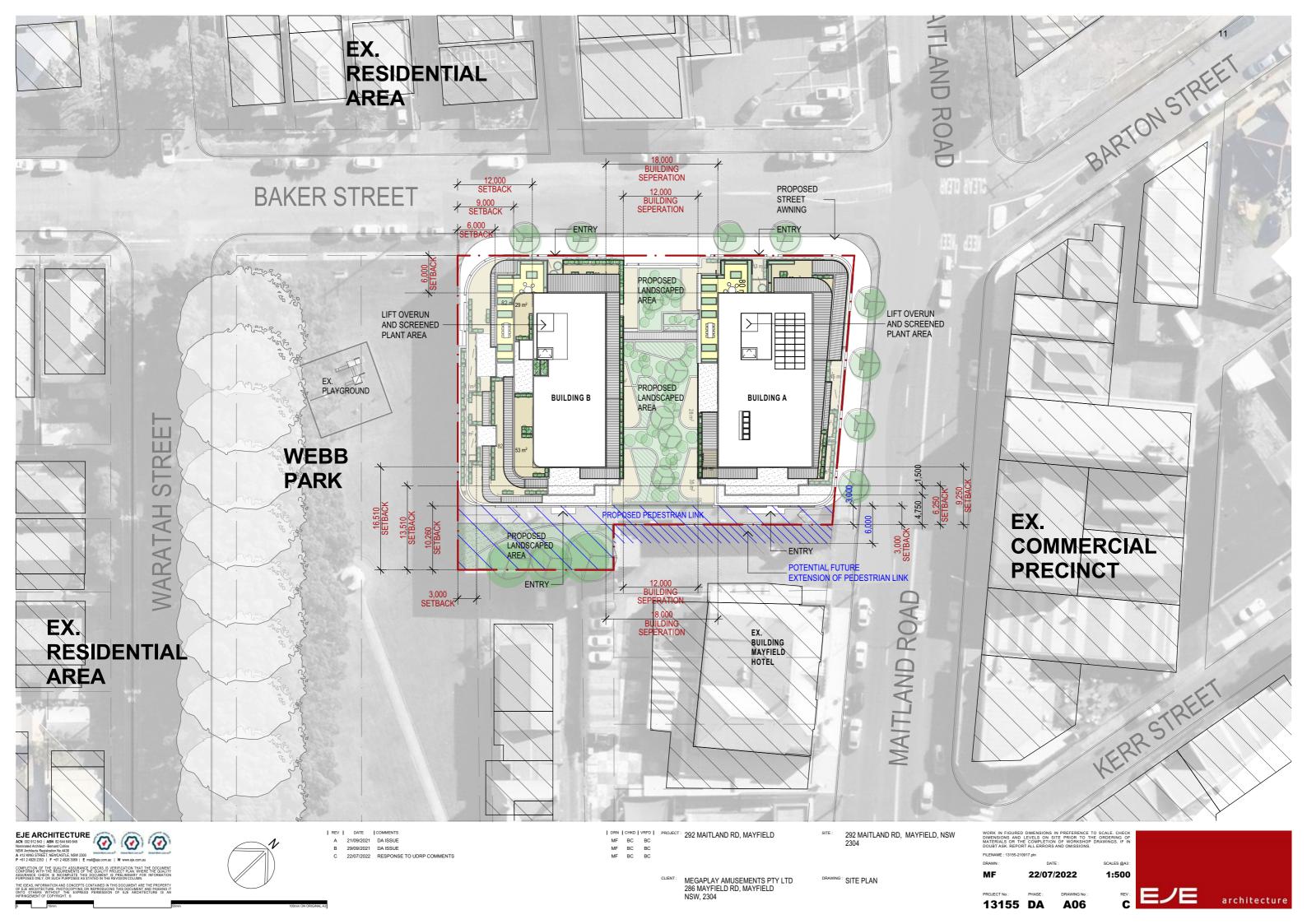


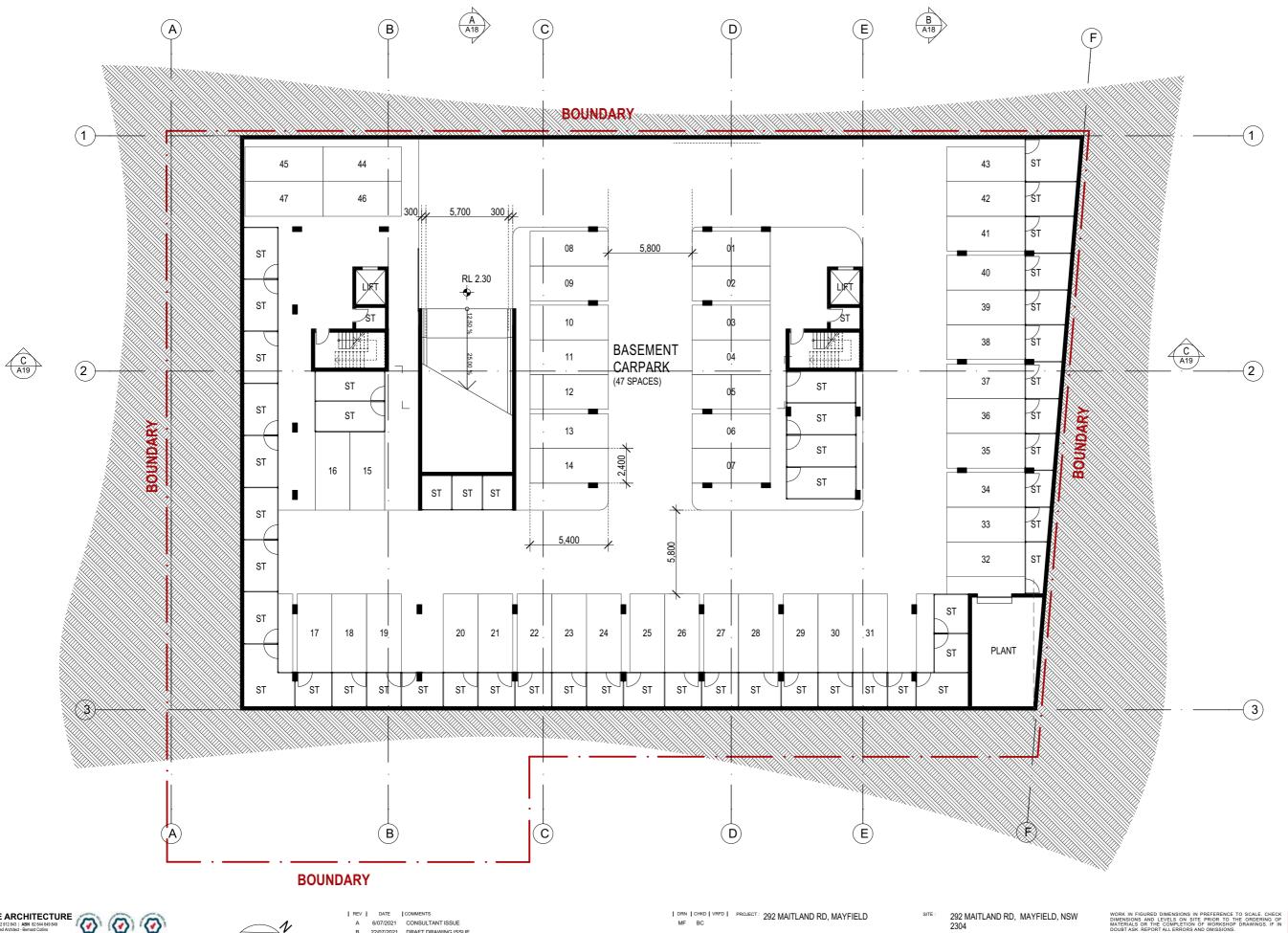
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EJE ARCHITECTURE

ACM 103 F12843 | ABN 1828 A4 189 849

ACM 103 F12844 | ABN 1828 A4 189 849

AVENUE AVENUE



REV	DATE	COMMENTS
A 6/07/2021	CONSULTANT ISSUE	
B 22/07/2021	DRAFT DRAWING ISSUE	
C 13/08/2021	CONSULTANT ISSUE	
D 18/08/2021	LANDSCAPE ISSUE	
E 26/08/2021	CONSULTANT ISSUE	
F 1/09/2021	BASIX ISSUE	
G 21/09/2021	BASIX ISSUE	
H 29/09/2021	DA ISSUE	

2304

DRAWING: BASEMENT FLOOR PLAN

MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK, REPORT ALL ERRORS AND OMISSIONS.

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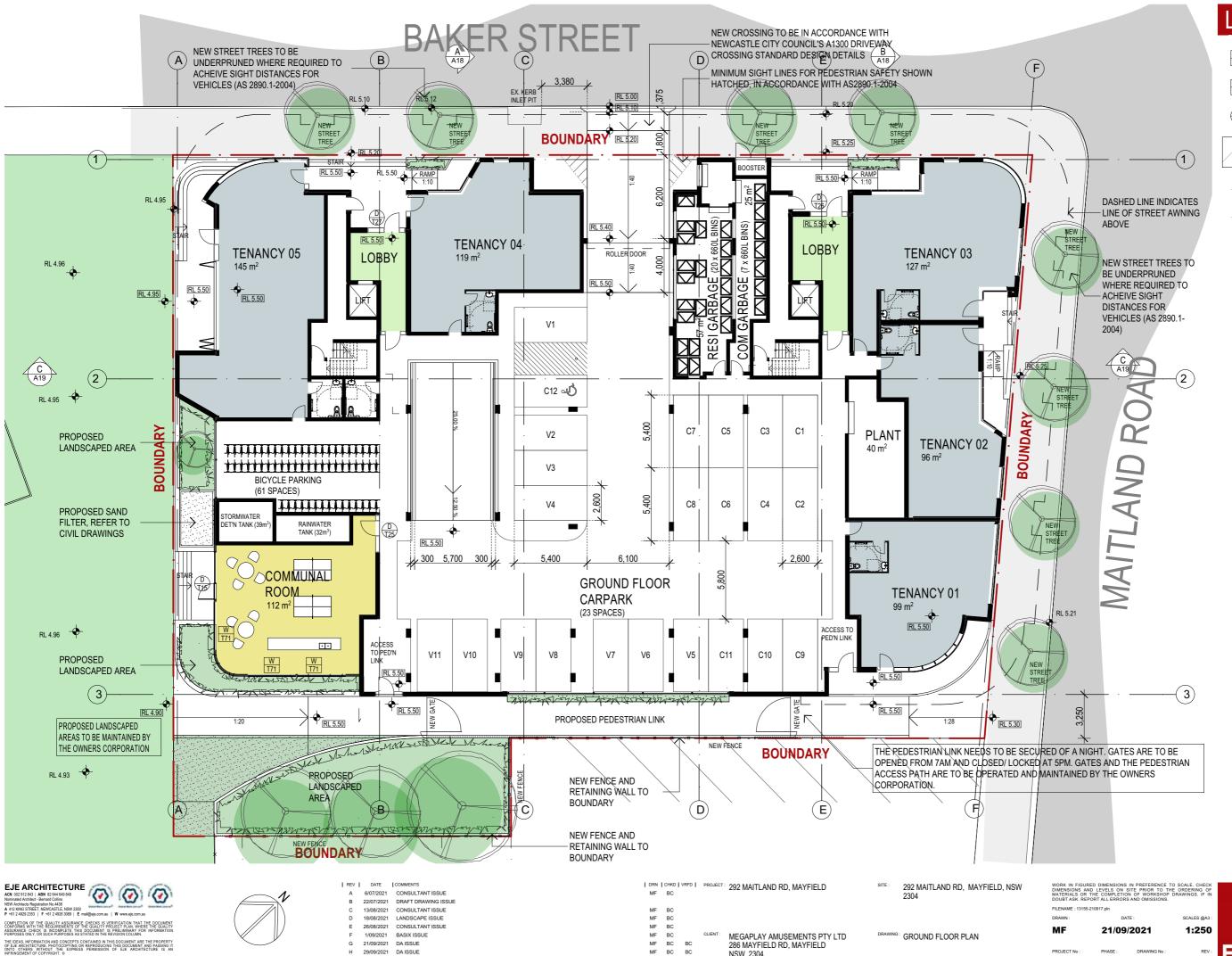
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13155 DA

A07





EGEND

WINDOW MARKER eg. WINDOW / TYPE Nº 05

LOUVRE MARKER T05

eg. LOUVRE / TYPE Nº 05

DOOR MARKER eg. DOOR / TYPE Nº 05

LINE MARKING

EXISTING RL

0.00

PROPOSED RL

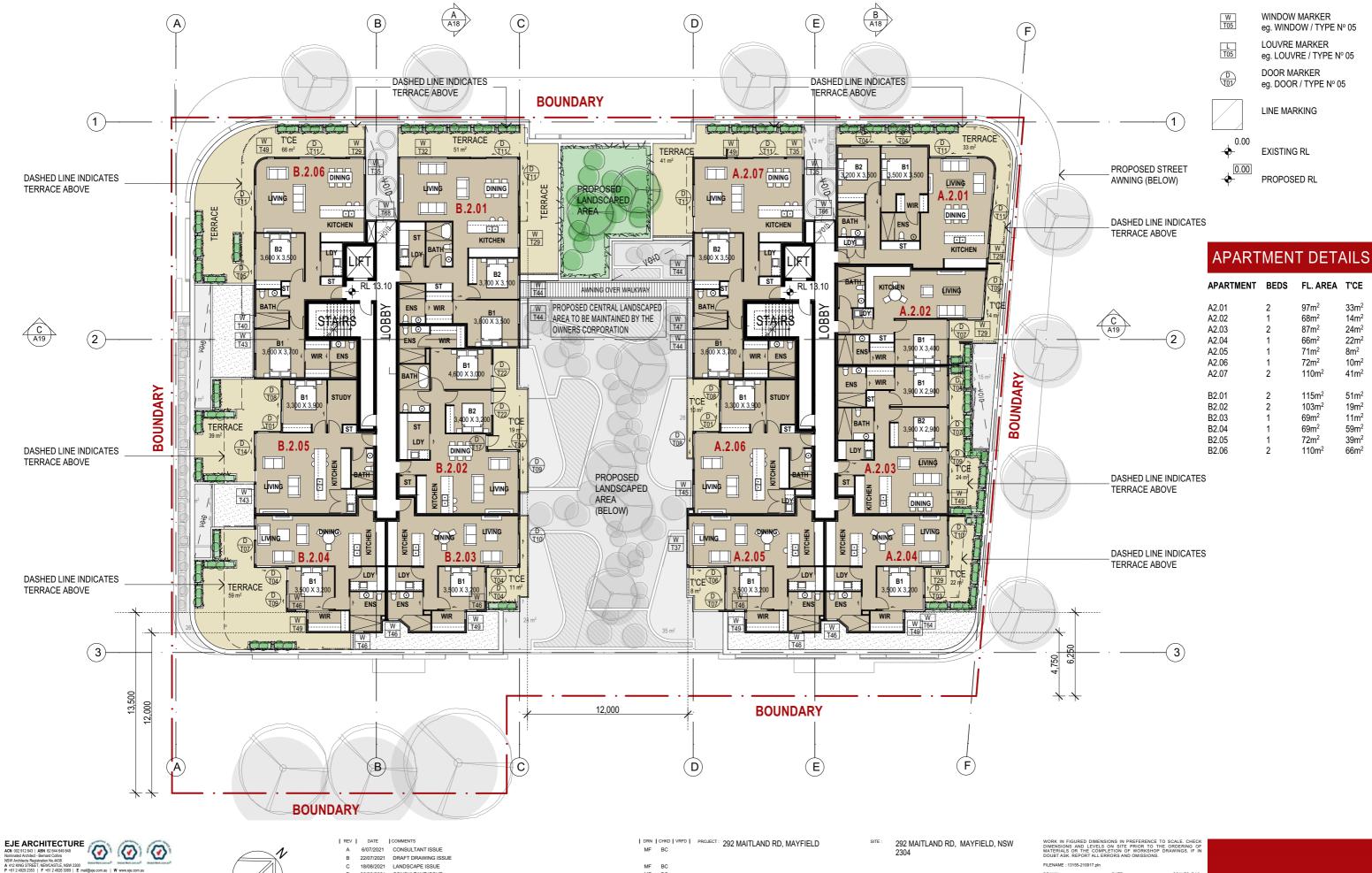
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**A08** 



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22/07/2022 RESPONSE TO UDRP COMMENTS

26/08/2021 CONSULTANT ISSUE 1/09/2021 BASIX ISSUE 21/09/2021 DA ISSUE

MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD

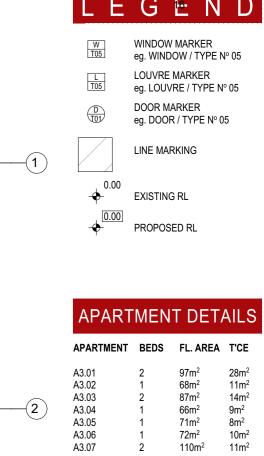
DRAWING: LEVEL 2 FLOOR PLAN

SCALES @A3 22/07/2022

13155 DA A10



# EGEND



24m<sup>2</sup>

19m<sup>2</sup>

11m<sup>2</sup>

42m<sup>2</sup>

22m<sup>2</sup>

115m<sup>2</sup>

103m<sup>2</sup>

69m<sup>2</sup>

 $69m^2$ 

 $72m^2$ 

110m<sup>2</sup>

B3.01

B3.02

B3.03

B3.04

B3.05

B3.06



**BOUNDARY** 

EJE ARCHITECTURE
AN 002 912 943 | ABN 92 944 649 949
Nominated Architect - Semant Colories



6/07/2021 CONSULTANT ISSUE 22/07/2021 DRAFT DRAWING ISSUE 26/08/2021 CONSULTANT ISSUE 1/09/2021 BASIX ISSUE 21/09/2021 DA ISSUE

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| DRN | CHKD | VRFD | PROJECT: 292 MAITLAND RD, MAYFIELD MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD

**BOUNDARY** 

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292 MAITLAND RD, MAYFIELD, NSW

DRAWING: LEVEL 3 FLOOR PLAN

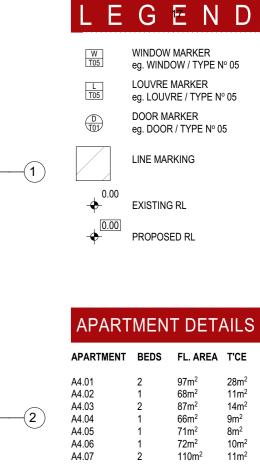
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13155 DA

22/07/2022

A11





B4.01

B4.02

B4.03

B4.04

24m<sup>2</sup>

19m<sup>2</sup>

11m<sup>2</sup>

82m<sup>2</sup>

115m<sup>2</sup>

103m<sup>2</sup>

69m<sup>2</sup>

109m<sup>2</sup>

2

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**BOUNDARY** 

EJE ARCHITECTURE
AN 002 912 843 | ABN 82 646 698 99
Nominated Archited - Bernard Colling

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22/07/2022 RESPONSE TO UDRP COMMENTS

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| DRN | CHKD | VRFD | PROJECT: 292 MAITLAND RD, MAYFIELD MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD

292 MAITLAND RD, MAYFIELD, NSW

DRAWING: LEVEL 4 FLOOR PLAN

E

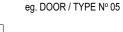
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13155 DA A12



# LEGEND





LINE MARKING

0.00 EXISTING RL

0.00 PROPOSED RL

# APARTMENT DETAILS

APARTMENT	BEDS	FL. AREA	T'CE
A5.01	3	117m <sup>2</sup>	85m <sup>2</sup>
A5.02	2	97m <sup>2</sup>	38m <sup>2</sup>
A5.03	2	90m <sup>2</sup>	44m <sup>2</sup>
B5.01	3	123m²	83m <sup>2</sup>
B5.02		119m²	100m



**BOUNDARY** 

EJE ARCHITECTURE

ACN 002 912 343 | ABN 82 544 549 849
Nominada Archited - Bernard Coliris

NSW Architect Separation No 433

A 412 NMO STREET, NETWCASTLE, NSW 2200

F 912 4269 2253 | F 912 4268 2569 | E mail@eje.com.au | W www.eje.com.au

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D 26/08/2021 CONSULTANT ISSUE |
E 1/09/2021 BASIX ISSUE |
F 21/09/2021 DA ISSUE |
G 29/08/2021 DA ISSUE |

22/07/2022 RESPONSE TO UDRP COMMENTS

| DRN | CHKD | VRFD | PROJECT: 292 MAITLAND RD, MAYFIELD

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MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD NSW, 2304 292 MAITLAND RD, MAYFIELD, NSW 2304

DRAWING: PENTHOUSE FLOOR PLAN

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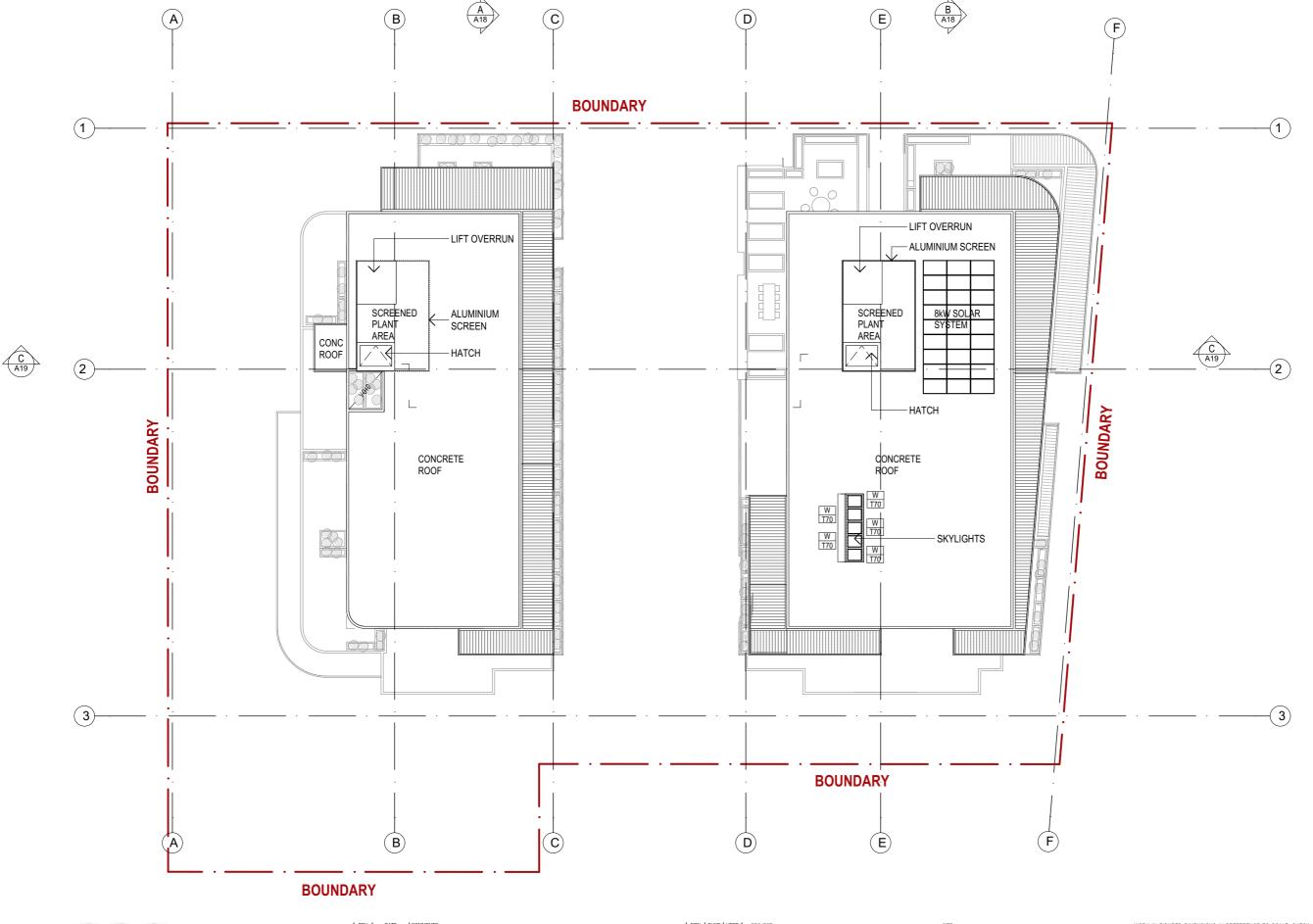


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21/09/2021 DA ISSUE

6/07/2021 CONSULTANT ISSUE 22/07/2021 DRAFT DRAWING ISSUE 18/08/2021 LANDSCAPE ISSUE 26/08/2021 CONSULTANT ISSUE 1/09/2021 BASIX ISSUE 22/07/2022 RESPONSE TO UDRP COMMENTS | DRN | CHKD | VRFD | PROJECT: 292 MAITLAND RD, MAYFIELD 
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 MAYFIELD

 MSW, 2304

DRAWING: ROOF PLAN

292 MAITLAND RD, MAYFIELD, NSW 2304

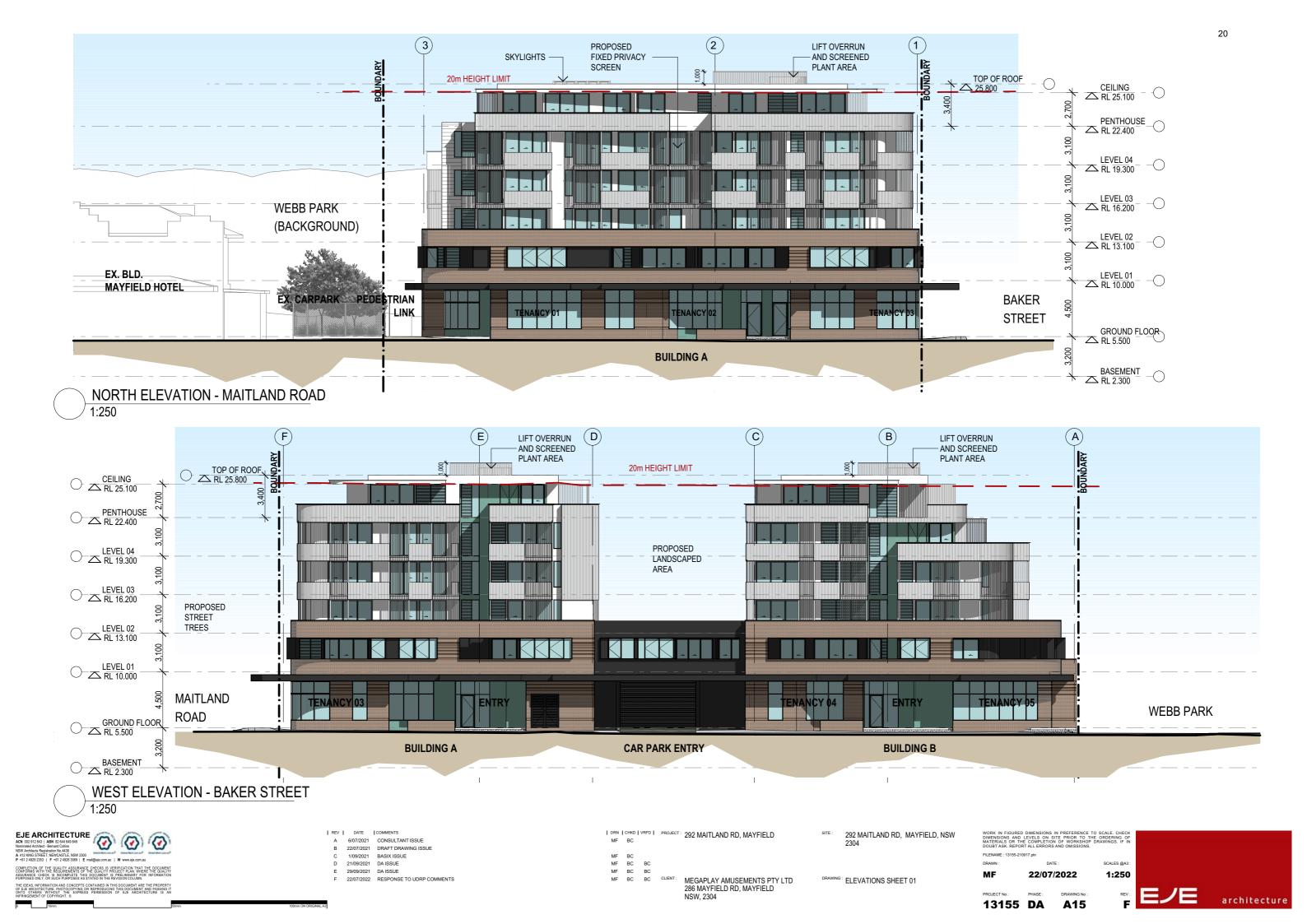
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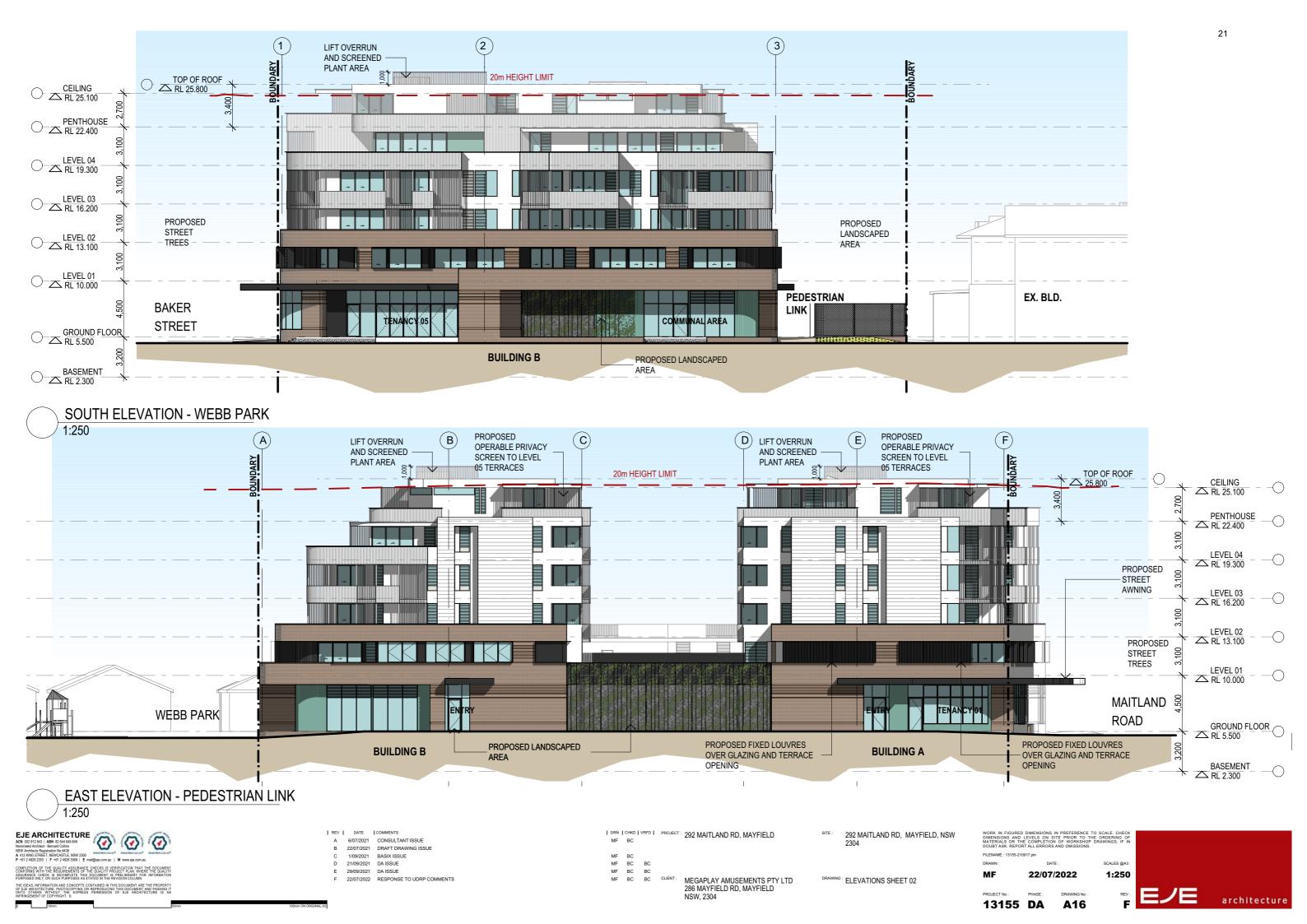
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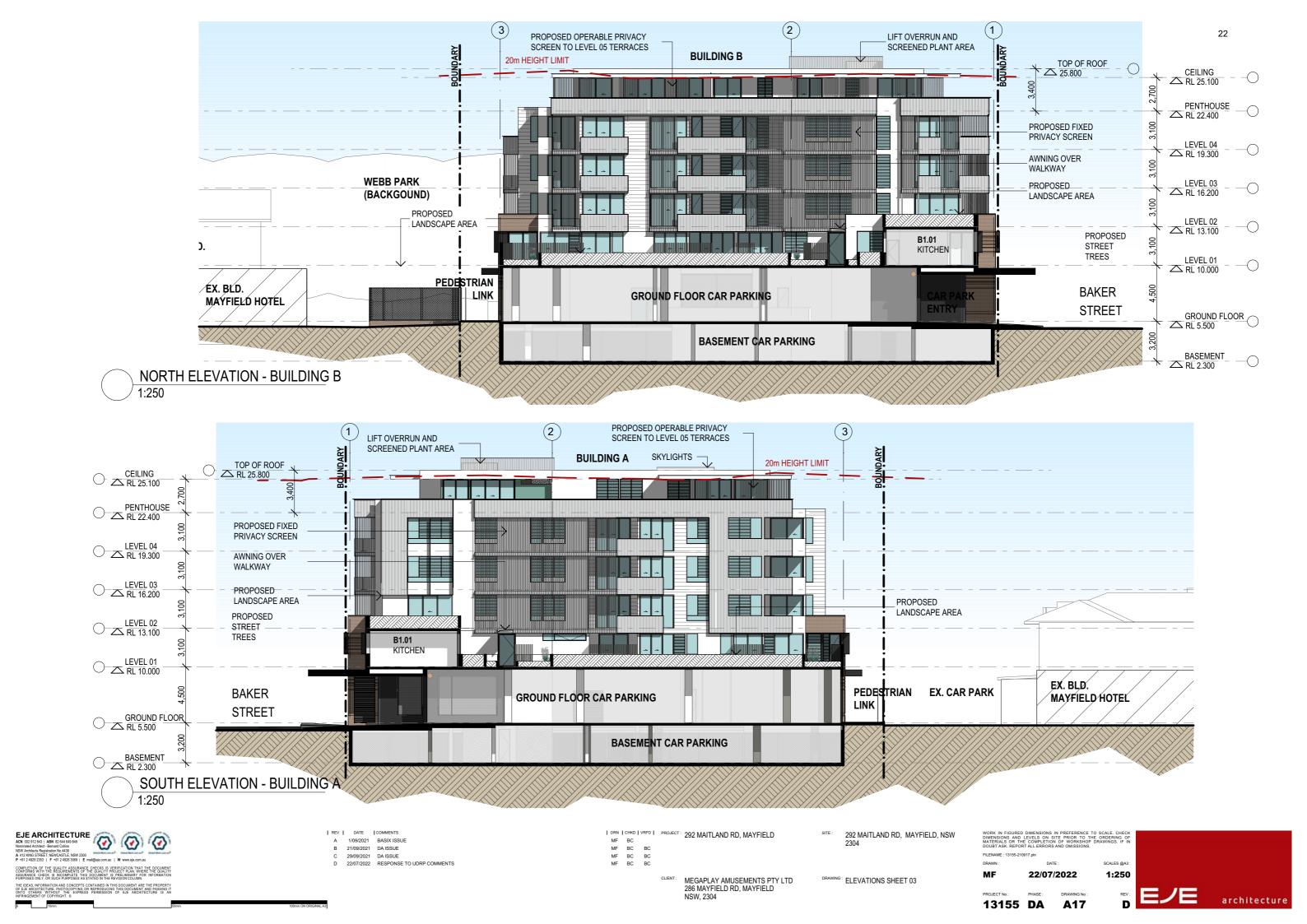
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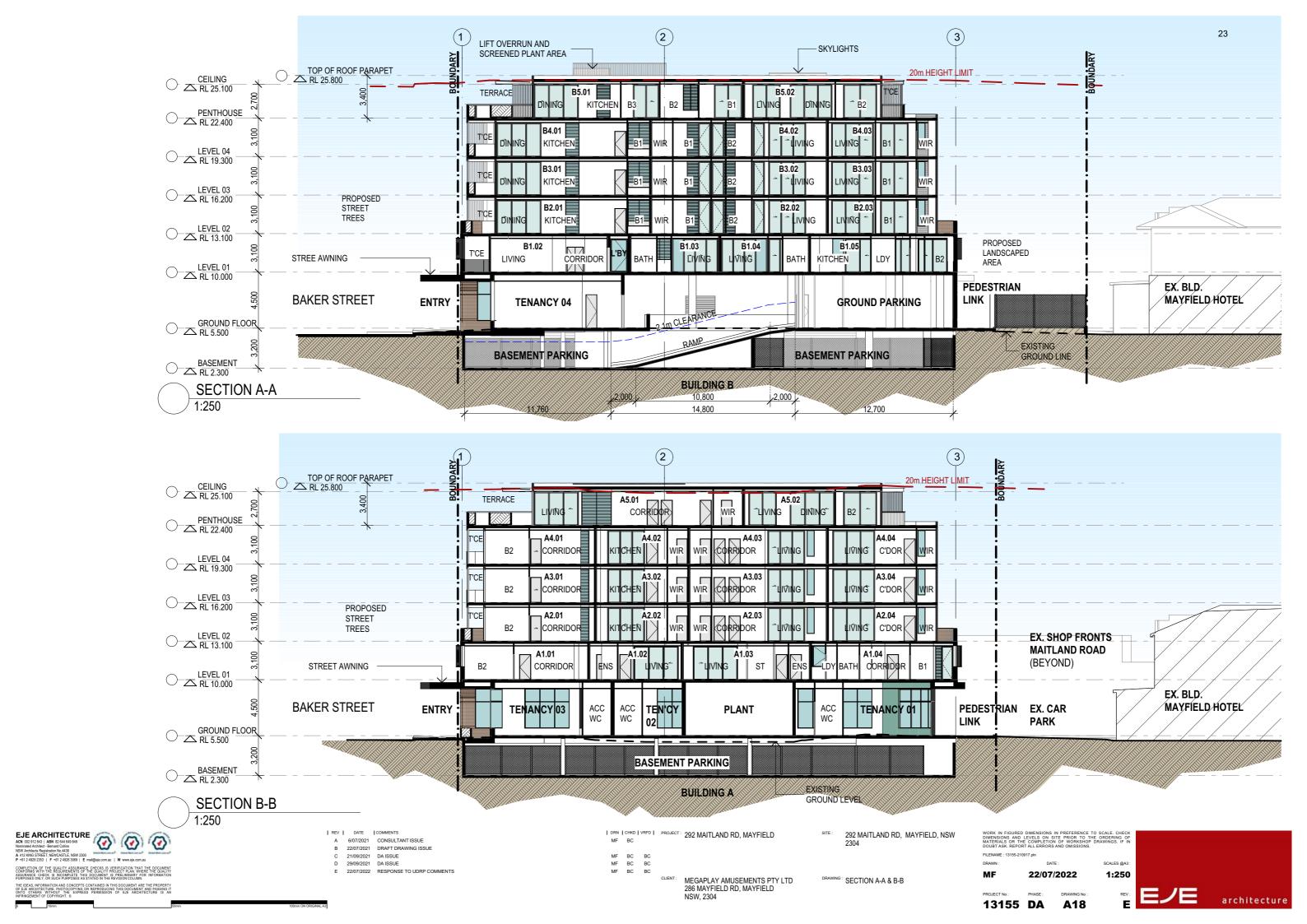
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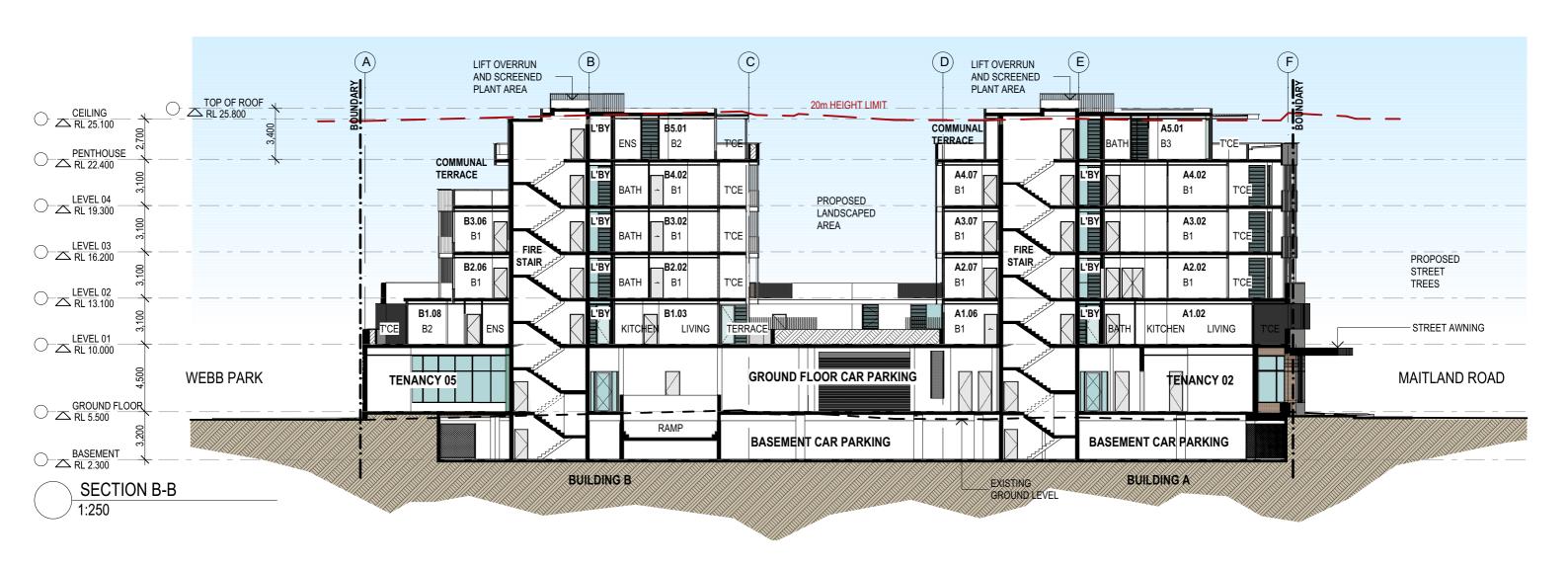














REV DATE COMMENTS

A 21/09/2021 DA ISSUE B 29/09/2021 DA ISSUE

C 22/07/2022 RESPONSE TO UDRP COMMENTS

| DRN | CHKD | VRFD | PROJECT: 292 MAITLAND RD, MAYFIELD

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CLIENT: MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD

292 MAITLAND RD, MAYFIELD, NSW 2304

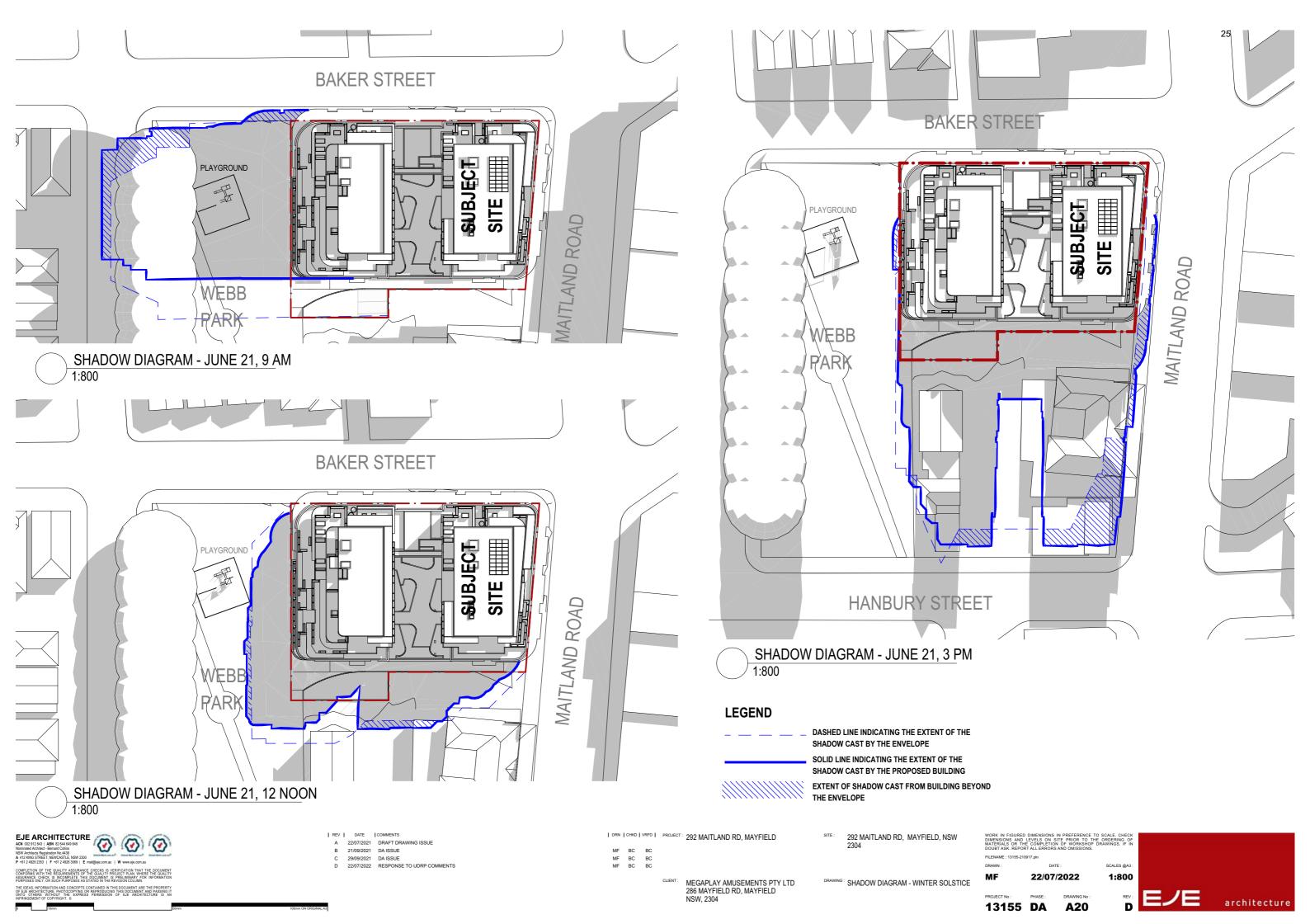
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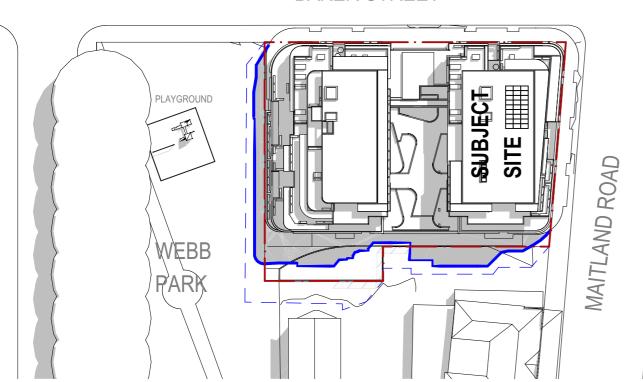
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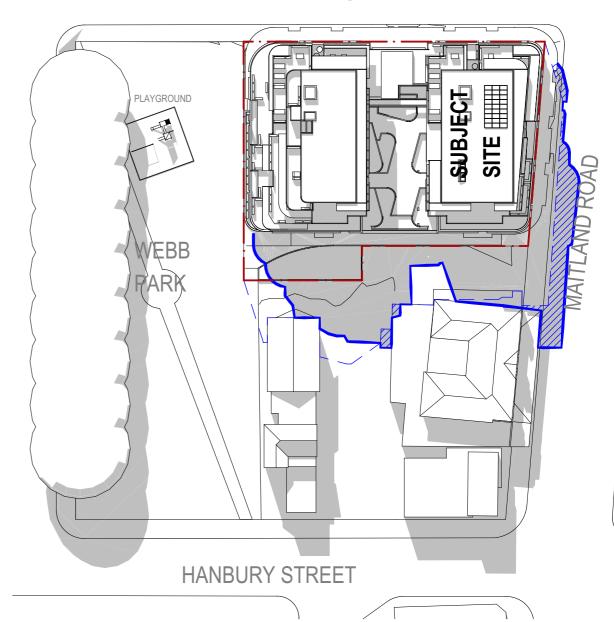


# SHADOW DIAGRAM - MAR 21/ SEP 23, 9 AM

# BAKER STREET



# BAKER STREET



SHADOW DIAGRAM - MAR 21/ SEP 23, 3 PM 1:800

# **LEGEND**

\_\_\_ DASHED LINE INDICATING THE EXTENT OF THE SHADOW CAST BY THE ENVELOPE

SOLID LINE INDICATING THE EXTENT OF THE SHADOW CAST BY THE PROPOSED BUILDING

EXTENT OF SHADOW CAST FROM BUILDING BEYOND THE ENVELOPE

I DRN | CHKD | VRFD | PROJECT: 292 MAITLAND RD, MAYFIELD MF BC BC

MEGAPLAY AMUSEMENTS PTY LTD

286 MAYFIELD RD, MAYFIELD

292 MAITLAND RD, MAYFIELD, NSW 2304

DRAWING: SHADOW DIAGRAM - EQUINOX

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE OFDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK, REPORT ALL LERORS AND OMISSIONS.

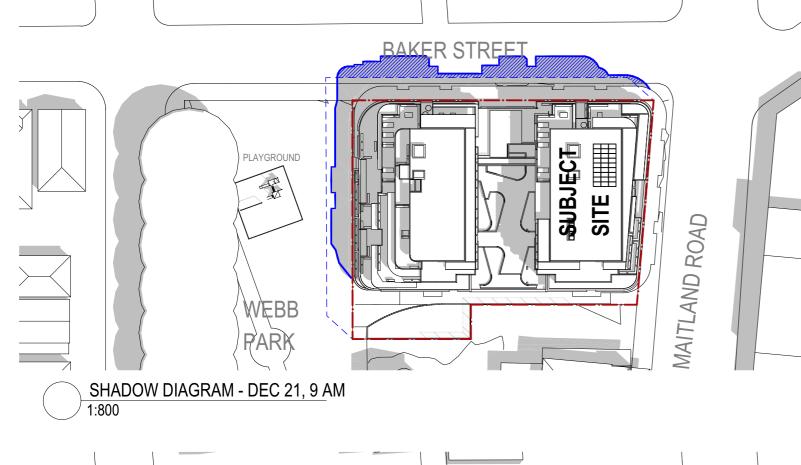
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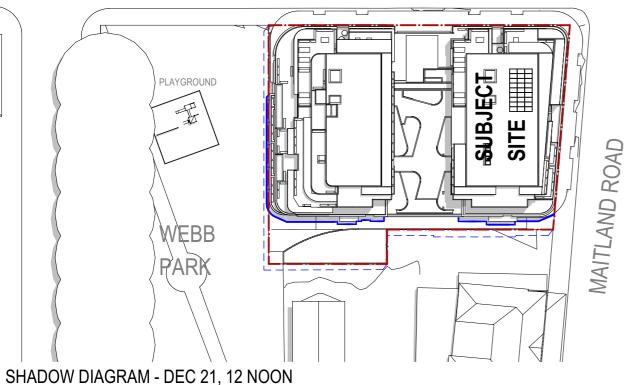
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# **BAKER STREET**



# | DRN | CHIKD | VRFD | PROJECT: 292 MAITLAND RD, MAYFIELD

2304

DRAWING: SHADOW DIAGRAM - SUMMER SOLSTICE

292 MAITLAND RD, MAYFIELD, NSW

**BAKER STREET** 

SITE

MAI

SUBJECT

22/07/2022

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL FRROPS AND OMISSIONS. SCALES @A3 1:800 architecture **A22** 13155 DA

MAITLAND ROAD

**LEGEND** 

1:800

DASHED LINE INDICATING THE EXTENT OF THE SHADOW CAST BY THE ENVELOPE

HANBURY STREET

SOLID LINE INDICATING THE EXTENT OF THE SHADOW CAST BY THE PROPOSED BUILDING

EXTENT OF SHADOW CAST FROM BUILDING BEYOND THE ENVELOPE

SHADOW DIAGRAM - DEC 21, 3 PM

PARK

A 22/07/2022 RESPONSE TO UDRP COMMENTS

MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD



PERSPECTIVE 01 - CORNER OF MAITLAND ROAD AND BAKER STREET





| REV | DATE | COMMENTS
| A 21/09/2021 DA ISSUE
| B 29/09/2021 DA ISSUE
| C 22/07/2022 RESPONSE TO UDRP COMMENTS

CLIENT: MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD NSW, 2304

292 MAITLAND RD, MAYFIELD, NSW 2304

DRAWING: 3D PERSPECTIVES

22/07/2022

13155 DA A23





PERSPECTIVE 02 - BAKER STREET AND WEBB PARK



| REV | DATE | COMMENTS
A 21/09/2021 DA ISSUE
B 29/09/2021 DA ISSUE
C 22/07/2022 RESPONSE TO UDRP COMMENTS

CLIENT: MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD NSW, 2304

DRAWING: 3D PERSPECTIVES

292 MAITLAND RD, MAYFIELD, NSW 2304

22/07/2022

13155 DA

**A24** 





PERSPECTIVE 03 - MAITLAND ROAD PEDESTRIAN LINK



PERSPECTIVE 04 - WEBB PARK PEDESTRIAN LINK



| REV | DATE | COMMENTS A 21/09/2021 DA ISSUE B 29/09/2021 DA ISSUE C 22/07/2022 RESPONSE TO UDRP COMMENTS



| DRN | CHIMO | VRFD | PROJECT: 292 MAITLAND RD, MAYFIELD

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CLIENT: MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD NSW, 2304

292 MAITLAND RD, MAYFIELD, NSW 2304

DRAWING: 3D PERSPECTIVES

**A25** 

22/07/2022

13155 DA





PERSPECTIVE 01 - MAITLAND ROAD PEDESTRIAN LINK LOOKING WEST

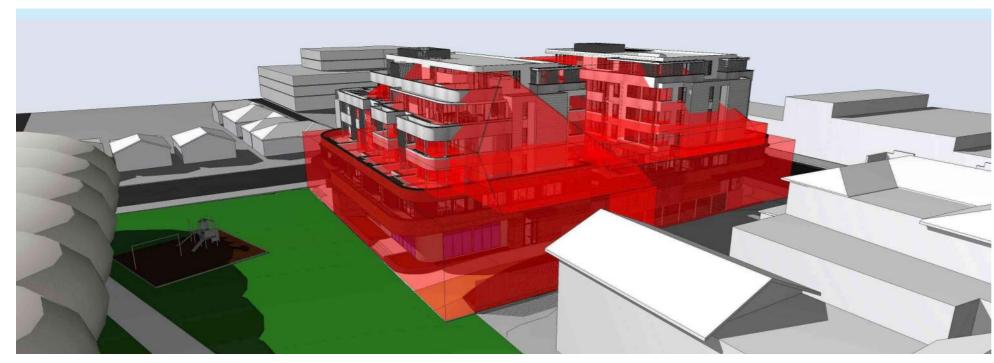


PERSPECTIVE 02 - MAITLAND ROAD AERIAL



PERSPECTIVE 03 - MAITLAND ROAD LOOKING SOUTH ALONG BAKER STREET

MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD



AERIAL 01 - SOUTH EAST CORNER, WEBB PARK



AERIAL 02 - CORNER OF MAITLAND ROAD AND BAKER STREET



AERIAL 03 - SOUTH WEST CORNER, BAKER STREET



AERIAL 04 - NORTH EAST CORNER, MAITLAND ROAD



| REV | DATE | COMMENTS A 21/09/2021 DA ISSUE B 29/09/2021 DA ISSUE

C 22/07/2022 RESPONSE TO UDRP COMMENTS

CLIENT: MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD NSW, 2304

292 MAITLAND RD, MAYFIELD, NSW 2304

DRAWING: BUILDING HEIGHT ANALYSIS

22/07/2022





PLANNING DATA	
SITE AREA	2862 m²
GFA FOR EACH LEVEL	m²
LOWER GROUND FLOOR: TOTAL LOWER GROUND FLOOR:	0
GROUND FLOOR: TOTAL GROUND FLOOR:	698
LEVEL ONE: BUILDING A: BUILDING B: TOTAL GROUND FLOOR:	693 764 <b>1,457</b>
LEVEL TWO: BUILDING A: BUILDING B: TOTAL GROUND FLOOR:	583 544 1,127
LEVEL THREE: BUILDING A: BUILDING B: TOTAL GROUND FLOOR:	583 544 1,127
LEVEL FOUR: BUILDING A: BUILDING B: TOTAL GROUND FLOOR:	583 416 <b>999</b>
LEVEL FIVE: BUILDING A: BUILDING B: TOTAL GROUND FLOOR:	328 243 <b>571</b>
TOTAL GFA	5,979 m²
PROPOSED FSR: 5,979 / 2,862	2.09:1
<b>ALLOWABLE FSR:</b> 5,724 / 2,862	2:1
NON-RESIDENTIAL FLOOR AREA	m²
GROUND FLOOR: COMMERCIAL	586
TOTAL NON-RESIDENTIAL FLOOR AREA	586 m²
COMMON OPEN SPACE	m²
GROUND FLOOR PLAN LEVEL 4 FLOOR PLAN LEVEL 5 FLOOR PLAN	250 80 80
TOTAL COMMON OPEN SPACE	410 m²
DEEP SOIL AREA	200 m²

01 0:	<b>SOL</b> 61111	D 0 0	1 10/10/20 4 5 5 4	ANALYSIS	
Ohrs SU	≥2hrs SUN	P.O.S	LIVING AREA	No. OF BEDS	UNIT No.
	✓	≥ 2hrs	≥ 2hrs	2	A.1.01
	<b>√</b>	≥ 2hrs	≥ 2hrs	1	A.1.02
	✓	≥ 2hrs	≥ 2hrs	2	A.1.03
	✓	≥ 2hrs	≥ 2hrs	2	A.1.04
	X	0.5 hrs	0 hrs	2	A.1.05
	X	0.5 hrs	0 hrs	2	A.1.06
	✓	≥ 2hrs	≥ 2hrs	2	A1.07
	✓	≥ 2hrs	≥ 2hrs	1	B1.01
	✓	≥ 2hrs	≥ 2hrs	1	B.1.02
	X	≥ 2 hrs	0 hrs	1	B.1.03
	✓	≥ 2 hrs	1 hr	1	B.1.04
	✓	≥ 2hrs	≥ 2hrs	2	B.1.05
X	X	0 hrs	0 hrs	2	B.1.06
X	X	0 hrs	0 hrs	1	B.1.07
X	X	0 hrs	0hrs	2	B.1.08
	✓	≥ 2hrs	≥ 2hrs	2	B.1.09
	✓	≥ 2hrs	≥ 2hrs	2	A.2.01
	✓	≥ 2hrs	≥ 2hrs	1	A.2.02
	✓	≥ 2hrs	≥ 2hrs	2	A.2.03
	✓	≥ 2hrs	≥ 2hrs	1	A.2.04
Х	X	0 hrs	0 hrs	1	A.2.05
X	X	0 hrs	0 hrs	1	A.2.06
	✓	≥ 2hrs	≥ 2hrs	2	A.2.07
	✓	≥ 2hrs	≥ 2hrs	2	B.2.01
	✓	≥ 2hrs	≥ 2hrs	2	B.2.02
	✓	≥ 2 hrs	≥ 2hrs	1	B.2.03
	X	0.5 hrs	0 hrs	1	B.2.04
	X	0.5 hrs	0 hrs	1	B.2.05
	✓	≥ 2hrs	≥ 2hrs	2	B.2.06
	✓	≥ 2hrs	≥ 2hrs	2	A.3.01
	✓	≥ 2hrs	≥ 2hrs	1	A.3.02
	✓	≥ 2hrs	≥ 2hrs	2	A.3.03
	<b>√</b>	≥ 2hrs	≥ 2hrs	1	A.3.04
Х	X	0 hrs	0 hrs	1	A.3.05
Х	X	0 hrs	0 hrs	1	A.3.06
	<b>√</b>	≥ 2hrs	≥ 2hrs	2	A.3.07
	✓	≥ 2hrs	≥ 2hrs	2	B.3.01
	✓	≥ 2hrs	≥ 2hrs	2	B.3.02
	<b>✓</b>	≥ 2 hrs	≥ 2hrs	1	B.3.03
Х	X	0 hrs	0 hrs	1	B.3.04
	X	0.5 hrs	0 hrs	1	B.3.05
	<b>√</b>	≥ 2hrs	≥ 2hrs	2	B.3.06

SOLAR	ANALYSIS				
UNIT No.	No. OF BEDS	LIVING AREA	P.O.S	≥2hrs SUN	0hrs SUN
A.4.01	2	≥ 2hrs	≥ 2hrs	<b>√</b>	
A.4.02	1	≥ 2hrs	≥ 2hrs	<b>√</b>	
A.4.03	2	≥ 2hrs	≥ 2hrs	<b>√</b>	
A.4.04	1	≥ 2hrs	≥ 2hrs	<b>√</b>	
A.4.05	1	0 hrs	0 hrs	X	X
A.4.06	1	0 hrs	0 hrs	X	X
A.4.07	2	≥ 2hrs	≥ 2hrs	✓	
B.4.01	2	≥ 2hrs	≥ 2hrs	✓	
B.4.02	2	≥ 2hrs	≥ 2hrs	✓	
B.4.03	1	≥ 2hrs	≥ 2 hrs	<b>√</b>	
B.4.04	2	0 hrs	0.5 hrs	X	
A.5.01	3	≥ 2hrs	≥ 2hrs	<b>√</b>	
A.5.02	2	≥ 2hrs	≥ 2hrs	<b>√</b>	
A.5.03	2	≥ 2hrs	≥ 2hrs	<b>√</b>	
B.5.01	3	≥ 2hrs	≥ 2hrs	<b>√</b>	
B.5.02	3	≥ 2hrs	≥ 2hrs	<b>√</b>	
				41/58 = 70.7%	9/58 = 15.5%

I DRN | CHKD | VRFD | PROJECT: 292 MAITLAND RD, MAYFIELD

MF BC BC MF BC BC MF BC BC

CLIENT: MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD NSW, 2304

292 MAITLAND RD, MAYFIELD, NSW 2304

DRAWING: PROJECT STATISTICS

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

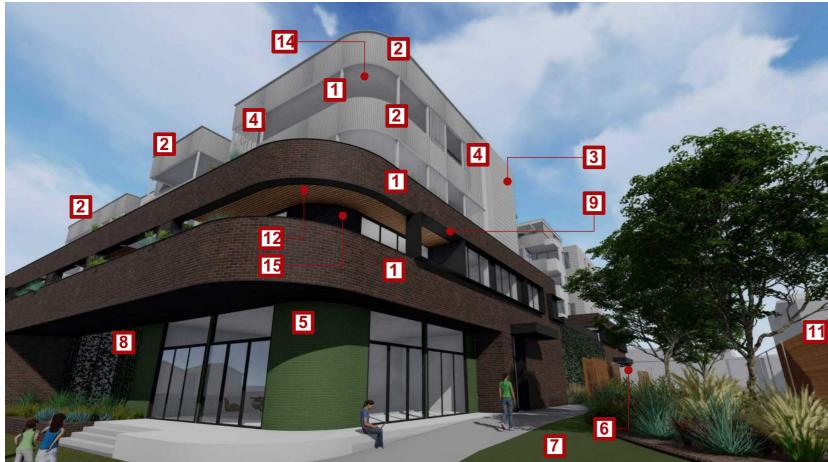
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FILENAME: 13155-210917.pln
DATE:

MF 22/07/2022













| REV | DATE | COMMENTS A 21/09/2021 DA ISSUE B 29/09/2021 DA ISSUE

C 22/07/2022 RESPONSE TO UDRP COMMENTS

MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD NSW, 2304

292 MAITLAND RD, MAYFIELD, NSW 2304

 $^{\mathsf{DRAWING}}$ : SCHEDULE OF MATERIALS

22/07/2022

13155 DA **A29** 



					I			T		35
ELEVATION	1,800 0,EFL	1,950 002/2	2,100 0,FFL	2.250 00.27	2.400 000/2	2,600 0,FFL	2,700 0,FFL	2,800 002 0FFL	3,000 0027	3,400 00/2
GLAZED UNIT TYPE	T01	T02	T03	T04	T05	T06	T07	T08	T09	T10
QUANTITY	12	4	9	27	8	4	24	8	14	10
WINDOW TYPE	SLIDING DOOR	SLIDING DOOR	SLIDING DOOR							
NONINAL W x H SIZE	1,800×2,700	1,950×2,700	2,100×2,700	2,250×2,700	2,400×2,700	2,600×2,700	2,700×2,700	2,800×2,700	3,000×2,700	3,400×2,700
GLASS TYPE	TBC	TBC	TBC							
U-VALUE										
SHGC										
ACOUSTIC										
FRAME TYPE	ALUMINIUM	ALUMINIUM	ALUMINIUM							
FRAME FINISH	TBC	TBC	TBC							
WINDOW COMMENTS										

						,				
ELEVATION	3,600 OFFIL	3.650 OFFL	3,200 800 2,400 800 2,400	3.700 2.800 900 80 80 80 80	3,600 FG 9388	1,100 2020 1,100 920 000 000 000 000 000 000 000 000 000	920 J 82 Z	1,000 460 1,000 460	1430 950 480	1.580 850 610 8£2
GLAZED UNIT TYPE	T11	T12	T13	T14	T15	T16	T17	T18	T19	T20
QUANTITY	35	2	2	4	1	1	4	2	2	1
WINDOW TYPE	SLIDING DOOR	SLIDING DOOR	GLASS LOUVRE; SLIDING DOOR	GLASS LOUVRE; SLIDING DOOR	FIXED GLASS; SWING DOOR	GLASS LOUVRE; SWING DOOR	SWING DOOR	GLASS LOUVRE; SWING DOOR	GLASS LOUVRE; SWING DOOR	GLASS LOUVRE; SWING DOOR
NONINAL W x H SIZE	3,600×2,700	3,650×2,700	3,200×2,700	3,700×2,700	3,600×3,825	2,020×2,700	920×2,700	1,460×2,700	1,430×2,700	1,560×2,700
GLASS TYPE	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
U-VALUE										
SHGC										
ACOUSTIC										
FRAME TYPE	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM
FRAME FINISH	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
WINDOW COMMENTS										

ELEVATION	1,000 760	1,000 900 PEL	1,070 1,430 M	310 11,150 400 8 8	2.750 1.200 1.150 400	2,750 400 1,150 1,150 1,200 0,00 1,00 1,00 1,00 1,00 1,00 1,	2,750 400 11,150 1,200 0.00 1 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	850 M	1,100 88 82 87 87 87 87 87 87 87 87 87 87 87 87 87	1,800 EQ EQ EQ
GLAZED UNIT TYPE	T21	T22	T23	T24	T25	T26	T27	T28	T29	T30
QUANTITY	1	7	2	2	1	1	1	3	20	3
WINDOW TYPE	GLASS LOUVRE; SWING DOOR	GLASS LOUVRE; SWING DOOR	SWING DOOR	FIXED GLASS; SWING DOOR	FIXED GLASS; SWING DOOR	FIXED GLASS; SWING DOOR	FIXED GLASS; SWING DOOR	GLASS LOUVRE	GLASS LOUVRE	GLASS LOUVRE
NONINAL W x H SIZE	1,760×2,700	1,900×2,700	1,430×2,700	1,860×2,700	2,750×2,700	2,750×3,770	2,750×3,770	850×2,700	1,100×2,700	1,800×2,700
GLASS TYPE	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
U-VALUE										
SHGC										
ACOUSTIC										
FRAME TYPE	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM
FRAME FINISH	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
WINDOW COMMENTS										

EJE ARCHITECTURE

AON 02912461 | ABN 82 646 698 949
Nominated Architect - Bernard Colfris

NSW Architect Registration No. 435

A 121 ANN STREET, NEWOCATILE, NSW 2000

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| REV | DATE | COMMENTS
A 1/09/2021 BASIX ISSUE
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CLIENT: MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD NSW, 2304

292 MAITLAND RD, MAYFIELD, NSW 2304

DRAWING: GLAZING SCHEDULE

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS. FILENAME: 13155-210917.pln

13155 DA A30

SCALES @A3: 22/07/2022



										_
ELEVATION	2,400 EQ EQ O	3,600 EQ EQ EQ 90	0.FFL	2,250 600 EQ EQ	11,200 A TO SEE THE SE	1,800 FO FO PO	2,700 EQ EQ 890 PL	400 V 127 7008	1,100 y 002	36
GLAZED UNIT TYPE	T31	T32	T33	T34	T35	T36	T37	T38	T39	T40
QUANTITY	3	3	1	1	8	3	3	3	1	2
WINDOW TYPE	GLASS LOUVRE	GLASS LOUVRE	FIXED GLASS; GLASS LOUVRE	FIXED GLASS; GLASS LOUVRE	GLASS LOUVRE	GLASS LOUVRE	FIXED GLASS; GLASS LOUVRE	GLASS LOUVRE	GLASS LOUVRE	GLASS LOUVRE
NONINAL W x H SIZE	2,400×2,700	3,600×2,700	1,460×2,700	2,250×2,700	1,200×1,700	1,800×1,700	2,700×1,700	400×2,100	1,100×1,700	900×2,100
GLASS TYPE	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
U-VALUE										
SHGC										
ACOUSTIC										
FRAME TYPE	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM
FRAME FINISH	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
WINDOW COMMENTS										

			T	T	1	T	T	T	T	T
ELEVATION	#1,200 / William	0 FFL	1,800 EQ EQ	1,800 EQ FEQ 1,800	1,800 EQ FEQ	0.FFL	900 1 0012 1 000 1 00 1 00 1 0 0 1 0 1 0	3,600 EQ EQ EQ EQ 00171 27	000 FFL 000	900 J
GLAZED UNIT TYPE	T41	T42	T43	T44	T45	T46	T47	T48	T49	T50
QUANTITY	2	2	4	12	3	19	3	2	23	3
WINDOW TYPE	GLASS LOUVRE	GLASS LOUVRE	FIXED GLASS; GLASS LOUVRE	FIXED GLASS; GLASS LOUVRE	FIXED GLASS; GLASS LOUVRE	FIXED GLASS	FIXED GLASS; GLASS LOUVRE	FIXED GLASS; GLASS LOUVRE	FIXED GLASS	FIXED GLASS
NONINAL W x H SIZE	1,200×2,100	1,500×2,100	1,800×2,100	1,800×2,100	1,800×2,100	800×2,100	900×2,100	3,600×2,100	600×2,100	900×1,700
GLASS TYPE	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
U-VALUE										
SHGC										
ACOUSTIC										
FRAME TYPE	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM
FRAME FINISH	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
WINDOW COMMENTS										

ELEVATION	1,770   1,000   00   1,770   0	1,970 098 000 7	2,220 08 88 80 0FFL	3,290 089 081-7	900 2,600 098 00172	0 FFL.	0.FEL.	2,090 9,12 0887	2.400 9.L.1 0.600	2,900 9,1/1 / 0800 / 0
GLAZED UNIT TYPE	T51	T52	T53	T54	T55	T56	T57	T58	T59	T60
QUANTITY	1	1	1	1	1	2	2	3	1	1
WINDOW TYPE	FIXED GLASS	FIXED GLASS	FIXED GLASS	FIXED GLASS	FIXED GLASS; AWNING	AWNING	FIXED GLASS; AWNING	FIXED GLASS; AWNING	AWNING	FIXED GLASS; AWNING
NONINAL W x H SIZE	1,770×600	1,970×600	2,220×600	3,290×600	3,500×600	1,200×1,715	1,790×1,715	2,090×1,715	2,400×1,715	2,900×1,715
GLASS TYPE	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
U-VALUE										
SHGC										
ACOUSTIC										
FRAME TYPE	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM
FRAME FINISH	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
WINDOW COMMENTS										

EJE ARCHITECTURE

AON 02912461 | ABN 82 646 698 949
Nominated Architect - Bernard Colfris

NSW Architect Registration No. 435

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CLIENT: MEGAPLAY AMUSEMENTS PTY LTD 286 MAYFIELD RD, MAYFIELD NSW, 2304

292 MAITLAND RD, MAYFIELD, NSW 2304

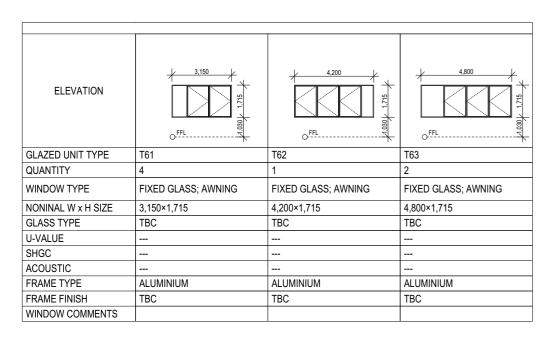
DRAWING: GLAZING SCHEDULE

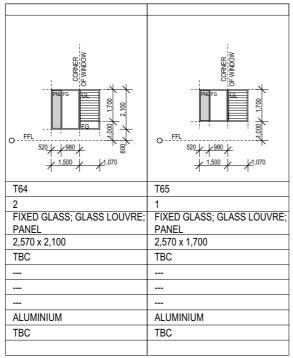
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FILENAME: 13155-210917.pln SCALES @A3: 22/07/2022

PROJECT No: PHASE: DRAWING No: 13155 DA A31







			3
FIRST FLOOR SECOND FLOOR THRD FLOOR FOURTH FLOOR FLOOR 58000		FIRST FLOOR 6000 FLOOR 13 2.700 400 13 2.700 400 13 2.700 400 13 2.700 400 13 2.700 400 13 2.700 400 13 2.700 400 13 2.700 10 10 10 10 10 10 10 10 10 10 10 10 1	
T66	T67	T68	T69
1	1	1	1
FIXED GLASS; GLASS LOUVRE; SWING DOOR	FIXED GLASS, GLASS LOUVRE,	FIXED GLASS; GLASS LOUVRE; SWING DOOR	FIXED GLASS; GLASS LOUVRE;
1,460 x 5,800	1,460 x 5,800	1,460 x 5,800	1,460 x 5,800
TBC	TBC	TBC	TBC
ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM
TBC	TBC	TBC	TBC

		1	
PLAN	780 FG 086	ELEVATION	3,600 0LE 0FFL
GLAZED UNIT TYPE	T70	GLAZED UNIT TYPE	T71
QUANTITY	5	QUANTITY	3
WINDOW TYPE	SKYLIGHT - FIXED GLASS	WINDOW TYPE	FIXED GLASS; GLASS LOUVRE
NOMINAL W x H SIZE	780 x 980	NONINAL W x H SIZE	3,600×3,770
GLASS TYPE	TBC	GLASS TYPE	TBC
U-VALUE		U-VALUE	
SHGC		SHGC	
ACOUSTIC		ACOUSTIC	
FRAME TYPE	ALUMINIUM	FRAME TYPE	STEEL - 2HR FRL
FRAME FINISH	TBC	FRAME FINISH	PCT-01
WINDOW COMMENTS		WINDOW COMMENTS	

#### **BASIX GLAZING REQUIREMENTS**

GLAZING FOR LEVELS 1-4

 STANDARD ALUMINIUM, HIGH SOLAR GAIN LOW- U-VALUE 5.40, SHGC 0.58 AND 0.49 GLAZING FOR LEVEL 5 (PENTHOUSE LEVEL)

FIXED WINDOWS:

- 6EA (CODE GJA-011-21) U-VALUE 3.91, SHGC 0.66

LOUVRE WINDOWS:

#### ACOUSTIC GLAZING REQUIREMENTS

Apartment ID	Room ID	Minimum Rw
A.1.01/A.2.01/A.3.01/A.4.01	Living	35
	Bedroom 1	36
	Bedroom 2	36
	Bedroom 3	36
A.1.02/A.2.02/A.3.02/A.4.02	Bedroom 1	36
	Bedroom 2	36
	Living	32
A.1.03/A.2.03/A.3.03/A.4.03	Bedroom 3	34
	Living	32
A.5.01	Bedroom 1	36
	Bedroom 2	31
	Bedroom 3	37
	Lounge	37
A.5.02	Bedroom 1	32
	Bedroom 2	38
	Living	36

1/09/2021 BASIX ISSUE B 21/09/2021 DA ISSUE C 29/09/2021 DA ISSUE
D 22/07/2022 RESPONSE TO UDRP COMMENTS

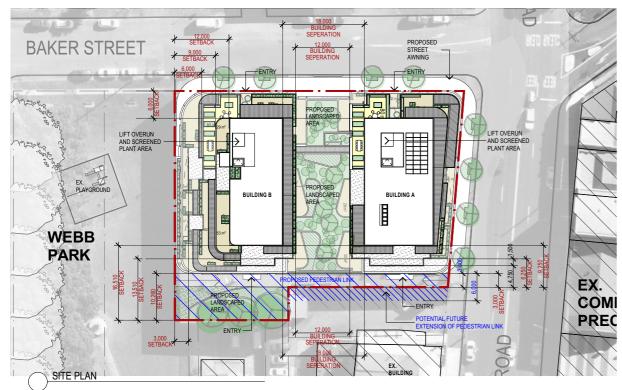
| DRN | CHKO | VRED | PROJECT: 292 MAITLAND RD, MAYFIELD MF BC BC MF BC BC MF BC BC BC

292 MAITLAND RD, MAYFIELD, NSW 2304

MF 22/07/2022

FILENAME: 13155-210917.pln

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PERSPECTIVE 01 - CORNER OF MAITLAND ROAD AND BAKER STREET



PERSPECTIVE 02 - BAKER STREET AND WEBB PARK

EJE ARCHITECTURE

AON 002 12-83 | ABN 82-64-69-89

NSW Architects Registation No.438

44 12 NINS STREET, NEWCASTLE, NEW 2300

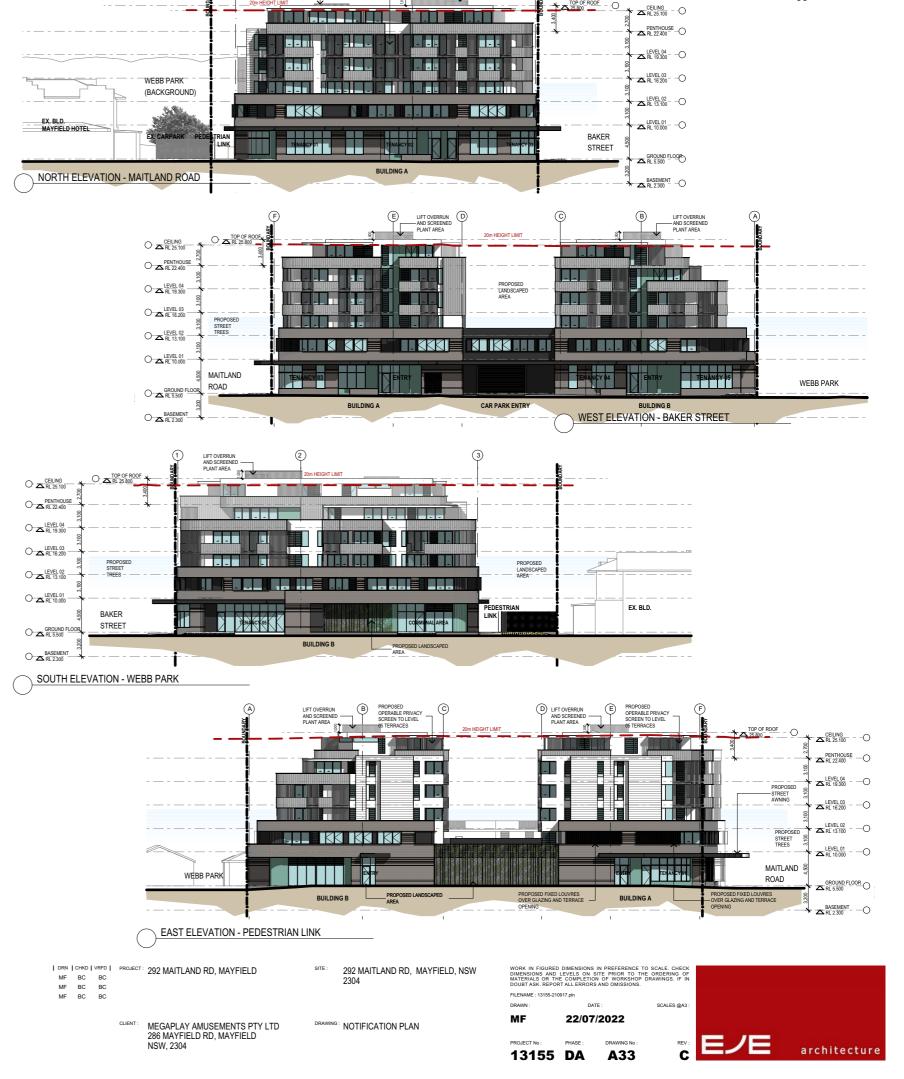
P +01 242/2233 | F +01 2462 3089 | E mail@gie.com.au | W www.eje.com.au

COMPETION OR FEE COLUMN 25 ASSURANCE CHERCYS IS VERBISCATION THAT THE DOCUMENTS.

REV DATE COMMEN

A 21/09/2021 DA ISSUE B 29/09/2021 DA ISSUE

B 29/09/2021 DA ISSUE
C 22/07/2022 RESPONSE TO UDRP COMMENTS



#### ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

DAC 15/11/22 – 292 MAITLAND ROAD MAYFIELD - DA2021/01338 - SHOP TOP HOUSING - INCLUDING DEMOLITION OF EXISTING STRUCTURES

ITEM-19 Attachment B: Draft Schedule of Conditions

#### DRAFT SCHEDULE OF CONDITIONS



**Application No:** DA2021/01338

**Land:** Lot 1 DP 1068065

Property Address: 292 Maitland Road Mayfield NSW 2304

Proposed Development: Demolition of an existing service station and structures,

erection of a 6-storey mixed use development, comprising basement / ground level car parking (70 spaces), ground floor retail / commercial (5 tenancies) and 5 levels of shop top

housing (58 residential apartments)

#### **SCHEDULE 1**

#### **Approved Documentation**

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

Plan No / Supporting Document	Version	Prepared by	Dated
DEMOLITION PLAN	В	EJE	22/07/2022
SITE PLAN	С	EJE	22/07/2022
BASEMENT FLOOR PLAN	I	EJE	22/07/2022
GROUND FLOOR PLAN	I	EJE	22/07/2022
LEVEL 1 PLAN	Н	EJE	22/07/2022
LEVEL 2 PLAN	Н	EJE	22/07/2022
LEVEL 3 PLAN	Н	EJE	22/07/2022
LEVEL 4 PLAN	Н	EJE	22/07/2022
PENTHOUSE FLOOR PLAN	Н	EJE	22/07/2022
ROOF PLAN	Н	EJE	22/07/2022
ELEVATIONS 01	F	EJE	22/07/2022
ELEVATIONS 02	F	EJE	22/07/2022
ELEVATIONS 03	D	EJE	22/07/2022
SECTION A-A & B-B	Е	EJE	22/07/2022
SECTION C-C	С	EJE	22/07/2022
ARBORIST REPORT	-	BRADLEY MAGUS	13/05/2021
NOISE IMPACT ASSESSMENT	1.1	SLR	25/11/2021
DETAILED SITE INVESTIGATION	-	SLR	02/11/202
REMEDIATION ACTION PLAN	-	SLR	02/11/2021

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

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

2. The development must be amended to include the follow design amendments:

a) The bicycle parking storage located on the Ground Floor Plan (A08) is to be secured from the car park to prevent unauthorised access.

Full details are to be included in the documentation submitted for a Construction Certificate application.

3. In accordance with the City of Newcastle Section 7.11 Development Contributions Plan 2021-2036 (the Plan), the following monetary contributions shall be paid to the City of Newcastle to cater for the increased demand for transport and social infrastructure resulting from the development:

Description	Contribution (\$)
Transport	\$103,754.98
Open Space and Recreation	\$445,857.34
Community Facilities	\$82,480.32
Plan Preparation and Administration	\$15,779.65
TOTAL	\$647,872.29

If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Plan and the amount payable will be calculated on the basis of the contribution rates applicable at the time of payment.

The contributions shall be paid to the City of Newcastle:

- (i) prior to the issue of the Subdivision Certificate where the development is for subdivision; or
- (ii) prior to the issue of the first Construction Certificate where the development is for building work; or
- (iii) prior to issue of the Subdivision Certificate or first Construction Certificate, whichever occurs first, where the development involves both subdivision and building work; or
- (iv) prior to the works commencing where the development does not require a Construction Certificate or Subdivision Certificate.
- 4. The proposed verandah/awning is to be designed to meet the requirements of Element 7.10 'Street Awnings and Balconies' of Newcastle Development Control Plan 2012. Details are to be included in documentation for a Construction Certificate application.
- 5. Before the issue of a Construction Certificate, a suitably qualified engineer must prepare a dilapidation report detailing the structural condition of adjoining buildings, structures or works, and public land, to the satisfaction of the certifier. If the engineer is denied access to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the certifier's satisfaction that all reasonable steps were taken to obtain access to the adjoining properties.
- 6. On-site parking accommodation is to be provided for a maximum of 70 car spaces (includes 12 spaces for residential visitor parking, 12 spaces for retail/commercial (Includes 1 disabled parking), 67 secured bicycle spaces (Class 2), and 2 motorbikes parking spaces are to be provided, and such be set out generally in accordance with the minimum parking layout standards indicated in Element 7.03 'Traffic, Parking and Access' of Council's adopted Newcastle DCP 2012. The 12 commercial/retail car parking spaces on the ground floor are to be used as residential visitor parking during off-peak retail/commercial business hours. Full details are to be included in documentation for a Construction Certificate application.
- 7. Prior to the issue of the relevant Construction Certificate, the following must be

demonstrated to the satisfaction of the certifying authority:

- (a) The car park must provide an EV Ready Connections to at least 2 shared car spaces (visitor parking spaces) on the ground level parking and at least 5 allocated residential parking spaces. Provisions are to be provided for at for least 10 electric bicycle and scooter charging stations.
- (b) EV Distribution Board(s) shall be of sufficient size to allow for any future EV connections to all car parks.
- (c) Locate EV Distribution board(s) so that no future EV Ready Connection will require a cable of more than 50m from the parking bay to connect.
- (d) Each EV Ready Connection is served from a cable tray and a dedicated spare electrical circuit provided in an EV Distribution Board to enable easy future installation of cabling from an EV charger to the EV Distribution Board and a circuit breaker to feed the circuit.
- (e) EV Load Management System is to be capable of:
  - Reading real time current and energy from the electric vehicle chargers under management;
  - Determining, based on known installation parameters and real time data, the appropriate behaviour of each EV charger to minimise building peak power demand whilst ensuring electric vehicles connected are full recharged;
  - Scale to include additional chargers as they are added to the site over time.
- (f) The above EV electrical design is to be done by an appropriately qualified and licenced electrician and is to be done to the relevant Australian Standards and BCA requirements.
- 8. The car parking and vehicular access are to be designed to comply with the relevant provisions of *AS/NZS 2890 Parking facilities*. Details are to be included in documentation for a Construction Certificate application.
- 9. All proposed driveways, parking bays, loading bays and vehicular turning areas are to be constructed with a basecourse of a depth to suit design traffic and be sealed with either bitumen seal, asphaltic concrete, concrete or interlocking pavers. Details are to be included in documentation for a Construction Certificate application.
- 10. Traffic management devices in the form of safety mirrors, Stop and Give Way to pedestrian signs, Line markings for internal traffic movements and signs is to be installed within the property. Such devices are to be constructed in accordance with AS/NZS 2890.1:2004: Parking facilities Off-street car parking. Full details are to be included in documentation for a Construction Certificate application.
- 11. Roof water from the proposed new work any discharge from proposed fire sprinkler system is to be directed to the proposed water tank with a minimum capacity of 22,000 litres and being reticulated to any new toilet cisterns, cold water washing machine taps and landscaped areas on the ground floor and podium level, with a mains water top up being installed to maintain between 10% and 15% of the tank capacity. Alternatively, an electronically activated mechanical valve device is to be installed to switch any new toilet cisterns and laundry taps to mains water when the tank falls below 10% capacity. The water tank and plumbing are to be designed in accordance with the Plumbing Code of Australia (National Construction Code Volume 3). Full details are to be included in documentation for a Construction Certificate application.
- 12. Overflows from the roof water tank and any additional discharge controls (if required) are to be directed to City of Newcastle's drainage system by means of an inter-allotment drainage line or underground pipe directly to the street gutter. Details are to be included in documentation for a Construction Certificate application.
- 13. All stormwater runoff from the proposed development being managed in accordance with the requirements of Element 7.06 'Stormwater' of Newcastle Development Control

Plan 2012, the associated Technical Manual and the latest issue of AS 3500.3 as applicable, as indicated on the concept stormwater management strategy & plans prepared by Northrop Project No. NL210975 & Dwg No's C00DA – C03DA, dated 24/09/2021. Full details are to be included in documentation for a Construction Certificate application.

- 14. All new impervious surfaces, including driveways and the proposed Through Site Link is to be designed with adequate stormwater infrastructure to drain paved areas and are to be drained to the nominated discharge controls, full details are to be included in documentation for a Construction Certificate application.
- 15. 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.
- 16. The floor level of all proposed buildings or building additions is to be verified on plans for a Construction Certificate application to be 5.50m Australian Height Datum.
- 17. The whole of the proposed structure below known flood level (5.50m Australian Height Datum) is to be constructed in materials and finishes that are resistant to damage from floodwaters/tidal waters. Any new machinery or equipment, electrical circuitry or fitting, storage unit or similar items likely to be damaged by floodwaters/tidal waters are to be installed above the said height, or alternatively be of materials and functional capability resistant to the effects of floodwaters/tidal waters. Details are to be included in documentation for a Construction Certificate application.
- 18. Openings such as exhaust ducts, car park air intake, vents and the like that could potentially allow for flood waters to enter the basement (except for carpark access) should be designed at minimum RL5.50m AHD (PMF level). Full details are to be included in documentation for a Construction Certificate application.
- 19. A structural engineer is to determine the location and depth of the proposed underground tank and On-Site Detention and certify that it will not adversely affect any building foundation footings or slabs when the tank is empty. Stormwater Management Plan is to be designed in accordance with current NDCP Section 7.06 Stormwater Management and The City of Newcastle's Stormwater and Water Efficiency Technical Manual. Full details are to be included with documentation for a Construction Certificate.
- 20. The applicant is to comply with all of Hunter Water's requirements to provide your development with water supply and sewerage services. A copy of Hunter Water's compliance certificate (*Hunter Water Act 1991* Section 50) must be submitted with your Construction Certificate application.
- 21. The proposed lighting including the proposed internal access and car parking, lighting for the proposed Through Site Link and lighting along Webb Park frontage of the premises is to be designed, positioned, and installed, including appropriate shielding and orientation of the lighting fixture, as to not give rise to obtrusive light, interfere with traffic safety or detract from the amenity of surrounding properties in accordance with Australian Standard AS 4282: 1997 Control of the obtrusive effects of outdoor lighting and should be designed to at least achieve Pedestrian P4 lighting design criteira. Full details are to be included in the documentation for a Construction Certificate application.
- 22. A group type mailbox is to be provided for the residential units and commercial units within the site at appropriate locations fronting the street in accordance with the requirements of Australia Post, clearly displaying individual unit numbers and the required street number. A small parcel delivery area is to be designed within the site for the residential units. Full details are to be included in the documentation for a Construction Certificate application.
- 23. A commercial vehicular crossing is to be constructed across the road reserve, in

accordance with the following criteria:

- a) Constructed in accordance with Council's A1300 Driveway Crossings Standard Design Details.
- b) The driveway crossing, within the road reserve, shall be a maximum of 6 metres wide.
- c) Letterboxes, landscaping and any other obstructions to visibility should be kept clear of or limited in height to 1.2 metre, in the 2 metre by 2.5 metre splay within the property boundary each side of the driveway entrance.
- d) The proposed driveway shall be a minimum of 3 metres clear of the trunk of any tree within the public reserve.
- e) The proposed driveway shall be a minimum of 750mm clear of the centre of any pole or obstruction within the public reserve and 1 metre clear of any drainage pit.

These works are not approved until consent under Section 138 of the *Roads Act 1993 (NSW)* has been granted by Council. An application under Section 138 must be lodged and consent obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of a Construction Certificate.

- 24. A separate application is to be lodged and consent obtained from the City of Newcastle for all works within the road reserve pursuant to Section 138 of the *Roads Act 1993*. The consent is to be obtained, or other satisfactory arrangements confirmed in writing from the City of Newcastle, before the issue of a Construction Certificate.
- 25. A statement from a qualified designer, verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles of *State Environmental Planning Policy No. 65 Design Quality of Residential Apartment Development*, is to be submitted to the Certifier prior to the issue of a Construction Certificate. Note: 'Qualified Designer' means a person registered as an architect in accordance with the *Architects Act 2003*.
- 26. Eight planting pits are to be constructed by the developer in accordance with NCC Standard Drawing A3003 Tree Planting Commercial Street Verge, CBD. Pits are to be installed in the locations indicated on the plans and the adjacent awning should maintain a minimum 1.5m clearance from the centre of the trunk of the trees.
  - a) Eight (8) Street trees are required to be planted at the expense of the developer. A fee, to be determined by contacting Council's City Greening Services, is to be paid to Council for the required compensatory planting and evidence of the payment of the required fee is to be included in the documentation for a Construction Certificate application.
  - b) The trees will consist of 4x *Hymenosporum Flavum* and 4x *Zelkova serrata 'Green Vase'*. Stock should be 75-100L and be compliant with AS2303-2018, Tree Stock for Landscape Use. Trees should be planted alternatively so there is an even distribution of each species on both the Maitland Road and the Baker Street frontages.
- 27. All proposed planting and landscape elements indicated on the Landscape Plans prepared by Terras Landscape (dated August 2021) or otherwise required under the conditions of this consent, are required to be detailed on a landscape plan and specification. The plan and specifications are to be prepared in accordance with the provisions of Newcastle Development Control Plan 2012 and is to include details of the following:
  - a) cross sections through the site where appropriate
  - b) proposed contours or spot levels
  - c) botanical names
  - d) quantities and container size of all proposed trees

- e) shrubs and ground cover
- f) details of proposed soil preparation
- g) mulching and staking
- h) treatment of external surfaces and retaining walls where proposed
- i) drainage, location of taps and
- appropriate maintenance periods.

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

- 28. The Developer designing and constructing the following works in Webb Park associated with the Mayfield Renewal Corridor concept footpath connections, at no cost to Council and in accordance with Council's guidelines and design specifications:
  - a) Design a footpath link approx. 2.5m 3m width between the existing Baker St footpath to the landscaped end of the proposed through site link.
  - b) Design a footpath link approx. between the proposed through site link and the existing Monument on Webb Park (width to be confirmed to complement the existing Monument).
  - c) The proposed footpath links are generally to be as per the Mayfield Renewal Corridor DCP and shall consider the adjacent landscaped finishes for the proposed development and the proposed through site link.
  - d) Detailed design of any works is to be discussed with Council's Park and Recreation Team.
  - e) Any damages to CN Webb Park due to the proposed development is to be repaired.
  - f) Ensure any heritage elements are maintained.
  - g) Provide adequate lighting and security surveillance along the park and along the interface of the publicly accessible Through Site link.

Engineering and landscape design plans and specifications for the above works being undertaken within the City of Newcastle owned properties and within the development site are required to be prepared by a suitably qualified practising civil engineer and landscape architect with experience and competence in the related field and submitted to Council for approval. The consent must be obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of any Construction Certificate.

- 29. The Developer designing and constructing the following works in connection with the proposed development within the Baker Street and Maitland Road public road reserve, adjacent to the site, at no cost to Council and in accordance with Council's guidelines and design specifications:
  - a) New Street tree planting on Maitland Rd and Baker St to approx. Webb Park extent to form a consistent streetscape.
  - b) Removal of redundant driveway crossing, new Kerb and gutter replacement (where required), pedestrian ramps at the intersection and associated works.
  - c) New driveway crossing and pedestrian ramps at intersections.
  - d) Full width foot paving to both street frontages and footpath connection between Baker St and Webb Park.
  - e) Associated drainage works and stormwater connection works.
  - f) Changes to on-street parking and provision of a Loading Zone on Baker St generally as per NCTC Approval dated 21 July 2021 Item 55. Any new line markings and changes to signs are to be designed and noted on plans.

- g) Provide awning design approval and under awning lighting. The awning design must be designed to ensure street tree planting and any existing street trees can be appropriately managed.
- h) Design any special footpath treatment on Maitland Rd to indicate the proposed Through Site Link between Webb Park and Maitland Rd.
- i) Provide adequate street lighting and security surveillance along the footway area and publicly accessible Through Site link on Maitland Rd.

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

30. Prior to the issue of any Construction Certificate, the overhead powerlines adjacent to the site are to be repositioned underground or alternatively be modified by the installation of bundled conductors, all at full cost to the developer and in accordance with the requirements of the electricity authority.

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

- 31. If dewatering is required, the applicants must apply for a Groundwater Licence for any dewatering activity prior to the commencement of any extraction of groundwater. Groundwater shall not be allowed to be discharged into adjoining roads stormwater system and sewerage system without the controlling authority's approval and/or owner's consent/s. Approval form the controlling authority and any requirements of the approving authority is to be complied with prior to the commencement of any extraction of groundwater.
- 32. Temporary ground anchors (if required for basement construction) are to be designed and installed along the road reserve and adjoining properties to protect the existing properties. The design of the temporary ground anchors is to be carried out by qualified and practicing structural and geotechnical engineers. Any proposed ground anchors impacting the Road Reserve and Council's Webb Park will require approval from the relevant Roads Authority and/or Council for installation of the temporary ground anchors prior to the start of any bulk excavation works.
- 33. The existing street trees 50741 & 50742 are approved to be removed, subject to arrangements being made for the removal of the street tree by contacting Council's City Greening Services. All tree removal works are to be carried out by Council at the Developer's expense.
- 34. The proposed remediation work being carried out in accordance with the requirements set out in the submitted Remedial Action Plan (RAP): Remedial Action Plan, 292 Maitland Road Mayfield, NSW, 2304. SLR Consulting Australia Pty Ltd (November 2021). SLR Ref: 631.30131.00100-R03.
- 35. A Hazardous Substances Management Plan is to be prepared by a competent person for the building(s) or parts of the building(s) proposed to be demolished in accordance with *Australian Standard 2601:2001 The Demolition of Structures*. A copy of the Hazardous Substances Management Plan is to be provided to the Council and to the demolisher prior to commencement of work.
- 36. The demolition works are to be undertaken in accordance with Australian Standard 2601:2001 The Demolition of Structures and the following requirements:

- a) prior to commencement of demolition works a competent person shall determine the presence of hazardous substances impacted by the proposed demolition works in accordance with Section 1.6.1 of AS2601:2001 and where required produce a Hazardous Substances Management Plan.
- b) demolition works shall be conducted in accordance with any required Hazardous Substances Management Plan. A copy of the Plan shall be kept on-site for the duration of the proposed development and a copy is to be held in the possession of the landowner.
- c) the removal, handling and disposal of any asbestos material is to be undertaken only by an asbestos removal contractor who holds the appropriate class of Asbestos Licence, issued by the WorkCover Authority of NSW.
- d) a copy of all waste disposal receipts are to be kept in the possession of the landowner and made available to authorised Council Officers upon request.
- e) seven working days' notice in writing is to be given to the owners/occupiers of neighbouring premises prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number(s) and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor, and
- f) on sites where asbestos materials are to be removed, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is to be erected in a prominent position during asbestos removal works.
- 37. 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 approval to position the container on the adjacent public road in accordance with the Council's adopted Building Waste Container Policy.

- 38. The demolisher is to ensure that all demolition material is kept clear of the public footway and carriageway as well as adjoining premises.
- 39. 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.
- 40. A rigid and durable sign is to be erected in a prominent position 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, if any, for any building work and 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, and must be removed when the work has been completed.

Note: This does not apply in relation to building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

- 41. Building work must be carried out in accordance with the requirements of the Building Code of Australia.
- 42. Prior to any works commencing on site, the Developer is to prepare a Construction Management Plan (CMP) such to be designed and implemented to manage all environmental aspects associated with the construction works, including off site impacts such as transport to and from the site. Two copies of the CMP are to be provided to the Principal Certifier and the CMP is to be maintained on site during all site works and be made available to Authorised Officers upon request.
- 43. All excavations and backfilling are to be executed safely and excavations are to be properly guarded and protected to prevent them from being dangerous to life and property.
- 44. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor, the person having the benefit of the development consent is to, at that person's own expense:
  - (a) protect and support the building, structure or work on adjoining land from possible damage from the excavation, and
  - (b) where necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

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

- 45. 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 Council reserves, including the road reserve, is not permitted.
- 46. Certification is to be prepared by a Registered Surveyor and submitted to the Principal Certifier at the stages of construction indicated:
  - a) On completion of ground floor construction, confirming that the floor levels are in accordance with the approved levels.
  - b) On completion of each subsequent floor level, confirming that the floor levels are in accordance with the approved levels.
  - c) When the roof has been completed, confirming that the building does not exceed the approved levels.
- 47. The overhead powerlines adjacent to the site are to be repositioned underground or alternatively be modified by the installation of bundled conductors, all at full cost to the developer and in accordance with the requirements of the electricity authority.

- 48. Prior to commencement of site works, the developer is to submit to the City of Newcastle, for approval, a Construction Traffic Management Plan, addressing traffic control measures to be implemented in the public road reserve during the construction phase.
- 49. The Construction Traffic Management Plan is to be prepared by a Roads & Maritime Services accredited person with a *Design and Audit Traffic Control Plans Certificate* in accordance with *Australian Standard 1742.3:2009 Manual of uniform traffic devices traffic control for works on roads*. The plan is to ensure the provision for safe, continuous movement of traffic and pedestrians within the road reserve.
- 50. Any alteration to natural surface levels on the site is to be undertaken in such a manner as to ensure that there is no increase in surface water runoff to adjoining properties or that runoff is impounded on adjoining properties, as a result of the development.
- On-site car parking accommodation is to be provided for a maximum of 70 car spaces (includes 12 spaces for residential visitor parking, 12 spaces for retail/commercial (Includes 1 disabled parking), 67 secured bicycle spaces (Class 2), and 2 motorbikes parking spaces are to be provided. The 12 commercial/retail car parking spaces on the ground floor are to be used as residential visitor parking during off-peak retail/commercial business hours. The parking is to be set out generally in accordance with the details indicated on the submitted plans except as otherwise provided by the conditions of consent.
- 52. The proposed retail/commercial parking bays are to be permanently marked out on the pavement surface and/or clearly indicated by means of signs. The signs are to indicate that during off-peak retail/commercial business hours, the 12 commercial/retail car parking spaces shall be shared as residential visitor parking
- 53. The proposed customer/staff parking bays are to be permanently marked out on the pavement surface and being clearly indicated by means of signs and/or pavement markings.
- 54. Council's 'Prevent Pollution' sign is to be erected and maintained in a conspicuous location on or adjacent to the property boundary, so it is clearly visible to the public, or at other locations on the site as otherwise directed by Council, for the duration of demolition and construction work.
  - The sign can be obtained by presenting your development application receipt at City of Newcastle's Customer Enquiry Centre, Wallsend Library or the Master Builders Association Newcastle.
- 55. Any excavated material to be removed from the site is to be assessed and classified in accordance with the NSW Environment Protection Authority's 'Waste Classification Guidelines Part 1: Classifying Waste' and be transported and disposed of in accordance with the provisions of the Protection Of The Environment Operations Act 1997 and the Protection Of The Environment (Waste) Regulation 2014.
- 56. Documentation demonstrating the compliance with the conditions of the appropriate Resource Recovery Order and Resource Recovery Exemption must be maintained for any material received at the site and subsequently applied to land under the conditions of the Resource Recovery Order and Exemption. This documentation must be provided to Newcastle City Council officers or the Principal Certifier on request.
- 57. Erosion and sediment control measures are to be implemented prior to the commencement of works and maintained during the period of demolition and/or construction in accordance with the requirements of Managing Urban Stormwater: Soils and Construction 4<sup>th</sup> Edition Vol. 1 (the 'Blue Book') published by Landcom, 2004. Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover.

- 58. Prior to the commencement of work, a 3.0m wide all-weather vehicle access is to be provided from the kerb and gutter to the building under construction, to reduce the potential for soil erosion. Sand or soil is not to be stockpiled on the all-weather vehicle access.
- 59. All necessary measures are to be undertaken to control dust pollution from the site. These measures are to include, but are not limited to:
  - a) Restricting topsoil removal;
  - b) Regularly and lightly watering dust prone areas (note: prevent excess watering as it can cause damage and erosion);
  - c) Alter or cease construction work during periods of high wind; and
  - d) Erect green or black shadecloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.
- 60. Where the proposed development involves the destruction or disturbance of any survey monuments, those monuments affected are to be relocated, at no cost to the City of Newcastle, by a Surveyor registered under the *Surveying and Spatial Information Act* 2002.
- 61. All public trees that are required to be retained are to be protected in accordance with the City of Newcastle *Urban Forest Technical Manual*, Part B *Public Trees*.
  - The tree protection fencing is to remain in place and be maintained until all works have been completed, with no waste materials, washouts, equipment or machinery to be stored within the fenced area.
- 62. During construction works, an assessment of acid sulfate soil potential is to be undertaken in the area of excavation. If acid sulfate soils are found to be present, soils are to be treated in accordance with the New South Wales Acid Sulfate Soil Management Advisory Committee's 'Acid Sulfate Soil Manual'.

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

- 63. All commitments listed in the relevant BASIX certificate for:
  - a) BASIX development,
  - b) BASIX optional development, if the development application was accompanied by a BASIX certificate.

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 Newcastle City Council with Occupation Certificate documentation.

- 64. All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a condition that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to City of Newcastle's satisfaction prior to the completion of demolition work or prior to the issue of any Occupation Certificate in respect of development involving building work.
- 65. All works within the road reserve required by this consent are to be completed prior to the issue of an Occupation Certificate.

- 66. Any redundant existing vehicular crossing is to be removed at no cost to the City of Newcastle. The road reserve and kerb are to be restored to the City of Newcastle's satisfaction. Works are to be completed prior to the issuing of an Occupation Certificate for the proposed development.
- 67. A copy of the stormwater drainage design plans approved with the Construction Certificate with 'work as executed' levels indicated, shall be submitted to the Principal Certifier and to Newcastle City Council prior to the issue of an Occupation Certificate. The plans shall be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.
- 68. The water management measures as indicated on the submitted plans and Statement of Environmental Effects and/or as modified under the terms of this consent are to be implemented and the nominated fixtures and appliances are to be installed and operational prior to issue of an Occupation Certificate.
- 69. A Maintenance Manual for all water quality devices is be prepared in accordance with Council's Stormwater and Water Efficiency for Development Technical Manual (Updated 2013). The Maintenance Manual is to address maintenance issues concerning the water quality devices including routine monitoring and regular maintenance and be kept on site at all times. Establishment and maintenance of the water quality devices in accordance with the Maintenance Manual prepared by the applicant is to be completed prior to occupation of this site for the intended use.
- 70. A Landscape Practical Completion Report is to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate. The report is to verify that all landscape works have been carried out in accordance with the comprehensive landscape design plan and specifications that were required to be included in documentation for a Construction Certificate application and is to verify that an effective maintenance program has been commenced.
- 71. Appropriate acoustic treatment is to be implemented in accordance with the recommendations set out in the report prepared by SLR Consulting Australia Pty Ltd (Ref: 631.30131.00000-R01), dated November 2021.. Written final certification confirming the recommended acoustic treatment has been implemented in accordance with the requirements of the above report is to be submitted to the Principal Certifier and Newcastle City Council prior to the issue of an Occupation Certificate.

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

- 72. A post construction dilapidation report prepared by a suitability qualified person shall be submitted to the Principal Certifier prior to the issue of an Occupation Certificate, to ascertain if any structural damage has occurred to the adjoining buildings, infrastructure and roads. The reports shall be forwarded to Newcastle City Council and will be made available in any private dispute between neighbours regarding damage arising from construction works.
- 73. The publicly accessible Through Site Link is to be created as a public right of footway. A detailed survey plan is to be submitted with an accompanying Subdivision Certificate Application for Council certification and such plan is to be registered with the NSW Government Land & Property Information prior to issue of any Occupation Certificate.

Note: All associated survey and legal work is to be undertaken by the developer at the developer's expense.

74. An application is to be made for a Strata Certificate in accordance with the requirements of the *Strata Schemes Development Act 2015*.

- 75. A Green Travel Plan for the development is to be prepared and implemented prior to occupation of the development. The Green Travel Plan is to be in accordance with Element 7.03 'Traffic, Parking and Access' of Council's adopted Newcastle Development Control Plan 2012.
- 76. A design verification statement from a qualified designer shall be submitted to the Principal Certifier prior to the issue of an Occupation Certificate, whichever occurs first. The statement shall confirm the development has been constructed in accordance with the quality principles set out in Part 2 of State Environmental Planning Policy No. 65 Design Quality of Residential Flat Development. Note: 'Qualified Designer' means a person registered as an architect in accordance with the Architects Act 2003. This condition is imposed in accordance with Section 43 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.
- 77. A validation report by a duly qualified consultant prepared in accordance with the requirements of the RAP, and State Government legislation and endorsed contaminated land guidelines is to be submitted to Certifying Authority and Council marked 'Attention Environmental Health Team'.

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

78. The hours of operation or trading of the commercial premises are to be not more than:

DAY	START	FINISH
Monday	7:00am	10:00pm
Tuesday	7:00am	10:00pm
Wednesday	7:00am	10:00pm
Thursday	7:00am	10:00pm
Friday	7:00am	10:00pm
Saturday	7:00am	10:00pm
Sunday	7:00am	10:00pm

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

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

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

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

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

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

81. Waste management (recyclable and non-recyclable) is to be collected from the refuse storage areas, as identified on the approved plans, serviced and returned immediately to the refuse storage areas. Under no circumstances are garbage bins to be presented to the kerb for collection.

#### **ADVISORY MATTERS**

- It is recommended that, prior to commencement of work, the free national community service 'Dial before you Dig' be contacted on 1100 or by fax on 1200 652 077 regarding the location of underground services in order to prevent injury, personal liability and even death. Inquiries should provide the property details and the nearest cross street/road.
- Any necessary alterations to public utility installations are to be at the developer/demolisher's expense and to the requirements of 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.
- Any approval for fences on side boundaries, common to other private properties, is independent of any consent or agreement which may be required from any adjoining owner under the provisions of the *Dividing Fences Act 1991*.
- Prior to commencing any building works, the following provisions of Division 6.2 of the Environmental Planning and Assessment Act 1979 are to be complied with:
  - a) A Construction Certificate is to be obtained; and
  - b) A Principal Certifier is to be appointed for the building works and Newcastle City Council is to be notified of the appointment; and
  - c) Newcastle City Council is to be given at least two days notice of the date intended for commencement of building works.
- Prior to the occupation or use of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the proposed development. An application for an Occupation Certificate must contain the information set out in Section 37 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (NSW).
- A copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of Fire and Rescue NSW and a further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.
- An annual Fire Safety Statement in the form described in Section 88 of the
   Environmental Planning and Assessment (Development Certification and Fire Safety)
   Regulation 2021 (NSW) is to be submitted to Newcastle City Council and a copy
   (together with a copy of the current fire safety schedule) is to be given to the
   Commissioner of Fire and Rescue NSW. A further copy of the Statement (together with
   a copy of the current fire safety schedule) is to be prominently displayed in the building.
- It is an offence under the provisions of the *Protection of the Environment Operations Act* 1997 to act in a manner causing, or likely to cause, harm to the environment. Anyone

allowing material to enter a waterway or leaving material where it can be washed off-site may be subject to a penalty infringement notice (ie 'on-the-spot fine') or prosecution.

- Failure to comply with the conditions of consent constitutes a breach of the Environmental Planning and Assessment Act 1979, which may be subject to a penalty infringement notice (ie 'on-the-spot fine') or prosecution.
- If archaeological deposits or relics not considered in the supporting documents for this consent are discovered, work must cease in the affected area(s) and the Heritage Council of NSW notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Note: The Heritage Council of NSW can be contacted on 02 9873 8500 or heritagemailbox@environment.nsw.au. A 'relic' is any deposit, object or material evidence that relates to the settlement of New South Wales, not being Aboriginal settlement, and is of State or local significance. It is an offence under the provisions of the Heritage Act 1977 (NSW) for a person to disturb or excavate any land on which the person has discovered a relic except in accordance with a gazetted exemption or an excavation permit issued by the Heritage Council of NSW.

#### **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 Height of buildings development standard variation made under Clause 4.6 of the Newcastle Local Environmental Plan 2012 (NLEP) has been considered and accepted.
- The proposed Floor space ratio development standard variation made under Clause 4.6 of the Newcastle Local Environmental Plan 2012 (NLEP) has been considered and accepted.
- 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 15/11/22 – 292 MAITLAND ROAD MAYFIELD - DA2021/01338 - SHOP TOP HOUSING - INCLUDING DEMOLITION OF EXISTING STRUCTURES

ITEM-19 Attachment C: Processing Chronology

### THE CITY OF NEWCASTLE Report to Development Applications Committee Meeting on 15 November 2022



## **PROCESSING CHRONOLOGY**

## DA2021/01338 - 292 Maitland Road, Mayfield

19 August 2020	-	Pre-Development Application
24 February 2021	-	Application reviewed by Urban Design Review Panel
01 October 2021	-	Development Application submitted to CN
20 October – 8 November 2021	-	Application notified in accordance with CN's Community Participation Plan (CPP)
24 November 2021	-	Application reviewed by Urban Design Review Panel
01 August 2022	-	Additional information and amended plans received from applicant
25 August 2022	-	Application reviewed by UDRP via electronic referral