

APPENDIX E – Referral Comments

Comments from Internal and external Agencies

Internal Memo

TO: David Palne
FROM: Alastair Peddie
DATE: 28 June 2011
SUBJECT: 121 Union Street, Cooks Hill (DA 10/1511)
Flood and Stormwater Management Assessment

David

Reference Documents

- Flood Information Certificate issued by Council to Northrop Engineers on 27 July 2010.
- Concept Stormwater Management Strategy and Flooding Report, Revision B, dated Sept. 2010, prepared by Northrop.
- Supplementary letter report from Northrop to CKDS Architecture dated 7/04/2011.
- Proposed Stormwater and Levels Plan prepared by Northrop, Drawing No. C02DA, Rev. D, dated 07/04/11.

Flood Management

The site has been identified by Council as in a flood prone area and a flood information certificate was issued to the developer's engineers in July 2007 (copy attached).

The calculated 1 in 100 annual chance (1% AEP) flood level for the site is 2.7 m AHD with an estimated Probable Maximum Flood level of 4.9 m AHD. The site has also been identified as a flood storage area. During the June 2007 flood event floodwater was recorded as reaching a peak level of 3.5 m AHD in this part of the catchment.

To address the local flooding issues and the development requirements of the Flood Management element of the Newcastle DCP 2005 Northrop Engineers prepared a flood report for the applicant.

The proposed minimum floor level for occupiable rooms in the development is 3.8 m AHD. To address local flood impacts the development has been designed to fill no more than 20 percent of the site area as required in the DCP.

The basement carpark under the western unit block has been designed to keep floodwaters out up to RL 3.0 m AHD and provide safe evacuation to upper floor levels for larger flood events. Parking under the middle unit block has been set at RL 2.5 m AHD as a low hazard area for the design 1% AEP flood event while providing flood storage areas for larger flood events.

The site will have access to flood free land on Corlette Street and incorporate onsite flood refuge areas. It is recommended that a flood emergency response plan be prepared and instigated for the site to ensure residents are aware of the flood risk and appropriate response measures are provided.

Stormwater Management

The designers have proposed a number of roofwater collection tanks with onsite reuse for toilet flushing, laundry usage and external irrigation. Overflow from the tanks and surface drainage will be collected and directed into gravel retention trenches located in the landscaped areas. Excess stormwater will be piped to the existing stormwater system in Union Street.

The proposed site stormwater system has been designed to comply with the requirements of the water management element of Councils current DCP.

Proposed Consent Conditions

- The development being designed to satisfy the requirements of the flood management element of the Newcastle DCP 2005 as outlined in the Concept Stormwater Management Strategy and Flooding Report, Revision B, dated Sept. 2010, prepared by Northrop Engineers. Full details to be included in documentation for a Construction Certificate application.

Reason: To minimise the extent of property damage and the risk of injury in the event of future flooding of the site.

- All stormwater runoff from the proposed development being managed in accordance with the requirements of the *Water Management* Element 4.5 of the Newcastle Development Control Plan 2005 and the associated Technical Manual as indicated on the Proposed Stormwater and Levels Plan prepared by Northrop Engineers, (Drawing No. C02DA, Rev. D, dated 07/04/11). Full details to be included in documentation for a Construction Certificate application.

Reason: To ensure that site stormwater runoff is properly managed in a safe and sustainable manner.

- 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 Newcastle City Council prior to occupation of the building. The plans shall be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.

Reason: To ensure the stormwater system is constructed in such a manner that achieves the design's objectives.

- Any alteration to natural surface levels on the site being 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. Full details are to be included in documentation for a Construction Certificate application.

Reason: To ensure that any such proposed works do not disrupt existing natural stormwater flows in the vicinity.

- An easement to drain water, 3 m wide, from proposed lot 12 (boarding house units site) through proposed lot 11 (proposed units site) being created and piped prior to issue of an Occupation Certificate.

Note: All associated survey and legal expenses in this regard are to be borne by the Developer.

Reason: To ensure that stormwater from the site can be adequately drained and to minimise the risk of future flooding of the subject property and adjacent property.

- A flood emergency response plan being prepared by independent consultants experienced in flood management and put in place by the applicant prior to occupation of the site for its intended use. The plan to be updated and maintained by the occupiers; to include an education and awareness component for the residents and detailed evacuation procedures where required; to interface with the local State Emergency Services plan (where appropriate) and to include provisions for any third parties likely to be involved.

The flood emergency response plan should address the following components:

- a) likely flood behaviour
- b) potential flood warning
- c) education awareness program
- d) evacuation and evasion procedures
- e) evacuation routes and flood refuges
- f) flood preparedness and awareness procedures for residents and visitors

Considerations should include the full range of flood risks, the proposed use of the site, site access constraints and local area evacuation routes to high ground. As much as possible, the plan should be aimed at self-directed evacuation or evasion to minimise the draw on limited State Emergency Services resources. Full details to be included in documentation for a Construction Certificate application

Reason: To adequately manage the risk of life, property and all potential adverse flood impacts within the flood environment.

Alastair Peddie
Senior Development Officer (Engineering)

NEWCASTLE CITY COUNCIL

DEVELOPMENT & BUILDING GROUP

MEMO TO: DAVID PAINE

FROM: JEFF GARRY

DATE: 2nd MAY 2011

SUBJECT: DA 10/1511 - TRAFFIC ASSESSMENT – 121 UNION STREET,
COOKS HILL – RESIDENTIAL FLAT BUILDING & BOARDING
HOUSE

David,

A review of the additional advice submitted for this application has been completed and the following advice is provided for your attention.

Proposal

The proposal involves the demolition of the existing Bimet Lodge on the site and construction of multi-storey residential flat buildings, boarding houses and associated car parking. A total of 107 residential flats (91 one bedroom, 12 two bedroom & 4 three bedroom), 112 boarding house bedrooms plus a managers residence and 159 on-site car parking spaces are proposed.

Assessment Scope

- Correspondence from ADW Johnson dated 20 April 2011.
- Amended Traffic Assessment by TPK & Associates dated April 2011.

Comment

In my previous referral of 2nd March 2011 the following recommendation was made;

The proposal in its current state can not be supported as the traffic assessment submitted with the application does not provide sufficient information for assessment. The additional matters required to be addressed are as follows;

1. *The traffic assessment should be amended such that a traffic generation rate of 0.4 vlp/h be used for boarding house bedrooms.*
2. *Sidra analysis of the Parkway Avenue / Union Street intersection is to be included in the report.*
3. *Sidra modelling should include modelling of future traffic volumes for a 10 year horizon period up to 2020/2021.*

4. The Sidra modelling results provided show long delays and some queuing in Tooke Street at the Tooke Street / Union Street intersection indicating that a higher level of control may to be provided at the intersection. However the argument of traffic spreading across alternate routes to other intersections is considered an appropriate argument particularly with traffic signals proposed for the corner of Pary Street and Union Street. This argument needs to be expanded further within the report however, with possible alternate travel routes more specifically detailed and an assessment of spare capacity within these travel routes. A traffic accident analysis of the Tooke Street / Union Street intersection also needs to be provided to justify the argument that no upgrading of this intersection is required.
5. The proposal seeks to justify on site parking in terms of the SEPP (Affordable Rental Housing) for the boarding house component of the development. This SEPP provides concessions in on site parking on the basis that significant higher alternate transport mode trips i.e. public transport, walking and cycling, will occur as the boarding house will be more attractive to low income earners who don't own a car. It would therefore seem reasonable that the TIA should provide some discussion on the availability and convenience of public transport and pedestrian and cycle facilities to shopping and service areas.
6. Based on the findings of the assessment required in Point 5 the TIA needs to address the additional demand placed on alternate transport modes from the development and what additional facilities both internal and external are required to cater for the increased demand.
7. An assessment against environmental capacity thresholds for Corlette Street and other likely travel routes as identified in point 4 should be included in the traffic assessment.
8. Council supports the proposal to access the site via Corlette Street however does not support the provision of two accesses to the Street. The southern access is to be removed from the plans with all access to Corlette Street being via the proposed boarding house access. Council would consider a secondary access to Union Street at the existing Bimet Lodge access provided it did not result in a loss of on street car parking in Union Street.
9. The proposal includes 13 tandem (stacked) parking spaces. Council's DCP states that stacked parking spaces are generally not supported unless it can be demonstrated that such parking would not obstruct or impeded any vehicle. The TIA should demonstrate that this will be the case if Council is to support the tandem (stacked parking).
10. The TIA should provide a brief assessment of the car park layout in regard to compliance with AS2890.1-2004 and in particular manoeuvrability and circulation. It is noted the car parks have been designed as long blind aisles which does not aid circulation of vehicles looking for a park when the car park is nearing or at capacity. As a result I believe a number of car parks will be lost so that turning bays can be provided at the end of the long blind aisles.
11. The TIA has not addressed motor cycle and bicycle storage facilities other than to say adequate facilities will be provided on site. Similar to cars this assessment needs to show compliance with the DCP and SEPP requirements and be reflected in the architectural plans.
12. The scale of the development is such that it is expected waste removal will be via a private contractor. The TIA should identify how these waste collection

vehicles will enter and exit in a forward direction and should nominate the size of collection vehicle to be used and the frequency of collection.

The additional information has attempted to address these deficiencies as follows;

1. The traffic generation rate has been satisfactorily amended.
2. The argument that the additional traffic on the Parkway Avenue / Union Street intersection will represent less than 10 % of traffic flows through the intersection and thus the impacts will be negligible is accepted. No further modelling is required. The submitted report however is not clear on the traffic distribution to Parkway Avenue. On a worst case scenario assuming a 70:30 trip split from the driveways and then further distributions at the parkway Avenue Corlette Street intersection the maximum no. of trips through the intersection is only likely to be of the order 40 to 45 vph while total traffic volume through the signals is in the order of 1300 to 1500 vph.
3. The Sidra modelling has shown that traffic movements out of Tooke Street will become difficult over the next 10 years due to back ground traffic growth rather than traffic generated by this development. Suitable intersection performance will occur post development. It is acknowledged however that should traffic movements become difficult at this intersection motorists will tend to amend their travel routes to enter the collector / sub-arterial road network at intersections with higher levels of control and thus easier to use i.e. Parkway Avenue. The modelling has shown a roundabout at Tooke Street would operate satisfactorily however discussions with Council's traffic section indicates they would not support any work at this intersection due to the future installation of lights at the Parry Street / Union Street intersection. Therefore no upgrading of the Tooke Street intersection will be required.
4. The traffic accident analysis has been undertaken and considered satisfactory. No clear trend in accident history at the site.
5. The response from the applicant on this point is somewhat disappointing and I am of the mind to not support the proposal on the basis they have not addressed alternate transport mode issues in the report. With some 107 units and 112 boarding rooms it is not unreasonable to expect that the proposal will increase the demand for cycling, walking and public transport. An assessment would have identified that there are existing public transport services along Union Street that could be utilised by residents so no extension of the service is required. Similarly an assessment would determine that there are no dedicated existing cycle paths in the area that could be linked to therefore aside from providing suitable on site storage areas no additional cycle infrastructure is required. The assessment of pedestrian facilities in the amended report is satisfactory.
6. My assessment (in lieu of an assessment within the traffic report) is that the nearby bus stops (Union Street & Kemp Street) do not have shelters and seats and given the increased demand a nexus exists to require provision of shelters at the nearby bus stops.
7. Environmental capacity assessment has been carried out and is OK.
8. I am of the opinion that as the development is on two existing lots Council should support the provision of 2 accesses to the site as should this development not go ahead future development of the lots may have the same result. The removal of the Union Street access will also improve road safety.

Therefore overall the provision of 2 accesses on Corlette Street is considered reasonable.

9. The tandem parking is located within the controlled secure area of the car park to be used by tenants only. Therefore the argument that by allocating these to tenants the internal manoeuvring's can be managed such that nobody is blocked or impeded unless parking in the wrong spot is accepted.
10. Having reviewed the layout and accepting that long blind aisles are acceptable in the secure controlled parking areas I believe the proposal can meet the requirements of AS2890.1-2004 ensuring forward entry and exit from the site.
11. A suitable assessment has now been carried out.
12. Turning templates have been provided and I am satisfied the waste vehicle will enter and exit the site in a forward direction.

Having reinspected the site and read the arguments presented in the traffic report about the traffic conditions during school periods I am willing to support the proposal for the following reasons;

- The AM peak for the school lasts approximately 30 minutes only but will coincide with the development peak. However provided suitable sight lines in accordance with AS2890.1-2004 are provided there is no reason that a suitable road safety environment would exist at the site.
- The PM peak for the school will not coincide with PM development peak and provided suitable sight lines in accordance with AS2890.1-2004 are provided there is no reason that a suitable road safety environment would exist at the site.

I am also of the opinion that the narrow section of Corlette Street has some traffic management advantages in that it will slow traffic in the vicinity of the school and will discourage development traffic from heading south past the school particularly during the school peaks. Therefore despite my initial opinions I am now of the opinion that at least the section of Corlette Street along the school frontage should not be widened. However widening of the section of Corlette Street along the frontage of the development may encourage vehicles to access the site from the north as well as improve driver visibility in the region of the proposed accesses and is recommended.

Recommendation

Despite my initial reservations I am now of the opinion that the proposed development can be supported with two accesses to Corlette Street but with the following conditions of consent;

2 CONDITIONS REQUIRING PAYMENT OF A MONETARY CONTRIBUTION / DEDICATION OF LAND / CARRYING OUT OF OFF SITE WORKS

- 2.7 Dwelling type vehicular crossings being constructed across the public footway at the proposed driveway entrance/exits at no cost to Council and in accordance

with Council's A017 Series (Concrete Vehicular Crossings) design specifications and such crossing being properly maintained.

Reason: To ensure the provision of adequate clearly defined and properly constructed means of all-weather vehicular access to the site in order to encourage the use of on-site parking facilities and in the interest of maximising vehicular and pedestrian safety and convenience.

- 2.9 Any redundant existing vehicular crossings being removed at no cost to Council and the public footway and kerb being restored to match the existing infrastructure.

Reason: To clarify site access arrangements in the interest of traffic and pedestrian safety, as well as road efficiency, to maximise kerbside parking opportunity and to ensure that reinstatement work is undertaken to an appropriate standard.

- 2.14 Any necessary alterations to public utility installations being at the Developer/Demolisher's expense and to the requirements of both Council and the appropriate authorities.

Reason: To ensure that any required alterations to public utility infrastructure are undertaken to acceptable standards and without demands on public sector resources.

- 2.17 A temporary protective crossing being provided over the footway for vehicular traffic before building operations are commenced. This approval does not permit access to the property over any adjacent private or public land.

Reason: To ensure public safety and protection of public assets.

- 2.22 The developer designing and constructing the widening of Corlette Street to match the existing kerb alignment at the Tooke Street intersection along the frontage of the site at no cost to Council and in accordance with Council's current construction requirements. Such works are to be implemented prior to occupation of the premises.

Reason: To ensure that public road facilities are upgraded to an appropriate standard having regard to the additional traffic movements likely to be generated by the proposed development.

Note: The Developer is advised to confer with Council's Development & Building Services Section in order to confirm Council's design requirements and construction standards prior to the commencement of the civil works within the public road.

3 CONDITIONS REQUIRING INCLUSION OF DETAILS IN DOCUMENTATION FOR A CONSTRUCTION CERTIFICATE APPLICATION / MATTERS TO BE RESOLVED PRIOR TO CERTIFICATION OF SURVEY PLANS / MATTERS TO BE RESOLVED PRIOR TO OCCUPATION OF THE PREMISES

Vehicular Access, Driveway, Parking and Loading Arrangements

3.50 On-site parking accommodation being provided for a minimum of 150 cars, as well as 141 bicycle spaces and 29 motor cycle spaces. Such facilities being set out generally in accordance with the minimum parking layout standards indicated in Australian Standard AS 2890.1-2004 "Parking facilities – off street car parking", Australian Standard AS 2890.6-2009 "Parking facilities – off street car parking for persons with a disability" and Element 4.1 of Council's Newcastle DCP 2005. Full details are to be included in documentation for a Construction Certificate application.

Reason: To ensure the provision of adequate on-site parking facilities commensurate with the demand likely to be generated by the proposed development.

3.59 All proposed driveways, parking bays and vehicular turning areas being 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. All driveways and manoeuvring areas are to be designed in accordance with Australian Standards AS 2890.1 – 2004 "Parking facilities – Off-street car parking" Full details are to be included in documentation for a Construction Certificate application.

Reason: To facilitate the use of vehicular access and parking facilities and to minimise any associated noise and dust nuisance.

3.64 Landscaping and any other obstructions to visibility should be kept clear of or limited in height to 0.6 m in the 2.5 metre by 2 metre splay within the property boundary each side of the driveway entrance. Full details are to be included in documentation for a Construction Certificate application.

Reason: To ensure adequate sight distance to traffic on the frontage road and sight distance to pedestrians on the frontage road footway.

GENERAL CONDITIONS

Vehicular Access Driveway Parking and Loading Arrangements

5.56 The proposed parking bays being clearly indicated by means of signs and/or pavement markings.

Reason: To encourage the use of the proposed on-site car parking facilities and thereby minimise kerbside parking in the adjacent public road as a result of the proposed development.

5.59 The vehicular entrance and exit driveways and the direction of traffic movement within the site being clearly indicated by means of reflectorised signs and pavement markings.

Reason: To ensure that clear direction is provided to the drivers of vehicles entering and leaving the premises in order to facilitate the orderly and efficient use of on-site parking spaces / facilities and driveway access and in the interest of traffic safety and convenience.

5.65 All vehicular movement to and from the site being in a forward direction.

Reason: To ensure that the proposed development does not give rise to vehicle reversing movements on or off the public road with consequent traffic accident potential and reduction in road efficiency.

Stormwater and Flood Control

3.98 The Developer instituting appropriate erosion protection and soil stabilisation measures in association with the proposed site works. Such measures are to be designed in accordance with the requirement of the Department of Water and Energy. Full details are to be included in the documentation for a Construction Certificate application.

Reason: To control soil erosion and prevent sedimentation of surrounding lands both private and public.

Utility Services

5.190 All public footways, footpaving, kerbs, gutters and road pavement damaged during the works being immediately repaired following the damage, to a satisfactory state that provides for safe use by pedestrians and vehicles. Full

restoration of the damage is to be carried out to Council's satisfaction prior to the issue of any occupation certificate in respect of the development.

Reason: To ensure that safe conditions are maintained on the site during construction and that the required restoration is undertaken to acceptable standards, without demand on public sector resources.

General

5.191 Where the proposed development involves the destruction or disturbance of any existing survey monuments, those monuments affected being relocated at no cost to Council by a surveyor registered under the Surveyor's Act.

Reason: To ensure that existing permanent survey marks which may be affected by the development are appropriately reinstated.

ADVISORY CONDITIONS

NON STANDARD CONDITIONS

A1. Appropriate lighting being provided for the car park and pedestrian pathways in accordance with AS 1158 - Lighting and AS 4282 - Control of the Obtrusive Effects of Outdoor Lighting, such being installed prior to the occupation of the portion of the premise the subject of this application.

Reason: To ensure that adequate and appropriate lighting facilities are provided for the proposed development.

A2. Appropriate arrangements being made for the collection of waste (recyclable and non-recyclable) from the development and such arrangements being in place prior to the occupation of the premises the subject of this development application.

Reason: To ensure suitable garbage removal arrangements are provided in association with the proposed development in the interest of public safety.

A3. Separate bins being provided within the proposed development to enable the on-site separation of recyclable and non-recyclable garbage, such arrangements being in place prior to the occupation of the premises the subject of this development application.

Reason: To ensure suitable garbage arrangements are provided in association with the proposed development in accordance with Council's Waste Minimisation Policy.

- A4. Prior to commencement of site works the developer submitting 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.

Note: The required plan is to ensure the provision for safe, continuous movement of traffic and pedestrians within the road reserve. The plan is to be prepared in accordance with Australian Standard 1742.3 – 2002.

Reason: To control vehicular and pedestrian traffic movements in the public road reserve during the construction phase

- A5. The maximum size vehicle that shall access the development is to be a heavy rigid vehicle (HRV) 12 metres in length as defined in Australian Standard AS 2890.2 – 2002 – "Parking facilities – Off-street commercial vehicle facilities. Under no circumstances should any vehicle larger than this enter the site.

Reason: To control vehicular activity associated with this development in the interest of public safety and amenity.

- A6. The developer being responsible for the provision of additional regulatory signage and all adjustments to and/or relocation of existing regulatory signage as part of this development at no cost to Council and in accordance with Council requirements, such works to be implemented prior to the occupation of the premises.

Note: Alterations to regulatory signage will need to be referred to the Newcastle City Traffic Committee for approval.

Reason: To ensure that public road facilities are upgraded to an appropriate standard having regard to the additional traffic movement and pedestrian activity likely to be generated by the proposed development.

- A7. All external ramps and pathways within the site required to be accessible for persons with disabilities being designed and constructed in accordance with AS.1428 – Design for Access and Mobility. Kerb ramps are to be provided adjacent to disabled parking bays. Full details are to be included in documentation for a Construction Certificate application.

Reason: To ensure appropriate disabled persons access is provided for this development in accordance with the appropriate standards.

- A8. Proposed parking areas, driveways, vehicular ramps and turning areas being maintained clear of obstruction and being used exclusively for purposes of car parking and vehicle access, respectively. Under no circumstances are such areas to be used for the storage of goods or waste materials.

Reason: To ensure the proposed/required parking, facilities and associated driveways are able to function efficiently for their intended purpose and are not otherwise used in a manner which detracts from the overall appearance of the development.

A9. No work within the public road being commenced until Council's separate written approval has been obtained.

Note:

- 1) A separate road works application is required for the works to be undertaken in the public road.
- 2) Engineering design plans and specifications for the works being undertaken in the public road reserve are required to be submitted to Council for approval with the Road Works application.
- 3) An additional fee will be required by Council for the assessment of engineering plans submitted for the public road works. In this regard the developer is advised to confer with Council's Development & Environment Section in order to confirm this fee.

Reason: To ensure that any work within the public road is carried out in accordance with Council's and the Roads & Traffic Authority's requirements and under Council supervision.

A10. Wheel stops being provided along the front of parking spaces in accordance with AS 2890.1 Parking. Full details are to be included in documentation for a Construction Certificate application.

Reason: To ensure safe and convenient use of on-site parking and to minimise vehicular and pedestrian conflict.

A11. The development is to be provided with appropriate secured bicycle parking facilities in the car park area. Full details are to be included in documentation for a Construction Certificate application.

Reason: To ensure appropriate facilities are provided for cyclists within the development.

A12. A pavement design report for the construction of the internal access driveway and carpark is to be prepared and certified by a practising geotechnical engineer, and such being included in documentation for a Construction Certificate application.

Reason: To ensure the future integrity of the internal road network and carpark of the development.

A13. Written certification from a Practising Geotechnical Engineer that the internal access driveway and carpark has been constructed in accordance with the geotechnical requirements is to be submitted to the Principal Certifying Authority prior to the occupation of the premise.

Reason: To ensure the future integrity of the internal access driveway and carpark of the development.

A14. Appropriate bus shelters in accordance with Council requirements being provided at no cost to Council at the bus stops designated as servicing the subject development.

Reason: To ensure that adequate and appropriate facilities are provided for residents utilising public transport.

Regards

Jeff Garry
CONSULTANT ENGINEER

Internal Memo

TO: David Palne
FROM: Heritage Officer
DATE: Thursday 12 May 2011
SUBJECT: 121 UNION STREET COOKS HILL - DA10/1151

References

1. Development Application Drawings, CKDS Architecture,
2. Planning report Development Application 10/1151 Proposed Residential Flat Building & Boarding House Lots 1&2 DP 1050041 121-123 Union Street Cooks Hill, ADW Johnson, 5 May 2011
3. Heritage Impact Statement, Heritas, Issue G, 2 May 2011
4. Miller Union Development Union Street Cooks Hill, Newcastle, Urban Design Assessment of Building Heights, HBO + EMTB Urban and Landscape Design, 5 May 2011.

Heritage Status

Cooks Hill Heritage Conservation Area.

Heads of Consideration – Environmental Heritage Conservation

Under Part 4, Cl. 27 (b) *Environmental Heritage Conservation – Heritage Assessment* NLEP 2003, Council must have regard to the extent to which a development application to carry out work within a heritage conservation area would affect the heritage significance of the heritage conservation area. The assessment shall include consideration of a heritage impact statement that addresses at least the following issues:

- (i) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, tree, or place affected by the proposed development makes to the heritage significance of the area; and
- (ii) the impact the proposed development would have on the heritage significance of the heritage conservation area; and
- (iii) the compatibility of any proposed development with the nearby original buildings and the character of the heritage conservation area, taking into account the scale, form, orientation, setbacks, materials and detailing of the proposed development, and
- (iv) the measures proposed to protect the significance of the heritage conservation area and its setting; and
- (v) whether any landscape or horticultural features which contribute to the heritage significance of the area would be affected by the proposed development.

Cl. 27 (b) (i) Heritage significance of the heritage conservation area & the contribution which any building makes to the heritage significance of the area

The existing buildings currently operate as Blmet Lodge, and are not contributory to the Heritage Conservation Area. The property contains vacant land which is not contributory to the heritage conservation area.

Future City



The streetscape of Corlette Street is a mix of traditional forms of housing typical of Cooks Hill including several well cared for California bungalows and a transition to the south with two storey attached housing and the Grammar school buildings at the west side of the street.

Cl. 27 (b) (II)

The impact the proposed development would have on the heritage significance of the heritage conservation area

The development proposes a residential development comprising 107 units including 91x1 bedroom units; 12x2 bedroom units; and 4x3 bedroom, along with a boarding house containing 112 bedrooms and a manager's residence. In addition, at-grade and basement car parking for 159 vehicles will be provided.

The development is arranged into 3 separate blocks, with the highest block – a five storey component located towards the centre of the site, flanked by buildings of three and four storeys. The greatest setback to any single boundary is the north boundary.

A Heritage Impact Statement as amended supports the proposal for a number of reasons as set out in Chapter 7 of that report. The HIS notes that the "breakdown of forms along both street frontages results in amassing that respects the context of smaller residential blocks in the area," (Heritas: 18). The HIS is supportive of the setbacks to boundaries, and the revised landscape treatment which now includes additional vegetation screening between the Boarding houses on Bruce Street and the rear yards of the housing in Tooke Street. An aspect of the development that was previously identified as a potential detrimental impact on the HCA – that is the contrast in the height of the building proposed with the lower scale of housing stock in the HCA. To this extent, additional vegetation and landscape design treatments have been proposed which will ameliorate this impact. The HIS notes "The proposal of two large mature trees in the visitors car park will contribute to the visual buffering of car-parking along the northern boundary of the site," (Heritas:18). I support the additional landscape treatment on the basis that it will minimise the obtrusiveness of the development when it is viewed from the houses on Tooke Street, a concern I raised in my assessment of the original proposal.

My concern, similar to concerns raised by the Cooks Hill Resident's Group, regarding the dramatic scale departure of the proposal, especially to Union Street and Corlette Streets, has been attenuated by the revised landscaping design and amended colour scheme for the Union Street apartments. Additional photo montages illustrate that the height variation, when seen in the context of the total streetscape, are not of major concern and are acceptable given the mitigation measures now proposed by the applicant. It is noted that the revised landscaping to Union Street will merge the development into the context in a more sympathetic manner than previously proposed. The HIS notes "The inclusion of large trees...will soften the development within the streetscape," (Heritas: 18). Again, "the positioning of four large trees at the pedestrian site access entrance on Union Street serves to minimise the built form to the north from 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 effect can be seen in the photo montages presented in the Urban Design report and in the documentation submitted by CDKS.

Cl. 27 (b) (III)

the compatibility of any proposed development with the nearby original buildings and the character of the heritage conservation area, taking into account the scale, form, orientation, setbacks, materials and detailing of the proposed development

Owing to the amendments made to the landscaping design and the colour scheme I am generally comfortable with the proposal in terms of the scale, form, orientation, setbacks, materials and

Future City



detailing of the proposed development. I am of the view that the development now before council has merit on urban design grounds and as is generally compatible with the edge of the Cooks Hill Heritage Conservation Area.

Cl. 27 (b) (iv) The measures proposed to protect the significance of the heritage conservation area and its setting

See above.

Cl. 27 (b) (v) Whether any landscape or horticultural features which contribute to the heritage significance of the area would be affected by the proposed development

Not applicable to this application.

Recommendation

The proposed development has been amended to address heritage concerns and I am generally now comfortable with the scale and bulk of the development and its relationship with the edge of the adjacent Cooks Hill Heritage Conservation Area.

HERITAGE OFFICER
Sarah Cameron

In reply please send to: Head Office Newcastle
 Our reference: FN02-00345N0
 Your reference:
 Contact: Temporary PA to CEO (02) 4908 4395

Northrop Engineers
 323 Charlestown Road
 CHARLESTOWN NSW 2290

26 October 2010

Dear Sir

BUILDING/DEVELOPMENT APPLICATION NO. TBA10-15395N1
LOT 2 DP 1050041 NO 121 UNION ST COOKS HILL

In September 2010 the Members of the Mine Subsidence Board approved this application subject to:

1. Additional sensitivity analysis of pillars and consideration of a subsidence profile being provided.
2. The final drawings to be submitted prior to commencement of construction, contain a certification by a qualified structural engineer, to the effect that any improvement constructed to meet the specifications of such final drawings will be safe, serviceable and repairable taking into account the geotechnical conditions on the site.

In response to Approval Condition 1 above, the applicant has submitted a Desktop Mine Subsidence Assessment – Addendum (Job No. NL100154) from Northrop Engineers, which includes a report from Coffey Geotechnics (GEOTWARA21375AA-AE) dated 17 September 2010. The Coffey Geotechnics Report advises the mine workings are long term stable and includes the following estimates for subsidence parameters;

- Maximum vertical subsidence 540mm
- Maximum tensile strain 3.6mm/m
- Maximum compressive stress 5.4mm/m
- Maximum tilt 16mm/m
- Compressive curvature radius 2km

The maximum tilt level would not normally be acceptable to the Board. However, based on the advice this would only occur in a very localised area (4m x 4m) and the structure would still remain structurally adequate the Board will accept the engineering advice. The ability to repair this section of the building needs to be considered in the engineering detail. Approval is granted in the knowledge the Mine Subsidence Board would not consider releveling where tilts are less than 7mm/m.

Standard (Auto) BAs



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Based on the advice submitted, Approval Condition 1 is satisfied, subject to the applicant designing the structure such that it will remain safe, serviceable and repairable in the event that the above mine subsidence parameters occur.

Approval Condition 2 is still to be met by the applicant.

Please do not hesitate to contact me if I can be of further assistance.

Yours faithfully



GJ Cole-Clark
Chief Executive Officer