

APPENDIX A – Applicants written documentation in response to JRPP

- Letter from CKDS Architecture received 22 August 2011 – Describing amended proposal.
- Letter from ADW Johnson, dated 18 August 2011 – Responding to JRPP resolution from 28 July 2011.
- Report from DeWitt Consulting, dated 18 August 2011 – Certification of heights.
- Report from DeWitt Consulting, dated 18 August 2011 – Certification of GFA and FSR.
- Report from TPK & Associates, dated 9 August 2011 – Response to traffic matters.
- Character statement for boarding house prepared by ADW Johnson
- Letter from Street Real Estate, dated 8 August 2011.

Senior Urban Planner
The City of Newcastle

Attention: Steven Masia

Dear Mr Masia,

Development Application 10/1511: 121-123 Union Street Cooks Hill

Based upon comments and points of clarification from the Joint Regional Planning Panel (JRPP) we write to confirm that the following changes have been made to the proposed development at 121-123 Union Street, Cooks Hill (DA 10/1511):

- a left in/left out access has been provided to Union Street at the North West corner of the site,
- the provision of vehicular access to Union Street has pushed the northern wall of the North-West Building away from the northern boundary by more than 4 metres,
- the Gross Floor Area (GFA) of the North-West Building has been reduced thus reducing the overall GFA of the proposal,
- the apartment mix in the North-West Building has been revised as follows;
 - removal of 8 x 1 bedroom apartments on the southern side of the circulation corridor,
 - addition of 3 x 3 bedroom apartments on the southern side of the circulation corridor,
- fixed angle vertical screens have been provided to windows facing north on the North-West Building to mitigate any privacy issues,
- all north facing ground floor docks on the North West Building have been removed,
- apartments 103, 203 and 303 have been re-orientated east rather than north,
- a single storey pergola structure has been provided over the new Union Street access driveway to provide screening and a structure for vine planting over. The single storey pergola also provides an appropriate link to the neighbouring single storey residential dwelling to the north and links into the garden and park theme of the proposal,
- visitor car parking orientation has been revised as a result of the access driveway,
- the proposed large scale trees have been retained to the visitor car park,
- the Union Street basement parking has been reduced by 2 x car parks to comply with council codes and allow level access to Union Street at the north west of the site,
- a controlled two way access road has been provided between the proposed boarding house building and middle strip apartment building to provide access and egress for all vehicles in the Residential Flat Building,
- bicycle parking has been provided to the Boarding House Building at a rate of 1 bike per room- areas are noted on the plans,
- all heights above the 10m height guidelines as well as FSR's have been qualified,
- all setbacks have been dimensioned.

Should you require further information or clarification in relation to any of the above matters, please contact Stuart Campbell directly on 02 4929 3804.

Yours faithfully,

A handwritten signature in dark ink, appearing to read 'Stuart Campbell', with a stylized flourish at the end.

Stuart Campbell
Registered Architect B. (Arch. Hons Class 1)
Director
CKDS Architecture PTY LTD



Our Ref:CM:KP:238438

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18th August 2011

The General Manager
Newcastle City Council
PO Box 489
Newcastle NSW 2300

Attention: Peter Chrystal

Dear Peter,

**RE: 121 & 123 UNION STREET COOKS HILL
DEVELOPMENT APPLICATION 10/1511**

We refer to the JRPP meeting of 28 July 2011 at which the proposal for a residential flat building and a boarding house at the subject site was considered and deferred until 1 September 2011, with the proponent to address a number of points. This letter and relevant attachments address the points raised.

- 1) CERTIFICATION FROM A COMPETENT PERSON OF THE BUILDING HEIGHTS OF ALL PROPOSED BUILDINGS ON THE SITE, CLEARLY STATING THE PROPOSED BUILDING HEIGHTS IN RELATION TO EXISTING GROUND LEVEL AND DISTINGUISHING COMPLYING AND NON-COMPLYING ELEMENTS WITH SHADING OR COLOURING.**

Please find attached plans that have been independently certified by a registered surveyor from DeWitt Consulting as to the height of the buildings as requested. A report has been prepared to this effect and is attached.

It is important to clarify a number of aspects as to the calculation of height. Height controls for this site are currently contained within Newcastle DCP 2005. Height and ground level within the DCP are defined as:

Building Height (or Height of Building): the vertical distance between the ground level (existing) at any point to highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Existing ground level: means the ground level in existence immediately prior to the commencement of proposed building or site works, taken at the lower side of a sloping block.

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The attached plans show the heights calculated based on the literal wording of the request of the JRPP. However we make the following observation in relation to the DCP definition of "existing ground level".

The subject site has undergone excavation as a result of the existing Bimel lodge development. This has had the effect of reducing the ground level of the site, this is most prominent in the North East corner of the site (However the site boundary reflects the pre existing natural ground level). This has an impact when calculating height. It is perhaps more correct to interpret the definition of "existing ground level" under the DCP as being the original ground level in existence "immediately prior to the commencement of proposed building or site works..." that is to say that the existing ground level as it was immediately prior to the Bimel lodge building works.

To provide assistance in the consideration of interpreting the definition of height we have also turned to the DOPI publication *"Residential Flat Design Code - Tools for Improving of residential flat buildings"*. This is a document specifically referenced for consideration when making an assessment under SEPP 65. The document says that:

"height is the distance above ground taken from each point on the boundary of the site."

Having regard to the above discussion on the DCP and in reference to the Residential Flat Design Code it is considered that the most appropriate method of calculating height is from ground at the boundary. In relation to the subject site this is in fact natural ground before Bimel lodge was constructed. This is also considered appropriate because it is at a site's boundaries that a development has the potential to have its' greatest impact.

In addition, the Residential Flat Design Code approach to height is a more common sense approach to the interpretation of height. Otherwise, to provide as an extreme example, height could be measured from the bottom of the existing swimming pool on the site as this is "existing ground" at that point.

Accordingly in addition to the attached plans showing the building heights as measured from existing ground in its literal interpretation the plans have also been marked to show the height as considered more appropriately measured from the existing levels at the boundary of the site.

The extent to which the buildings sit outside of the control height (however defined) is considered to not have a significant impact on the amenity of neighbours or streetscape noting the proposed setbacks, measures taken to protect privacy and shadow diagrams.

2) INVESTIGATION AND ADVICE ON THE FEASIBILITY OF VEHICULAR ACCESS TO THE SITE FROM UNION STREET

The proponent in the early phase of the project was advised by Council that access off Union Street would not be permitted. However, in response to the community desire shown at the JRPP meeting for such an access Council has reviewed its position. Accordingly the Project Architect has now spent significant time in reconsidering this design option. The attached amended plans now include an access off Union Street.

3) CLARIFICATION OF BOUNDARY OFFSETS

The attached plans clearly show dimensioned offsets.

In relation to the concern about offsets to the proposed new boundaries we advise that these offsets are also shown on the attached plans. Offsets from these boundaries comply with the minimum requirements under the Building Code of Australia. Compliance with boundary offsets relative to any DCP control is not necessary given that the boundaries are internal of the site and that on merit assessment the appropriate building separation distances have been achieved.

4) ADVICE ON THE OPPORTUNITY TO RE EXAMINE ALTERNATIVE DESIGN OF THE PROPOSED DWELLINGS IN THE NORTH WESTERN CORNER OF THE DEVELOPMENT TO IMPROVE THE PRIVACY AND AMENITY OF THE EXISTING ADJOINING DWELLINGS

The North West corner has been significantly redesigned to take account of the new proposed Union Street access. This has resulted in a greater side boundary setback at this location and further improvement to the privacy and amenity of the existing adjoining dwellings. Further to this, the north-east facing 1-bedroom unit of this building has been re-orientated to face east rather than north, reducing privacy impact to residents to the north.

5) A REVIEW ADVICE RESPONDING TO MARK WAUGH'S TRAFFIC COMMENTS DATED 22ND JULY 2011 IN RELATION TO THE PROPOSED DEVELOPMENT

The comments provided in the Mark Waugh submission of 22 July 2011 have been addressed by TPK & Associates, including having regard to the new proposed access on to Union Street. TPK's report is attached.

6) FURTHER CONSIDERATION OF THE OPPORTUNITY TO PROVIDE A WIDER RANGE OF DWELLING TYPES INCLUDING MORE 2 AND 3 BEDROOM DWELLINGS, NOTING THAT THE CURRENT PROPOSAL IS OVERWHELMINGLY SINGLE BEDROOM DWELLINGS

The proponent has given substantial consideration to the mix of dwellings. The proposed development and mix of units has been designed in direct response to market demand. Please find attached a report prepared by Mr Andrew Walker of Street Real Estate who has a detailed understanding of the Newcastle Market. Essentially the market has been undersupplied of 1 bedroom dwellings for some time. This growing under supply is also contributed by the gradual reduction in housing occupancy rates.

We note that the zone objectives for the 2(b) Urban Core zone are that the zone is to provide for (a) "...diversity of housing types". The zone does this by permitting within it the full range of housing types including boarding houses, town houses, villas, detached dwellings, dual occupancies & residential flat buildings. The zone objectives (and the LEP overall controls) do not specifically identify that a mix of 1, 2 or 3 (or other number) bedroom dwellings is required in respect of any particular site, similarly the objectives (and the LEP overall controls) do not identify what the mix of housing types should be for a site. This allows the market to respond to housing needs.

Essentially the existing mix of housing across the locality does not provide for adequate numbers of 1 bedroom dwellings. The proposed development is an opportunity to address this situation. Demand suggests that there is already an adequate supply of 2 and 3 bedroom dwellings within the locality.

In addition to the above the building has been designed in such a way so as to allow 2 x linear 1 bedroom apartments (types 'A' and 'F' as indicated on the plans) to be altered to form a 3 bedroom apartment (type 'I' as indicated on the plans) if the market demand alters.

In the redesign of the North West building the unit mix was adjusted to reduce the units within the Residential Flat Building by 8 x 1 bedroom apartments and replace it with 3 x 3 bedroom units.

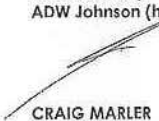
7) CERTIFICATION FROM A COMPETENT PERSON OF THE PROPOSED GROSS FLOOR AREAS OF THE PROPOSED DEVELOPMENT

DeWitt Consulting surveyors have certified the gross floor areas of the development, see attached. It can be seen that they are within the same tolerances of the measurements made by the Project Architect and that the resulting FSR calculations are below that permitted under Council's DCP. In addition the proposed redesign of the North West corner has resulted in an overall reduction in Gross floor Areas of approximately 250sqm.

8) PROVISION OF A LOCAL CHARACTER STATEMENT FOR THE BOARDING HOUSE COMPONENT OF THE PROPOSED DEVELOPMENT, GIVEN THAT SUCH CONSIDERATION APPLIES UNDER CLAUSE 54A (3) OF THE CURRENT SEPP.

Please find enclosed the requested character statement prepared by ADW Johnson and CKDS Architecture.

Yours faithfully
ADW Johnson (hunter office)

A handwritten signature in dark ink, appearing to read 'Craig Marler', is written over the typed name.
CRAIG MARLER
SENIOR PLANNER



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18 August 2011

OUR REF: 2651

Parkway Accommodation Pty Ltd
C/- CKDS Architecture
PO Box 958
NEWCASTLE NSW 2300

ATTENTION: STUART CAMPBELL

Dear Sir

RE: PROPOSED MILLER UNION DEVELOPMENT, UNION STREET, COOKS HILL
BUILDING HEIGHTS

1. OVERVIEW

In accordance with your instructions we have assessed the height of the proposed Miller Union Development in relation to the height guidelines contained in the relevant SEPP 65 and the Newcastle City Council DCP definitions. We understand the Height Definitions are as follows:

- SEPP 65 Definition - 10 metre (m) height plane from boundary point. (ie - 10 metres above a line of constant slope joining the reduced level at each site boundary point at the relevant section).
- DCP Definition - 10 m height plane above existing ground line. (ie - 10 metres above the existing ground surface at each point along the relevant section).

We have used the following plans in our calculations and assessment:

- Detail & Contour Survey Lot 1 & 2 D.P.1050041, Version A, dated 20 July 2010 prepared by ADW Johnson. ("Survey Plan")
- CKDS Architecture drawing references:
 - Elevations ("Elevation Plans"):
 - DA311 Issue AC- Elevations Technical- Union Street & North East
 - DA312 Issue AC- Elevations Technical- Corlette Street & South West
 - Sections ("Section Plans"):
 - DA411 Issue AB- Sections Technical- Sections A, B & C
 - DA412 Issue AB- Sections Technical- Sections D, E & F



2. LIMITATIONS

We note all calculations and assessment have been based upon the above electronic plans. There are limitations in interpreting the contours which depict the existing ground surface which we would suggest is in the order of up to ± 0.1 metres in some cases, particularly along the boundary lines. In this regard the survey data is limited along the north western boundary and is not really sufficient to establish an accurate existing ground level profile.

Our interpretation of the existing ground surface and therefore any heights checked are based upon the survey data provided to de Witt Consulting for the purposes of this analysis.

3. ANALYSIS

We have prepared a profile boundary to boundary of the existing ground surfaces using the electronic contour data within the AutoCad drawing file of the Survey Plan at Sections A, B, C, D, E and F as illustrated in the Section Plans. These existing ground profiles were then appropriately scaled and plotted onto the Section Plans detailing sections A to F inclusive. CKDS Architecture used the existing ground profiles to prepare the SEPP 65 Definition and DCP Definition 10 metre height plans and calculated the height differences between these Height Definitions and the roof reduced levels of the proposed buildings.

Similarly to the existing ground profiles prepared at Section A to F, existing ground profiles have been prepared along each to the site boundaries and plotted onto the Elevation Plans. The height differences between the roof reduced levels of the proposed development and a 10 metre height plane above the existing ground were then calculated by CKDS Architecture.

We have subsequently reviewed the electronic Section and Elevation Plans in so far as the representation of the proposed development in relation to the Height Definitions. We are of the opinion the Section and Elevation Plans accurately depict (within the fore mentioned limitations) the height of the proposed development in relation to the Height Definitions based upon the existing ground levels provided in the Survey Plan.

If any clarification or further information is required feel free to contact the undersigned.

Yours faithfully
de WITT CONSULTING

A handwritten signature in black ink, appearing to read 'Jason Landers', is written over the printed name.

Jason Landers

Surveyor Registered under the Surveying & Spatial Information Act 2002.
DIRECTOR



de Wilt Consulting
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18 August 2011

OUR REF: 2651

Parkway Accommodation Pty Ltd
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PO Box 958
NEWCASTLE NSW 2300

ATTENTION: STUART CAMPBELL

Dear Sir

**RE: PROPOSED MILLER UNION DEVELOPMENT, UNION STREET, COOKS HILL
FLOOR SPACE RATIOS**

1. INTRODUCTION

In accordance with your instructions we have calculated the Gross Floor Area ("GFA") of the proposed Miller Union Development to determine the Floor Space Ratio "FSR". The proposed development consists of two main components being Residential Units and a Boarding House. It is understood each proposed component will be situated on a separate proposed lot of land which is part of the proposed development. In this regard we understand the following:

1. The proposed Residential Units will be situated upon a proposed lot of 7,435.5 square metres with a primary frontage to Union Street.
2. The proposed Boarding House will be situated upon a proposed lot of 2,895.5 square metres with a frontage to Corlette Street.

The above figures amount to a total site area of 10,331m². On investigation we have determined the site of the proposed development to be Lots 1 & 2 in Deposited Plan ("DP") 1050041. DP1050041 documents the area of the lots 1 and 2 to be 5,052m² and 5,077m² respectively giving a total area of 10,329m. By using the plan dimensions we calculate the area of the total site to be 10,330m². The greatest difference being 2m² between the DP and the area calculated using the proposed lot areas amounts to 0.02% of the total area and in our opinion is insignificant for the scope of calculations for FSR.

We have been advised by your office that the allowable FSRs for the proposed Residential Units and proposed Boarding House are 0.9:1 and 1.4:1 respectively.



2. METHOD OF CALCULATION

We have calculated the areas in accordance with the following expert from Newcastle City Council DCP 2005 as provided by your office. The expert is as follows:

Floor space ratio: the ratio of the gross floor area of all buildings on a site to the site area.

Gross Floor Area (GFA): the sum of the floor area of each storey of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, *and includes:*

- (a) the area of a mezzanine within the storey, and
- (b) habitable rooms in a basement, and
- (c) any shop, auditorium, cinema and the like, in a basement or attic,

but excludes:

- (d) any area for common vertical circulation, such as lifts and stairs, and
- (e) any basement:
 - i) storage, and
 - ii) vehicular access, loading area, garbage and services, and
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (h) any space used for the loading or unloading of goods (including access to it), and
- (i) terraces and balconies with outer walls less than 1.4 metres high, and
- (j) voids above a floor at the level of a storey or storey above.

It is understood the floor areas are to be measured at a height of 1.4 metres above the floor level. In this regard we have assumed the floor plans as shown on the plans to be reflective of the area at a height 1.4 metres above the floor level.

All calculated areas have been undertaken using electronic AutoCad drawings files of the plans by CKDS Architecture. The relevant drawings are as follows:

- DA201 Issue AL- Basement Floor Plan
- DA202 Issue AH- Ground Floor Plan
- DA203 Issue AE- Level 01 Plan
- DA204 Issue AE- Level 02 Plan
- DA205 Issue AE- Level 03 Plan
- DA206 Issue AE- Roof Plan

Area measurements have been made to 0.1 of a square metre.

The following sections set out the calculation at proposed Residential Units and Boarding House.

3. RESIDENTIAL UNITS

The components of gross floor level of the residential units are set out in Table 1 attached to this document along and represented as the areas outlined red and shaded yellow on the attached plan series.



The total GFA for the residential units is 6,475.2m². With the proposed lot size being 7,435.5m², the FSR is 0.871:1. We understand the allowable FSR to be 0.9 :1 which would amount to a maximum GFA of 6,611m².

In making this calculation we note the following:

1. The red outline on the drawings and associated GFA calculations are representative of the measurement to the internal face of external walls.
2. There are no habitat rooms in the basement nor any shop or the like.
3. Common vertical circulation, such as lift shafts and stairs has been excluded from the calculation.
4. Basement storage (including bike), vehicle access, garbage and service areas have been excluded from the calculation.
5. All plant rooms, lift towers, mechanical service and ducting (& chutes) have been excluded from the calculation.
6. All car spaces including access thereto (vehicle and pedestrian - including lobbies) have been excluded from the calculation. It is assumed the number of car spaces is consistent with the requirements of the consent authority. In this regard the area of a smaller car park is 13.75m². Motorcycle parking has been put into the car space category.
7. The areas of all balconies and terraces have been excluded from the calculation.
8. Within units the area of the stairs has been included in the calculation at the lower level. On the upper level the stairs have been considered as a void and excluded from the calculation.
9. Areas of walkways external the building at each level have been excluded from the calculation.

4. BOARDING HOUSE

The components of gross floor level of the boarding house are set out in Table 2 attached to this document along and represented as the areas outlined red and shaded orange on the attached plan series.

The total GFA for the boarding house is 4010.8m². With the proposed lot size being 2895.5m², the FSR is 1.385 :1. We understand the allowable FSR to be 1.4 :1 which would amount to a maximum GFA of 4,053.7m².

In making this calculation we note the following:

1. It is understood all car spaces, including motorcycles are requirements of the consent authority.
2. The red outline on the drawings and associated GFA calculations are representative of the measurement to the internal face of external walls.
2. There are no habitat rooms in the basement nor any shop or the like.
3. Common vertical circulation, such as lift shafts and stairs has been excluded from the calculation.
4. Basement storage (including bike), vehicle access, garbage and service areas have been excluded from the calculation. The laundry has been considered a service area within the basement. The area of the laundry is 12.6m².
5. All plant rooms, lift towers, mechanical service and ducting has been excluded from the calculation.



6. Any voids associated with the sun hoods have been excluded from the calculation.
7. Areas of walkways external the building at each level have been excluded from the calculation.
8. The area of sub-structure at ground level has not been included in the calculation.
9. No balconies have been included in the calculation.

5. CONCLUSION

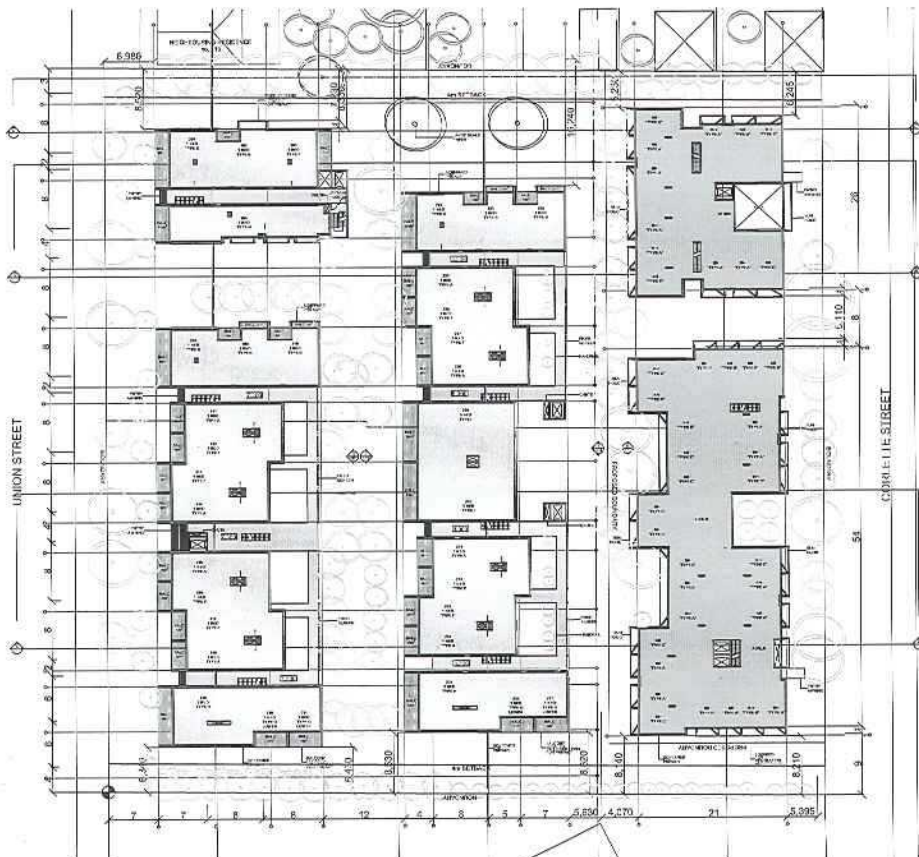
We have calculated the GFA and FSR for the two components of the Miller Union Development. The Method of calculation is set out in section 2 above with further analysis for the proposed Residential Development and Boarding House set out in sections 3 and 4. By our calculations we find the calculated FSR be under the allowable FSR for both the proposed Residential Development and Boarding House.

If any clarification or further information is required feel free to contact the undersigned.

Yours faithfully
de WITT CONSULTING



A handwritten signature in black ink, which appears to read 'Jason Landers', is written over the printed name.

Jason Landers
Surveyor Registered under the Surveying & Spatial Information Act 2002.
DIRECTOR



NORTH



CALCULATED AREAS IN m ²	
RESIDENTIAL UNITS	BOARDING-HOUSE
Level 1 GFA 1563.1	Level 1 GFA 1218.5
	

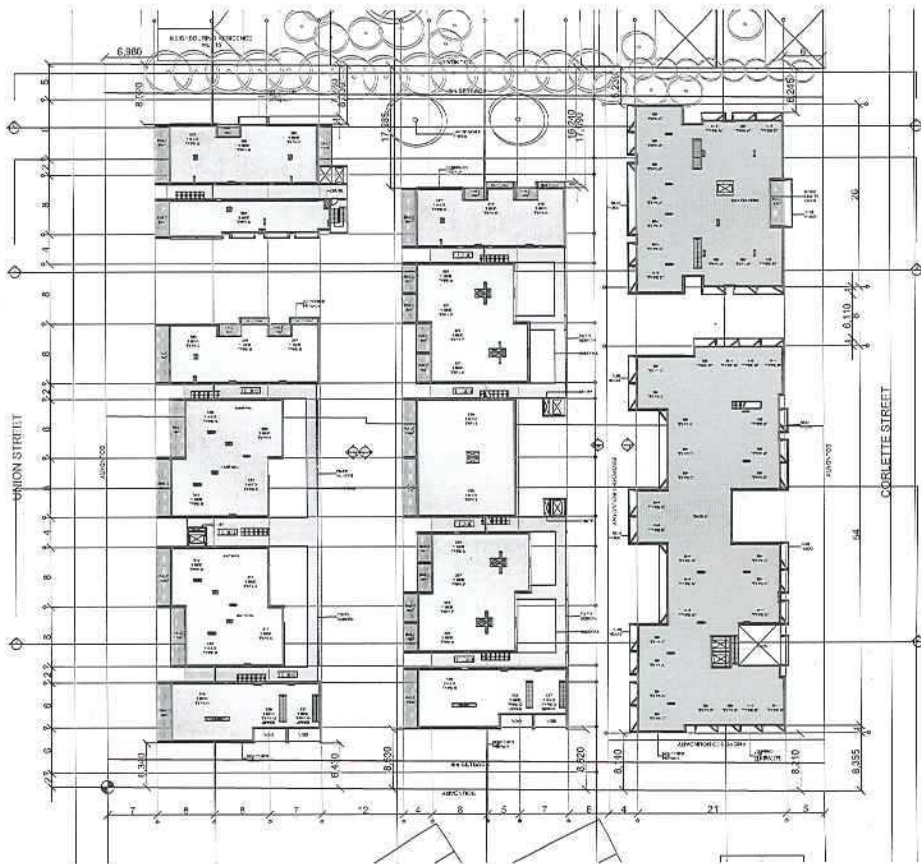
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FLOOR SPACE RATIOS - CALCULATED AREAS LEVEL 1

DATE	2014/01/20	PROJECT	UNION STREET, COOKS HILL	SCALE	1:100
DRAWN	2014/01/20	CLIENT	PARTWAY ACCOMMODATION PTY LTD	REVISION	1
CHECKED	2014/01/20	DESIGNER	DE WIT CONSULTING	APPROVED	3/5
BY	2014/01/20	DATE	2014/01/20	REVISION	1
BY	2014/01/20	DATE	2014/01/20	REVISION	1



NORTH



CALCULATED AREAS IN M²

RESIDENTIAL UNITS	BOARDING HOUSE
Level 2 GFA 1966.8	Level 2 GFA 1520.8

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FLOOR SPACE RATIOS - CALCULATED AREAS
LEVEL 2

PROJECT: UNION STREET, COOKS HILL	PLAN NO: 1	JOB NO: 2651
CLIENT: PARKWAY ACCOMMODATION PTY LTD		
DATE: 11/08/11		
DESIGNED BY: 11/08/11		
CHECKED BY: 11/08/11		
DATE: 11/08/11		
BY: 11/08/11		
FOR: 11/08/11		
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95	11/08/11	11/08/11
96	11/08/11	11/08/11
97	11/08/11	11/08/11
98	11/08/11	11/08/11
99	11/08/11	11/08/11
100	11/08/11	11/08/11

TABLE 1 - RESIDENTIAL UNITS**GROSS FLOOR AREAS (GFA) CALCULATED TO DETERMINE FLOOR SPACE RATIOS (FSR) - MILLER UNION DEVELOPMENT**

BASEMENT LEVEL	0	RESIDENTIAL UNITS TOTAL	6475.2 sqm
GFA- Basement Total	0	LOT AREA	7435.5 sqm
		FSR	0.871 :1
		Allowable FSR	0.9 :1
GROUND FLOOR			
101/102/103	160.7		
104/105/106	101.0		
107/108/109	155.5		
110/111/112/113	217.5		
114/115/116/117	217.5		
118	117.2		
119/120/121	155.5		
122/123/124/125	217.5		
126/127/128/129	218.1		
130/131/132/133	217.5		
134	117.4		
GFA - Ground Floor Total	1895.1		
LEVEL 1			
201/202/203/	159.0		
204/205/206/207	101.3		
208/209/210	154.9		
211/212/213/214	217.4		
215/216/217/218	217.5		
219/220/221	149.1		
222/223/224	155.0		
225/226/227/228	217.5		
229/230	221.9		
231/232/233/234	217.5		
235/236/237	149.1		
GFA - Level 1 Total	1960.1		
LEVEL 2			
301/302/303	160.3		
304/205/206/207	101.3		
305/306/307	155.6		
308/309/310/311	222.4		
312/313/314/315	222.4		
316/220/221	142.0		
317/318/319	155.5		
320/321/322/323	217.5		
324/235	221.9		
326/327/328/329	218.3		
330/236/237	142.0		
GFA - Level 2 Total	1959.0		
LEVEL 3			
401/402	225.2		
403/404	210.5		
405/406	225.3		
GFA - Level 3 Total	661.0		

TABLE 2 - BOARDING HOUSE

GROSS FLOOR AREAS (GFA) CALCULATED TO DETERMINE FLOOR SPACE RATIOS (FSR) - MILLER UNION DEVELOPMENT

BASEMENT LEVEL		BOARDING HOUSE TOTAL		4010.8 sqm
GFA - Basement Total	0	LOT AREA		2895.5 sqm
GROUND FLOOR		FSR		1.385 :1
North Block	481.6	Allowable FSR		1.4 :1
South Block	889.6			
GFA - Ground Floor Total	1371.2			
LEVEL 1				
North Block	427.8			
South Block	891.0			
GFA - Level 1 Total	1318.8			
LEVEL 2				
North Block	463.6			
South Block	857.2			
GFA - Level 2 Total	1320.8			
LEVEL 3				
	0.0			
GFA - Level 3 Total	0.0			

STATEMENT

Response for Hunter & Central Coast Joint Regional Planning Panel (HCCJRPP)

Project (DA 10/1511):

Proposed Residential Development – 121 to 123 Union Street, Cooks Hill

This Statement prepared by Terry Keating, Director TPK & Associates (TPK) on 9th August 2011.

BRIEF BACKGROUND

1. TPK prepared the Traffic Assessment Report (September-October 2010) for the subject development.
2. Council assessed the Application and further analysis by TPK was required due to community response including a Traffic Report by Better Transport Futures (BTF).
3. TPK prepared the Traffic Response Report (April 2011).
4. Council provided their assessment report to the HCCJRPP.
5. HCCJRPP deferred their decision on the matter on the 28th July 2011 seeking further analysis and responses.

TPK, for The Applicant was required to consider two matters:

1. Provide a response to the option for an access to/from the development site off Union Street; Council had previously advised the project team that there was to be no access to/from Union Street.
2. Respond to the BTF Project Design Note submitted to the HCCJRPP at the meeting of the 28th July 2011.

DISCUSSION & ANALYSIS

Union Street Access

Newcastle City Council has been consulted subsequent to the HCCJRPP meeting and has informed the project team that an access to Union Street would be accepted, was to be at the northern end of the site and provide for left in left out only; the method of control Council preferred is provided in their statement below:

"Council's preference is for the operation of the Union Street access to be controlled by a 'site access management plan and appropriate signage located within the site'. A central concrete median in Union Street is not supported and history would suggest that it is physically impossible to design a driveway that would prevent right turn movements."

A revised site layout has been prepared to include that access in the proposed site layout, the relevant plan is provide in Appendix A.

The access to Union Street will have:

- Only (left) regulatory sign facing Exiting Traffic and
- No Right Turn regulatory sign with "To Driveway" plate below facing traffic approaching the access on Union Street from the south.

In addition Site Management is to provide reinforcement of this left in/left out requirement at this access as part of unit purchase advice and through ongoing management communications with residents.

The revised layout has resulted in some change to the land use detail but minimal change to guideline outcomes/requirements for the project; revised tables are provided below for information.

TABLE 1 – PROJECT LAND USE DETAILS

LAND USE TYPE	DETAILS
Units	
• 1 Bedroom	83 Units
• 2-3 Bedroom	19 Units
Boarding House	112 Rooms, 1 Caretakers Apartment

3.1. – Road Network Traffic Generation

The RTA Guide to Traffic Generating Developments suggests traffic generating rates for a range of land use activities, Table 2 sets out the rates adopted for this project.

TABLE 2 – POTENTIAL TRAFFIC GENERATION

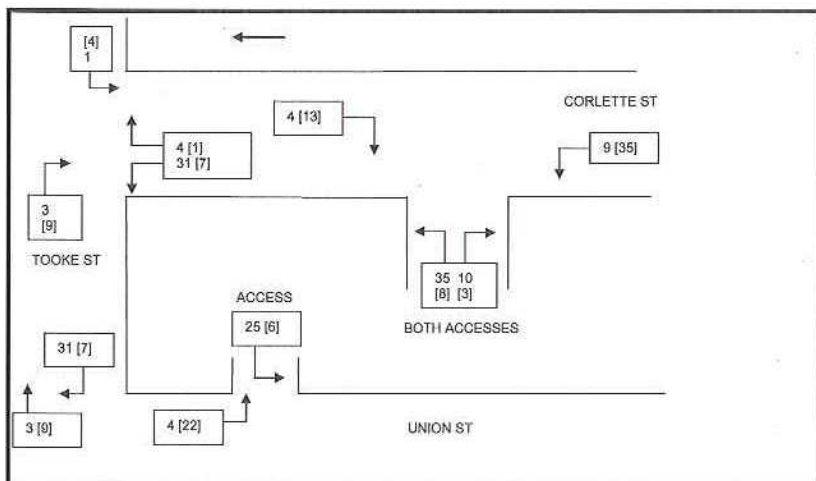
LAND USE	ADOPTED RATE AND TRIPS
<u>PROPOSED</u>	
Units	
• 1 Bedroom; 83 Units	0.4-0.5 Peak Trips per unit
• 2-3 Bedroom; 19 Units	0.5-0.65 Peak Trips per unit Peak Trips = 43 to 54
Boarding House; 112 Rooms	0.29 Peak Trips per unit Peak Trips = 33
<u>Summation</u>	
POTENTIAL PROJECT TRIP TOTALS	Peak Hour = 76 to 87 trips

TABLE 3 – POTENTIAL PARKING REQUIREMENTS

USE	COUNCIL DCP RATE & REQUIRED
Units	
• 1 Bedroom; 83 units	1 space per unit
• 2 Bedroom (75-100m); 6 units	1 spaces per unit
• 3 bedroom; 13 units	2 spaces per unit
	Plus 1 visitor space for first 3 units and 1 space per 5 units thereafter.
	<i>115 Unit Spaces</i>
	<i>21 Visitor Spaces</i>
Boarding House	
• 113 rooms	1 space plus 1 space per 10 Bedrooms; plus
	1 space per 20 units for visitors
	<i>11 Bedroom Spaces</i>
	<i>6 Visitor Spaces</i>
TOTAL DCP REQUIREMENTS FOR DA	153 Spaces

The provision of this access to/from Union Street will alter the distribution of the potential traffic generations; the same distribution base from previous TPK reports has been maintained but traffic flow adjusted to incorporate use of the Union Street access; see Figure 1. An outcome is that the traffic demand on Corlette St is reduced.

FIGURE 1 – UPDATED POTENTIAL PEAK TRAFFIC DISTRIBUTIONS: PM PEAK IN BRACKETS



BTF Project Design Note

The Project Design Note handed to the HCCJRPP at the meeting of 28th July 2011 submitted the Conclusion set out below as the matters BTF considered were not addressed to date; TPK has provided discussion below in italics under each dot point made by BTF in the Conclusion section of that Project Design Note.

Conclusion

Having reviewed Council's assessment of the DA submission our conclusion remains as stated previously.

That is:

- Whilst the overall traffic numbers stated for the site using the appropriate codes are relatively small, this is shown to cause problems at nearby intersections.

The Council agreement to allow a site access to/from Union Street has diminished the use of Corlette Street and the unit yield redesign of the site to accommodate the Union Street access has reduced the potential traffic generations.

Union & Tooke Streets intersection will be discussed in a later dot point.

The Parkway Avenue intersection with Corlette Street will now have minimal outbound traffic potential in the am peak hence negligible impact on capacity; the pm traffic demands for this intersection will be, in the main on the priority route, small volumes and hence also minimal impact on capacity.

The TPK Response Report (April 2011), Section 5.1 discussed the signalised intersection of Union & Parkway Avenue; the points raised in that response remain valid. The efficiency or not of the existing phasing and intersection geometric design for this intersection is not a matter for this development assessment to comment on as signal design & operation is controlled by RTA and the potential increase in demand from this development is negligible; Council raised no objection to the position TPK submitted.

- The poor performance is NOT addressed, by either the proponent's proposals, or by Council's assessment report.

See above and below dot points.

- The reported performance by the proponent's traffic consultant at the junction of Tooke Street with Union Street is NOT satisfactory; and remains unaddressed.

TPK in the original Traffic Assessment (September-October 2010) and the Traffic Response Report (2011) has not dismissed consideration of the Union & Tooke Street intersection. TPK modelled and identified the poor performance of the right turn from Tooke Street; in the Response Report TPK modelled alternative geometric layouts that disclosed acceptable performance.

What TPK has consistently maintained is:

- *Union Street performs a role in the road network above that of a local road.*
- *Growth on Union Street traffic flow, regardless of this development will in turn increase side street delay.*
- *The growth on Union Street will come from a wide range of impacts and TPK submitted that the Union Street corridor would require a strategic route planning consideration if it was to maintain its traffic corridor function in Council's road network.*

- Council had indicated that consideration of signalisation at the intersection of Union and Parry Streets was on their agenda. It is not uncommon in strategic route planning for key locations to be identified for major control (signals or roundabout) with lesser local intersections along the route to have movement restrictions implemented at them (central median). TPK submitted such planning was outside the scope of analysis for this development and indicated the decision for the Union and Tooke Street intersection, as part of a wider analysis need for route management was a matter for Council; Council has not objected to TPK's position.

- Also of concern is that the performance is sensitive to the assumptions about parking and traffic generation, based on the land use activity nominated for the proposal.

See dot point below

- The assessment of parking allows details of the affordable housing SEPP to be ignored, with no justification. Parking needs to be provided in accordance with the SEPP, or alternatively using traditional rates as nominated in Council's own DCP requirements.

The SEPP Affordable Housing identifies that no new parking is needed for Boarding Houses.

This project has opted to provide some parking to minimise potential for impact on on-street parking.

This project has adopted Council's DCP parking rates for the unit component of the development.

TPK assessed that to be an acceptable approach in ensuring the development minimised the impact on parking in the surrounding precinct.

- The ongoing operation and performance of Corlette Street is also of particular concern in relation to its environmental capacity given its local street status, and high levels of existing parking and pedestrian activity.

TPK's Response Report (April 2011), Section 5.3 provided consideration of environmental capacity for Corlette Street; with the agreement to the Union Street access the increase in traffic flow, from this development on Corlette Street has been further diminished in terms of impact discussed in Section 5.3. Council has not indicated issue with that assessment in Section 5.3.

- Additionally, Council's solution for treatment of Corlette Street contradicts the proponents stated reasons for use of this local street, and does not address the problems at Tooke & Union- (Rather it appears to ignore it.)

The road widening for Corlette Street is a requirement required by Council. The Union Street access agreement has reduced potential traffic flow on Corlette Street; it remains a matter for Council as to their requirement for the road widening.

TPK STATEMENT SUMMATION

The following comment is made by way of overview for this development:

TPK is of the view:

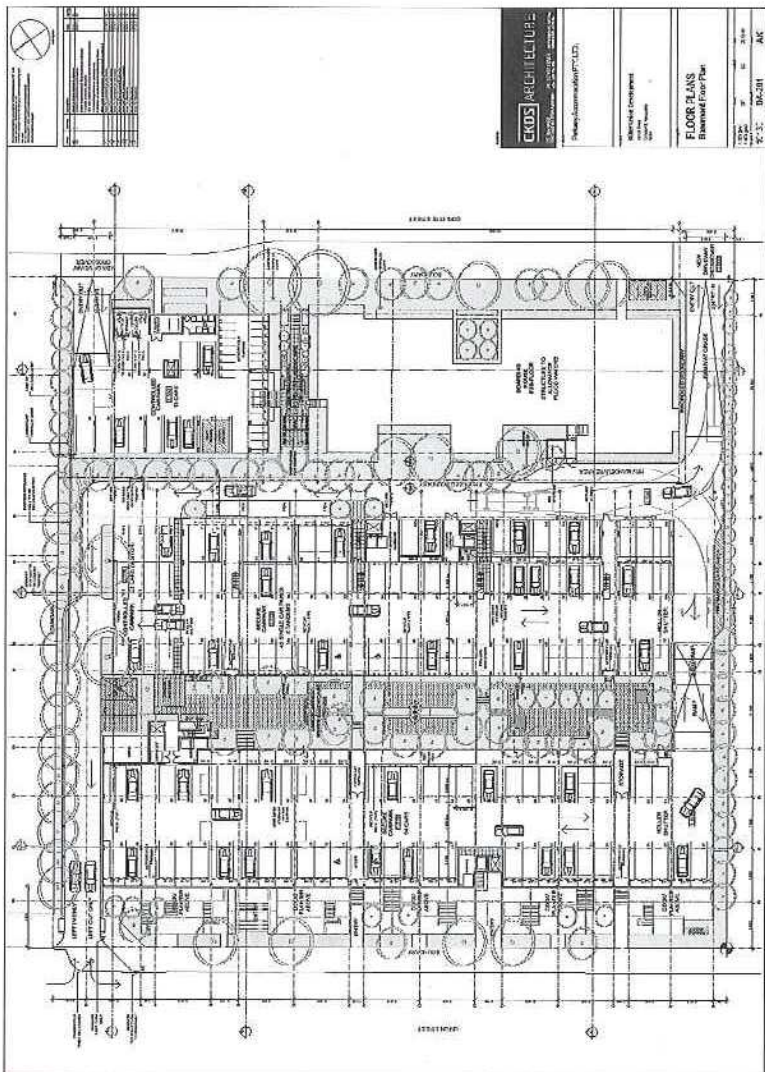
1. The revised access provisions, including access to Union Street will minimise any potential impacts to Corlette Street traffic conditions and surrounding intersections.
2. The suitability of phasing and optimised geometric design for the Union Street & Parkway Avenue traffic control signals is not a matter for this development; furthermore the potential increase in traffic volume per cycle that this development will be negligible.
3. The decision on any traffic management and capacity roadworks at the Union and Tooke Street intersection should be part of a route planning project by the road authority and is not seen as a matter for an individual development, generating small volume peak hour traffic increases to resolve.
4. The current on-street parking demands should not be considered as factors for rejecting this development as it is submitted that the site will have off street capacity to manage potential demands; existing on-street demands include:
 - a. The adjoining school (on school days) dominates Corlette Street for the parental drop off and pick up periods and to a lesser extent by teachers due to the absence of any school off street parking.
 - b. All day parking (other than locals) on weekdays by observation has begun to penetrate Corlette Street due to unrestricted kerbside space being available.
 - c. National Park weekend sport dominates the surrounding road network's on-street parking due to the absence of any nearby off street parking amenity.
5. The site has acceptable access to public transport.

Prepared by

T Keating

Mr. T Keating
Director, TPK & Associates

APPENDIX A SITE LAYOUT



CHARACTER STATEMENT

PROPOSED DEVELOPMENT OF RESIDENTIAL FLAT BUILDING AND BOARDING HOUSE 121-123 UNION STREET, COOKS HILL

INTRODUCTION

The JRPP at its meeting of 28th July 2011 requested that a character statement be prepared for the boarding house component of the proposed development at 121 – 123 Union Street, Cooks Hill as required by SEPP Affordable Rental Housing. Specifically Clause 30A of Division 3 Boarding Houses says:

"A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area."

Clause 30A applies to the proposed development through the operation of the savings and transitional provisions contained in Clause 64A.

The assessment report prepared by Newcastle Council's Senior Development Officer discusses character under a number of headings however it is appropriate for a consolidated statement to be presented to the JRPP.

This Character Statement has been prepared with input from the Project Team.

EXISTING CHARACTER

The existing character of an area is informed by many things including site location and topography, land use and building types.

The existing character of this particular locality, relevant to the consideration of the proposed boarding house can be described following consideration of the below aerial photograph and photos.



Aerial of Site and Surrounds



Single Storey Homes Cnr Tooke and Corlette Streets



Single Storey Homes in Tooke Street (the rear yards of which adjoin the development site)



Two Storey Medium Density Housing Opposite the subject Site In Corlette Street



Corlette Street looking north near Parkway Avenue



Medium Density Housing located at the Cnr of Corlette & Bull Streets

*Proposed Residential Flat Building and Boarding House
Union Street, Cooks Hill
(Ref: 238435)*



Medium Density Housing located at 27 Corlette Street



Example of Higher Density Housing at 89 Parkway Avenue Cnr Corlette Street,
The Junction 'Rewo'



Higher Density Housing at 97 Parkway Avenue Cnr Corlette Street, The Junction 'Rewo



Example of Built Form contained within the Newcastle Grammar School Landholding at the Cnr of Corlette Street & Parkway Avenue



YWCA Building which presents as four storeys to the street located at the Cnr of Corlette Street and Parkway Avenue, Cooks Hill



Photo of Union Towers from Corlette Street.



Photo of Union Towers from Corlette Street



Single Storey Detached Dwellings fronting Union Street to the north of the site



Three Storey Medium Density Housing located at 73 Union Street



Eight Storey High Density Housing 'Union Towers' located at 75 Union Street

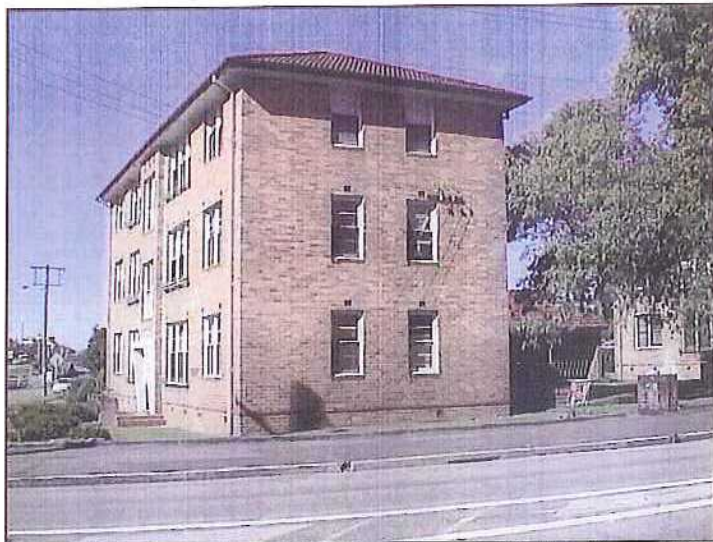


Three Storey High Density Housing at 103 Parkway Avenue Cnr Union Street 'Brewongle'



Three Storey High Density Housing 117 Parkway Avenue Cnr Union Street 'Brewongle'

*Proposed Residential Flat Building and Boarding House
Union Street, Cooks Hill
(Ref: 238435)*



Three Storey High Density Housing at 103 Parkway Avenue Cnr Union Street 'Brewongle' as it directly addresses the street



Residential Flat Building located and the Corner of Parkway Avenue and Bruce Street



Residential Flat Building located on the corner of Parkway Avenue and Bruce Street

It can be seen that the area immediately to the north of the site in Tooke Street (within the Cooks Hill Conservation Area) comprises single storey detached dwellings while opposite the site in Corlette Street is a medium density development comprising predominantly two storey town houses. Land use however is not homogenous with the existing site containing a motel and function centre, land adjoining the site to the south being the former Hunter Institute of Technology Union Street Campus and now owned and occupied by the Newcastle Grammar School and land opposite in Union Street forming part of the substantial National Park open space and recreation areas.

The site is located in close proximity to commercial areas at The Junction and Market Town shopping and also the Newcastle CBD and beaches. These features have made the locality popular and this has assisted to encourage the more dense building forms that are scattered throughout the locality as can be seen in the photographs.

The 1998 version of Council's Newcastle Urban Strategy provides a critique of the identity of all the suburbs that make up the Newcastle LGA. The following extract relates to Cooks Hill:

Cooks Hill

Cooks Hill grew from the AA Company's coal mines in the area. The first houses were a row of collier's huts near the present Brooks Street. Land sales began in 1854 when many lots were sold in Darby Street, at the time known as Lake Macquarie Road and one of the few public access paths through the AA Company land. Significant features include: Darby Street commercial and restaurant centre, Centennial Park, street alignments relating to former railway lines, art galleries, library, conservatorium, federation housing, including terraces, and Civic Park.

Other Key features include:

- *Walkability and connectivity is very good and streets appealing to walkers;*
- *Topography is generally flat;*
- *Some 35% of the housing stock is semi-detached, or townhouses, and 39% are flats or apartments;*
- *There is good housing choice but the area is becoming less affordable;*
- *Density is comparably high;*
- *Streetscape is interesting with tree lined streets although some insensitive redevelopment, with garage doors and blank walls, has reduced the walkability and attractiveness of some streets.*

The site is within close proximity to the The Junction, being a continuation along Corlette and Union Streets. Accordingly, it is also worth consideration what the Newcastle Urban Strategy says about the The Junction:

The Junction

Named after The Junction of railways serving colliers in the Merewether area, and situated between the substantial estates of the AA Company and the Merewether family. The Junction was described in 1880 as forming, with Burwood and Glebe, one large scattered village with a population of 1500. The Junction serves as a local service, district meeting place and retail functions. It does not detract from the city Centre but compliments it, as does Cooks Hill. Significant features include Glebe Road/Union Street/Kentick Street commercial centre, high quality streetscapes, cafes and restaurants. Other key features include:

- *Walkability is good. Highly inter-connected streets and relatively flat topography enable easy access to commercial facilities;*
- *Coles Supermarket which is an attractor is relatively easy to access by both pedestrians from Union Street and for shoppers using the basement carpark;*
- *Existing primary schools attract people to The Junction;*
- *Beaches are within close proximity;*
- *Housing is generally expensive. The Department of Housing has an estate along Parkway Avenue which provides an affordable housing component within the local area.*

The site adjoins the Cooks Hill Conservation Area, a contributor to the character of the area. Council's Inventory Listing Sheet advises:

"Cooks Hill is primarily a residential area with commercial uses along Darby Street, Union Street and Bull Street. It is one of the oldest urbanized areas in Newcastle and contains some of the oldest dwellings and buildings. The suburb contains buildings that represent all of the architectural phases of Newcastle's History."

DESIRED FUTURE CHARACTER

The desired future character of the locality is defined by a range of planning documentation and controls, including the Newcastle LEP 2003, Newcastle DCP 2005 & Newcastle Urban Strategy.

THE NEWCASTLE URBAN STRATEGY

The Newcastle Urban Strategy was first completed in 1998 and was updated in 2009 and is the strategic planning document that informs the LEP and DCP.

The key reasons behind the strategy are documented as:

- Existing patterns of urban development are unsustainable;
- Social and economic changes are continuing;
- Change should be managed in a way which respects the unique values and character of Newcastle and its citizens;
- There is a need to articulate how Council believes Newcastle should look and operate;
- The existing planning framework requires comprehensive review.

In 1998 the following strategic directions were identified for Cooks Hill:

- Preserve local services to cater for the needs of residents
- Facilitate a stronger presence and hence role of public and privately operated cultural facilities;
- Increase housing choice for youth and aged persons;
- Improve the pedestrian accessibility and amenity of Darby Street;
- Facilitate mixed use development in character with existing historical and cultural buildings;
- Facilitate business opportunities on Darby Street in adaptable mixed use buildings.

In 1998 the following strategic directions were identified for The Junction:

- Promote mixed use and medium density development on suitable sites;
- Facilitate compatible, sensitively designed 2 to 3 storey mixed use development on Glebe Road, Union Street and Kenrick Street, in and adjacent to the commercial centre;
- Ensure new development respects the amenity and character of existing housing and streetscapes.

The updated 2009 version of the Strategy remains consistent with these directions. In 2009 the document was expanded to include precincts for residential development and this identified the site within the Substantial Growth Precinct, this is further detailed below.

NEWCASTLE LEP 2003

The LEP has a number of broader aims that inform the overall strategic direction for the city:

- To respect, protect and complement the natural and cultural heritage, the identity and image, and the sense of place of the City of Newcastle;
- To conserve and manage the natural and built resources of the City of Newcastle for present and future generations, and to apply the principles of ecologically sustainable development (ESD) in the City of Newcastle;
- To contribute to the economic well being of the community in a socially and environmentally responsible manner;
- To Improve the quality of life and well being of the people of the City of Newcastle;
- To facilitate a diverse and compatible mix of land uses in and adjacent to the urban centres of the City of Newcastle, to support increased patronage of public transport and help reduce travel demand and private motor-vehicle dependency;
- To encourage a diversity of housing types in locations that improve access to employment opportunities, public transport, community facilities and services, retail and commercial services, and the like.

The site is zoned 2(b) Urban Core under the LEP and has the following zone objectives:

- (a) To provide for a diversity of housing types that respect the amenity, heritage and character of surrounding development and the quality of the environment;
- (b) To accommodate a mix of home-based employment generating activities that are compatible in scale and character with a predominantly residential environment;
- (c) To accommodate a limited range of non-residential development of a scale and intensity compatible with a predominantly residential environment which does not unreasonably detract from the amenity or character of the neighbourhood or the quality of the environment;
- (d) To require the retention of existing housing stock where appropriate, having regard to ESD principles.

NEWCASTLE DCP 2005

The Newcastle DCP 2005 identifies the site within the Substantial Growth Precinct, this is the highest density precinct available. The DCP outlines the following objectives for the

SUBSTANTIAL GROWTH PRECINCT:

- The Substantial Growth Precinct promotes a significant increase in the number and diversity of dwellings and new built form;
- Encourage redevelopment or consolidation that allows for more compact and sustainable urban form;
- Create a vibrant place for people to live in proximity to community facilities and services, commercial centres, employment, and transport nodes;
- Encourage public transport, walking and cycling as alternatives to the car.

ASSESSMENT OF PROPOSED DEVELOPMENT

State Environmental Planning Policy Affordable Rental Accommodation requires an assessment of the compatibility of the proposed boarding house with the character of the area.

It can be concluded that it is a clear planning objective that this site is to make a contribution to compact settlement by providing for a significant increase in the number of dwellings consistent with the Substantial Growth Precinct. Such a desired outcome requires a different built form than detached dwellings or town house and villa forms of housing that are found adjoining and adjacent the site to the north and east. Indeed it is the reason that Residential Flat Buildings are a permissible use within the zone.

The range of planning controls at the same time requires consideration to be given to the existing character of the area. This creates a challenge for redevelopment of the site.

It is considered that the proposed boarding house development is consistent with the character of the area noting the following:

- The proposed land use is for residential accommodation consistent with the existing use of the site for provision of accommodation, with the proposed residential flat building fronting Union Street and with the surrounding area. Arguably the proposed boarding house is more consistent with the residential land use character of the area than the existing motel accommodation which was the first step to residential use of the site following the former use of the site as a teachers college.
- The site is not within the Cooks Hill Heritage Conservation Area, however, the conservation area adjoins and so contributes to the character of the locality. As pointed out by Heritas in the submitted Heritage Report, the conservation area contains buildings that represent all of the architectural phases of Newcastle's history and that the proposed development respects this by adding another layer of architectural history adjacent to the area. The proposal does not attempt to mimic cottage forms.

The Statement of Heritage Impact prepared by Heritas is attached to this submission and provides more detailed analysis as to why the proposed development is appropriate relative to the Cooks Hill Heritage Conservation Area.

- The proposed form of development (Residential Flat Building) is not foreign to the character of this inner city area. As pointed out in the discussion above on existing character there are a number of examples of this form of development throughout the area. This is noted in the Newcastle Urban Strategy which indicates that for Cooks Hill some 35% of the housing stock is semi-detached, or townhouses, and 39% of flats or apartments.

- The design of the proposed development whilst seeking to provide for the identified significant increase in housing has very carefully considered the existing housing form nearby. The proposed development has achieved this, noting the following:
 - Site Planning has provided for modulation, good setbacks and separation of the building form. This respects the existing site planning and layout of other forms of housing within the area and is in contrast to a single mass of building that could be placed on the site. This planning approach has been commented upon favorably in the minutes from the UDCG.
 - The modulation, setbacks and separation of the building mass has allowed for good landscape opportunity (including deep soil landscaping) that will compliment the established landscape quality of the locality.
 - The modulated forms are consistent in scale with other forms of residential flat buildings in the locality as can be seen in the photos above, however, are proposed to be more effectively articulated through the variation of solid and void.
 - It is noted that a two storey development exists opposite in Corlette Street. The boarding house buildings have been designed as two storey elements raised up on a landscape and glass podium. This creates a three storey building element that forms somewhat of an introduction to the higher building forms on the site beyond whilst still relating to the scale of surrounding buildings.
 - The architectural expression, whilst clearly residential, has purposefully avoided including mimicking features of small cottage architecture. This has been done so as not to diminish the value of those nearby forms particularly within the nearby conservation area.
 - The building mass is further reduced by avoiding a repetitive street façade. No one modulated form is exactly the same as the other, however the building is appropriately tied together with a consistent theme.
 - The colours and materials have been selected with input from council's heritage adviser to compliment rather than detract from the existing character of the area. The building has been designed with masonry corners that use dry pressed bricks from the Narnal Valley Federation Range. The sunhoods and other painted elements are proposed to be modern in form with colours selected from the Dulux Heritage colour palette.
 - Car parking has been concealed under the building in an existing excavation to ensure that the parking of cars on site is not a strong visual element within the locality.
 - Access points have been kept to a minimum, consistent with design throughout the locality.

- The proposed landscape planter boxes to Corlette Street are a modern interpretation of the small front garden of many of the homes within the locality.

Council's Urban Design Consultative Group, also a committee constituted under SEPP 65 for the purpose of considering Residential Flat Buildings comprises Architectural Professionals with substantial experience. This Group has independently considered the proposed development in its entirety and in consideration of the design principle relating to Context made the following comments (as extracted from the minutes of its meeting relating to the proposed development):

"The proposal adjoins a school to the south of the subject site, and a heritage conservation (residential) area to the north. This adjacent heritage conservation area consists of five single residential buildings which face Tooke Street and whose back fences abut the development site, in addition to three single-storey residences facing Union Street, one of which has its southern side fence abutting the subject site. Across Union street to the west lies a large park and sporting fields (National Park), while across Corlette Street there is generally one and two storey medium density residential accommodation.

While the proposal is for a level of development which is of a higher density and of greater height and scale than most nearby existing development, the site is located in an area which has been designated in the Newcastle Urban Strategy as a 'substantial growth precinct' because of its proximity to a substantial district-level centre.

The Group was of the view that the proposal was consistent with the likely future context of the area, and providing the interface with the single storey residential area to the north is managed sensitively, the proposal was considered appropriate in this context."

CONCLUSION

The existing character of the locality is predominantly residential in nature, however, this is not completely uniform with the Grammar School adjoining the site to the south west and the extensive National Park open space lands located opposite the site to the north west. The residential building types vary throughout the locality from single storey detached dwellings, through medium density two storey town house developments up to larger 3 storey residential flat buildings. The adjoining Cooks Hill Heritage Conservation Area is not uniform with a diversity of architectural expression reflecting the full range of design change over time.

The desired future character according to the relevant planning documents centres around taking advantage of the location relative to commercial centres of The Junction and Market Town as well as the Newcastle CBD. Access to shops and services is an opportunity to make a significant contribution to compact settlements and the benefits that follow. The site has been included within a substantial growth precinct for this reason. The planning controls however require consideration to be given to the existing character in achieving these planning objectives and the design has implemented a number of elements to achieve this.

In summary, it is considered that the proposed boarding house will be consistent with the existing and desired future character of the area and at the same time contribute to desired planning outcomes for affordable housing and compact settlements.

7 Statement of Heritage Impact

This is the statement of heritage impact for:

Proposed development of the sites known as 121-123 Union Street, Cooks Hill NSW, with property description Lots 1 & 2, DP 1050041.

Date:

September 2010; amended October 2010.

Reference:

The property is located within the Cooks Hill Heritage Conservation Area, defined under the Newcastle Local Environmental Plan 2003.

The material upon which this statement has been based is the following drawings:

- CKDS Architecture
Miller Union Development
Union Street, Cooks Hill Newcastle NSW
1013: DA-201 Issue V
1013: DA-202 Issue V
1013: DA-203 Issue V
1013: DA-204 Issue V
1013: DA-205 Issue V
1013: DA-301 Issue X
1013: DA-302 Issue X
1013: DA-303 Issue X
1013: DA-304 Issue X
1013: DA-601 Issue Q
1013: DA-602 Issue Q
various informal perspective views
- Terras Landscape Architects
Landscape Concept
8728.5 Typical Section Through Walkway
Miller Development Union Street

Prepared by:

Heritas Architecture (Linda Babic, B.A., B.Arch., M.Herit.Cons.)
173 Russell Road, New Lambton NSW 2305, (ph) 4957 8003.

Prepared for:

Pathway Accommodation Pty Ltd, c/o CKDS Architecture, PO Box 958 Newcastle NSW 2300.

The following aspects of the proposal respect or enhance the heritage significance of the item for the following reasons:

- The proposed residential use of the site is one that was earmarked by government in the 1980s, and one that sits comfortably within the context.
- The site has a history of a more intense use than that typical of the nearby single dwelling allotments, as an educational facility catering for hundreds of students and staff.
- The breakdown of forms along both street frontages results in a massing that respects the context of smaller residential blocks in the area. The spaces between the buildings, achieved through physical separation and through setbacks, also sympathetically reflect the context. The dwelling and driveway

widths of the adjacent context have informed the streetscape massing of the proposed development.

- The setback of structure along both street frontages respects a traditional suburban front yard pattern, and that of the immediate residential context.
- The proposed landscaping along the Union Street boundary, and the wide landscaped pedestrian access into the site from Union Street, both respect the National Park frontage opposite, which helps to merge the proposed development into that green context. The inclusion of large trees, particularly highlighted with again larger species at the two entry points to the development, will also soften the development within the streetscape. The large depth of landscaped terracing against Union Street is positive. This also continues the architectural approach of varied setbacks and massing. The development proposal respects the heritage values of National Park in this way with a substantial green edge setback to Union Street.
- The positioning of four large scale trees at the pedestrian site access entrance on Union Street serves to minimise the built form to the north of that access point, reducing the bulk at that end of Union Street to a scale more in keeping with the existing residential pattern in the southern end of the Heritage Conservation Area. This softening of the interface between the conservation area and the site is positive.
- The site figure/ground form of the structure along the northern boundary reflects the smaller repetitive allotment plan pattern of Tooke Street.
- The flat roof design of the units provides simple forms for the 'backdrop' to the Heritage Conservation Area. The contrast is a positive interpretive element against the IICA, which helps highlight and distinguish the edge of the IICA.
- The use of the presently vacant part of the site will infill a long vacant hole in the streetscape, creating and completing a strong eastern edge to National Park and to this section of Union Street generally.
- Carparking is not visible at site boundaries, i.e. there are not garages facing the street.
- Although the single storey cottage form of the dwellings facing Union Street is representative of the greater Heritage Conservation Area, the fabric and condition of these cottages does not well represent the general qualities of the Heritage Conservation Area.
- The view of the development from Tooke Street will be minimal, buffered by the deep north/south orientated lots and the generous setback of the proposed development from the northern boundary. Views will be gained however through the rear yards of the Union Street cottages, from Tooke Street.
- The Heritage Conservation Area "contains buildings that represent all of the architectural phases of Newcastle's history."¹⁷ The proposed development respects this by adding another layer of architectural history adjacent to the area, and not attempting to mimic cottage forms.
- The proposal is for a development of higher density than that directly adjacent in Tooke Street, however similar circumstances of density exist along other boundaries of the Heritage Conservation Area, notably along Darby Street, and without detriment to the integrity of the heritage values of Cooks Hill. The scale of the development is softened by the expanse of National Park opposite.
- The development is outside of the Heritage Conservation Area, and therefore consideration as an 'infill' is debatable. The position of the site is not considered to be within a particularly strong

¹⁷ Newcastle City Council website, www.newcastle.nsw.gov.au, Heritage Conservation Areas, Cooks Hill HCA.

architectural context of either the edge of the IICA or the immediate context to the east, west and south.

- The greater context of the Heritage Conservation Area, on its western and eastern boundaries particularly, has a history of larger scale community support/residential developments. For example National Park and No.1 Sportsground, commercial development bounded by Parry, Arnott and Bull streets, Newcastle Workers Club, the Cooks Hill Commercial Centre, and warehouse residential apartments. The current proposal is not out of scale with these existing contextual developments.
- The views into and out from the Heritage Conservation Area in this area are predominantly of the residential fabric within the IICA, i.e. not panoramic landscape views or the like.
- The development site does not impede on the former rail line as it exists the southern boundary of the Heritage Conservation Area. In addition, the former tramway corridor is conserved by Union Street.
- The materials proposed - predominantly render and paint finish, with hardwood timber screening to masonry planters - are considered to be sympathetic. The integration of these with the extensive landscaping will create a whole with multi-layered detail. However, the detail of the glass balustrading needs further consideration in the detailing phase of the project, in order to determine its visual impact. A completely frameless balustrade with clear glass, or the incorporation of timber elements in the balustrade, is suggested.
- The incorporation of mosaic walls depicting elements relating to the former use of the site is positive. These proposed interpretive elements - while not all readily accessible to the public - are a sympathetic means of understanding the history of the site. Similar elements should also be introduced on the Corlette Street boundary, in locations such as the 1200mm high masonry wall, the main entries, and the screened substation kiosk.

The following aspects of the proposal could detrimentally impact on the heritage significance of the area:

- The interface of the proposed development with the southern boundary of the Heritage Conservation Area presents a localised height difference. Although this does occur in more dramatic examples within the boundary of the HCA, a softening at this interface has been achieved by the setback from the northern site boundary. Existing and established vegetation along the northern site boundary is also proposed for retention.

It is considered that views to the taller centre building on the development site will be largely obscured.

The following sympathetic solutions have been considered and discounted for the following reasons:

- A less intense development of the site was discounted as being unviable.
- A reduction in height was considered unattainable due to current flood level restrictions on the site.
- A reduction in height coupled with the same density produced greater massing of forms, greater encroachment on boundaries, and hence a reduction in streetscape rhythm to Union Street.

The following aspects of the development are not shown on the documents and should be considered prior to approval:

- A colour scheme for the development has not been proposed. Neutral tones are preferable.
- The finer detailing of fencing and other semi-public landscaping elements, during the design documentation phase, can add detail to the development that will help to better engage the proposed development with the fabric of the Heritage Conservation Area.

Summary

With continuation of external detailing, and the detailing of interpretive elements, the development is generally considered to respect the values of the Cooks Hill Heritage Conservation Area.



8th August 2011

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Bimet Lodge Apartment Component – Apartment Mix

There has been a clearly defined change in the mix dynamic of Apartment developments in Newcastle over the past 18 months. This is in response to market demands for a product that had not been readily available in any significant quantities previously. One bedroom apartments have become a popular and high demand residential accommodation option for the following reasons;

- Their price point is one that generally the majority of people can afford
- They provide an accommodation solution for a variety of purchaser types
- They are treated as a security with mortgage insurance provided they are a minimum of 50m² internally
- They are an attractive alternative to Leasehold Aged Care
- There is an identifiable undersupply of new 1 bedroom apartment stock in the marketplace

The purchaser demographics we believe will be catered for with Bimet Lodge are as follows;

Retirees

This development is the perfect alternative to independent living options that are offered by retirement villages without ten percent deposit forfeiture. Importantly the family will be supportive of Mum and/or Dads purchase as Capital Gain 100% benefits the owner. The amenity of National Park opposite, Market Town Shopping Precinct and Aldi to the North West, The Junction Shopping Village to the South and Darby St, Cooks Hill to the East all within flat or level walking distance is irresistible. Public transport is readily accessible and Hamilton Ambulance Station is 5 minutes drive.

Owner Occupiers

Self explanatory and will range in age from 20 – 50 years, looking for low maintenance lifestyle within close proximity to amenities identified above. This will also include those people from outside the Newcastle Region who work in Newcastle during the week and then return home of a weekend to their family. This is a growing market.

There is also strong anecdotal evidence in the market over the preceding 3 years confirming that prices have receded for 2 and 3 bedroom apartments in many apartment developments that are recognised as modern/new by 20%-25% when people are re-selling their apartment.

Bimet Mix

The design and product mix in Bimet has been created to appeal to the current market and purchaser requirements as well as future markets. The design also has the flexibility that allows for the consolidation of apartments to create a 2 bedroom apartment should someone require so. There are 2 and 3 bedroom apartments in the product mix as well. This consolidation has occurred previously in The Essington, Azura, and The York and may have well occurred in other developments I am not aware of.

In summary

The Bimet Lodge Apartment component will satisfy a marketplace that is seeking quality residential product with amenity by delivering an accommodation product that is in high demand across a broad purchaser spectrum and is currently undersupplied.

A handwritten signature in black ink, appearing to read 'Andrew Walker', written over a simple line drawing of a triangle.

Andrew Walker

Street Real Estate