ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

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

PAGE 3  ITEM-23  Attachment A:  Submitted Plans

PAGE 43 ITEM-23  Attachment B:  Draft Schedule of Conditions

PAGE 63 ITEM-23  Attachment C:  Processing Chronology

DISTRIBUTED UNDER SEPARATE COVER

ITEM-23 Attachment A: Submitted Plans
ARCHITECTURALs
DA 00 TITLE PAGE
DA 01 GROUND FLOOR PLAN
DA 02 LEVEL 1
DA 03 LEVEL 2
DA 04 LEVEL 3
DA 05 LEVEL 4
DA 06 LEVEL 5 (TYP L5-L8)
DA 07 LEVEL 9 (TOWNHOUSE KING)
DA 08 LEVEL 10 (TOWNHOUSE KING)
DA 09 LEVEL 11
DA 10 LEVEL 12
DA 11 LEVEL 13 (TOWNHOUSE HUNTER)
DA 12 LEVEL 14 (TOWNHOUSE HUNTER)
DA 13 NORTH ELEVATION
DA 14 EAST ELEVATION
DA 15 WEST ELEVATION
DA 16 SOUTH ELEVATION
DA 17 LONGITUDINAL SECTION
DA 18 SECTION A-A
DA 19 SECTION B-B
DA 20 SECTION C-C
DA 21 ROOF / SITE PLAN

DRAWINGS LIST:
ARCHITECT:
WOLSKI . COPPIN
ARCHITECTURE
LEVEL 1, 507 MILITARY ROAD - MOSMAN NSW 2088
T: 9953 8477 E: info@wolskicoppin.com.au
DAVID WOLSKI NSW ARB No. 5297

SITE ADDRESS:
DP 1 B7872 A | 495 HUNTER STREET
DP 851 578844 | 501 KING STREET
DP 1 1010094 | 364 KING STREET
NEWCASTLE

COMPLIANCE DIAGRAM
C01 COMMON SPACE /LSCAPE CALCULATIONS
GFA01 GFA DIAGRAM 01
GFA02 GFA DIAGRAM 02
GFA03 GFA DIAGRAM 03
GFA04 GFA DIAGRAM 04
SH01 B 21 JUNE 9 AM
SH02 B 21 JUNE 12 NOON
SH03 B 21 JUNE 3 PM

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

REVISED DEVELOPMENT APPLICATION
JUNE 2020

REVISED DEVELOPMENT APPLICATION
JUNE 2020

REVISED DEVELOPMENT APPLICATION
JUNE 2020

REVISED DEVELOPMENT APPLICATION
JUNE 2020

REVISED DEVELOPMENT APPLICATION
JUNE 2020
Refer to attached Addendum Urban

- Modified layout
- Modified Winter Awning at Ground Lvl on King St
1. Relocate Building H (from L3 to Level 3) to provide layout of Building E.

2. Revise Balcony layout & minor adjustments to Plant Room & Kitchen.

3. Privacy blades 1.5 m towards western.

4. Provide layout of Building E & minor adjustments to Plant Room & Kitchen.

Due to the revised layout of Building E, relocate Building H to Level 3 and provide minor adjustments to Plant Room & Kitchen. Privacy blades of 1.5 m should be installed towards the western side.
FIGURED DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.

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

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NOTES:

REVISED DEVELOPMENT APPLICATION JUNE 2020

LOCATION OF ORIGINAL BUILDING

EXTENT OF NEW BUILDING

SOUTH ELEVATION

WINTER GARDEN ADDED TO UNITS K101, K201 & K301

Refer to attached Addendum Urban Design Statement

Building K Front Facade Remodel

-D- Awning Extended

-Highlighted Dedicated Road at Lauers Lane (KING STREET ELEV.)

1, 9 STOREY BUILDING NO. 473-475

2, 9 STOREY BUILDING NO. 485 HUNTER STREET

INTERRELATE & DOWLING COMMERCIAL

2 + 9 STOREY BUILDING NO.489 HUNTER STREET

BOUNDARY

BOUNDARY

RETAIL 2

APPROVED 19 STOREY BUILDING (BEYOND)

APPROVED 2 STOREY BUILDING (BEYOND)

APPROVED 3 STOREY BUILDING NO. 362

APPROVED 3 STOREY BUILDING NO. 368

LAUERS LANE

KIOSK

AMERICAN LAUFSHAGEN

24/06/2020

21706 DA16
FIGURED DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.

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NOTES:

REVISED DEVELOPMENT APPLICATION JUNE 2020

1:200 @ A2

MIXED USE RESIDENTIAL FLAT BUILDING

495-501 HUNTER STREET NEWCASTLE

LEVEL 1, 507 MILITARY ROAD MOSMAN NSW 2088

LOCATION OF ORIGINAL BUILDING
EXTENT OF NEW BUILDING

REVISED DEVELOPMENT APPLICATION JUNE 2020

+2,600 GROUND
+6,700 LEVEL 1
+9,800 LEVEL 2
+13,200 LEVEL 3
+16,300 LEVEL 4
+19,400 LEVEL 5
+22,500 LEVEL 6
+25,600 LEVEL 7
+28,700 LEVEL 8
+31,800 LEVEL 9
+34,900 LEVEL 10
+38,000 LEVEL 11 | ROOF
+41,100 LEVEL 12
+44,200 LEVEL 13
+47,300 LEVEL 14 | ROOF
+47,400 LEVEL 15
+47,400 LEVEL 16

CARPARK MECH EXHAUST
FEATURE PRIVACY BLADES
SPANDREL
STREET WALL PLANTER
BUILDING SETBACK
EXIST NGL
EXIST GL FROM SECTION
EXIST NGL
EXIST GL FROM SECTION
45M HEIGHT LIMIT
KING STREET
HUNTER STREET
CARPARK
CARPARK
CARPARK
CARPARK
CARPARK
CARPARK
CARPARK
CARPARK
CARPARK
CARPARK
CARPARK
CARPARK
CARPARK
CARPARK
RETAIL 2
RETAIL 1
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NOTES:

REVISED DEVELOPMENT APPLICATION JUNE 2020

AA SECTION 1:200

REVISED DEVELOPMENT
APPLICATION
JUNE 2020

SECTION AA (CROSS SECTION)
FIGURED DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.

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NOTES:

REVISED DEVELOPMENT APPLICATION
JUNE 2020

BB SECTION
1:200

AC & PLANT ENCLOSURE

CARPARK & MECH EXHAUST

SUPPLY AIR

1000 MM WIDE
DEDICATED ROAD

45M HEIGHT PLANE
LINE OF ORIGINAL SUBMISSION

APPROVED 19 STOREY BUILDING NO. 509

ADJOINING BUILDING NO. 362 (BEYOND)

473-475 KING STREET

AUSGRID SUBSTATION

PLANTER

LAUERS LANE

CARPARK

CARPARK

CARPARK

1

BB SECTION

INTERRELATE & DOWNLING COMMERCIAL

MIXED USE RESIDENTIAL FLAT BUILDING

495-501 HUNTER STREET NEWCASTLE

1 B 2 B 3 B 4 B 5 B 6 B 7 B 8 B 9 B 10 B 11 B 12 B 13 B 14 B Rooftop

+2,600
+6,700
+9,800
+13,200
+16,300
+19,400
+22,500
+25,600
+28,700
+31,800
+34,900
+38,000
+41,100
+44,200
+47,300

LOCATION OF ORIGINAL BUILDING
EXTENT OF NEW BUILDING

REVISION:

041218
20 03 19
25 09 19
-Relocate Building H (from L3 to roof level) approximately 1.5 m towards western boundary & delete one storey level.
-Relocate eastern side of building K (from L3-to roof level - Lauers Lane boundary) Approx. 2.0m to the west.
Relocate western side of building K approximately 1.488m towards the western boundary.

Refer to attached Addendum Urban Design Statement.

-Relocate Building H (from L3 to roof level) approximately 1.5 m towards western boundary & delete one storey level.
-Relocate eastern side of building K (from L3 to roof level - Lauers Lane boundary) Approx. 2.0m to the west.
Relocate western side of building K approximately 1.488m towards the western boundary.

24 06 2020

ARCHITECT:
DAVID WOLSKI
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E: info@wolskicoppin.com.au
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NOTES:

REV: 15/04/2020
ARCHITECT: DAVID WOLSKI
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WOLSKI . COPPIN
NSW ARB No. 5297
LEVEL 1, 507 MILITARY ROAD
MOSMAN NSW 2088

FILE PATH: V01

MIXED USE
RESIDENTIAL FLAT
BUILDING
495-501 HUNTER STREET
NEWCASTLE

INTERRELATE & DOWNING
COMMERCIAL

OVERSHADOWING
NEIGHBOURING PROPERTY
WITHOUT PROPOSED DEVELOPMENT AT 495 HUNTER ST

DATE
DESCRIPTIVE

21706

FILE PATH: V01

1:400, 1:470 @ A2
495-501 HUNTER STREET
NEWCASTLE
Figured dimensions are to be taken in preference to scaled dimensions. The contractor is to check and verify figured dimensions prior to any commencement of work on site.

This drawing is copyright and shall remain the property of Wolski Coppin Architecture.

Notes:

Revisions:

Architect: David Wolski

NSW ARB No. 5297

Mixed Use Residential Flat Building

495-501 Hunter Street
Newcastle

Interlace & Dowling Commercial

Overshadowing Neighbouring Property with Proposed Development at 495 Hunter St

Date: 9AM

Date: 10AM

Date: 11AM

Date: 12PM
FIGURED DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS. THE CONTRACTOR IS TO CHECK AND VERIFY FIGURED DIMENSIONS PRIOR TO ANY COMMENCEMENT OF WORK ON SITE. THIS DRAWING IS COPYRIGHT AND SHALL REMAIN THE PROPERTY OF WOLSKI COPPIN ARCHITECTURE.
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NOTES:

REVISED DEVELOPMENT APPLICATION JUNE 2020

FILE PATH: DA22

MIXED USE RESIDENTIAL FLAT BUILDING

495-501 HUNTER STREET NEWCASTLE

LEVEL 1, 507 MILITARY ROAD MOSMAN NSW 2088

ARCHITECT: DAVID WOLSKI

NSW ARB No. 5297

INTERRELATE & DOWLING COMMERCIAL

3D ELEVATIONAL VIEWS

DATE: 02.07.20

REVISIONS:

REV

3D ELEVATIONAL VIEWS

NOTES:

LOCATION OF ORIGINAL BUILDING

EXTENT OF NEW BUILDING

NORTH POINT:

PROJECT No:

DRAWING No:

DRAWING TITLE:

CLIENT:

PROJECT ADDRESS:

PROJECT TITLE:

T: 9953 8477
E: info@wolskicoppin.com.au

EDITORS:
COMMON SPACE / LANDSCAPE CALCULATIONS

SITE AREA 1827 m²

| COMMON OPEN SPACE | 689 m² (0.377 : 1) |
| PRIVATE COURTYARD | 640 m² |

LANDSCAPE AREA TO COMMUNAL SPACE L3 301 m²

LANDSCAPE AREA TO PRIVATE COURTYARD L3 316 m²

TOTAL LANDSCAPE AREA 224 m²

REVISED DEVELOPMENT APPLICATION 28 MAY 2020

NOTES:
- Figures dimensions are to be taken in preference to scaled dimensions.
- The contractor is to check and verify figured dimensions prior to any commencement of work on site.
- This drawing is copyright and shall remain the property of Wolski Coppin Architecture.

REVISED DEVELOPMENT APPLICATION 28 MAY 2020

NOTES:
- Figures dimensions are to be taken in preference to scaled dimensions.
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- This drawing is copyright and shall remain the property of Wolski Coppin Architecture.
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GFA CALCULATIONS

REVISED DEVELOPMENT APPLICATION

JUNE 2020
DATE
DESCRIPTION
FIGURED DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS. THE CONTRACTOR IS TO CHECK AND VERIFY FIGURED DIMENSIONS PRIOR TO ANY COMMENCEMENT OF WORK ON SITE.

NOTES:

REVISED DEVELOPMENT APPLICATION
JUNE 2020

MIXED USE RESIDENTIAL FLAT BUILDING

LEVEL 3
1:200

LEVEL 2
1:200

CENTRAL GAS HWU

LIFT 1

LIFT 2

LIFT 3

LIFT 4

STAIR PRESS

ELE

HYD

EXH

S/A

STAIR PRESS

COMMON OPEN SPACE

A: 575 m²

313 m²

182 m²

339 m²

22 m²

19 m²

22 m²

36 m²

20 m²

60 m²

39.925

353°38'

352°13'50"

354°08'40"

39°48'05"

26°17'50"

26°03'17"

26°17'50"

26°03'17"

26°17'50"

26°03'17"

26°17'50"

26°03'17"

26°17'50"

26°03'17"

26°17'50"

26°03'17"

26°17'50"

26°03'17"

26°17'50"

26°03'17"
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NOTES:

REVISED DEVELOPMENT APPLICATION
JUNE 2020
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NOTES:

REVISED DEVELOPMENT APPLICATION JUNE 2020

WOLSKI . COPPIN
ARCHITECTURE
495-501 HUNTER STREET
NEWCASTLE
NSW ARB No. 5297
LEVEL 1, 507 MILITARY ROAD
MOSMAN NSW 2088
T: 9953 8477
E: info@wolskicoppin.com.au

LOCATION OF ORIGINAL BUILDING
EXTENT OF NEW BUILDING

FILE PATH:
GFA04

ARCHITECT:
DAVID WOLSKI
NSW ARB No. 5297

GFA CALCULATIONS

REVISION DATE 19 06 20

LEVEL 10
1:200

LEVEL 9
1:200

REVISED DEVELOPMENT APPLICATION 2020
FIGURED DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.

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NOTES:

REVISIONS:

EXTERNAL FINISHES SCHEDULE 01

W1 TERRACOTTA CLADDING FAÇADE
COL. PILBARA OR EQUAL

W12 TERRACOTTA CLADDING FAÇADE
COL. KALBARRI OR EQUAL

W2 PRECAST BANDED CONCRETE PANELS
COL. SAND

W4ALUCOBOND SPARKLING ANTHRACITE
AND GRAY METALLIC 'RANDOM' BLEND

W31 RENDERED MASONRY WATTYL WATTYL WHITE

W32 RENDERED MASONRY WATTYL GREY EMBER

W33 RENDERED MASONRY WATTYL GREY EMBER (HALF)

VERTICAL & HORIZONTAL LOUVRES SCREENS

L3 POWDER DURATEC ZUES WHITE

L2 DURATEC COPPER METALLIC CONNETIC

TRI 2 & L1 DURATEC ETERNITY CHARCOAL PEARL

GLAZING

W5 COMMERCIAL ALUMINIUM
FRAMED GLAZING
DURATEC COL. ETERNITY CHARCOAL PEARL

R1 SEMI FRAME-LESS GLASS BLAUTRADE
WITH TOP RAIL DURATEC COL. ETERNITY CHARCOAL PEARL

REVISED DEVELOPMENT APPLICATION JUNE 2020
FINISHES

WALL MATERIALS & FINISHES

W1 TERRACOTTA CLADDING FACADE
COL. PILBARRA OR EQUAL

W2 PRECAST BANDED CONCRETE PANELS
COL. SAND

W32 TERRACOTTA CLADDING FACADE
COL. KALBARRI OR EQUAL

W33 RENDERED MASONRY WATTYL GREY EMBER

W12 TERRACOTTA CLADDING FACADE

W2 PRECAST BANDED CONCRETE PANELS
COL. SAND

W4 ALUCOBOND SPARKLING ANTHRACITE
AND GRAY METALLIC ‘RANDOM’ BLEND

W31 RENDERED MASONRY WATTYL WHITE

VERITCAL & HORIZONTAL LOUVERS SCREENS

L1 DURATEC COPPER METALLIC CONNETIC
TR1 & L1 DURATEC ETERNITY CHARCOAL PEARL

L3 POWDER DURATEC ZUES WHITE

W5 COMMERCIAL ALUMINIUM FRAMED GLAZING
DURATEC COL. ETERNITY CHARCOAL PEARL

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

LOCATION OF ORIGINAL BUILDING
EXTENT OF NEW BUILDING
Plant List

<table>
<thead>
<tr>
<th>No</th>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Pot Size</th>
<th>Mature Height</th>
<th>Mature Spread</th>
<th>City</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Liriope 'Just Right'</td>
<td>Dwarf mat rush</td>
<td>0.5m</td>
<td>3m</td>
<td>1m</td>
<td>Resilience</td>
</tr>
<tr>
<td>2</td>
<td>Leptospermum 'Foreshore'</td>
<td>Acmena 'Green Form'</td>
<td>200mm</td>
<td>0.0 - 0.3m</td>
<td>0.3 - 0.6m</td>
<td>Hunter Street</td>
</tr>
<tr>
<td>3</td>
<td>Fraxinus grifithii</td>
<td>Dwarf mat rush</td>
<td>4 - 6m</td>
<td>6 - 8m</td>
<td>0.3 - 0.6m</td>
<td>Hunter Street</td>
</tr>
<tr>
<td>4</td>
<td>Lomandra 'Tanika'</td>
<td>Dwarf mat rush</td>
<td>200mm</td>
<td>0.0 - 0.3m</td>
<td>0.3 - 0.6m</td>
<td>Hunter Street</td>
</tr>
<tr>
<td>5</td>
<td>Acronychia imperforata</td>
<td>Dwarf mat rush</td>
<td>4 - 6m</td>
<td>6 - 8m</td>
<td>0.3 - 0.6m</td>
<td>Hunter Street</td>
</tr>
</tbody>
</table>

Planting Instructions

1. Use suitable waterproofing product inside of planter, cast into slabs or 65mm diameter outlet pipes either end.
2. Allow a 150mm overlap at outlet pipes.
3. Additional 100mm rise up on outlet pipes.
4. Prepare planting beds:
   - Use waterproofing product inside of planter
   - Cast into slabs or 65mm diameter outlet pipes.
   - Allow a 150mm overlap at outlet pipes.
   - Additional 100mm rise up on outlet pipes.

Landscape Plan

- Scale: 1:200
- Project: Proposed Multi Residential Development
- Client: Lubov Pan
- Landscape Plan: Catalyst Project Consulting
- Date: 23.01.20

Amendments

- Landscape Plan

Additional Notes:

- Stepping stones in planting
- Concrete slab
- 67 McMICHAEL ST
- Maryville

PRE-USES OF METHOD

- Method used to construct
- Method used to support
- Method used to maintain

BUILDING SHIFTED WEST

- 23.01.20
- 02 4961 4980

CROSSCUT FOR PLANTING

- WEEDMAT LAYER TO PREVENT
- DRAINAGE SYSTEM
- ADDITIONAL 100MM RISE UP
- ALLOW A 150MM OVERLAP AT
- 65Diam. OUTLET PIPES EITHER
- CAST INTO SLABS OR
- 65Diam. OUTLET PIPES EITHER
- ADDED 100MM RISE UP
- ALLOW A 150MM OVERLAP
- DRAINAGE SYSTEM

Proposed Multi Residential Development

- Proposed Multi Residential Development
- Proposed Multi Residential Development
- Proposed Multi Residential Development
- Proposed Multi Residential Development
- Proposed Multi Residential Development
- Proposed Multi Residential Development
- Proposed Multi Residential Development
LANDSCAPE WORK SPECIFICATION

Project:

PRELIMINARIES

1.01 GENERAL

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

1.02 PROTECTION OF ADJACENT FINISHES

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

1.03 EROSION & POLLUTION CONTROL

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

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

Refer to “Siltsieve Reference Kit” as described by DLWC & WSROC (1997) for construction techniques.

SOIL WORKS

2.01 MATERIALS

Planter Box Areas

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

Soil Mix: Equivalent to OZ landscaping suppliers planter mix is to be used in planter boxes.

2.02 INSTALLATION

a) Drainage Works

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

b) Planting

1.01 MATERIALS

a) Quality and Size of Plant Material

In General, the plants to be used shall be placed individually on plan at 200mm intervals. Finish and colour of planting shall be nominated by the client. All planting shall be in a manner that reduces the extent of planting bed area and generally where planting stones occur in garden areas and generally where stepping stones occur in gravel areas

b) Pea Gravel/Decorative Pebble

Contribution areas for pea gravel and Decorative Pebble installation with vibrating plate compactor before installation of pea gravel or Decorative Gravel/Pebble by the contractor to be retained by the garden edge.

Gravel/ Pebbles: Equivalent to 10mm Indo Cream pea gravel.
Gravel/ Pebbles: Equivalent to 25mm Indo Cream Pebble

h) Filter Fabric in Planter Boxes

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

HARDSCAPE WORKS

4.01 GENERAL

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

a) Setting Out

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

b) Planting

All plant material shall be planted as soon after delivery as possible. Planting holes for trees shall be excavated as detailed and specified. Plant containers shall be removed and discarded, and the outer roots gently teased from the soil mass. Immediately set plant in hole and backfill with specified soil mix, incorporating the approved quality of fertiliser for each plant type. Ensure that plants are set plumb vertically to the instruction of the landscape architect. All planters to be backfilled with at least 200mm of soil to prevent water wicking to the base of the planter. Planters shall be adequately watered immediately after planting.

Staking and Tying

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

Mulching

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

There shall be no mixing of soil and mulch material.

Root Barrier

Ensure root barrier is installed to all edges/junctions between the garden bed and adjacent hard surfaces including but not limited to retaining walls, carparks, pathways, underground pipes and tanks and buildings within a 5mm radius of the trunk of any proposed trees. Root barrier: Equivalent to Inexim root barrier. Install root barrier to manufacturer's instructions.

f) Stepping Stones

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

c) Gravel/Pebble

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

Gravel Inlays: Equivalent to 10mm Indo Cream pea gravel.
Gravel Inlays: Equivalent to 25mm Indo Cream Pebble

The landscape contractor shall check the existing pressure available from the ring mains and size irrigation piping to suit. Supply shall be from local hose reel where available. All piping and fittings are to be buried 50mm intervals. Upon completion of installation, the system shall be tested and all components are to be satisfactorily functional and operational prior to approval. Should an defect develop, or the capacity or efficiency of the system decline during the agreed maintenance system, then these faults shall be immediately rectified.

Detailed drawings of the proposed irrigation system shall be made available to the client for records and future maintenance of the system.
ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER


ITEM-23 Attachment B: Draft Schedule of Conditions
DRAFT SCHEDULE OF CONDITIONS

Application No: DA2017/01376

Land:
Lot 1 DP 1010094
Lot 851 DP 578844
Lot 1 DP 67823
Lot 1 DP 87872

Property Address: 495 - 501 Hunter Street and
364 King Street Newcastle NSW 2300

Proposed Development: Demolition of buildings, erection of mixed-use development
including three commercial/retail tenancies, 83 residential
apartments, associated car parking and site works.

SCHEDULE 1

APPROVED DOCUMENTATION

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

<table>
<thead>
<tr>
<th>Plan No / Supporting Document</th>
<th>Reference / Version</th>
<th>Prepared by</th>
<th>Dated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Architectural Plans -</td>
<td>Project No.21706, Rev G Dwg No’s DA00 - DA21 as noted on Title Page Dwg No.DA00</td>
<td>Wolski Coppin Architecture</td>
<td>24/06/2020</td>
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<tr>
<td>Compliance Plans</td>
<td>Project No. 21706, Rev C Dwg No.C01 Rev A Dwg No.GFA01, Rev B Dwg No.GFA02, Rev C Dwg No.GFA03 - GFA04,</td>
<td>Wolski Coppin</td>
<td>24/06/2020</td>
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<tr>
<td>3D Elevational Views</td>
<td>Project No. 21706, Rev A Dwg No.DA22</td>
<td>Wolski Coppin</td>
<td>02/07/2020</td>
</tr>
<tr>
<td>External Finishes Schedule 01 and 02</td>
<td>Project No.21706, Rev C Dwg No.F01 - F02</td>
<td></td>
<td>24/06/2020</td>
</tr>
<tr>
<td>Photomontages</td>
<td>Page 1 to 3</td>
<td>Pair Studio</td>
<td>1/07/2020</td>
</tr>
<tr>
<td>Stormwater Management Plan</td>
<td>Job No. NL171579 Rev B</td>
<td>Northrop Consulting Engineers</td>
<td>20/09/2017</td>
</tr>
<tr>
<td>Landscaping Plan and Specification Sheet</td>
<td>Dwg Nos. US 71046 LP 01E and LP.02A</td>
<td>Forum Urban Sanctum</td>
<td>29/01/2020</td>
</tr>
<tr>
<td>Shadow Diagrams - with and without development</td>
<td>Project No.21706, Dwg No.V01, V02, V03</td>
<td>Wolski Coppin</td>
<td>15/04/2020</td>
</tr>
</tbody>
</table>
CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

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

Note:

a) This condition is imposed in accordance with the provisions of the City of Newcastle’s *Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019*.

b) The City of Newcastle’s *Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019* permits deferred or periodic payment of levies in certain circumstances. A formal modification of this condition will be required to enter into a deferred or periodic payment arrangement.

c) Certifiers are required to obtain documentation from City of Newcastle confirming the payment of infrastructure contributions prior to the issuing of an occupation certificate.

d) The amount of contribution payable under this condition has been calculated on the basis of the current rate as at the date of consent and is based on the most recent quarterly Consumer Price Index (CPI) release made available by the Australian Bureau of Statistics (ABS). The CPI index rate is expected to rise at regular intervals and therefore the actual contribution payable is indexed and recalculated at the CPI rate applicable on the day of payment.

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

<table>
<thead>
<tr>
<th>Indexation quarters</th>
<th>Approx release date</th>
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</table>
Any party intending to act on this consent should contact City of Newcastle’s Customer Enquiry Centre for determination of the indexed amount of contribution on the date of payment.

3. The proposed awnings are to be designed in a manner that is consistent with Element 7.10 'Street Awnings and Balconies' of the Newcastle Development Control Plan. Under awning lighting is to be provided to the area’s Lighting category in accordance with AS1158. The design of the awning should allow for street tree planting. Full details are to be included in documentation for any Construction Certificate application. Note: A separate Section 138 Type 2 (specifically for awning) application will be required for the awnings.

4. On-site parking accommodation is to be provided for a minimum of 99 vehicles (includes minimum of 12 visitor parking spaces and 5 retail spaces), 5 motorbike spaces and 86 bicycle parking (Class 2) and 4 visitor bicycle spaces and such be set out generally in accordance with the minimum parking layout standards indicated in Element 7.03 ‘Traffic, Parking and Access’ of Council’s adopted Newcastle Development Control Plan 2012. 5 car spaces including a loading space are to be allocated to the retail tenancies and to be used as visitor spaces after business hours and a minimum of 12 spaces are to be suitably delineated as visitor parking within the ground floor car parking area. Full details are to be included in documentation for a Construction Certificate application.

5. The car parking and vehicular access is to be designed to comply with AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and AS/NZS 2890.6:2009 - Parking facilities - Off-street parking for people with disabilities. Full details are to be included in documentation for a Construction Certificate application.

6. All proposed driveways, parking bays, loading bays and vehicular turning areas are to be constructed with a basecourse of adequate depth to suit design traffic, being sealed with either bitumen seal, asphaltic concrete, concrete or interlocking pavers and being properly maintained. Full details are to be included in documentation for a Construction Certificate application.

7. A suitable traffic management device in the form of a traffic control lights, line markings and signs is to be installed in an appropriate location within the site, such device to be constructed in accordance with AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. Full details are to be included in documentation for a Construction Certificate application.

8. Roof water from the proposed new work is to be directed to the proposed water tank with a minimum capacity of 29,000 litres and being reticulated to any new toilet cisterns and cold water washing machine taps, with a mains water top up being installed to maintain between 10% and 15% of the tank capacity. Alternatively, an electronically activated mechanical valve device is to be installed to switch any new toilet cisterns and laundry taps to mains water when the tank falls below 10% capacity. The water tank and plumbing is to be designed in accordance with the Plumbing Code of Australia (National Construction Code Volume 3). Full details are to be included in documentation for a Construction Certificate application.

9. Overflows from the roof water tank and any additional discharge controls (if required) are to be directed to Council’s drainage system by means of an inter-allotment drainage line or underground pipe directly to the street gutter. Full details are to be included in documentation for a Construction Certificate application.
10. All stormwater runoff from the proposed development being managed in accordance with the requirements of Element 7.06 ‘Stormwater’ of Newcastle Development Control Plan 2012, the associated Technical Manual and the latest issue of AS 3500.3 as applicable, as indicated on the stormwater management concept plan prepared by Northrop Consulting Engineers Job No. NL171579 Drg. No. C03DA and C07DA Rev B dated 20/09/2017. Full details are to be included in documentation for a Construction Certificate application.

11. The floor level of all proposed buildings or building additions is to be verified on plans for a Construction Certificate application. The proposed retail units and driveway floor levels are to be set at least 50-100mm above the surrounding footpath level.

12. The proposed lighting including car park lighting of the premises is to be designed, positioned, and installed, including appropriate shielding and orientation of the lighting fixture, as to not give rise to obtrusive light, interfere with traffic safety or detract from the amenity of surrounding properties in accordance with Australian Standard AS 4282: 1997 Control of the obtrusive effects of outdoor lighting. CCTV cameras are to be installed around the perimeter of the site at appropriate locations for security and surveillance. Full details are to be included in the documentation for a Construction Certificate application.

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

   a) Constructed in accordance with Council’s A1300 – Driveway Crossings Standard Design Details.
   b) The driveway crossing, within the road reserve, shall be a maximum of 7 metres wide.
   c) Letterboxes, landscaping and any other obstructions to visibility should be kept clear of or limited in height to 1.2 metre, in the 2 metre by 2.5 metre splay within the property boundary each side of the driveway entrance.
   d) The proposed driveway shall be a minimum of 750mm clear of the centre of any pole or obstruction within the public reserve and 1 metre clear of any drainage pit. These works are not approved until consent under Section 138 of the Roads Act 1993 (NSW) has been granted by Council. An application under Section 138 must be lodged and consent obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of a Construction Certificate.

14. A separate application must be lodged and consent obtained from Council for all works within the road reserve pursuant to Section 138 of the Roads Act 1993 (NSW). The consent must be obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of a Construction Certificate.

15. The Developer designing and constructing the following works in connection with the proposed development within the King St, Lauers Lane and Hunter St public road reserve, adjacent to the site, at no cost to Council and in accordance with Council’s guidelines and design specifications:

   Lauers Lane/King St Frontages

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

vii. Provision of street lighting and security surveillance cameras to CN Standards.

viii. Clearly indicate the portion of land required to be dedicated as road reserve.

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

Hunter St Frontage

i. Removal of redundant driveway and provision of new footpath or repair of existing footpath.

ii. Stormwater connections.

iii. New street trees.

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

16. The portion of the site required for road widening along Lauers Lane/King St (generally as indicated on the architectural plan Dwg No DA01) is to be noted on a survey plan and is to be submitted to Council with the Public Domain Plan (Section 138 Application) prior to the issue of any Construction Certificate.

17. All proposed planting and landscape elements indicated on the submitted landscape concept plan or otherwise required by the conditions of this consent are to be detailed on a comprehensive landscape plan and specification. The plan and specification are to be prepared in accordance with the provisions of Newcastle Development Control Plan 2012 and is to include details of the following:

a) cross sections through the site

b) proposed contours or spot levels

c) botanical names

d) quantities and container size of all proposed trees

e) shrubs and ground cover

f) details of proposed soil preparation

g) mulching and staking

h) treatment of external surfaces and retaining walls where proposed

i) drainage, location of taps and

j) maintenance periods.

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

18. The applicant is to comply with all requirements of the Hunter Water Corporation regarding the connection of water supply and sewerage services, including the payment of any required cash contribution towards necessary amplification of service mains in
the locality as a result of the increased intensity of land use proposed. A copy of the Corporation's compliance certificate (refer Section 50 Hunter Water Act 1991) is to be included in documentation for a Construction Certificate application.

19. The design and construction of the proposed development is to be in accordance with the relevant requirements of Australian Standard 4674:2004 - Design, Construction and Fit-Out of Food Premises. Full details are to be included in the documentation for the Construction Certificate application.

20. A statement from a qualified designer, verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles of State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development, is to be submitted to the Certifier prior to the issue of a Construction Certificate.

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

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

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

22. Approval from Dept. of Primary Industries (DPI - previously known as NSW Office of Water) under the Water Management Act 2000 for a Groundwater Licence to be attained prior to the commencement of any extraction of groundwater. A copy of the Groundwater Licence will need to be provided to Council.

23. Temporary ground anchors are to be designed and installed along the road reserve and adjoining properties to protect the existing properties. The design of the temporary ground anchors is to be carried out by qualified and practicing structural and geotechnical engineers.

Any proposed ground anchors impacting the Road Reserve will require approval from the relevant Roads Authority for installation of the temporary ground anchors prior to the start of any bulk excavation works. The temporary ground anchors are to be destressed and any timber is to be removed from the road reserve to the satisfaction and requirements of the relevant Roads Authority.

24. Groundwater shall not be allowed to be discharged into adjoining roads stormwater system, sewerage system etc. without the controlling authority’s approval and/or owner’s consent/s. Approval from the controlling authority and any requirements of the approving authority is to be complied with prior to the commencement of any extraction of groundwater.

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

26. The Construction Traffic Management Plan is to be prepared by a Roads & Traffic Authority accredited person with a Design and Audit Traffic Control Plans Certificate in accordance with Australian Standard 1742.3 – 2002. The plan is to ensure the provision for safe, continuous movement of traffic and pedestrians within the road reserve.
27. Any alteration to natural surface levels on the site is to be undertaken in such a manner as to ensure that there is no increase in surface water runoff to adjoining properties or that runoff is impounded on adjoining properties, as a result of the development.

28. On-site car parking accommodation is to be provided for a minimum of 99 vehicles (includes minimum of 12 visitor parking spaces and 5 retail spaces), 5 motorbike spaces and 86 bicycle parking (Class 2) and 4 visitor bicycle spaces vehicles and such being set out generally in accordance with the details indicated on the submitted plans except as otherwise provided by the conditions of consent.

29. All parking bays are to be permanently marked out on the pavement surface with retail and visitor car parks suitably delineated.

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

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

Each toilet is to:

a) Be a standard flushing toilet connected to a public sewer, or

b) Have an on-site effluent disposal system approved under the *Local Government Act 1993*, or

c) Be a temporary chemical closet approved under the *Local Government Act 1993*.

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

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

34. Demolition works are to be undertaken in accordance with *Australian Standard 2601:2001 - The Demolition of Structures* and the following requirements:

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

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

c) A copy of all waste disposal receipts are to be kept on site for the duration of the proposed development and made available to authorised City of Newcastle officers upon request;

d) Seven working days' notice in writing is to be given to the City of Newcastle and the owners/occupiers of neighbouring premises prior to the commencement of any demolition work. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number(s) and licence details (type of licences held and licence numbers) of any asbestos
removal contractor and demolition contractor. Notification to owners/occupiers of
neighbouring premises is also to include City of Newcastle’s contact telephone
number (4974 2000) and the SafeWork NSW telephone number (4921 2900); and

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

35. If construction / demolition work is likely to cause pedestrian or vehicular traffic in a public
place to be obstructed or rendered inconvenient, or involves the need to enclose a public
place, a hoarding or fence is to be erected between the work site and the public place.
If necessary, an awning is to be erected, sufficient to prevent any substance from, or in
connection with, the work falling into the public place. Any such hoarding, fence or
awning is to be removed when the work has been completed.

36. An application is to be made to and approved by the City of Newcastle for the erection
of a hoarding or part closure of the footway prior to construction being commenced.
Such overhead structure or protective fence is to comply with the Work Health and
Safety Act 2011, Work Health and Safety Regulation 2011 and any relevant approved
industry code of practice. Notice of intention of commencement is to be given to
SafeWork NSW.

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

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

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

c) stating that unauthorised entry to the work site is prohibited, and

d) being erected in a prominent position that can be read easily by anyone in any
public road or other public place adjacent to the site.

Any such sign is to be maintained while the building work, subdivision work or demolition
work is being carried out.

38. All building work is to be carried out in accordance with the provisions of the National
Construction Code.

39. All excavations and backfilling are to be executed safely and excavations are to be
properly guarded and protected to prevent them from being dangerous to life and
property.

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

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

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

The above requirements do not apply if the person having the benefit of the development
consent owns the adjoining land or the owner of the adjoining land has given consent in
writing to the requirements not applying.
41. All building materials, plant and equipment is to be placed on the site of the development, to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road reserve. The storage of building materials on City of Newcastle reserves, including the road reserve, is not permitted.

42. A Registered Surveyor's certificate detailing the setting out of the proposed building on the site, including the relationship of the set-out building to property boundaries, is to be submitted to the Principal Certifier before construction is commenced.

43. A survey certificate prepared by a Registered Surveyor is to be submitted to the Principal Certifier upon completion of the floor slab formwork, before concrete is poured, to verify that the siting of the building in relation to adjacent boundaries is in accordance with the development consent.

44. Certification is to be prepared by a Registered Surveyor and submitted to the Principal Certifier at the stages of construction indicated:

   a) On completion of ground floor construction, confirming that the floor levels are in accordance with the approved levels.

   b) On completion of each subsequent floor level, confirming that the floor levels are in accordance with the approved levels.

   c) When the roof has been completed, confirming that the building does not exceed the approved levels.

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

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

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

46. City of Newcastle's 'Prevent Pollution' sign is to be erected and maintained in a conspicuous location on or adjacent to the property boundary, so it is clearly visible to the public, or at other locations on the site as otherwise directed by the City of Newcastle, for the duration of demolition and construction work.

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

47. Any excavated material to be removed from the site is to be assessed and classified in accordance with the NSW Environment Protection Authority's 'Waste Classification Guidelines Part 1: Classifying Waste' and be transported and disposed of in accordance with the provisions of the Protection Of The Environment Operations Act 1997 and the Protection Of The Environment (Waste) Regulation 2014.

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

49. Documentation verifying compliance with the conditions of a relevant Resource Recovery Order and Resource Recovery Exemption are to be maintained for any material received at the site and subsequently applied to land under the conditions of
the Resource Recovery Order and Resource Recovery Exemption. This documentation is to be provided to City of Newcastle officers or the Principal Certifier on request.

50. Erosion and sediment control measures are to be implemented prior to the commencement of works and be maintained during the period of construction in accordance with the details set out on the Erosion and Sediment Control Plan submitted with the application, and with the below requirements:

   a) Control over discharge of stormwater and containment of run-off and pollutants leaving the site is to be undertaken through the installation of erosion control devices such as catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams and sediment basins and controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover; and


51. Prior to the commencement of work, a 3.0m wide all-weather vehicle access is to be provided from the kerb and gutter to the building under construction, to reduce the potential for soil erosion. Sand or soil is not to be stockpiled on the all-weather vehicle access.

52. All necessary measures are to be undertaken to control dust pollution from the site. These measures are to include, but are not limited to:

   a) Restricting topsoil removal;

   b) Regularly and lightly watering dust prone areas (note: prevent excess watering as it can cause damage and erosion);

   c) Alter or cease construction work during periods of high wind; and

   d) Erect green or black shadecloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.

53. The premises are to be constructed, including the installation of all equipment, fixtures and fittings, in accordance with the requirements of Australian Standard 4674:2004 - Design, construction and fit-out of food premises.

54. All external items of air conditioning plant are to be screened or positioned in such a manner as to not detract from the visual presentation of the building.

55. Prior to any site works commencing, the Developer preparing a Construction Management Plan (CMP) such to be designed and implemented to manage all environmental aspects associated with the construction works, including off site impacts such as transport to and from the site. Two copies of the CMP are to be provided to the Principal Certifying Authority and the CMP is to be maintained on site during all site works and be made available to Authorised officers upon request. The CMP is to include but not be limited to:

   a) A site management strategy, identifying and addressing issues such as environmental health and safety, site security, and traffic management.

   b) A soil and water management strategy, detailing erosion and sediment control, management of soil stockpiles, control and management of surface water and groundwater. Procedures should be included to ensure that all roads adjacent to the site are kept free and clear from mud and sediment.
c) A dust management strategy, detailing procedures to minimise dust generation, with particular reference to control techniques and operational limits under adverse meteorological conditions.

d) A waste minimisation strategy that aims to avoid production of waste and maximise reuse, recycling or reprocessing of potential waste material.

e) A community relations plan that aims to inform local residents and other local stakeholders of the proposed nature and timeframes for construction activities together with contact details for site management.

f) A noise management strategy detailing measures to minimise the impact of the construction phase on the amenity of the locality, in accordance with Australian Standard AS2436, 1981 ‘Guide to Noise control on Construction, Maintenance and Demolition sites’. Noise monitoring during the construction phase should be incorporated into the programme.

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

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

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

58. Any redundant existing vehicular crossing is to be removed at no cost to Council. The road reserve and kerb being restored to, Council’s satisfaction, to match the existing infrastructure. Works are to be completed prior to the issuing of a Occupation Certificate for the proposed development.

59. A copy of the stormwater drainage design plans approved with the Construction Certificate with ‘work as executed’ levels indicated, shall be submitted to the Principal Certifying Authority and to The City of Newcastle prior to the issue of an Occupation Certificate. The plans shall be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.

60. The water management measures as indicated on the submitted plans and Statement of Environmental Effects and/or as modified under the terms of this consent are to be implemented and the nominated fixtures and appliances are to be installed and operational prior to issue of an Occupation Certificate.

61. The portion of the land required for road widening along Lauers Lane/King St is to be transferred to Council for dedication as road reserve. A detailed survey plan is to be submitted with an accompanying Subdivision Certificate Application for Council certification and such plan is to be registered with the NSW Government Land & Property Information prior to issue of any Occupation Certificate.

Note: All associated survey and legal work is to be undertaken by the Developer at the Developers expense. The land is to be dedicated to Council as a Road Reserve at no cost to Council.

62. An application is to be made for a Subdivision Certificate. The application is to be accompanied by the appropriate fee and supported by .pdf copies of the following...
documentation, together with any other documentation required under the conditions of this consent:

a) The original survey plan of subdivision prepared by a Registered Surveyor;
b) The original Administration Sheet; and
c) The original instruments prepared under s88B of the Conveyancing Act, 1919, as appropriate.

63. A Green Travel Plan for the development is to be prepared and implemented prior to occupation of the development. The Green Travel Plan is to be in accordance with Element 7.03 ‘Traffic, Parking and Access’ of Council’s adopted Newcastle Development Control Plan 2012 and the draft Green Travel Plan submitted with the development application.

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

65. The whole of the land the subject of this Development consent is to be consolidated into a single title and documentary evidence of the lodgement for registration of a survey plan of consolidation with NSW Land Registry Services is to be submitted to the City of Newcastle prior to the issuing of an Occupation Certificate for the proposed development.

66. A Landscape Practical Completion Report is to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate. The report is to verify that all landscape works have been carried out in accordance with the comprehensive landscape design plan and specifications that were required to be included in documentation for a Construction Certificate application and is to verify that an effective maintenance program has been commenced.

67. Acoustic treatment is to be implemented in accordance with the recommendations set out in the report prepared by Reverb Acoustics, dated September 2017. Written final certification verifying that the recommended acoustic treatment has been implemented in accordance with the requirements of the above report is to be submitted to the Principal Certifier and the City of Newcastle prior to the issue of an Occupation Certificate.

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

68. A post construction dilapidation report prepared by a suitability qualified person is to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate, to ascertain whether any physical damage, caused by the construction work, has occurred to the adjoining buildings, infrastructure and roads. The report is also to be forwarded to the City of Newcastle and will be made available in any private dispute between neighbours regarding damage arising from construction works.

69. Prior to issue of an Occupation Certificate, the food business is to notify the relevant enforcement agencies, under the Food Act 2003 and (for licensed food businesses) under the Food Regulation 2010. Notification is to be provided to the City of Newcastle and the NSW Food Authority.

Note: To arrange notification of the food business with the City of Newcastle, go to www.newcastle.gov.au <http://www.newcastle.gov.au> and download a copy of the ‘Council Food Business Notification Form’ or contact City of Newcastle’s Environmental Health Services on (02) 4974 2525. To notify with the NSW Food Authority go to
70. A statement from a qualified designer, verifying that the development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles of *State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development*, is to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

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

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

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

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

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<thead>
<tr>
<th>DAY</th>
<th>START</th>
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<tbody>
<tr>
<td>Monday</td>
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unless a separate application to vary the hours of operation or trading has been submitted to and approved by Council.

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

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

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

Should City of Newcastle consider that unreasonable levels of air impurities have been emitted from the premises, the owner/occupier will be required to engage a suitably qualified consultant to recommend measures to control emission of air impurities to an
acceptable level and such measures will be required to be implemented within a nominated time period. Furthermore, written certification from the suitably qualified consultant will be required to be submitted to City of Newcastle, confirming that air impurity emissions from the premises do not interfere unreasonably with the amenity of neighbouring premises and/or other sensitive receptors, before the expiration of the nominated period.

75. A Landscape Establishment Report is to be submitted to the City of Newcastle following completion of a three month maintenance period, verifying that satisfactory maintenance of the landscape works has been undertaken and any necessary rectification measures have been carried out.

76. The driveway crossing, parking areas and stormwater management system are to be properly maintained for the life of the development.

77. All vehicular movement to and from the site is to be in a forward direction.

78. Proposed parking areas, vehicle bays, driveways and turning areas are to be maintained clear of obstruction and be used exclusively for purposes of car parking, loading and unloading, and vehicle access, respectively. Under no circumstances are such areas to be used for the storage of goods or waste materials.

79. Waste management (recyclable and non-recyclable) is to be collected from the storage areas, as identified on the approved plans, serviced from King St and returned immediately to the refuse storage areas. Under no circumstances are garbage bins to be presented to King Road for kerbside collection or remain at kerbside after collection.

80. The premise/s is/are allocated the following street address/es in accordance with City of Newcastle’s House Numbering Policy and the Surveying and Spatial Regulation.

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<thead>
<tr>
<th>Unit on plan</th>
<th>Council Allocated Street Addresses</th>
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<tr>
<td></td>
<td>House Number</td>
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<tr>
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<tr>
<td>Shop 1</td>
<td>2/364</td>
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<td>Shop 2</td>
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ADVISORY MATTERS

- Any proposed business identification sign or advertising sign is to be designed in accordance with the provisions of Newcastle Development Control Plan 2012 and be the subject of a separate Development Application that is to be approved prior to the sign being erected or placed in position, except when such signage meets 'exempt development' criteria.

- A separate development application is to be submitted to and approved by the City of Newcastle in respect of any specific proposed use of the three retail/commercial premises prior to occupation approved as part of this mixed use 'shop top housing' development.

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

- Any necessary alterations to public utility installations are to be at the developer/demolisher’s expense and to the requirements of the City of Newcastle and any other relevant authorities. City of Newcastle and other service authorities should be contacted for specific requirements prior to the commencement of any works.
Full restoration of the damage is to be carried out to the City of Newcastle’s satisfaction prior to issue of any Occupation Certificate in respect of the development.

- Prior to commencing any building works, the following provisions of Part 6 of the Environmental Planning and Assessment Act 1979 are to be complied with:
  
a) A Construction Certificate is to be obtained; and

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

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

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

- Development applications are not assessed against the provisions of the National Construction Code. An application to modify the application under the Environmental Planning and Assessment Act 1979 will be required if design amendments that cause the proposal to be inconsistent with the development consent are necessary to comply with the provisions of the Building Code of Australia.

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

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

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

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

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

END OF CONDITIONS
SCHEDULE 2

REASONS FOR THE DETERMINATION & CONSIDERATION OF COMMUNITY VIEWS

The determination decision was reached for the following reasons:

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

REASONS WHY THE CONDITIONS HAVE BEEN IMPOSED

The following conditions are applied to:

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


ITEM-23 Attachment C: Processing Chronology
### PROCESSING CHRONOLOGY

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

<table>
<thead>
<tr>
<th>Date</th>
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<td>2 November 2017</td>
<td>Application lodged</td>
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<tr>
<td>11 November 2017</td>
<td>Public notification</td>
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<tr>
<td>21 February 2018</td>
<td>Advice from Urban Design Consultative Group meeting</td>
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<tr>
<td>30 April 2018</td>
<td>Request for additional information</td>
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<tr>
<td>May and June 2018</td>
<td>Advice from Urban Design Consultative Group</td>
</tr>
<tr>
<td>26 June 2018</td>
<td>Amended plans submitted</td>
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<tr>
<td>June and November 2018</td>
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</tr>
<tr>
<td>15 January 2019</td>
<td>Amended plans submitted</td>
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<tr>
<td>24 January 2019</td>
<td>Request for additional information</td>
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<tr>
<td>12 February 2019</td>
<td>Public notification of amended plans</td>
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<tr>
<td>20 February 2019</td>
<td>Advice from Urban Design Consultative Group meeting</td>
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<tr>
<td>28 Feb – April 2019</td>
<td>Additional information submitted</td>
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<tr>
<td>16 July 2019</td>
<td>Application considered at Public Voice Committee meeting</td>
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<tr>
<td>28 August 2019</td>
<td>CN final advice letter – request for additional information</td>
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<td>October 2019</td>
<td>Amended plans submitted</td>
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<td>29 October 2019</td>
<td>Public notification of amended plans</td>
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<tr>
<td>20 November 2019</td>
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<tr>
<td>18 February 2020</td>
<td>Application considered at Public Voice Committee meeting</td>
</tr>
<tr>
<td>12 March 2020</td>
<td>Meeting held with Applicant regarding outstanding issues</td>
</tr>
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<td></td>
<td>Email advice following meeting of outstanding issues</td>
</tr>
<tr>
<td>Date</td>
<td>Event Description</td>
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<tr>
<td>20 April 2020</td>
<td>Public notification of amended plans</td>
</tr>
<tr>
<td>27 May 2020</td>
<td>Advice from Urban Design Consultative Group meeting (March plan set)</td>
</tr>
<tr>
<td>5 June 2020</td>
<td>Urban Design Consultative Group meeting advice provided to applicant with request for information</td>
</tr>
<tr>
<td>24 June 2020</td>
<td>Amended plans and additional information submitted in response to request for information, following UDCG advice of 27 May 2020</td>
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<tr>
<td>2 July 2020</td>
<td>Photomontages submitted</td>
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<tr>
<td>3 July 2020</td>
<td>BASIX Certificate submitted</td>
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