
Zone Objectives

The objectives of the 2(b) – 'Urban Core' zoning are:

'(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.'

The proposed development is consistent with the objectives of the current zone. The proposal will provide a diversity of housing types which respects the locality and the surrounding commercial and residential uses. The development also makes appropriate provision for parking associated with the existing Adamstown Club whilst protecting the amenity of the area. The development will have no impact on existing housing stock in the area, and will provide additional housing supply.

Definition & Permissibility

The proposed development is best defined as 'urban housing' under the provisions of the Newcastle Local Environmental Plan, 2003.

Urban housing is defined under the LEP as:

'urban housing' means a building or buildings comprising two or more dwellings.

The development of 'urban housing' is permitted with development consent under the provisions of the current zoning.

5.2 Draft Environmental Planning Instruments

5.2.1 Draft Newcastle Local Environmental Plan 2011

The draft Newcastle LEP 2011 was reported to Council on 21 June 2011. At that meeting Council resolved to adopt the draft Newcastle LEP 2011 and the plan has now been referred to the NSW Department of Planning and Infrastructure for adoption.

It is anticipated that the LEP will be adopted sometime in either late 2011 or early 2012. The following sections of this statement deal with the Draft LEP as exhibited.

Zoning

The subject land mostly has a zoning of R4 – 'High Density Residential' under the provisions of the *Draft Newcastle Local Environmental Plan, 2011*.

Lot 38 (the southernmost lot with the proposed at grade carparking area) has a zoning of R3 – 'Medium Density'.

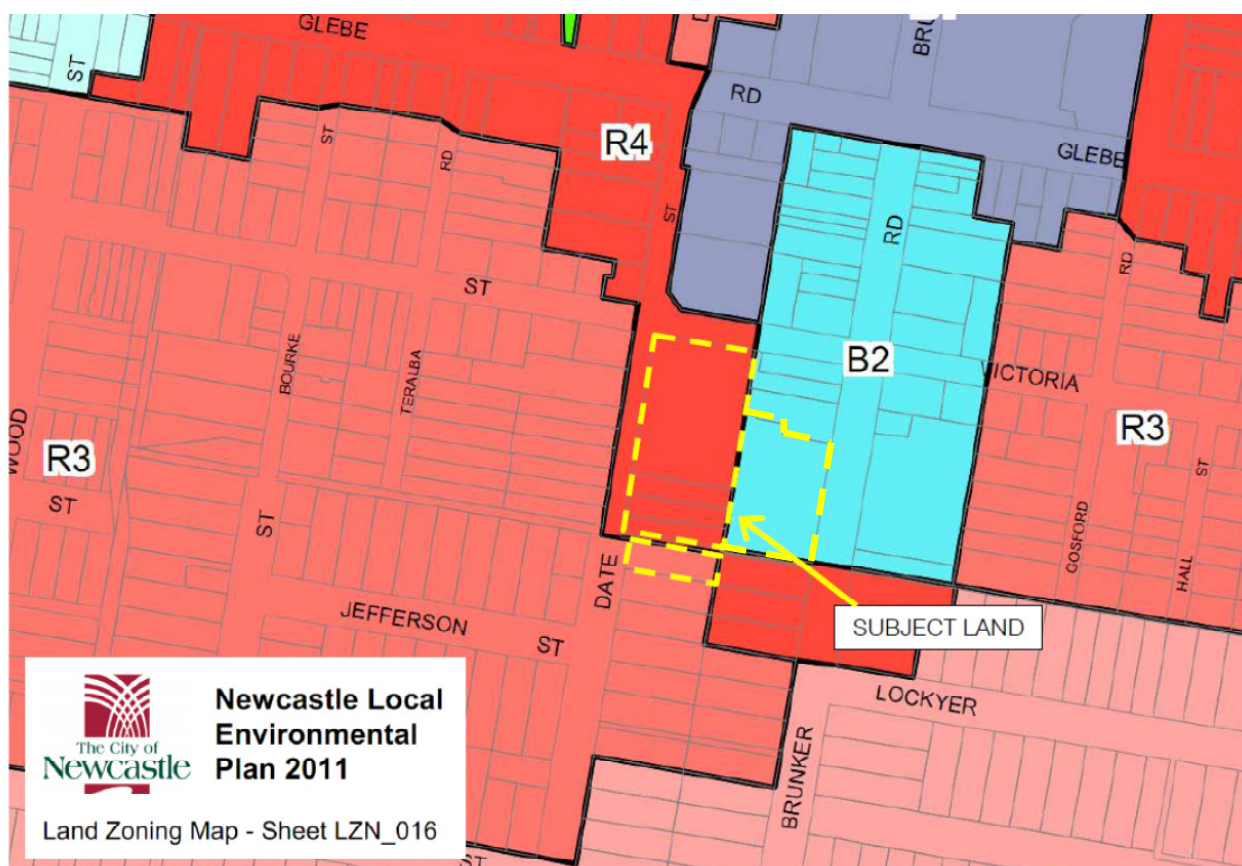


Figure 11: Proposed Zoning under the Draft Newcastle Local Environmental Plan 2011 (Source: Newcastle City Council).

Zone Objectives

The objectives of the R4 – 'High Density Residential' are:

'To provide for the housing needs of the community within a high density residential environment.'

To provide a variety of housing types within a high density residential environment.

To enable other land uses that provide facilities or services to meet the day to day needs of residents.

To promote a denser urban form along transport corridors while respecting surrounding residential character in adjoining streets.

To maximise redevelopment and infill opportunities for high density housing within walking distance of centres.

To provide for commercial development that contributes to the vitality of the street where provided within a mixed use development.'

The proposed development is consistent with the objectives of the zone as provided within the emerging LEP. The development will provide a range of housing types in a residential density which is consistent with the desired future character of the area (and at a density which is above that of the existing surrounding residential areas). The proposal provides this more dense urban form close to existing primary transport corridors (Brunke and Glebe Roads) and a development form which is consistent with the residential character of adjoining streets. The proposal provides opportunities for integration of the residents into the Adamstown Corridor as the land is within walking distance of key services and transport opportunities.

Definition & Permissibility

Under the provisions of the *Draft Newcastle Local Environmental Plan 2011*, the proposed development is best defined as a 'residential flat building', defined under the Draft LEP as:

'residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.'

The development of residential flat buildings are permitted with development consent.

In addition, 'car parks' are permitted with development consent on land proposed to be zoned R3 – 'Medium Density Residential'

Maximum Building Height

Clause 4.3(2) of the Draft Newcastle Local Environmental Plan, 2011 states, in relation to maximum building height:

'The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.'

An extract of the building heights map is included in **Figure 12** below, highlighting that the maximum building height for the subject land is 20 metres.

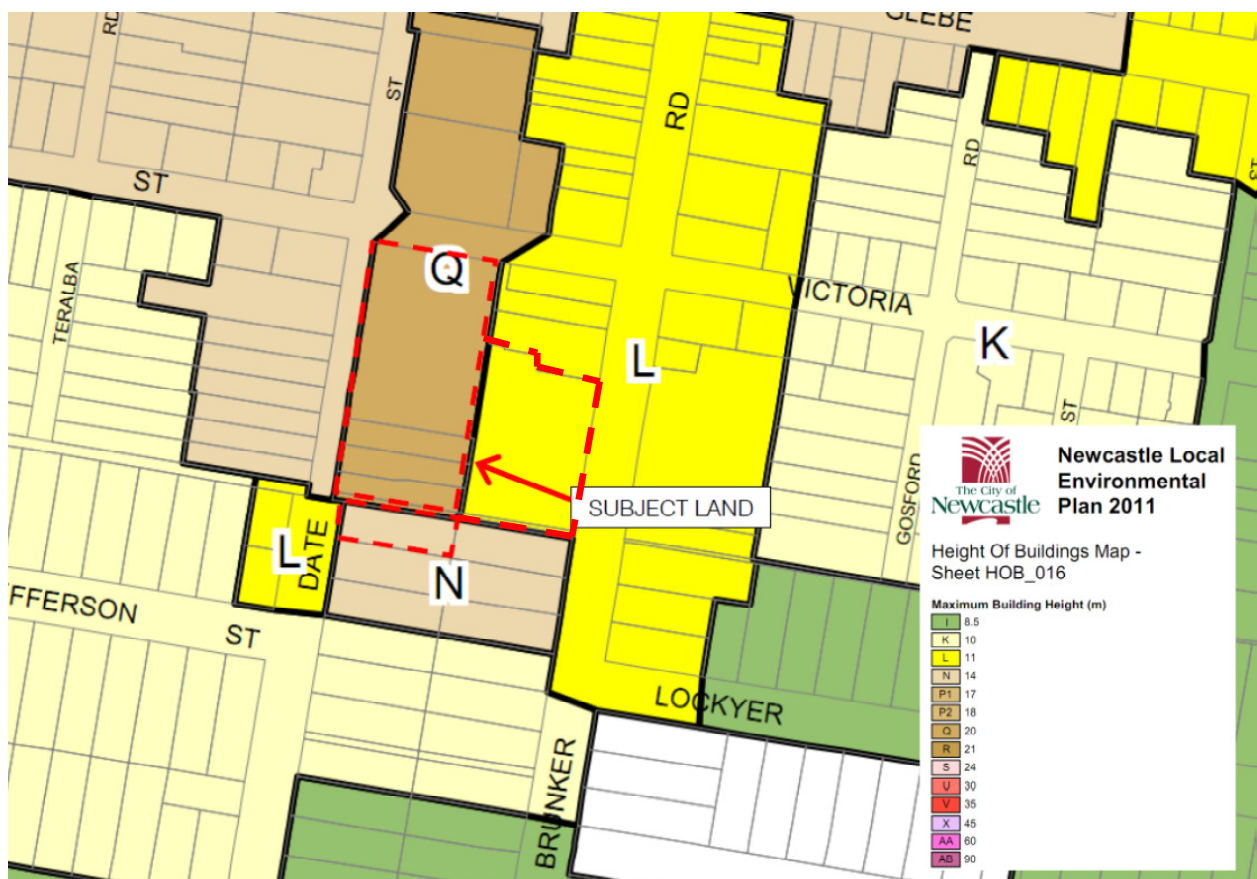


Figure 12: Maximum Building Heights map extract from the Draft Newcastle Local Environmental Plan 2011 (Source: Newcastle City Council)

Drawing No. DA 201 shows the extent of the required building height (and setbacks) as set out within Council's LEP. It is noted that there is a minor non-compliance in terms of the 20 metre height (by a distance of approximately 500mm). This required variation to the height standard is exceptionally minor. It is also noted that strict compliance with the stated standards would not alter the appearance of the building, as the roof structure at the gutter-line complies with the height requirement – it is a small section centrally on the site where the roof exceeds the height requirement, primarily as a result of the existing topography of the site.

It is important to note that there are specific comments on building heights within Council's DCP Element 6.13.

The DCP states, at Section 6.13.3:

'Building heights within the renewal corridor, where adjoining areas outside the corridor, should be not more than 4 metres above the envisaged maximum height of these adjoining areas'.

A copy of the Adamstown Renewal Corridor map is included below and it is noted that the subject land adjoins areas outside of the renewal corridor on both its southern and western boundaries. The land to the south of the subject site has a maximum height of 14 metres, which would reduce the maximum height requirements on the subject land to 18 metres if strict adherence to the DCP is maintained.

We are of the view that the objective of the reduced height requirement from the DCP can be achieved without compromising the maximum height of development across the entire site. In this respect, the proposed building has been provided with an increased setback from the southern boundary, with the elements of the building at the southern end of the site having a height which is reduced from that which is permitted across the remainder of the site. In our view, this provides the appropriate transition from the taller components of the development (and the Adamstown Renewal Corridor) without compromising the development of the entire site.

Details in relation to the non-compliance relating to height has been specifically dealt with in **Section 6.0** of this Statement.

Maximum Floor Space Ratio

Clause 4.4 of the Draft Newcastle Local Environmental Plan 2011 relates to maximum floor space ratios.

In this respect, Clause 4.4(2) states:

'The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map'

Figure 13 provides an extract of the maximum Floor Space Ratio maps from the Draft Newcastle Local Environmental Plan, 2011. This plan highlights that the subject land has a maximum floor space ratio requirement of 2:1.

The proposed development has a Floor Space Ratio of 1.9:1 and therefore complies with the maximum FSR as set out in the emerging Newcastle LEP.

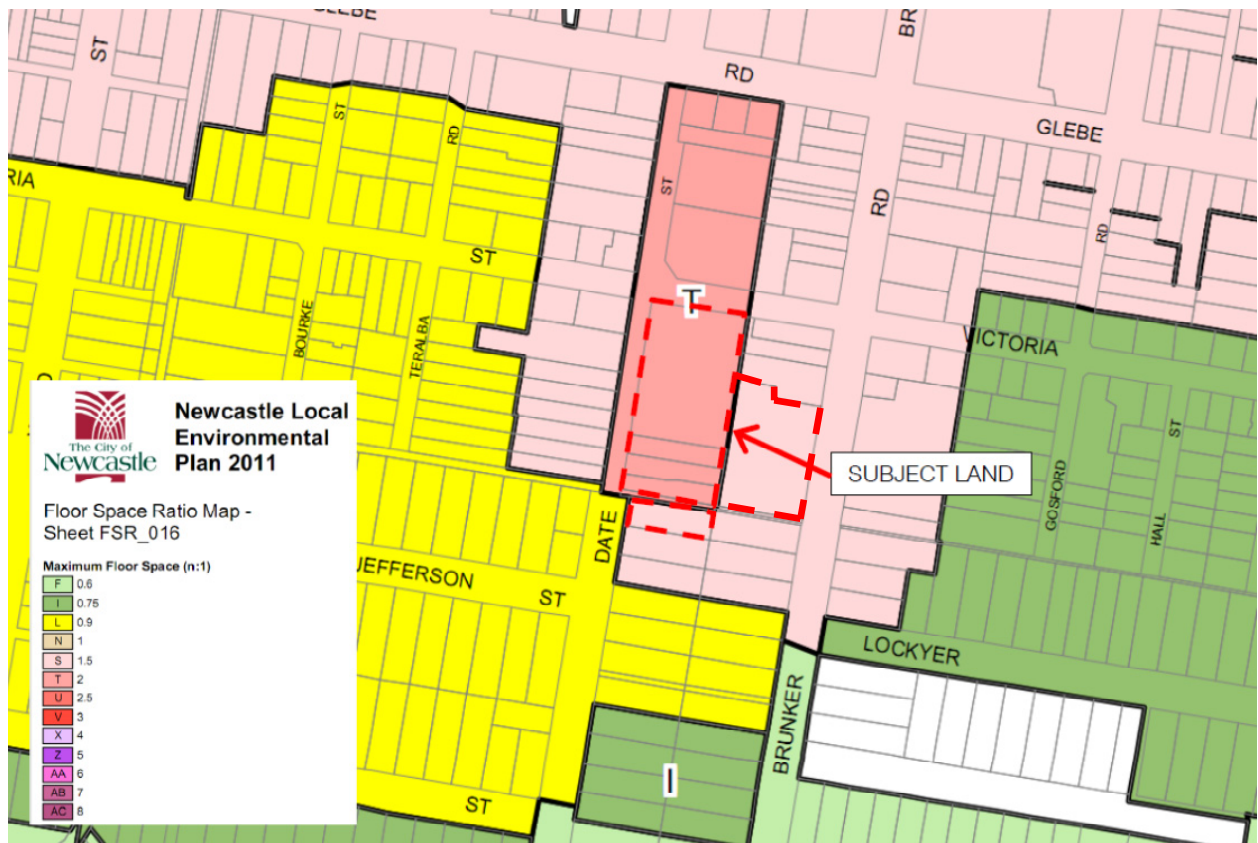


Figure 13: Maximum floor space ratio map extract from the Draft Newcastle Local Environmental Plan, 2011 (Source: Newcastle City Council).

Heritage Items

Mapping associated with the *Draft Newcastle Local Environmental Plan, 2011* indicates the location of heritage items in the area.

The mapping indicates that there are two (2) items of heritage significance within close proximity of the subject land.

These are:

- The former Adamstown RSL Memorial Hall (278 Brunker Road, Adamstown) –adjoining the subject site to the east.
- The Nags Head Hotel (268 Brunker Road, Adamstown) – on the corner of Brunker Road and Victoria Street.

Both of these items are listed as being of local heritage significance under the provisions of the Draft LEP and included as **Attachment 2** are the heritage register notations which provide details for each of these items.

The proposed development is somewhat separate from the existing heritage items and primarily fronts Date and Victoria Streets. The existing heritage items front Brunker Road and very much 'turn their back' on the location of the proposed development. The proposed development will have no impact on the physical structure or immediate adjoining lands near to any heritage item.

The former Adamstown RSL Memorial Hall fronts Brunker Road and is currently used as a Veterinary Hospital. The rear of this property which adjoins the proposed site is approximately 21 metres from the adjoining boundary.

The Statement of Significance notes:

"The item is historically significant of the civic history of Adamstown and a place of social importance associated with Memorial Halls in the early 20th century. The building has been sensitively adapted for use as a veterinary surgery. The front facade has been carefully restored under the guidance of a local heritage architect and this adds to its heritage significance and its contribution to the streetscape."

The major heritage contribution is to the streetscape. The rear of the property has been upgraded for its use as a Veterinary Hospital in a modern commercial style.

The streetscape significance of the Memorial Hall will be unaffected by the proposed development.

The Nags Head Hotel is on the corner of Victoria Avenue and Bruncker Road, northeast of the proposed development.

The Statement of Significance notes:

"Illustrates form and style of hotel development in the early 20th century. Located on prominent corner site."

The proposed development is approximately 35.6 metres to the southwest of the hotel. It will not overshadow or overlook the hotel nor affect the visual significance of the Nags Head, illustrating the form and style of a prominent corner hotel.

The heritage significance of the Nags Head Hotel will be unaffected by the proposed development.

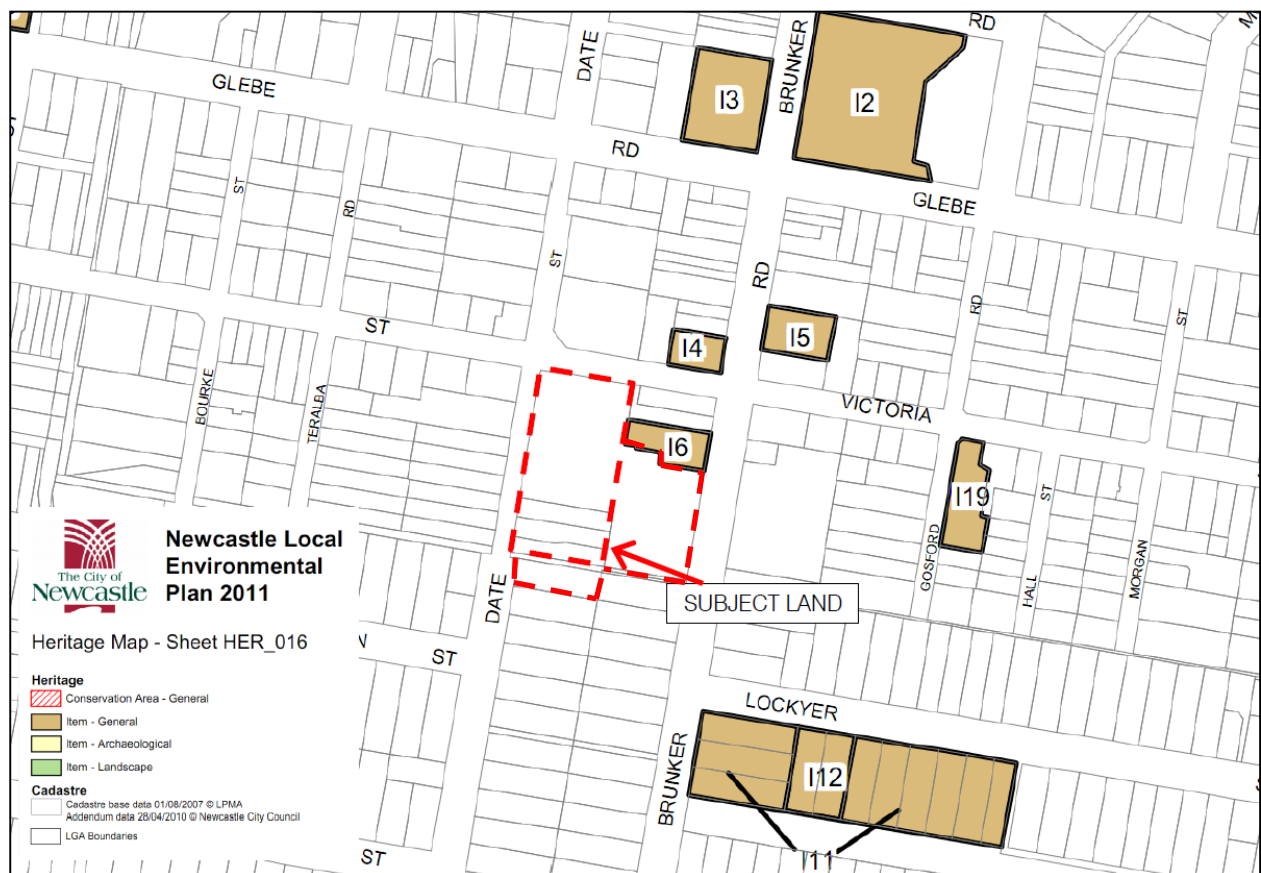


Figure 14: Heritage Items Mapping Extract from the Draft Newcastle Local Environmental Plan 2011.

5.3 Newcastle Development Control Plan 2005

5.3.1 Element 3.01 – Public Participation

Element 3.01 of the Newcastle Development Control Plan relates to public exhibition and participation requirements. Appropriate public exhibition of the proposed development and consideration of submissions will be undertaken as part of the Council's assessment process.

5.3.2 Element 4.01 – Parking & Access

For the purposes of the assisting Council in its assessment of the proposed development, parking and access provisions are dealt with in two components:

1. Parking associated with the residential development; and
2. Parking provided within the building to be allocated for use as part of the Adamstown RSL Club (note that separate, secure parking levels will be set aside for parking to be used in conjunction with the existing RSL Club).

Parking Provision

Parking and access arrangements for the residential component are dealt with in the following table:

Provisions/Requirements	Comment
<p>Carparking Spaces</p> <p>The Adamstown Renewal Corridor DCP (Element 6.13) states that carparking for residential development within the <i>Adamstown Renewal Corridor</i> shall comply with parking requirements from <i>Table 1A – City Centre of Element 4.01</i> of the <i>Parking DCP</i>.</p> <p>Parking to be provided at the following rates in accordance with Table 1A the DCP:</p> <ul style="list-style-type: none">• Small (<75m² or 1 bedroom) – average 0.6 spaces per unit• Medium (75m² - 100m² or 2 bedrooms) – average 0.9 spaces per unit• Large (>100m² or 3 bedrooms) – average 1.4 spaces per unit <p>Plus visitors spaces at the rate of 1 space for the first 3 units plus 1 space for every 5 units thereafter.</p> <p>15 studio and 41 X 1 bed apartments = 33.6 spaces</p> <p>36 X 2 bed apartments = 32.4 spaces</p> <p>1 X 3 bedroom apartment = 1.4 spaces</p> <p>Visitors Spaces = 20 spaces</p> <p>TOTAL REQUIRED = 86.8 spaces</p>	<p>The proposed development provides spaces for 235 vehicles in total (this includes 177 internal to the proposed building, 23 on the adjoining at grade parking area and 35 below the existing Adamstown Club building).</p> <p>The design provides for 91 spaces to be provided for the residential component which is over and above that required under Council's DCP.</p> <p>A further 143 spaces are provided to be dedicated to the Club.</p> <p>The parking for the Club will be provided in a separately secured component of the building – accessed via security key and separate barriers. The vehicular entry and exit from the road will be shared with the residential components of the building with separate, dedicated pedestrian connection provided to the Club for the car parking area.</p> <p>Please see the enclosed Traffic Report (Attachment 4) which also details discussion of the RTA parking requirements and incorporates the existing parking spaces provided for the Club.</p>

<p>Parking for Disabled Persons</p> <p>Council's DCP requires that 'a proportion' of parking spaces be provided for use by disabled persons and that these spaces are signposted and linemarked in accordance with Australian Standards.</p> <p>Parking for disabled persons is to be provided in accordance with relevant Australian Standards. Is to be line-marked and appropriately sign posted and located in a suitable location with respect to access to lifts and the like.</p>	<p>Parking for disabled persons is provided at the following rate within the development:</p> <ul style="list-style-type: none"> • 5 spaces dedicated within the residential component; and • 3 spaces dedicated within the RSL Club parking areas. <p>Each of the disabled spaces is appropriately located near to lifts and entries and will be sign posted and line-marked in accordance with relevant Australian Standards</p>
<p>Bicycle Parking/Storage</p> <p>1 Space per dwelling plus visitors spaces provided at the rate of 1 space for every 10 dwellings.</p> <p>(note, separate storage of bicycles can be considered under the provisions of the DCP</p> <p>Required:</p> <p>1 space per dwelling = 93 cycle spaces</p> <p>Visitors at the rate of 1 per 10 dwellings = 9.3 spaces</p> <p>TOTAL REQUIRED = 102.3 bicycle storage spaces.</p>	<p>104 bicycle spaces are provided within the development. This includes dedicated bicycle storage areas on each of the appropriate parking levels (adjacent to entry ways).</p> <p>In addition, separate storage areas are provided which could supplement bicycle parking spaces.</p>
<p>Motorcycle Parking</p> <p>1 motorcycle space per 20 car spaces</p> <p>11 Spaces are required in accordance with the DCP</p>	<p>15 motorcycle spaces are provided at selected locations within the development.</p>

Parking for the Adamstown Club

The proposed development will provide a dedicated lobby/lift/stair access from the newly provided dedicated RSL Club parking within the development to the existing RSL itself. Appropriate pedestrian connectivity will be established which will also comply with relevant standards for disabled access.

5.3.3 Element 4.04 – Landscaping

In accordance with the Newcastle DCP, Element 4.04, landscaping for urban housing development of greater than 10 dwellings requires a 'Category 3' landscape plan to be prepared by a qualified landscape architect. In accordance with the DCP, Category 3 projects include:

'large scale development or development on prominent or ecologically sensitive sites with a high degree of visual significance and environmental impact'

Further detail in relation to particular landscaping requirements for the proposed development are dealt with in separate, specific sections of the DCP, including *Element 5.02 – 'Urban Housing'*. See the enclosed Landscape Plans and **Section 6.5** of this Statement for further details.

5.3.4 Element 4.05 – Water Management

A BASIX Report has been prepared for the development and shows compliance with relevant requirements, this includes not less than 3 star shower heads, 4 star toilet systems and appliances along with 5 star taps throughout.

The BASIX report is included as **Attachment 5**.

5.3.5 Element 4.06 – Waste Management

A formal *Waste Management Plan* has been prepared and is included as **Attachment 3**.

5.3.6 Element 5.02 – Urban Housing

Element 5.02 of the Newcastle DCP relates specifically to Urban Housing developments.

References to the Newcastle Urban Strategy

DCP Section 5.2.1(a) makes reference to the Newcastle Urban Strategy. The Strategy has been referenced in **Section 2.2** of this Statement, with the primary concerns reiterated here.

The vision for Adamstown as set out in the Newcastle Urban Strategy is:

'Adamstown will become a more vibrant mixed use centre which serves residents and attracts visitors with development that strengthens the centre's viability.'

The Newcastle Urban Strategy incorporates mapping of 'precincts' within the Local Government Area to provide indicative future development targets.

The subject land has been mapped as partially within a 'business' precinct and partially within a 'substantial growth' precinct. Under the provisions of the Newcastle Urban Strategy, substantial growth precincts are defined as:

'residential land within a ten minute safe walk (approximately 800 metres) of an established district level centre and/or railway station, except land within a designated Heritage Conservation Area.'



Figure 15: Extract from the Precinct Maps included within the Newcastle Urban Strategy

The development of the subject land for a primarily residential scheme with parking to support existing commercial/community uses (The Adamstown RSL) is entirely consistent with the provisions of the Newcastle Urban Strategy and the intent for the area.

Building Form (DCP Section 5.2.2)

Provisions/Requirements	Comment
<p>Minimum Street Frontage (Substantial Growth Precinct Only)</p> <p>To encourage amalgamation of sites and to ensure that development does not isolate a small site.</p> <p>Minimum frontage of 15 metres required for developments in the substantial growth precinct.</p>	<p>The proposed development amalgamates a number of smaller sites to the south of the existing carpark to create a frontage to Date Street of around 98 metres.</p> <p>The development provides a logical extension to the site area by amalgamating the adjoining smaller lots.</p>

<p>Streetscape & Front Setback</p> <p>To ensure that new buildings make a positive contribution to the</p> <p>For substantial growth precincts, the setbacks of buildings should be related to the height of the building and width of the street so that buildings do not feel 'overbearing'.</p> <p>The DCP requires a setback of:</p> <ul style="list-style-type: none"> • 0m for non-residential uses • 6 metres for residential • 4 metres for balconies/verandahs <p>(Note: The 'Specific Provisions' set out in Element 6.13 of the DCP state that residential uses fronting Date Street should be setback 8m to balconies and 10m to building façade).</p>	<p>Victoria Street Frontage</p> <p>Residential apartments fronting Victoria Street have a setback of 6 metres (to the façade) with 5 metre setback to the edge of balconies.</p> <p>Date Street Frontage</p> <p>The terrace-style residences fronting Date Street have a setback of 6 metres, with 3 metres to the edge of the courtyard/open space areas.</p> <p>Despite the non-compliance with the stated numerical standards, the design of the building has been established along this frontage to compliment the adjacent residential developments (which are located outside the Adamstown Renewal Corridor Precinct).</p> <p>The residential scale of the terrace style dwellings provide a two-storey element which is reflective of the character and style of existing developments in the locality. Above this level, the main component of the 'apartment style' dwellings are setback a minimum 12 metres (to the balconies).</p> <p>This setback arrangement provides a suitable residential scale to the street, whilst providing for a significant setback to upper floors.</p> <p>Note that the southern and northern elements of the building have reduced setbacks, so as to 'anchor' the building and provide a suitable end point to the development. We note that at the Victoria and Date Street intersection this is consistent with Element 6.13.3 (c) of the DCP which aims to 'emphasise street corners' through use of maximum permitted heights and the like.</p>
<p>Side & Rear Setbacks</p> <p>Setbacks progressively increased with height.</p> <p>Building siting and height to minimise cut and fill.</p> <p>Adequate separation between dwellings for privacy, daylight access, amenity etc.</p> <p>Minimum side and rear setback of 4 metres for any part of a wall over 6 metres in height</p>	<p>A 7.8 metre setback is provided to the south (side) boundary.</p> <p>A 10 metre setback is provided to the east (rear) boundary.</p>
<p>Usable Open Space</p> <p>Balconies</p> <p>Minimum 8m² required for private open space on balconies. Open space areas must have dimensions of not less than 2 metres and be directly accessible from main living areas.</p> <p>Private Open Space At or Near Ground Level</p> <p>Must have minimum area of 25m². Must have minimum dimensions of 4 metres.</p>	<p>Private Open Space is provided for each of the apartment style unit through balconies with areas of between 8m² and 24m².</p> <p>Terrace style units fronting Date Street have private open space areas (via courtyard balconies) with areas of between 23.25m² and 30.6m².</p> <p>All private open space areas/balconies are provided with direct access from the main living areas (via glass sliding doors). This encourages indoor/outdoor living and provides the opportunity of managing ventilation and the internal climate of units.</p>

<p>Landscaping/Communal Open Space</p> <p>Provide landscaped area of suitable size and proportions.</p> <p>Maximise deep soil zone.</p> <p>25% of site at ground level to be landscaped.</p> <p>Landscape areas must have dimensions of greater than 3 metres</p> <p>Minimum 25% of landscaped area to be deep soil zone.</p> <p>Minimum 3 metre wide strip along one boundary.</p>	<p>Landscaping is to be provided as per the enclosed landscape plan. This includes 1329m² of total landscaped area (33.4% of total site)</p> <p>With a deep soil planting zone of some 598m² (45% of landscaped areas is deep soil zone)</p> <p>Landscaping will include 'street trees' along both Date and Victoria Street frontages as well as medium scale trees and shrubs to provide extensive groundcover, grasses and feature plants. The inclusion of a 'green wall' in selected locations will assist in softening the base of the building and will also provide a 'graffiti-proof' finish in selected locations.</p> <p>Landscaping will 'wrap' the building at its base along the Date and Victoria Street frontage as well as for the first 28 metres of the eastern façade (adjacent to the service lane) as measured from the property boundary.</p>
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Building Design & Appearance (DCP Section 5.2.3)

Provisions/Requirements	Comment
<p>External Appearance</p> <p>Emphasis placed on appearance, height and scale of buildings along with measures for energy conservation.</p> <p>Must ensure that development makes a positive contribution towards the desired built form.</p>	<p>The proposed development is also subject to the provisions of SEPP 65 – 'Design Quality of Residential Flat Buildings'. A separate Design Quality Statement has been prepared in accordance with the SEPP and goes into extensive detail in relation to the external appearance and design of the proposed development.</p> <p>The SEPP 65 Design Quality Statement is included as Attachment 1.</p>
<p>Building Height</p> <p>Ensure that developments enhance and make a positive contribution towards desired built form.</p> <p>Allow reasonable daylight to development and public domain.</p> <p>Encourage design which creates desirable living conditions.</p>	<p>Clause 4.3(2) of the Draft Newcastle Local Environmental Plan, 2011 provides that the maximum building height for the subject land is 20 metres.</p> <p>Drawing No. DA 201 shows the extent of the required building height (and setbacks) as set out within Council's LEP. It is noted that there is a minor non-compliance in terms of the 20 metre height (by a distance of approximately 500mm. This required variation to the height standard is exceptionally minor.</p> <p>It is important to note that there are specific comments on building heights within Council's DCP Element 6.13.</p> <p>Details in relation to building heights have been dealt with specifically throughout Section 5.0 of this Statement with comments in relation to the non-compliance specifically dealt with in Section 6.0</p>
<p>Floor Space Ratio (FSR)</p> <p>Maximum FSR to comply with maps contained within Part D of the DCP. A maximum FSR of 2:1 is permitted under Council's LEP and DCP.</p>	<p>The proposed development has a Floor Space Ratio of 1.9:1 which complies with the required standards.</p>

<p>Solar Access & Energy Impacts</p> <p>Provide buildings with appropriate daylight, ventilation etc</p> <p>Dwellings to comply with the ventilation requirements of the Building Code of Australia.</p> <p>Windows of north facing living areas to receive not less than 3 hours of sunlight between 9am and 3pm on June 21.</p> <p>Sunlight to principal area of ground floor open space of adjacent properties is not to be reduced to less than 2 hours between 9am and 3pm on June 21.</p>	<p>The units within the development have been designed to have as north an orientation as possible, with many facing either north-east or north-west. All of these units will achieve access to sunlight for more than 3 hours at the winter solstice.</p> <p>Only 5 of the 95 proposed units have a southerly orientation.</p> <p>In addition, all units have open space/balcony areas which are directly accessed from living areas, creating indoor/outdoor space and providing for appropriate ventilation. Movable screen louvers are proposed to provide for appropriate sun and wind protection when necessary.</p> <p>The proposed development will not lead to adverse impacts on adjoining properties as a result of the stepped nature of the setback arrangement.</p>
<p>Views & Privacy</p> <p>Existing views should not be substantially affected.</p> <p>Appropriate protection should be afforded to visual and acoustic privacy.</p> <p>Appropriate screening and location of windows as set out in the DCP. Including screening of windows closer than 9 metres together (on ground floor) or 12 metres (on higher floors).</p> <p>Fencing and walls appropriately used to provide privacy screening.</p> <p>Landscape screening to be considered.</p>	<p>The proposed development has been appropriately designed with respect to the views and privacy of both the proposal and adjoining/adjacent residential development.</p>
<p>Fencing & Walls</p> <p>To ensure that fencing and walls provide privacy, security and noise attenuation without having a detrimental impact on amenity or streetscape.</p> <p>Fencing and walls must offer outlook from the building towards the street.</p> <p>No more than 1.2 metres in height or increased to 1.8m in height under certain circumstances.</p>	<p>Fencing has been kept to a minimum around the site and includes only those structures necessary to delineate the public/private realm.</p>
<p>Carparking</p> <p>Provide convenient, accessible and safe parking.</p> <p>Encourage design of access and parking to be incorporated with landscape design.</p> <p>Allow access for service vehicles</p> <p>Parking required in accordance with Element 4.1 of the DCP.</p> <p>Have regard to pedestrian and cycle safety</p> <p>Vehicles to enter and exit in a forward direction</p> <p>Reduce visual dominance of garages/driveways/parking areas.</p>	<p>Parking required in accordance with Element 4.1 of the DCP. See the <i>Traffic Impact Assessment (Attachment 4)</i> for further details.</p> <p>All vehicles can enter and leave the site in a forward direction.</p> <p>Options to minimise the amount of driveway exits were taken and the access of the residential carpark and the RSL club carpark are from the same point. Likewise, the single driveway also provides appropriate access for servicing vehicles without the need for additional hard stand/gutter crossing.</p> <p>The location of the driveway has been selected so as not to break the rhythm of the building and assist in appropriate appearance.</p>

<p>Heritage Considerations</p> <p>Ensure the preservation of the distinctive character of and are which is identified for heritage significance.</p> <p>No particular specific provisions contained within the DCP.</p>	<p>As indicated in Figure 14, the subject land is located within proximity to a number of identified heritage items.</p> <p>However, these heritage items are situated such that the proposal will not have any adverse impact on their amenity.</p>
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Landscape Design, Security, Services & Site Facilities (DCP Section 5.2.4)

Provisions	Comment
<p>Landscape Design</p> <p>Enhance appearance, amenity and energy efficiency of new development and encourage integration of building and landscape elements.</p> <p>No specific design provisions in this section of the DCP, see DCP Section 5.2.2 for further details.</p>	<p>See the enclosed Landscape Design for design details as well as Section 6.0 of this Statement for comments in relation to non-compliance with relevant landscaping standards.</p> <p>Also enclosed is a landscape plan with full details of proposed landscaping.</p>
<p>Security, Site Facilities & Services</p> <p>To provide adequate personal and property security for residents.</p> <p>Shared entries to serve a maximum of 12 dwellings.</p> <p>An enclosed space of 6 cubic metres per unit to be set aside for storage.</p> <p>A bin storage area to be provided within the site.</p> <p>Individual mail boxes to be provided close to each ground floor dwelling or a mail box structure located close to a major pedestrian entry.</p>	<p>Each level is services by two (2) separate corridors and associated lift arrangements. Each corridor services a maximum of 14 units. The terrace-style units fronting Date Street have private entries to the street.</p> <p>A total storage area (external to units) is provided in parking areas, with combined volume of 255 cubic metres. In addition, separate storage areas are provided for bicycle storage with dedicated garbage and recycling storage adjacent with appropriate access to service locations. Appropriate storage/area is dedicated and set aside for required infrastructure, including electrical, gas, telecommunications areas and lift plant rooms.</p> <p>Mail boxes are provided in two (2) locations (one near the pedestrian entry to Date Street and one near the pedestrian entry to Victoria Street). See the landscape plan for the location of these letter boxes.</p>
<p>Subdivision</p> <p>Encourage good overall design.</p> <p>Ensure that various subdivision codes are considered as part of design.</p> <p>Common facilities and infrastructure (such as visitor parking) to be located within common property.</p>	<p>The proposed development has been appropriately designed with regard to future subdivision. In this respect all relevant shared service and communal facilities are provided in locations which can be incorporated into common areas in any strata subdivision.</p>

5.3.7 Element 6.13 – Adamstown Renewal Corridor

The subject land is affected by Element 6.13 of the Newcastle Development Control Plan which relates to the 'Adamstown Renewal Corridor.

Character Precincts (DCP Element 6.13.1)

The subject land lies within 'Precinct 2' within the defined corridor, which has the following desired outcomes:

'This precinct will support Adamstown commercial centre with opportunities for mixed use development, consisting of commercial uses and services along Brunker and Glebe Roads. Increased residential densities are proposed for the remainder of the precinct and at upper levels. This Precinct has a target of providing three hundred (300) additional dwellings.'

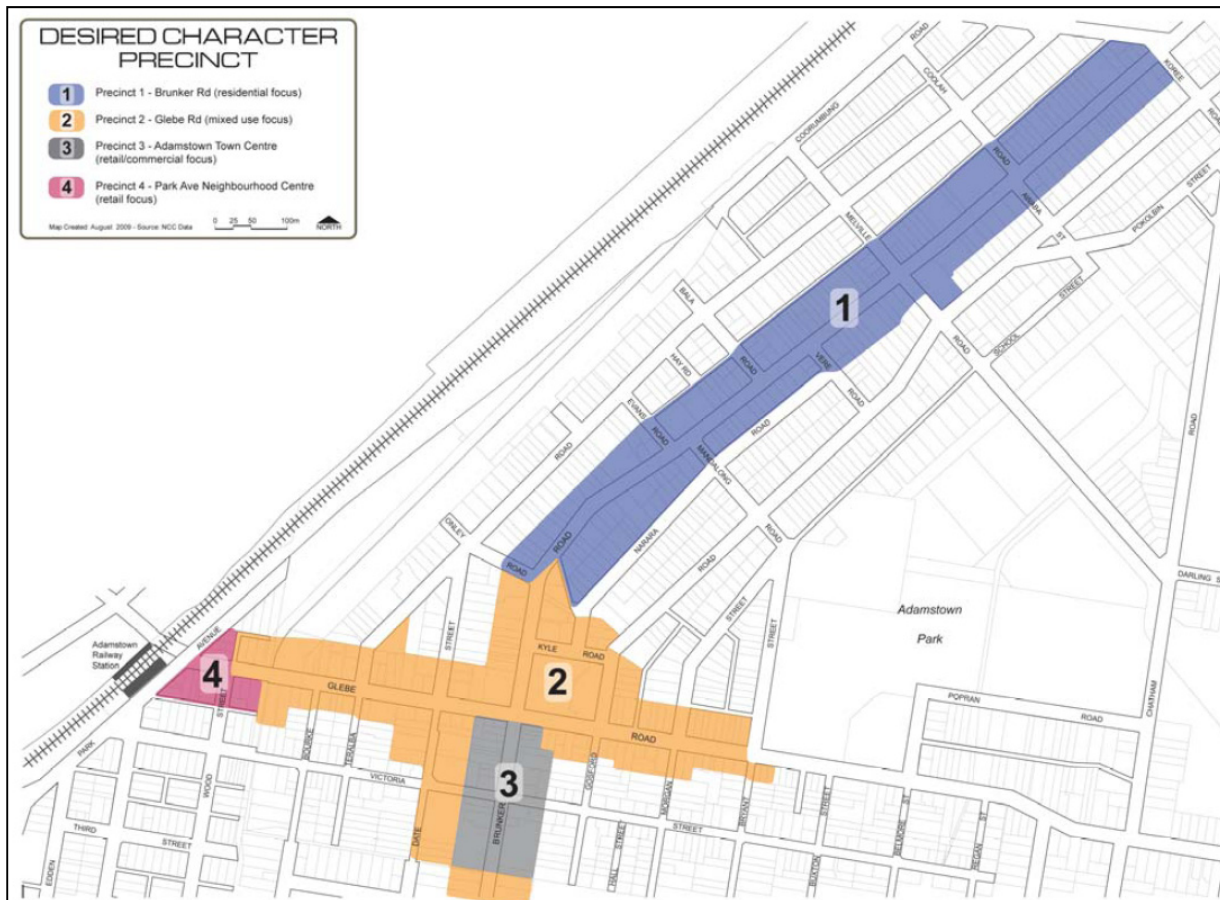


Figure 16: Extract from the Adamstown Renewal Corridor DCP showing the desired future character.

Land Use & Development (DCP Element 6.13.2)

This component of the DCP aims to emphasise the desired outcomes of the Adamstown Renewal Corridor to provide for increased residential, retail and commercial densities. In terms of land use, this aspect of the DCP states that land within the Precinct should aim to:

'Provide a range of compatible uses including higher density residential and employment including commercial, wholesaling, and retailing (other than groceries, clothing, newsagencies, or chemists).'

This section of the DCP also promoted the activation of street frontages and specifically states that where residential dwelling are located on the ground floor, individual pedestrian entrances should be provided to such dwellings

The proposed development provides a higher residential density in the area whilst also providing for improved parking arrangements for the existing RSL Club. Further, the development provides for activation of street frontages by having primary pedestrian access to upper residential floors in two locations (one on Victoria Street and the other on Date Street). Further, those 'terrace-style' dwellings which front Date Street each have individual pedestrian accesses to the street to provide increased activation and provide a residential scale to the development.

Built Form (DCP Element 6.13.3)

Provisions	Comment
<p>Building Height & FSR</p> <p>Building Heights and maximum FSR to be provided in accordance with the provisions of Element 9.2 (Floor Space Ratio) and Element 9.3 (Height of Buildings) of the DCP.</p> <p>In addition, this aspect of the DCP states that:</p> <p><i>'Building heights within the renewal corridor, where adjoining areas outside the corridor, should not be more than 4 metres above the envisaged maximum height of these adjoining areas'</i></p>	<p>See Section 6.0 of this Statement for specific comment on these aspects.</p>
<p>Building Setbacks</p> <p>Building setbacks are to be provided as set out in Map 2: Front Building Setbacks as contained within this element of the DCP.</p> <p>The DCP requires a setback of:</p> <ul style="list-style-type: none"> • 0m for non-residential uses • 6 metres for residential • 4 metres for balconies/verandahs <p>(Note: The 'Specific Provisions' set out in Element 6.13 of the DCP state that residential uses fronting Date Street should be setback 8m to balconies and 10m to building façade).</p>	<p>Victoria Street Frontage</p> <p>Residential apartments fronting Victoria Street have a setback of 6 metres (to the façade) with 5 metre setback to the edge of balconies.</p> <p>Date Street Frontage</p> <p>The terrace-style residences fronting Date Street have a setback of 6 metres, with 3 metres to the edge of the courtyard/open space areas.</p> <p>Despite the non-compliance with the stated numerical standards, the design of the building has been established along this frontage to compliment the adjacent residential developments (which are located outside the Adamstown Renewal Corridor Precinct).</p> <p>The residential scale of the terrace style dwellings provide a two-storey element which is reflective of the character and style of existing developments in the locality. Above this level, the main component of the 'apartment style' dwellings are setback a minimum 12 metres (to the balconies).</p> <p>This setback arrangement provides a suitable residential scale to the street, whilst providing for a significant setback to upper floors.</p> <p>Note that the southern and northern elements of the building have reduced setbacks, so as to 'anchor' the building and provide a suitable end point to the development. We note that at the Victoria and Date Street intersection this is consistent with Element 6.13.3 (c) of the DCP which aims to 'emphasise street corners' through use of maximum permitted heights and the like.</p>
<p>Upper Building Setbacks</p> <p>Upper building setbacks are required in accordance with this element of the DCP and are set out in diagram form within the DCP itself.</p> <p>Generally the arrangements is for a 'stepped' setback, with increasing setbacks for upper floors compared to those levels below.</p>	<p>Please find enclosed within the drawings (as drawing no DA201) a representation of the required upper floor setbacks as set out within the DCP.</p>

Building Design Elements

Encourage the use of design elements and materials that reflect contemporary architectural styles but are sympathetic to adjoining heritage items, where applicable.

Please note that a Design Statement in accordance with *State Environmental Planning Policy No. 65 – 'Design of Residential Flat Buildings'* has been prepared and is enclosed as **Attachment 1**. This SEPP 65 Statement details the building design elements and the like.

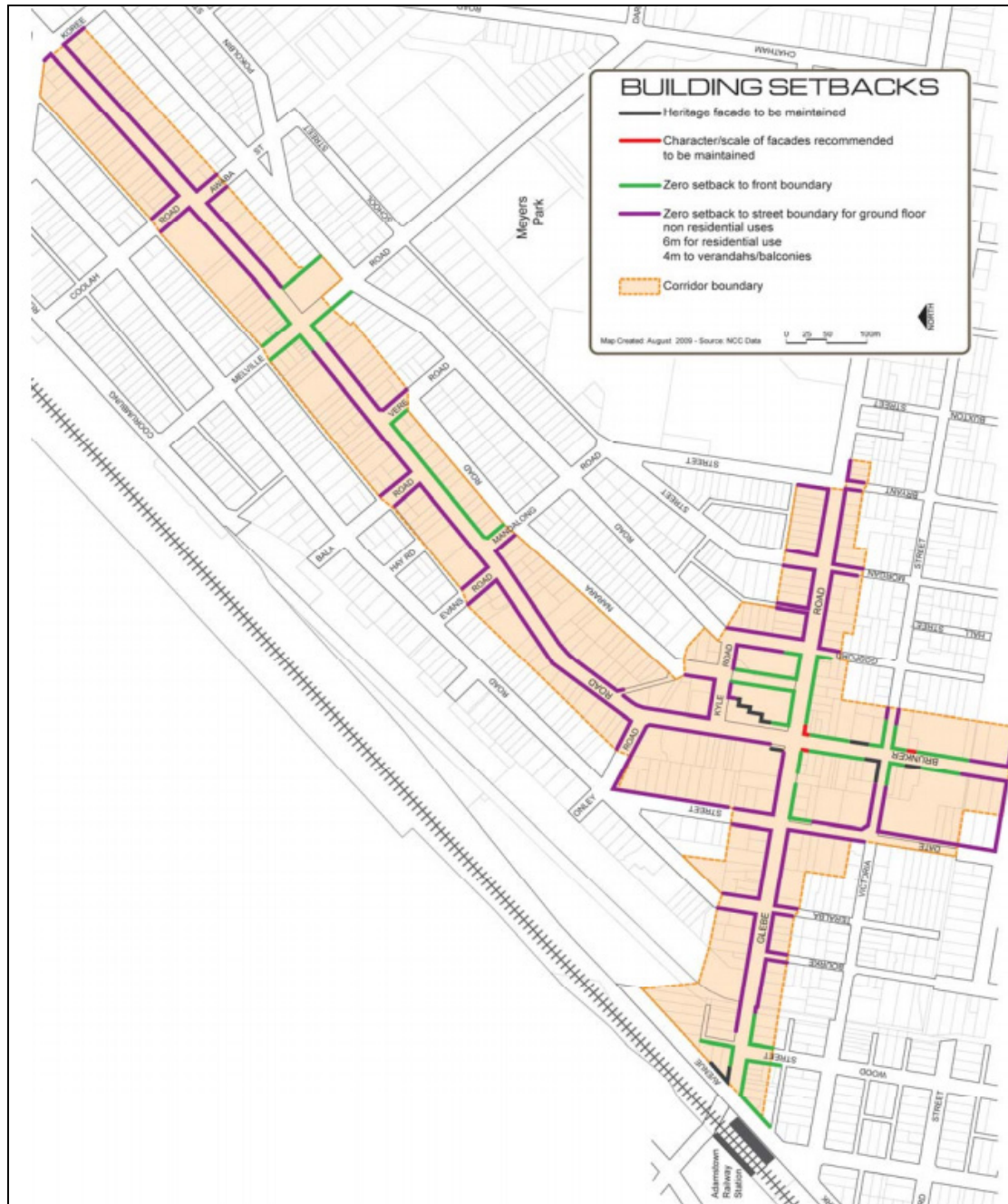
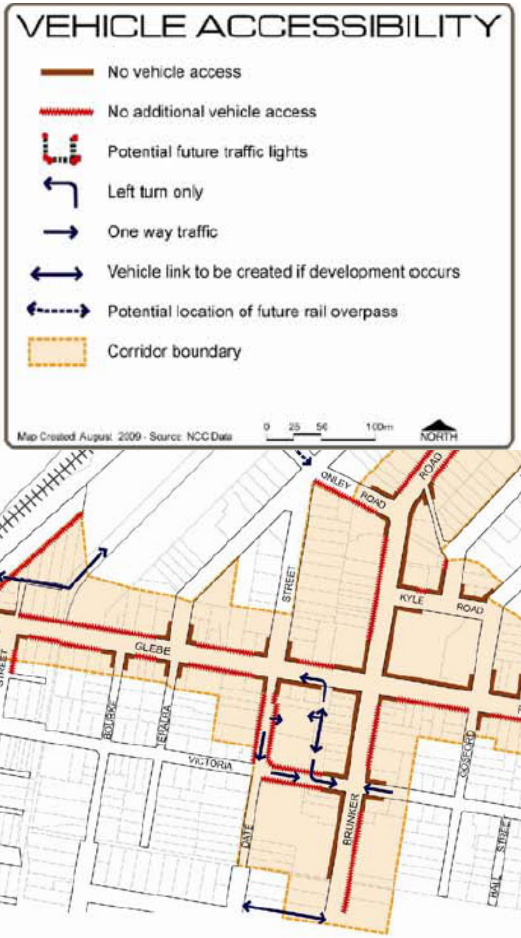

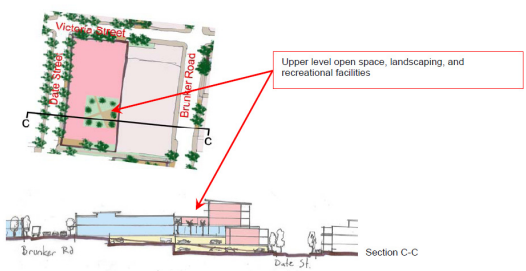


Figure 17: An extract from Map 2 from element 6.13 of Council's DCP (Building Setbacks)

Public Domain (DCP Element 6.13.4)

Provisions/Requirements	Comment
<p>Traffic & Transport</p> <p>Access should be provided in accordance with Map 3 within this element of the DCP.</p> <p>Existing laneways and right-of-ways should be retained for access by new and existing development.</p> <p>Vehicle entrances should not dominate the streetscape and should be recessed from building facades.</p> <p>Car parking for residential development is to be provided at the same rate as identified within <i>Table 1A: Parking Rates – City Centre</i> of Element 4.1 of the DCP</p>  <p>Figure 18: Extract from Map 3 from Element 6.13 of the DCP</p>	<p>Access to the subject land is provided in accordance with the requirements of the DCP, all existing laneways/rights-of-way are retained in their current location (including those which provide servicing access to those commercial properties fronting Brunner Road.</p> <p>Vehicle entrances are located at the southern end of the site, such that vehicular access to the site are retained in an unobtrusive location. In addition, the one vehicular entry point is used for all vehicles, including:</p> <ul style="list-style-type: none"> • Occupants of residential components of the building; • Access to parking areas set aside for the Adamstown RSL; • Access to the existing under-croft parking area underneath the current RSL building; • Access for service vehicles including waste collection vehicles. <p>Note that service vehicles make a one-way movement around the building to exit the site back onto Victoria street (via a left turn out movement). This arrangement also maintains the service access to existing commercial buildings fronting Brunner Road.</p>

<p>Pedestrian Amenity</p> <p>New pedestrian links should be provided as set out in accordance with Map 4 from this element of the DCP.</p> <p>General improvements to pedestrian amenity.</p>  <p>Figure 19: Extract from Map 4 from Element 6.13 of the DCP</p>	<p>The proposed development provides an appropriate pedestrian atmosphere, including suitable landscape and setback arrangements, and a building design which is consistent with the emerging character of the area whilst maintaining appropriate amenity.</p> <p>The design maintains the existing pedestrian access to the south of the site (which connects Date St and Brunker Road) whilst providing this walkway with an increased setback to reduce the 'enclosed' feeling of that walkway. Existing footpath areas are maintained with appropriate landscape treatment and building design to provide a residential scale to the building.</p> <p>The proposed building itself provides for suitable integration with the pedestrian network, with two (2) separate entries providing activity and amenity to the street. In addition, there is a dedicated pedestrian connectivity between the subject development (at carpark level) and the existing RSL Club).</p>
<p>Cycle Access</p> <p>Provide cycle storage and cycle parking facilities for residents and visitors.</p>	<p>The proposed development provides for 86 bicycle parking spaces, including some included within secure cages/rooms for use by residents as well as some with more direct access for visitors to the building.</p>
<p>Open Space & Landscaping</p> <p>Provision of landscaping, usable open space, fencing and walls in accordance with other elements of the DCP, including <i>Element 5.2 – Urban Housing</i>.</p> <p>Provide a landscaped setback to the walkway between Brunker Road and Date Street (to the immediate south of the subject site).</p> <p>Where residential uses are provided at ground floor fronting Date Street, setback of 8 metres to edge of balconies to enable landscape buffer.</p> <p>Redevelopment of existing open air carpark should provide all parking at lower levels with open space and landscaping at upper levels as shown in figures within the DCP.</p>  <p>Figure 20: Extract from Figure 5 within Element 6.13 of Council's DCP.</p>	<p>The proposed development provides appropriate landscaping with minor non-compliance with Council DCP standards (dealt with in Section 6.0 of this Statement).</p> <p>Setbacks to Date Street do not meet the required 8 metres to balconies as set out in this component of the DCP. This non-compliance with numerical standards is dealt with specifically in Section 6.0 of this Statement.</p> <p>Parking is provided at lower levels as indicated within the DCP (and 'hidden' behind a sleeve of residential development).</p>

5.3.8 Element 9.02 – Floor Space Ratio Maps

Element 9.02 of the DCP requires that the subject land have a maximum Floor Space Ratio of 2:1.

The proposed development has a floor space ratio of 1.9:1 and therefore complies with the required standard under the DCP. This has been previously dealt with in this Statement .

5.3.9 Element 9.03 – Height of Building Maps

The DCP indicates that the building should have a maximum height of 20 metres above ground level. Details in relation to the building height have been dealt with previously in this Statement with comments in relation to non-compliance with height standards dealt with in **Section 6.0**.

5.4 Likely Impacts on the Environment

5.4.1 Acid Sulfate Soils

The subject land is identified as 'Class 5' in terms of potential for Acid Sulfate Soils and is located approximately 300 metres south-west of land within 'Class 4'.

The Newcastle Local Environmental Plan 2003 requires that consideration be given to the potential impact of any development on the potential to disturb Acid Sulfate Soils. Such impact must be appropriately managed/mitigated.

The proposed development is unlikely to lead to any impacts in terms of Acid Sulfate soils. Higher class soils are located a significant distance from the site.

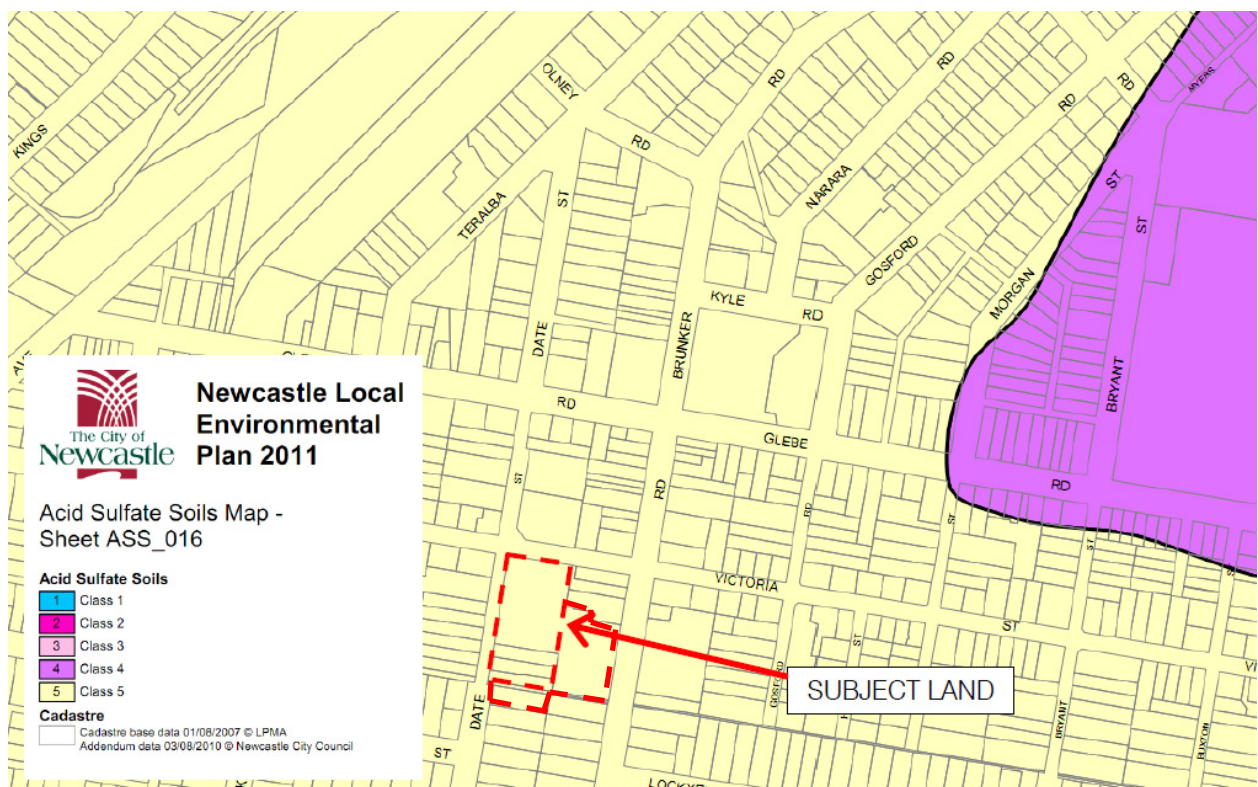


Figure 21: Acid Sulfate Soils mapping held by Newcastle City Council.

5.4.2 Safety, Security & Crime Prevention

The proposed development has been designed in accordance with the principles of CPTED (crime prevention through environmental design). In this respect the proposed development is a 'dual frontage' building – having active areas to provide ongoing passive surveillance of the street. The incorporation of courtyards/balconies on all frontages should ensure ongoing and regular casual surveillance of public spaces.

5.4.3 Safety, Security & Crime Prevention, Southside Alleyway (Brunker Road – Date Street)

For further details please refer to CPTED report issued July 2012.

In particular, the proposal addresses issues in regards to pedestrian walkway on the southern side of the site between Brunker Road and Date Street. The security of pedestrians in this area will be improved by:

1. The southern wall of the proposed residential flat building will be approx 7.8m from walkway. This will not be fenced. Lights on the southern side of the proposed building will be directed to light the walkway.
2. Passive surveillance of this pathway area from southern units of proposed development.
3. Immediately to the south of the walkway at Date Street on grade carparking will be provided. The carparking will have lighting to Australian standards. This area will be activated by club patrons' use of the carpark.
4. The new ramp up to the existing carpark on the southern side of the RSL Club will eliminate the high imposing concrete retaining wall in this location.
5. The existing paling fence on the southern side of the RSL carpark will be replaced with an open security fence.
6. Lighting of the club carpark will be improved with lighting spill onto the walkway.

The proposal will eliminate the closed-in nature of the walkway with additional lighting, passive surveillance from units, lighting activated by club patrons, the safety of pedestrians in this walkway will be greatly improved. Lighting in carpark to comply with AS1158.

5.4.4 Land Contamination

The subject land is currently used for the purposes of a carpark. There is information which has been encountered during the preparation of this Statement, or the design of the building, that would indicate that the land has ever been used for a purpose which is likely to have caused contamination.

5.5 Suitability of the Site for the Development

The subject land has been identified within the Adamstown Renewal Corridor with specific objectives of providing increased residential densities within close proximity to the services and transport opportunities provided by business along Brunker and Glebe Roads.

The subject land has a current zoning of 2(b) – 'Urban Core' under the provisions of the *Newcastle Local Environmental Plan, 2003* with an emerging zoning of R4 – 'High Density Residential' under the provisions of the *Draft Newcastle Local Environmental Plan, 2011*.

Both the over-arching strategic direction and zoning objectives provide for increased residential densities on the subject land (and in the Adamstown Renewal Corridor). Specifically in relation to the subject land the aims for higher density residential are reflected in mapping which show a maximum permitted development height of 20 metres and a maximum Floor Space Ratio of 2:1.

The proposed development design shows that the land is capable of being developed to achieve increased