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24 October 2012

Our Ref: 2922
Your Ref: MP05_0062 MOD 2

The Director General
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

ATTENTION: MEGAN FU

Dear Madam,

RE: MODIFICATION REQUEST FOR ROYAL NEWCASTLE HOSPITAL SITE

We refer to the Department's letter dated 2 October 2012 requesting a response to issues raised in the submissions, in particular matters relating to view impacts, amendments to vehicle access points, communal open space and gross floor area. Thank you for the opportunity to provide the following comments in response:

Measures to Minimise View Impacts with Consideration of View Sharing Principles

Tenacity Consulting vs Warringah (2004) NSWLEC 140 establishes the following view sharing principles:

The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views eg the Opera House or Harbour Bridge are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.

The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries.

The third step is to assess the extent of the impact. This should be done for the whole of the property, not just the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas. It is usually more useful to assess view loss qualitatively rather than quantitatively as negligible, minor, moderate, severe or devastating.

The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them.

In relation to views from east facing units of the Arvia building which is located immediately west of the site, drawings PD 13 Issue B and PD 14 Issue B, prepared by Suters Architects and submitted to the Department in a letter dated 14 August 2012, showed the line of the existing concept plan envelope and the extent to which adjusting the envelope in the south east corner of the southern building impacts on views from units in the Arvia building at both upper and lower levels.

Taking into consideration the view sharing principles in Tenacity Consulting vs Warringah (2004) NSWLEC 140, it is proposed to splay the building envelope as per the revised building envelope drawing at Attachment 1. The impact of splaying the building envelope on views from the upper and lower levels of the Arvia building is demonstrated in the revised drawings PD 13 Issue C and PD 14 Issue C, prepared by Suters Architects (Attachment 2). Other than the slight increase in the height of the envelope for the southern building from RL 49.1 to proposed RL 49.75, the revised drawings demonstrate that residents of the Arvia building will have the same views that they would have had under the current concept plan envelope.

In relation to the completed Mirvac Residential towers to the north, drawings PD 15 Issue B and PD 16 Issue B prepared by Suters Architects show existing and proposed perspectives taken from two locations within the development (lower and upper) looking west and east. Moving the envelope for the northern building 6.7m further south as proposed, increases the separation between buildings, enhances east and west views and is considered to accord with the view sharing principles set out in Tenacity Consulting vs Warringah.

Amendments to Vehicular Access Points

We confirm that the Site Design Principles for the site set out four vehicle access points, including two located on Watt Street which will no longer be viable due to the excision of the David Maddison Building and the United Services Club Car Park sites. Access to the proposed development is to be provided from Shortland Esplanade (car park and set down/pick up area) and King Street (carpark via the existing lane located behind the subject site). As part of the development application (DA) documentation submitted to Newcastle City Council, a Traffic Report for the proposal was prepared by Colston Budd Hunt and Kafes Pty Ltd (refer Attachment 3). The traffic report concludes that the proposed development would generate some 80 vehicles per hour two-way during the morning and afternoon peak periods and that the surrounding road network and its intersections will be able to cater for the additional development traffic.

Provision of Adequate Communal Open Space for Future Buildings in Accordance with the Residential Flat Design Code

The existing concept plan supporting control drawings show an open area between buildings fronting Watt Street, the Mirvac residential towers to the north and the proposed northern building. We acknowledge that in retaining the David Madison Building and excising it from the concept plan, a proportion of the open space envisaged under the concept plan would be lost. However the proposed amendments to the concept plan include moving the envelope for the northern building 6.7m south (to be consistent with the DA currently before Council). This will

allow for increased separation between the northern building and the completed Mirvac residential towers to the north, with the area between these buildings (currently approximately 400m^2) having the potential to be used as a public plaza. It should also be noted that the open area in front of the Mirvac building is currently 5-6m above the level of the existing laneway to the north. Given this change in levels, a plaza in the manner envisaged in the concept plan would be difficult to achieve.

The Residential Flat Design Code sets broad parameters for good residential flat design. With regard to Open Space, the objectives of the code are:

- To provide residents with passive and active recreational opportunities;
- To provide an area on the site that enables soft landscaping and deep soil planting;
- To ensure that communal open space is consolidated, configured and designed to be useable and attractive;
- To provide a pleasant outlook.

In terms of the rules of thumb, the area of communal open space should generally be at least between 25 and 30% of the site area. Larger sites and brownfield sites may have the potential for more than 30%. Where developments are unable to achieve the recommended communal open space, such as those in dense urban areas, they must demonstrate that residential amenity is achieved in the form of increased private open space and/or in a contribution to public open space. The Communal Open Space Drawing (Attachment 4) shows that the required rule of thumb of 25-30% communal open space can still be achieved outside the Concept Plan building envelope. Based on the drawing, the communal open space area is 1014m^2, which represents 28% of the site area (3619m^2).

Notwithstanding this, it is important to view the site in the context of its proximity to surrounding open space and recreational opportunities. The site is adjoined by Fletcher Park on the opposite side of Shortland Esplanade, Pacific Park to the north and King Edward Park to the south. The site is also opposite Newcastle Beach.

Clarification Regarding Proposed Enlargement of Southern Envelope of Stage 1C

We confirm that the southern envelope of Stage 1C is not being enlarged to achieve the gross floor area (GFA) for the site. Attachment 5 includes an extract from the Statement of Environmental Effects (SEE) for the DA lodged with NCC which comprehensively addresses Floor Space Ratio on the site. The available GFA on the site less that part of the site already developed by Mirvac is 15494m^2. The two new buildings will have combined GFA of 14619m^2, (northern building 11150m^2 and southern building 3469m^2).

Conclusion

The modifications to the concept plan are geared towards facilitating the proposed development of Stage 1C, which is currently before NCC. In relation to view loss, other than the slight increase in the height of the envelope for the southern building from RL 49.1 to proposed RL 49.75, the revised drawings demonstrate that residents of the Arvia building will have the same views that they would have had under the current concept plan envelope.

In relation to traffic, the Traffic Report prepared by Colston Budd Hunt and Kafes Pty Ltd demonstrates that the surrounding road network and its intersections will be able to cater for the additional development traffic. In relation to communal open space, the proposal demonstrates that there will be sufficient open space for future residents and that it is consistent with the objectives of the Residential Flat Design Code. In relation to GFA, we confirm that the southern envelope of Stage 1C is not being enlarged to achieve the gross floor area (GFA) for the site. In the addition to the responses above, we include a summary table of submissions raised during the notification period and responses at **Attachment 6**.

The buildings are sited and spaced to maximise visual and acoustic privacy between buildings and enhance solar access opportunities. It is anticipated that the minor changes will not prejudice the integrity of the concept plan, and will have minimal environmental impact on the locality. On this basis, it is respectfully requested that the Minister for Planning and Infrastructure approve the modifications in the manner requested.

We would be pleased to provide further information if required.

Yours sincerely
de WITT CONSULTING

Andrew Biller
PRINCIPAL TOWN PLANNER

Attachment 1 – Amended Concept Plan Drawing

Attachment 2 – Drawings PD 13 and PD 14 Issue C, PD 15 and PD 16 Issue B prepared by Suters Architects

Attachment 3 – Traffic Report for the proposal was prepared by Colston Budd Hunt and Kafes

Attachment 4 – Communal Open Space Plan prepared by de Witt Consulting

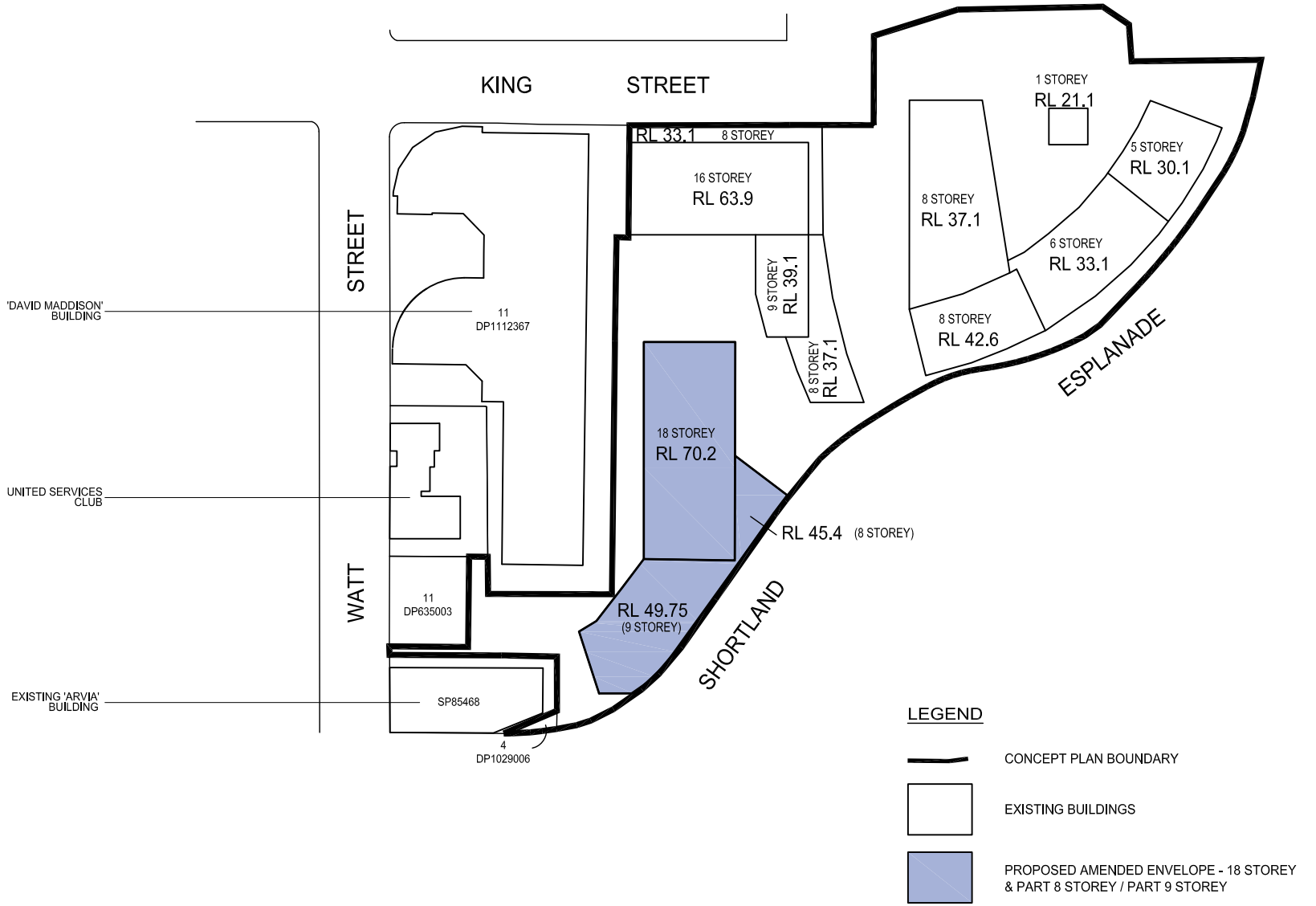
Attachment 5 – GFA extract from SEE

Attachment 6 – Response to Submissions

ATTACHMENT 1

Amended Concept Plan Drawing

NOTE :
THE BOUNDARIES SHOWN ARE APPROXIMATE ONLY. THE
THE BOUNDARIES SHOWN ARE INTENDED FOR DISCUSSION
PURPOSES ONLY.



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TITLE

NEWCASTLE ROYAL HOSPITAL SITE

PLAN SHOWING PROPOSED CONCEPT AREA &

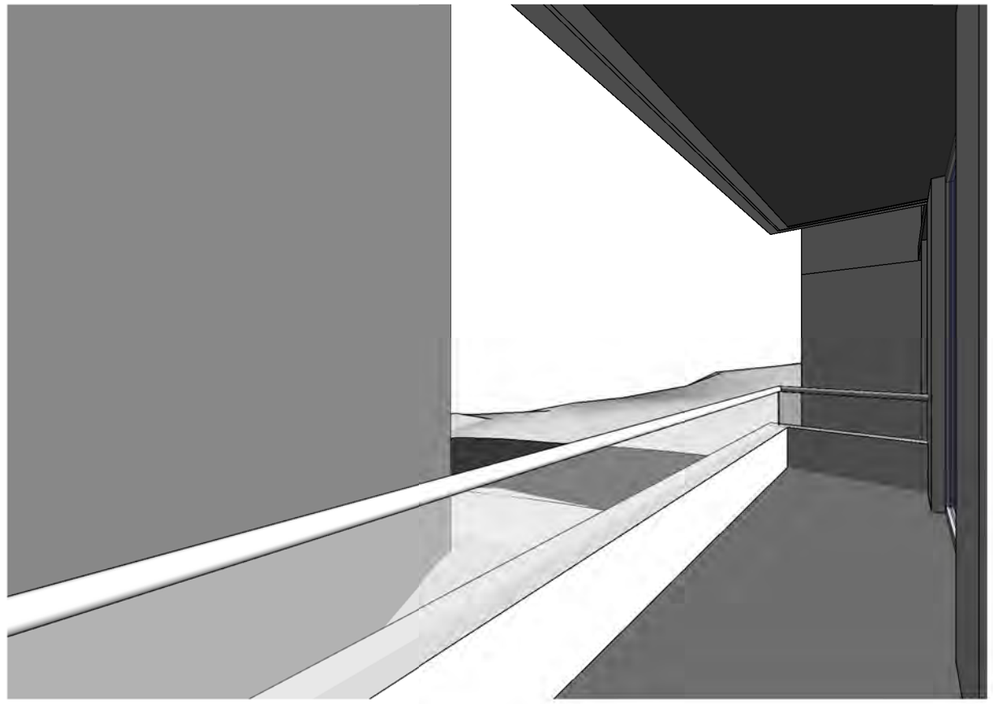
REVISED BUILDING ENVELOPES

Ed.	Date	Amendment
H		
G		
F		
E		
D	24.10.12	AMENDMENTS
C	11.10.12	CUT OFF 8/9 STOREY BUILDING
B	15.08.12	AMENDMENTS
A	21.06.12	INITIAL ISSUE

JOB ADDRESS: SHORTLAND ESPLANADE
CLIENT: STRONACH PROPERTY
PLAN No 1
JOB REF: 2922
SCALE: NTS
SURVEY DATE:
PLAN DATE: 24.10.12
DATUM: -
CAD REF:
ORIGIN OF LEVELS -
DRAWN MH
SURVEYOR
CHECKED
APPROVED
SHEET No 1/1
DRAWING REF: 2922-CONCEPT AREA 24.10.12

ATTACHMENT 2

Drawings PD 13 and PD 14 Issue C, PD 15 and PD 16 Issue B prepared by Suters Architects



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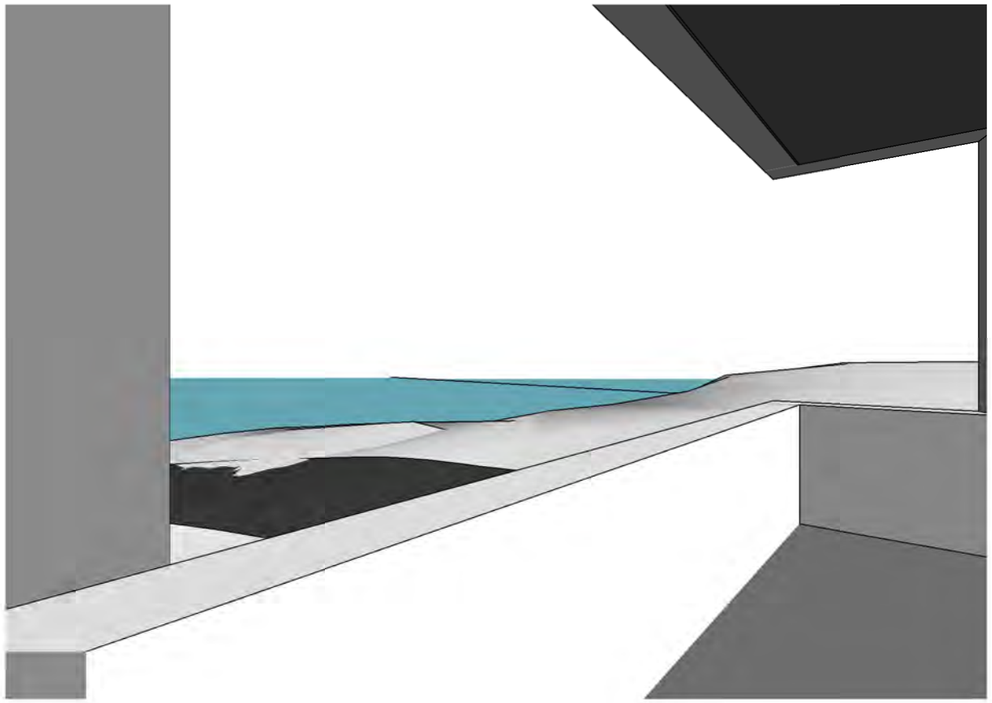

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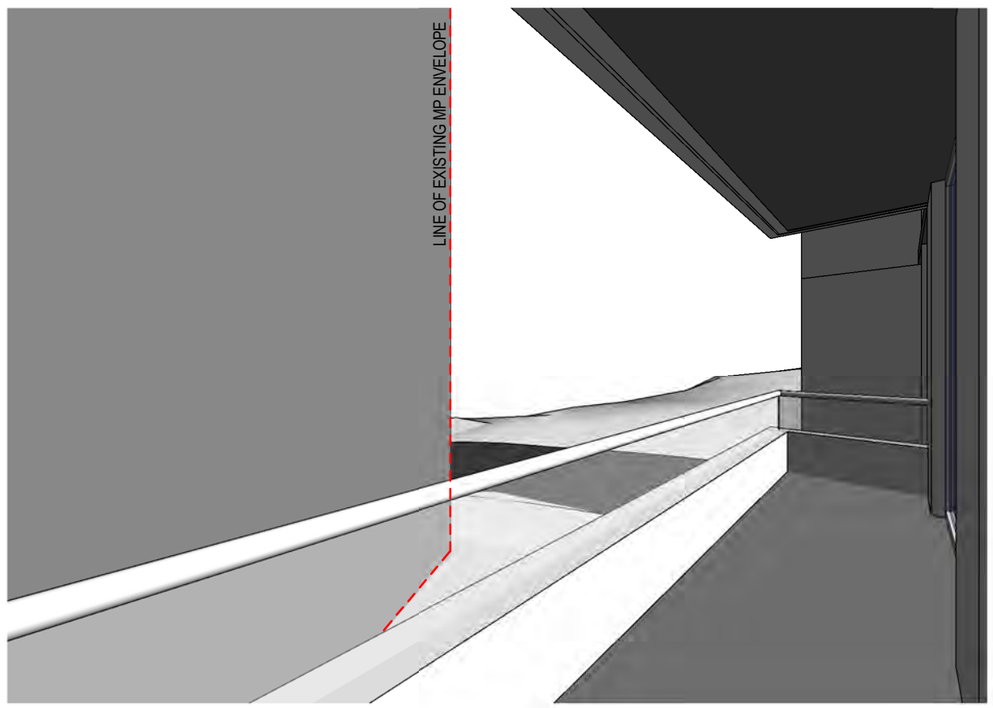

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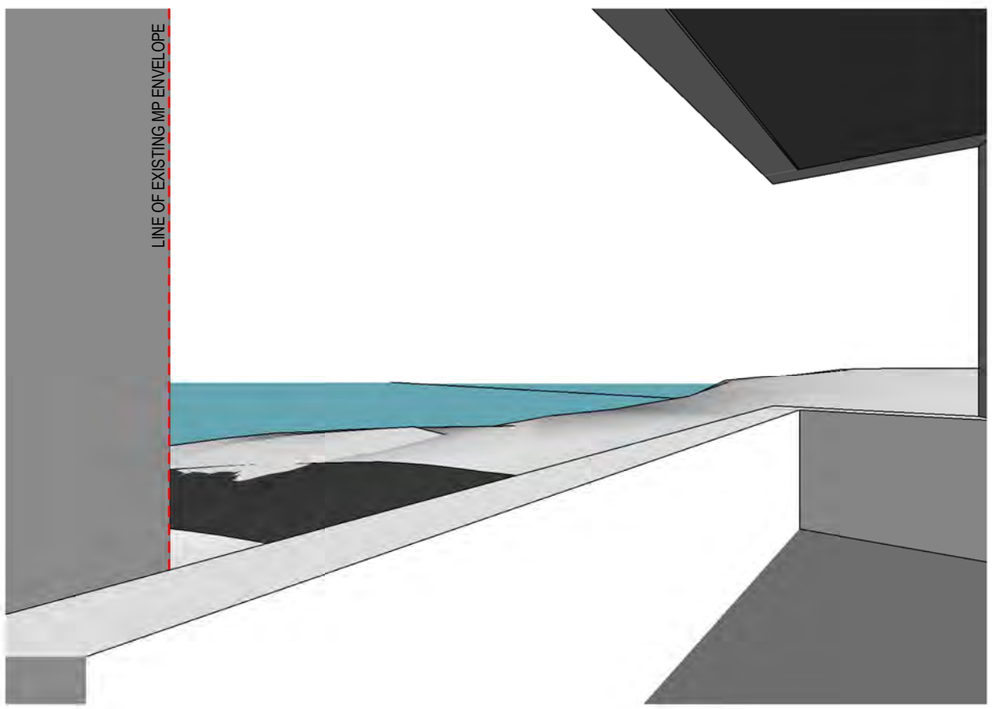

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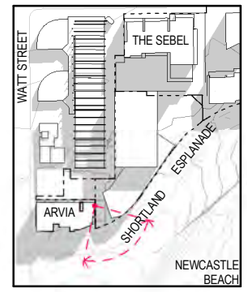

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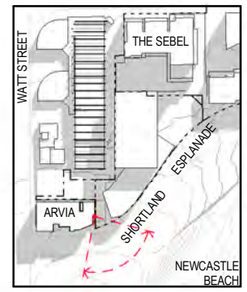

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B	CONCEPT PLAN SUBMISSION	13.08.12	BB	AR
A	PRELIMINARY FOR INFORMATION	10.08.12	AC	AR

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Project
THE ESPLANADE PROJECT

Location
SHORTLAND ESPLANADE,
NEWCASTLE

Client
KRED PTY. LTD.

Drawing
ARVIA VIEW SHARING
ANALYSIS_LOWER LEVELS

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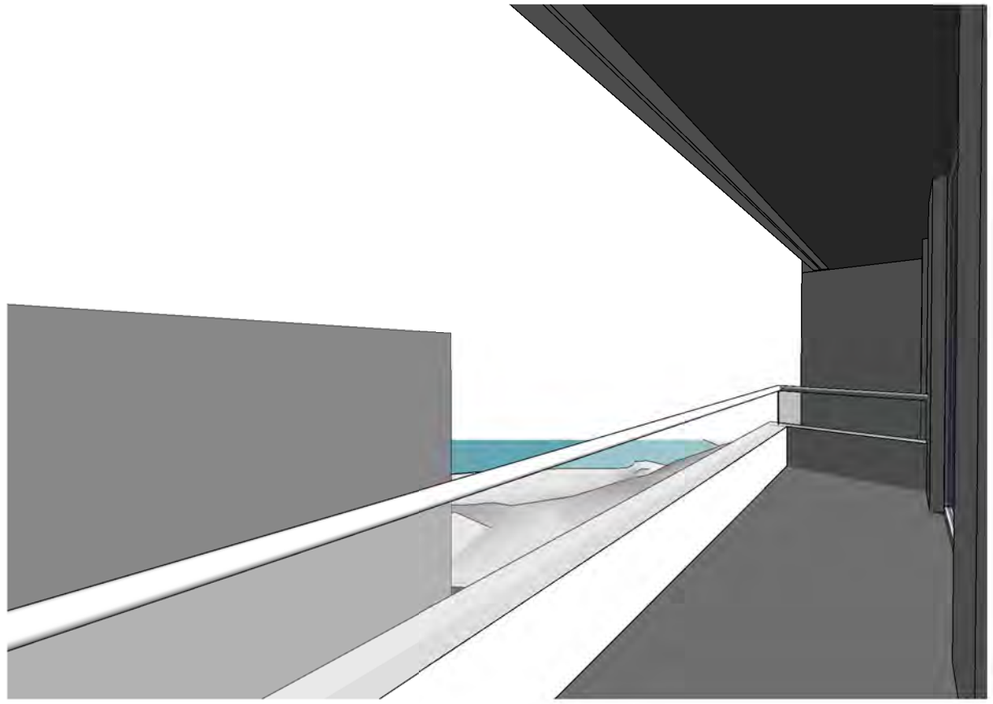

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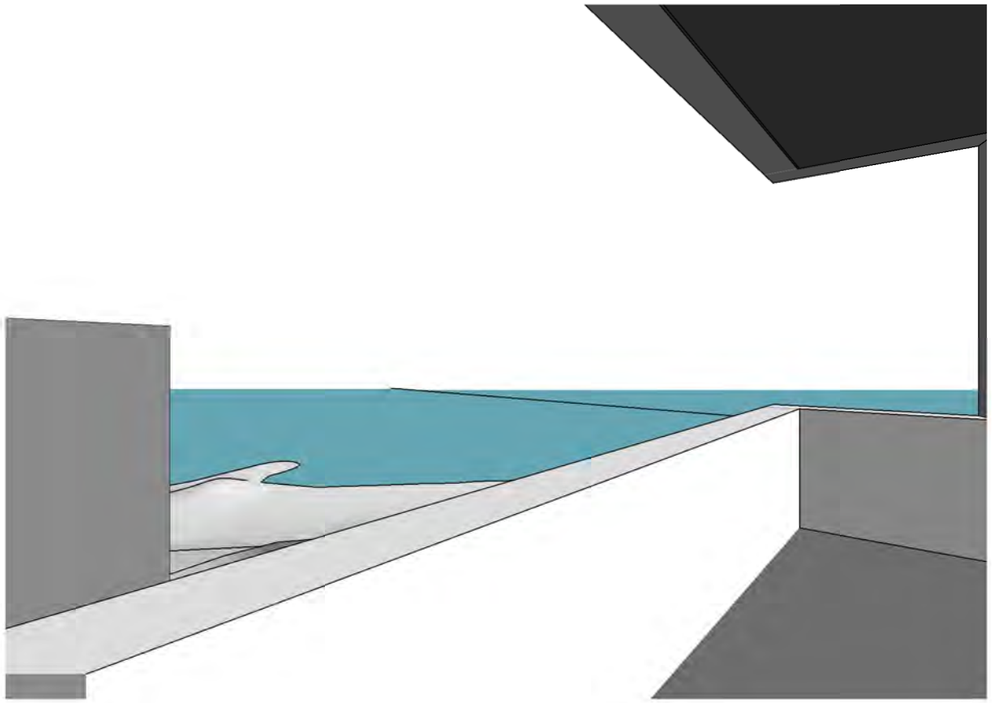

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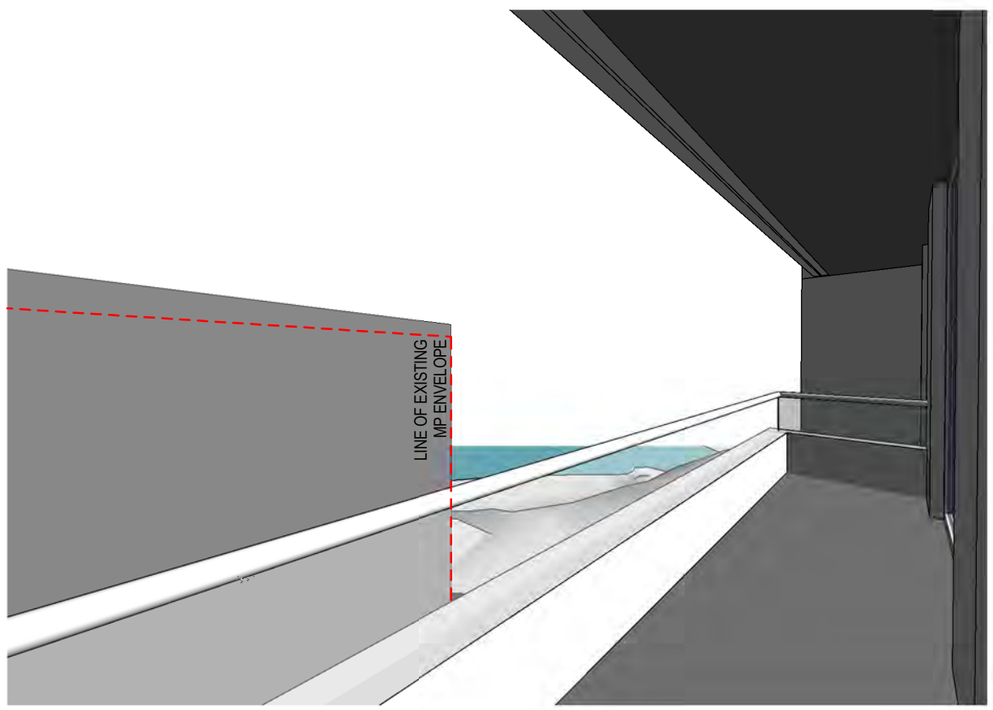

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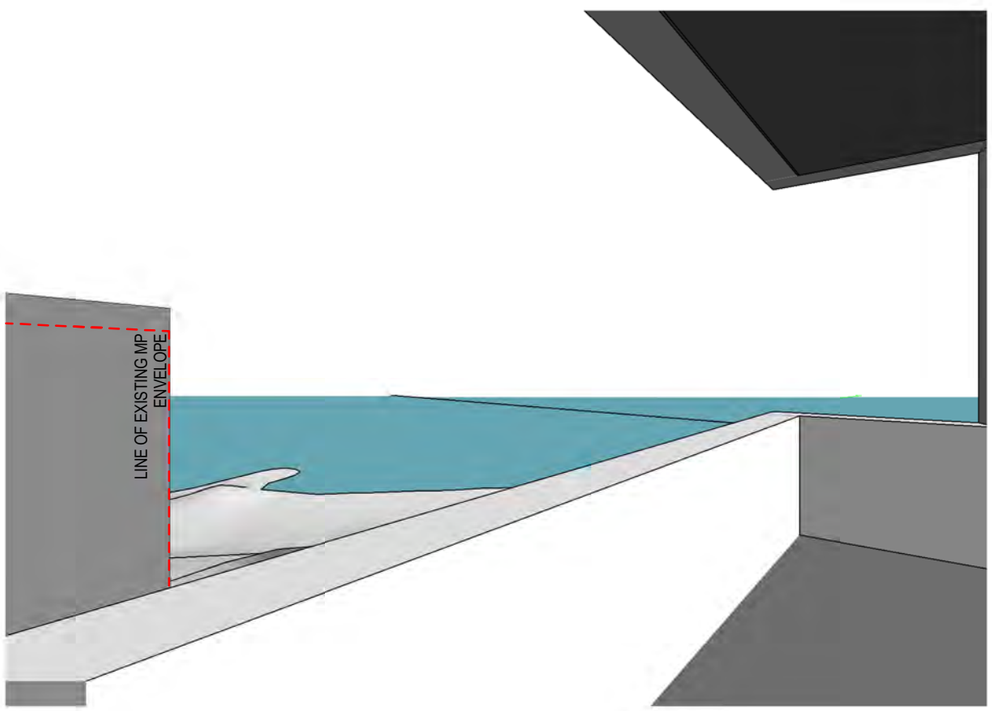

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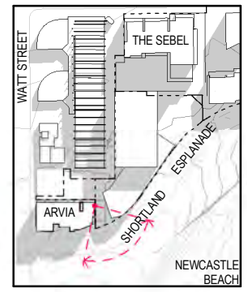

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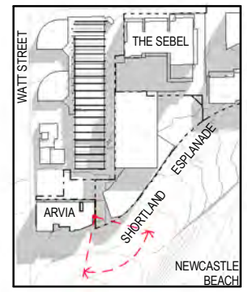

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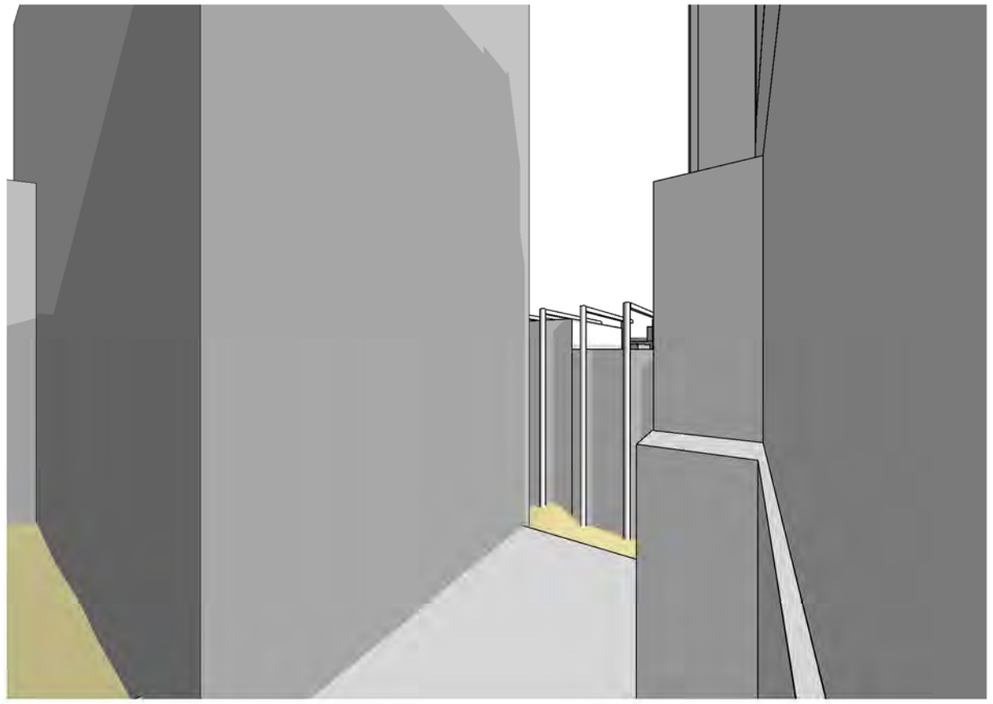

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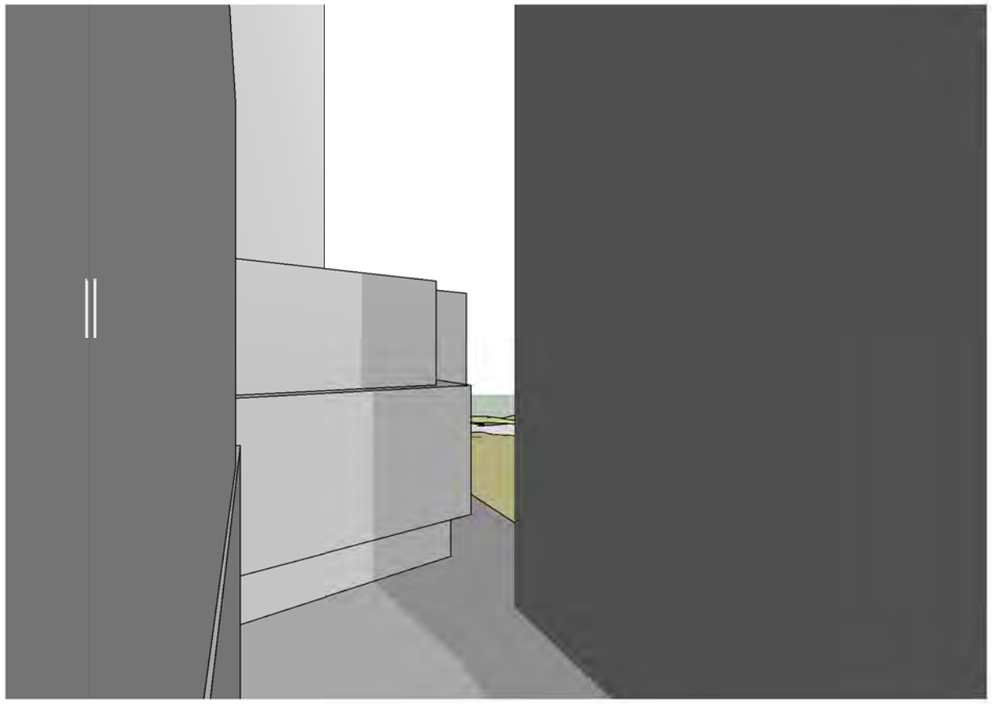

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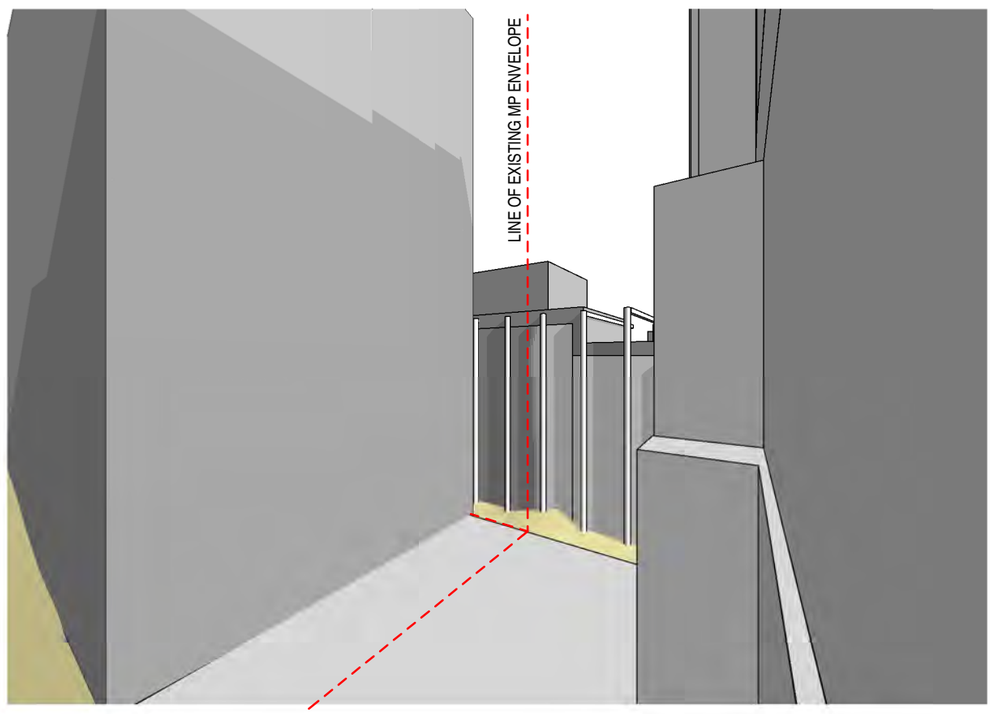

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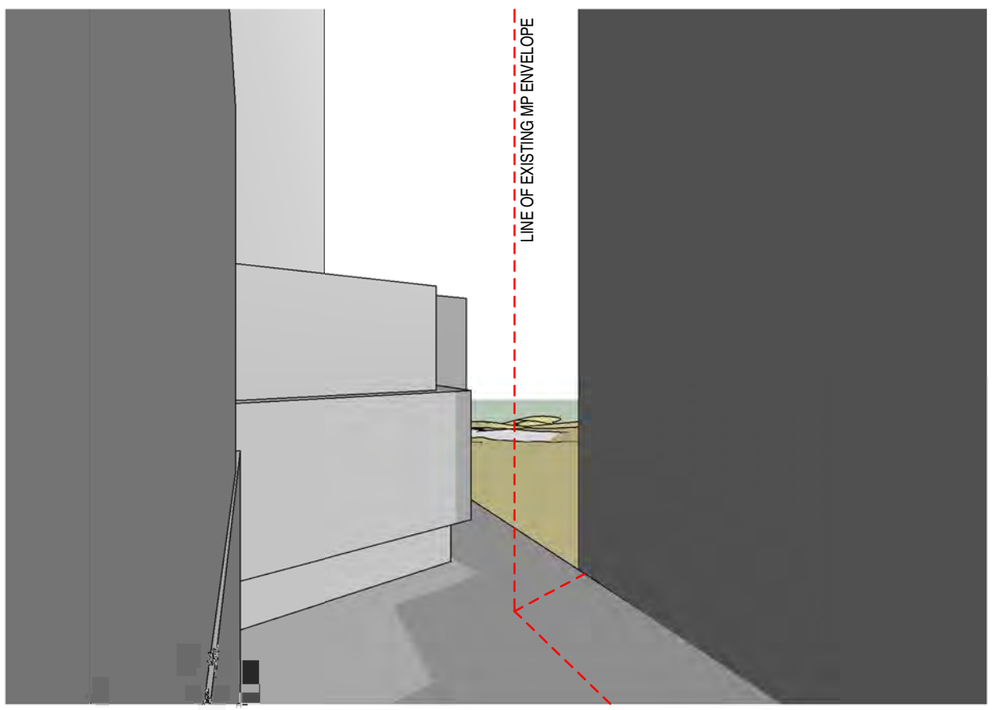

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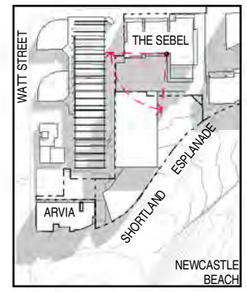

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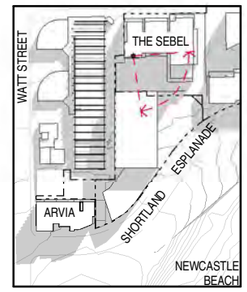

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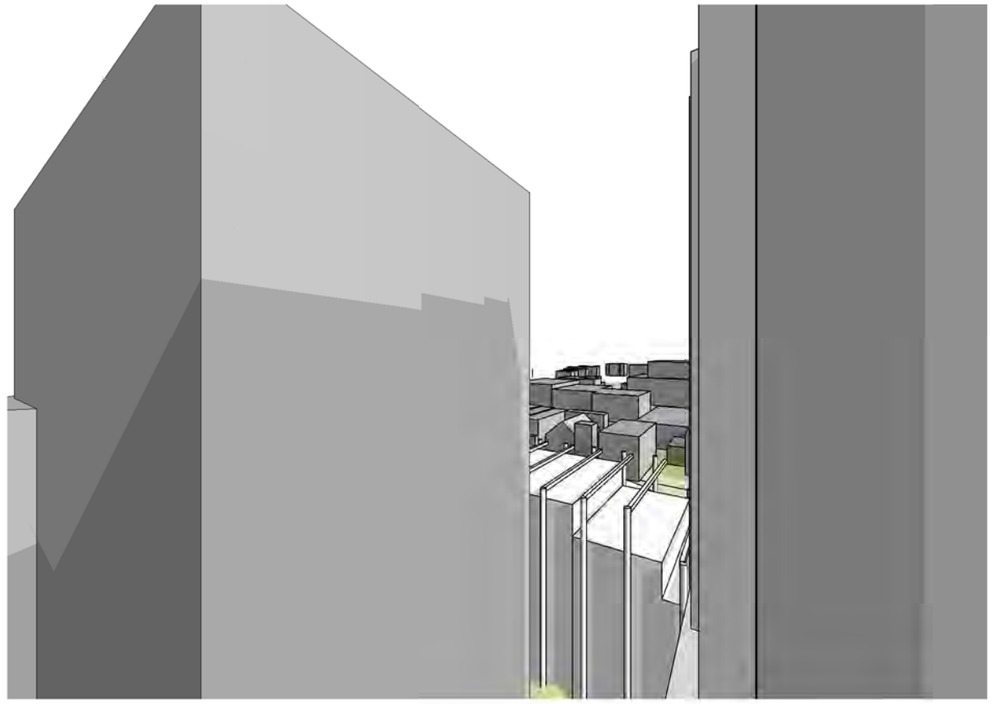

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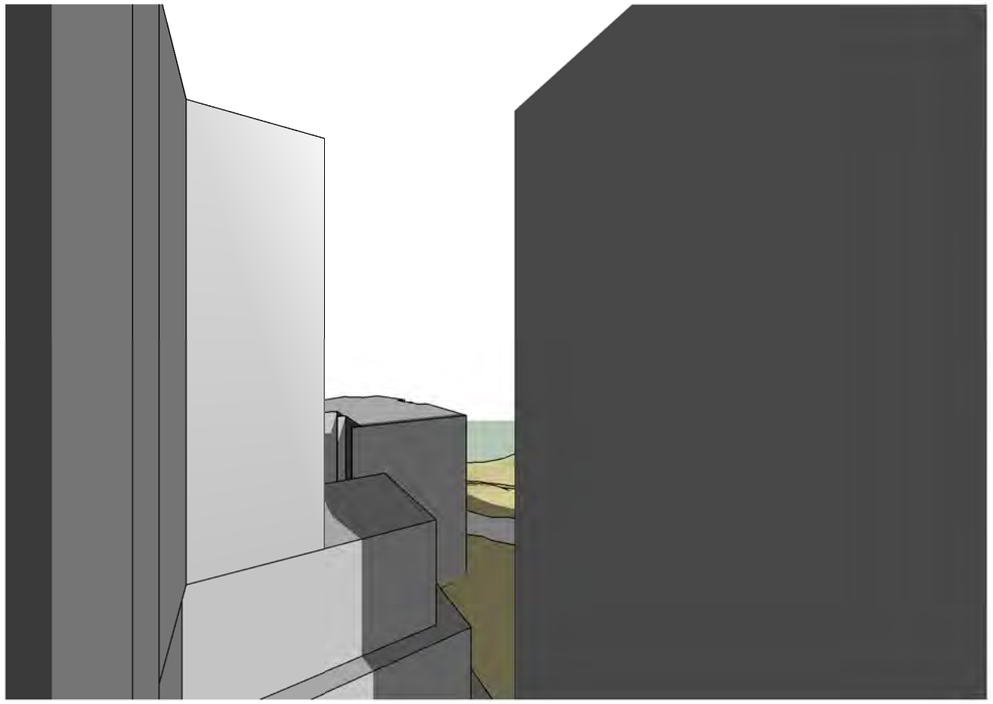

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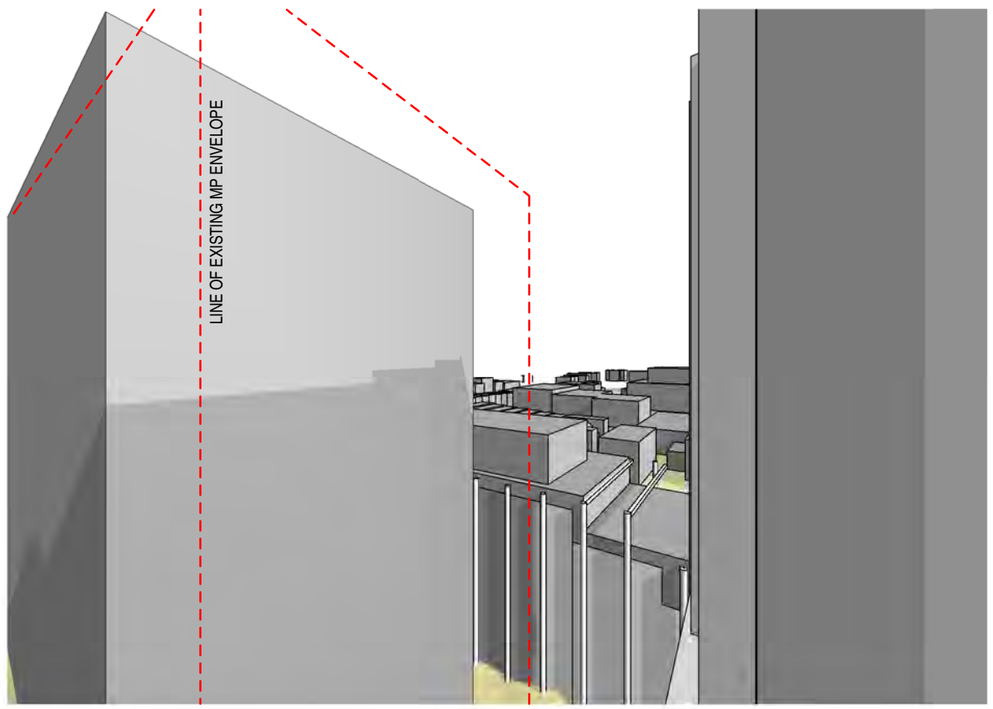

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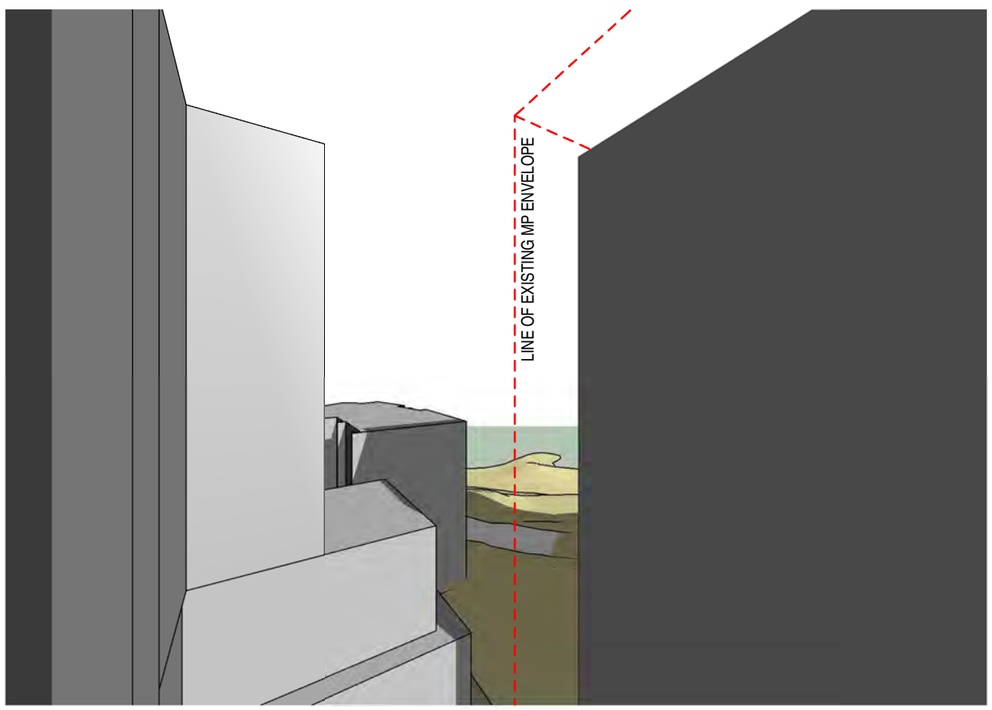

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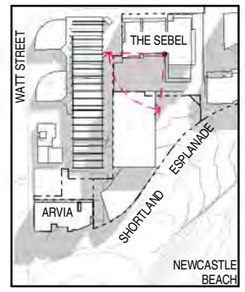

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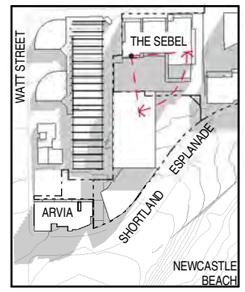

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ATTACHMENT 3

Attachment 2 – Traffic Report for the proposal was prepared by Colston Budd Hunt and Kafes

KRED PTY LTD

TRAFFIC REPORT FOR THE PROPOSED RESIDENTIAL/HOTEL DEVELOPMENT - THE ESPLANADE PROJECT, NEWCASTLE EAST

MAY 2012

COLSTON BUDD HUNT & KAFES PTY LTD
ACN 002 334 296
Level 18 Tower A
Zenith Centre
821 Pacific Highway
CHATSWOOD NSW 2067

Telephone: (02) 9411 2411
Facsimile: (02) 9411 2422
Email: cbhk@cbhk.com.au

REF: 8603/1

TABLE OF CONTENTS

1. INTRODUCTION

1.1 Colston Budd Hunt & Kafes Pty Ltd has been commissioned by Kred Pty Ltd to prepare a report on the traffic implications of The Esplanade Project which comprises a residential and hotel development on part off the former Royal Newcastle Hospital site. The subject site is located on the southern part of the former hospital site along the northern side of Shortland Esplanade, as shown on Figure 1.

1.2 A concept application under Part 3A of the E P & A Act was prepared, based on the 2004 Landcom Masterplan, for the proposed redevelopment of the hospital site. The masterplan comprised a predominantly residential development with ancillary non-residential uses including commercial/retail and hotel facilities. A traffic and parking report[(1)] was prepared in association with the concept plan for the Royal Newcastle Hospital. In December 2005, Newcastle City Council adopted DCP 2005, which established development controls for the redevelopment of the Royal Newcastle Hospital.

1.3 The traffic report prepared in association with the approved concept plan concluded that overall traffic and access arrangements for the proposed scheme can be implemented to a satisfactory standard and that there would be no traffic impediments to the locality. It makes the following key conclusions:-

- the streetscape treatments along Shortland Esplanade, Watt Street, King Street and Pacific Street are an opportunity to reinforce the access and movement principles being adopted for the RNH development;

(1) "Royal Newcastle Hospital, Transport Impact Assessment Report", May 2006, Mark Waugh Pty Ltd.

- the concept plan provides an opportunity to contribute to the integration of land use and transport;

- the basement car park will be able to accommodate an adequate number of on-site car parking spaces in accordance with the applicable parking rates set out in NCDCP 2005;

- vehicle access arrangements to the site are appropriate for the site and the access points will be capable of providing a very good level of service;

- the overall layout and access arrangements meet the nominated transport objectives (accessibility by all modes of travel) and to provide a pedestrian friendly environment whilst allowing for vehicle access where appropriate;

- pedestrian linkages in the concept plan encourage walking through limited changes in grades for mobility, linkages through heritage areas, active uses and separation from vehicle movements;

- the level of traffic generation from the concept plan is relatively small, with around 190 vehicles on a weekday peak period based on RMS guidelines;

- traffic generated by the project will not have adverse impacts on the capacity of the surrounding road network and intersections.

1.4 Parts of the former hospital site have been redeveloped with residential development located on the eastern part of the site (corner Shortland Esplanade and Ocean Street) and a hotel located on the northern part of the site (along King Street). The David Madison building located on the western part of the site is the

subject of a separate application for a minor extension and refurbishment into commercial offices.

1.5 The traffic implications of The Esplanade Development are assessed through the following chapters:-

- Chapter 2 - describing the existing conditions; and
- Chapter 3 - assessing the implications of the proposed development.

2. EXISTING CONDITIONS

Site Location

2.1 The site of the proposed development is the southern part of the former Royal Newcastle Hospital, in Newcastle East. The site is located on the northern side of Shortland Esplanade, as shown on Figure 1. It is located on the eastern edge of Newcastle CBD, overlooking Newcastle Beach.

2.2 The hospital has now ceased to operate and parts of the site have already been redeveloped with residential development located on the eastern part of the site (corner Shortland Esplanade and Ocean Street) and a hotel located on the northern part of the site (along King Street). The David Madison building located on the western part of the site is the subject of a separate application for a minor extension and refurbishment into commercial offices.

2.3 The site is located within the block bounded by Watt Street to the west, King Street and Ocean Street to the north and Shortland Esplanade to the east and south. It is within 400 metres of Newcastle Railway Station and some 1,000 metres from Newcastle's Civic and Cultural precinct.

Road Network

2.4 The road network in the vicinity of the site includes Watt Street, King Street, Ocean Street, Church Street and Shortland Esplanade. Watt Street is located west of the site and provides a north-south link between Wharf Road and Ordinance Street. Watt Street provides an undivided two-lane two-way road as

part of the Newcastle CBD road network. Its intersections with Church Street and King Street operate under priority control.

2.5 King Street is located to the north of the site. It provides an east-west traffic route through the adjacent Newcastle CBD. In the vicinity of the site it provides one traffic lane and one parking lane in each direction, clear of intersections. East of Watt Street, the King Street traffic lanes narrow to allow 90 degree angled parking along the northern side, between Watt Street and Pacific Street

2.6 Church Street is the western extension of Shortland Esplanade. It provides an east-west traffic route through to the adjacent Newcastle CBD. It is an undivided road with one traffic lane and one parking lane in each direction, clear of intersections.

2.7 Ocean Street is located to the north of the site. It is a one-way eastbound street connecting Pacific Street to Shortland Esplanade.

2.8 Shortland Esplanade is adjacent to the southern and eastern boundary of the site and provides a two-way two-lane road that travels north-south around the Newcastle Beach foreshore. Its principal function is an access street for residential and hotel developments, and access to the Newcastle Ocean Baths and Newcastle Beach. There is a pedestrian crossing adjacent to Zaara Street and an underpass connecting Pacific Park to Newcastle Beach. Access to the subject site is provided from Shortland Esplanade.

Traffic Flows

2.9 In order to gauge traffic conditions in the vicinity of the site, traffic counts were undertaken during the weekday morning and afternoon peak periods in early April 2012 (prior to school holidays) at the following intersections:-

- Watt Street/Church Street;
- King Street/Watt Street; and
- Shortland Esplanade/Ocean Street.

2.10 The results of the surveys are shown on Figures 2 and 3, and summarised in Table 2.1.

Table 2.1: Existing Two-Way (Sum of Both Directions) Peak Hour Traffic Flows

Road/Location	Morning (Vehicles/Hour)	Afternoon (Vehicles/Hour)
Watt Street		
- north of King Street	560	535
- south of King Street	565	565
- south of Church Street	695	855
King Street		
- east of Watt Street	225	220
- west of Watt Street	370	360
Church Street		
- east of Watt Street	350	415
- west of Watt Street	150	185
Shortland Esplanade		
- north of Ocean Street	465	450
- south of Ocean Street	440	430
Ocean Street		
- east of Pacific Street	45(1)	25(1)

(1) One-Way Traffic Flow

2.11 The traffic counts found the following:-

- King Street, west of Watt Street, carried peak period traffic flows of some 360 to 370 vehicles per hour two-way;

- peak period traffic flows on King Street, east of Watt Street, were lower at some 220 vehicles per hour two-way;

- Watt Street, south of Church Street, carried traffic flows of some 700 to 850 vehicles per hour two-way during the morning and afternoon peak periods;

- traffic flows on Watt Street, north of Church Street, were lower at some 530 to 570 vehicles per hour two-way during peak periods;

- Church Street and Shortland Esplanade carried traffic flows in the range of 150 to 460 vehicles per hour two-way during peak periods; and

- peak period flows on Ocean Street were some 25 to 45 vehicles per hour one-way.

Intersection Operations

2.12 The capacity of the road network is generally determined by the ability of its intersections to cater for peak period traffic flows. The intersections in Figures 2 and 3 have been analysed using the SIDRA program. The SIDRA program simulates the operations of the intersections to provide a number of performance measures. The most useful measure provided is average delay per vehicle expressed in seconds per vehicle. Based on average delay per vehicle, SIDRA estimates the following levels of service (LOS):-

- For traffic signals, the average delay per vehicle in seconds is calculated as delay/(all vehicles), for roundabouts the average delay per vehicle in seconds is

selected for the movement with the highest average delay per vehicle, equivalent to the following LOS:

0 to 14	=	"A"	Good
15 to 28	=	"B"	Good with minimal delays and spare capacity
29 to 42	=	"C"	Satisfactory with spare capacity
43 to 56	=	"D"	Satisfactory but operating near capacity
57 to 70	=	"E"	At capacity and incidents will cause excessive delays. Roundabouts require other control mode
>70	=	"F"	Unsatisfactory and requires additional capacity

- For give way and stop signs, the average delay per vehicle in seconds is selected from the movement with the highest average delay per vehicle, equivalent to the following LOS:

0 to 14	=	"A"	Good
15 to 28	=	"B"	Acceptable delays and spare capacity
29 to 42	=	"C"	Satisfactory but accident study required
43 to 56	=	"D"	Near capacity and accident study required
57 to 70	=	"E"	At capacity and requires other control mode
>70	=	"F"	Unsatisfactory and requires other control mode

2.13 It should be noted that for roundabouts, give way and stop signs, in some circumstances, simply examining the highest individual average delay can be misleading. The size of the movement with the highest average delay per vehicle should also be taken into account. Thus, for example, an intersection where all movements are operating at a level of service A, except one which is at level of service E, may not necessarily define the intersection level of service as E if that movement is very small. That is, longer delays to a small number of vehicles may not justify upgrading an intersection unless a safety issue was also involved.

2.14 The SIDRA analysis found that:

- the unsignalised intersection of Watt Street and King Street operates with average delays, for the movement with the highest average delay, of less than 20 seconds per vehicle during the morning and afternoon peak periods. This represents level of service B, a satisfactory level of intersection operation;

- the unsignalised intersection of Watt Street and Church Street is operating with average delay for all movements of less than 30 seconds per vehicle during peak periods. This represents level of service B/C, a satisfactory level of intersection operation; and

- the unsignalised intersection of Shortland Esplanade/Ocean Street is operating at a good level of service during the morning and afternoon peak periods. Average delays for the movement with the highest average delay are less than 15 seconds per vehicle during peak periods. This represents level of service A/B.

Public Transport

2.15 The site is located within 400 metres of the Newcastle Railway Station and close to existing bus services which operate along Scott Street and Watt Street. Newcastle Station also provides a terminus for the majority of bus services operating to/from the Newcastle CBD and suburbs.

2.16 Local bus services are provided by Newcastle Buses. Route 201 operates a daily service between Hamilton and Marketown via The Junction and Newcastle, travelling directly past the site. Numerous additional services also operate along

Scott Street and combine to provide regular links to many Newcastle suburbs to the north, west and south.

2.17 Newcastle Railway Station is on the Newcastle and Central Coast Line. Services linking Newcastle with Central Station in Sydney generally operate on a 60 minute headway in each direction. During weekday peak periods, services are more frequent. An additional weekday daytime all stops service also operates and links Newcastle with Morisset and Gosford. These combine to provide frequent services to/from Newcastle Railway Station.

2.18 Overall, the site has good access to convenient and regular public transport services.

3. IMPLICATIONS OF PROPOSED DEVELOPMENT

3.1 The proposed Esplanade Development is for residential and hotel development comprising the following elements:

- 150 residential units (1 studio, 101 one bed and 48 two bed); and
- Hotel (some 5,550m^2 GFA).

3.2 The implications of the proposed development are assessed through the following sections:-

- public transport;
- parking provision;
- access, internal circulation and servicing;
- traffic generation and effects; and
- summary.

Public Transport

3.3 As previously discussed, the site is within some 400 metres of Newcastle Railway Station. Local bus services also operate in the area and provide links to surrounding areas. The site therefore has good access to convenient and regular public transport services.

3.4 The proposed development would increase population densities close to existing public transport services. The proposal would therefore strengthen the demand

for bus and rail services. This is consistent with government policy and the planning principles of:-

a) improving accessibility to employment and services by walking, cycling and public transport;

b) improving the choice of transport;

c) moderating the growth in the demand for travel and the distances travelled, especially by car; and

d) supporting the efficient and viable operation of public transport services.

Parking Provision

3.5 Newcastle DCP 2005 sets out parking rates for various land uses. For development within the City Centre (such as the subject site) the following rates apply:

- all development other than residential – 1 space per 60m^2 GFA, plus 1 bicycle space per 200m^2 GFA and 1 motor cycle space per 20 car spaces; and
- residential
  - 0.6 spaces per small (1 bed) unit;
  - 0.9 spaces per medium (2 bed unit);
  - one visitor space for the first 3 dwellings and one space for every 5 dwellings thereafter or part thereof;
  - 1 resident bicycle space per dwelling plus 1 visitor bicycle space per 10 dwellings; and
  - 1 motor cycle space per 20 spaces.

3.6 Application of the above rates to the proposed development results in a parking requirement of some 227 parking spaces (including 104 resident spaces, 30 residential visitor spaces and 93 retail/hotel spaces), 177 bicycle parking spaces (in bike storage areas for hotel and residential visitors (27 spaces) with the balance for the residents accommodated within the storage areas for each unit) and 12 motor cycle spaces (5 hotel and 7 residential). In addition to the above parking requirements it is proposed to provide 67 parking spaces for the adjacent David Madison development on the subject site.

3.7 The proposed development will provide parking for some 305 vehicles, 177 bicycles and 14 motor cycles satisfying Council's requirement (including the 67 spaces associated with the adjacent David Madison development).

Access, Internal Circulation and Servicing

3.8 Access to the proposed development will be provided from Shortland Esplanade (car park and set down/pick up area) and King Street (car park via the existing lane located to the west of the subject site). The existing driveways to Shortland Esplanade will be deleted. DCP 2005 notes that access to Shortland Esplanade is not desirable. However, the site has its major frontage to Shortland Esplanade and this is the best location to provide access to the set down/pick up area as this provides a street address for the proposed development. With regard to car park access the lane access to King Street would be inappropriate to provide the only car park access to the proposed development (insufficient capacity) and provision of car park access to both King Street and Shortland Esplanade would distribute traffic better to the adjacent road network.

3.9 The proposed access and driveway arrangements will be provided in accordance with the Australian Standards for Parking Facilities (Part 1: Off-Street Car Parking and Part 2: Off-Street Commercial Vehicle Facilities) AS2890.1 – 2004.

3.10 As noted above access to the car park will be provided to the laneway to King Street (basement level 1) and Shortland Esplanade (ground level). Internal two way ramps will connect the various parking levels. The ramps will incorporate a maximum grade of 1 in 5 with two metre transitions at the top and bottom of the ramps of 1 in 8. The proposed ramping arrangements are considered appropriate, being in accordance with AS2890.1 – 2004.

3.11 Residential parking spaces will be provided in a mix of standard and stacked spaces and will have minimum dimensions of 2.4 metres wide by 5.4 metres long, clear of columns. Hotel spaces will have minimum dimensions of 2.5 metres wide by 5.4 metres long. Spaces located adjacent to obstructions will be wider to provide for door opening. Part of the existing car park located on the western part of the site will be retained and allocated for use by the David Maddison Building.

3.12 Circulation aisles within the car park will be 5.8 to 6.1 metres wide and columns will be set back 750mm from the front of parking spaces. Dead end aisles will have one metre extensions for appropriate access to and from end spaces. Height clearances will be 2.2 metres generally, with 2.5 metres above disabled spaces and 2.3 metres between disabled spaces and the car park entry/exit. These dimensions are considered appropriate, being in accordance with the Australian Standard AS2890.1 – 2004.

3.13 The proposed development will incorporate a set-down/pick-up area for the hotel and residential developments. The set down/pick up area will be located on

the southern side of King Street adjacent to the hotel entrance. The pick-up/drop-off area will incorporate a lay-by area of some 20 metres and a turn area to allow vehicles to enter and depart in a forward direction.

3.14 Servicing of the site will be provided via vans (through the basement car park) and through the set down/pick up area. Large vehicles servicing the residential units (such as removals trucks) would park on street.

Traffic Generation and Effects

3.15 As noted in Chapter 1 the proposed development forms part of larger site that was approved for redevelopment (residential, commercial and hotel development). Some of these uses have been completed (hotel and residential developments on the northern part of the former hospital site). A conservative assessment has been undertaken by assuming that the proposed development is "new" traffic and has been added to existing plus traffic from other parts of the site.

3.16 Traffic generated by the proposed development will have its greatest effects during the morning and afternoon peak periods when it combines with commuter traffic on the surrounding road network. Based on traffic generation rates in the RMS "Guide to Traffic Generating Developments" the proposed development would generate some 80 vehicles per hour two-way (sum of inbound and outbound) during the morning and afternoon peak periods.

3.17 The additional traffic generated by the proposed development has been assigned to the road network (assuming an even split between the two car park driveways). Existing peak hour traffic flows plus development traffic are shown on Figures 2 and 3, and summarised in Table 3.1.

Table 3.1: Existing Two-Way (Sum of Both Directions) Peak Hour Traffic Flows Plus Development Traffic

Road/Location	Morning (Vehicles/Hour)		Afternoon (Vehicles/Hour)	
	Existing	Plus Development	Existing	Plus Development
Watt Street				
- north of King Street	560	+15	535	+15
- south of King Street	565	+0	565	+0
- south of Church Street	695	+15	855	+15
King Street				
- east of Watt Street	225	+30	220	+30
- west of Watt Street	370	+15	360	+15
Church Street				
- east of Watt Street	350	+30	415	+30
- west of Watt Street	150	+15	185	+15
Shortland Esplanade				
- north of Ocean Street	465	+10	450	+10
- south of Ocean Street	440	+10	430	+10
Ocean Street				
- east of Pacific Street	45(1)	+0	25(1)	+0

(1) One-Way Traffic Flow

3.18 Table 3.1 shows that the largest increases would occur on King Street (east of Watt Street) and Church Street (east of Watt Street) where traffic flows would increase by some 30 vehicles per hour two-way during peak periods.

3.19 Increases on other surrounding roads would be lower at some 10 to 15 vehicles per hour two-way during the morning and afternoon peak periods.

3.20 The intersections previously analysed in Chapter 2 were re-analysed using SIDRA program, with the traffic generated by the proposed development added to existing flows. The SIDRA analysis found that all intersections previously analysed

would continue to operate at their existing satisfactory (or better) levels of service, with similar average delays per vehicle during the morning and afternoon peak periods.

3.21 The intersection of the site accesses to King Street and Shortland Esplanade would operate with average delays for the movement with the highest delays of less than 15 seconds per vehicle during the morning and afternoon peak periods. This represents level of service A/B, a good level of intersection operation.

Summary

3.22 In summary, the main points relating to the traffic implications of the proposed development are as follows:-

i) the proposed development forms part of the approved redevelopment of the Royal Newcastle Hospital site;

ii) the site has good access to convenient and regular public transport services;

iii) the proposed development would increase population densities close to these services;

iv) parking provision will be in accordance with Council's requirements;

v) access arrangements and internal circulation will be provided in accordance with AS2890.1 – 2004 and AS2890.2 – 2002;

vi) the proposed development would generate some 80 vehicles per hour two-way during the morning and afternoon peak periods; and

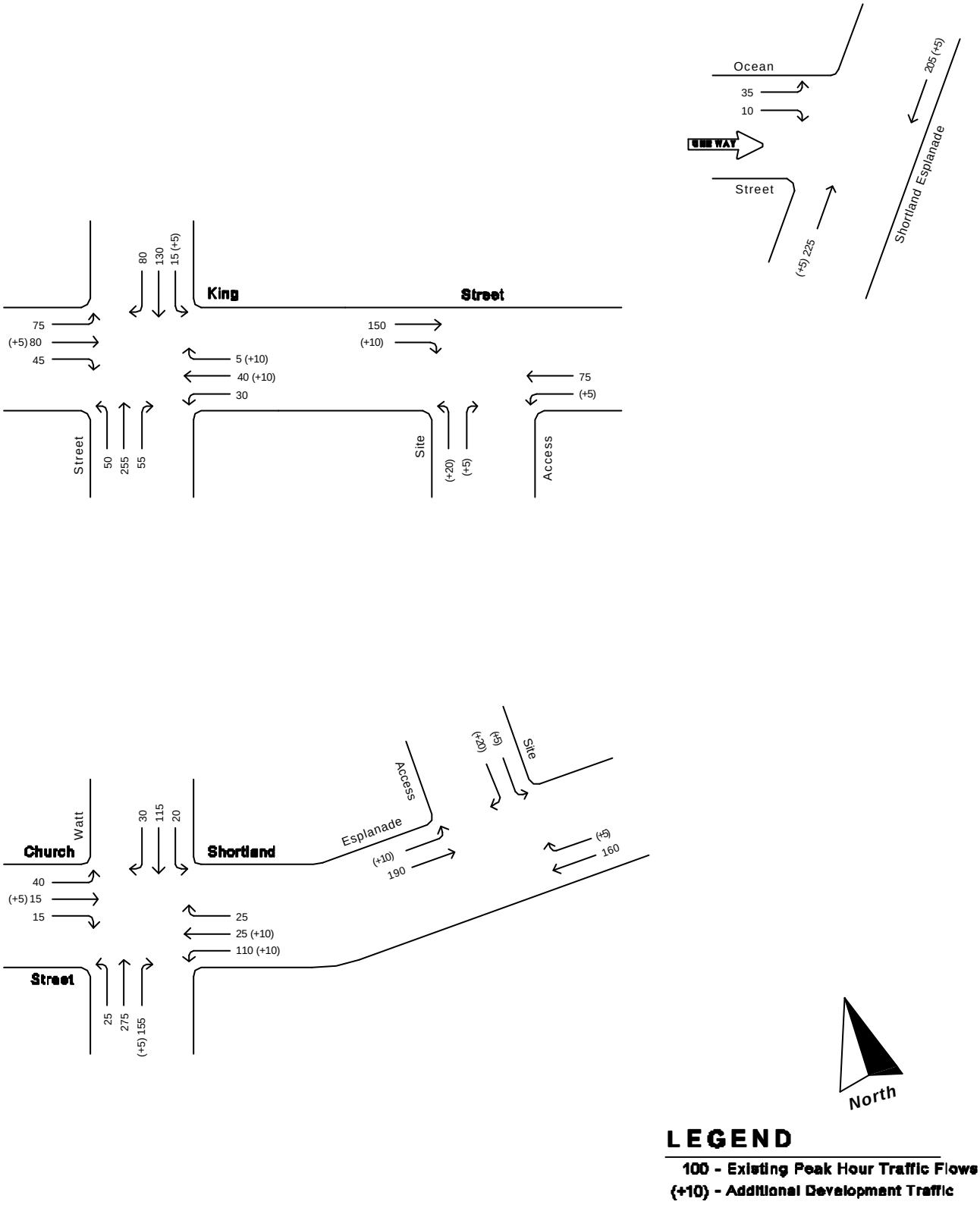
vii) the surrounding road network and its intersections will be able to cater for the additional development traffic.

Location Plan

Colston Budd Hunt & Kafes Pty Ltd

DRAWN BY CBHK Pty Ltd_ho Ref: 8603 17 May 2012

Figure 1



LEGEND

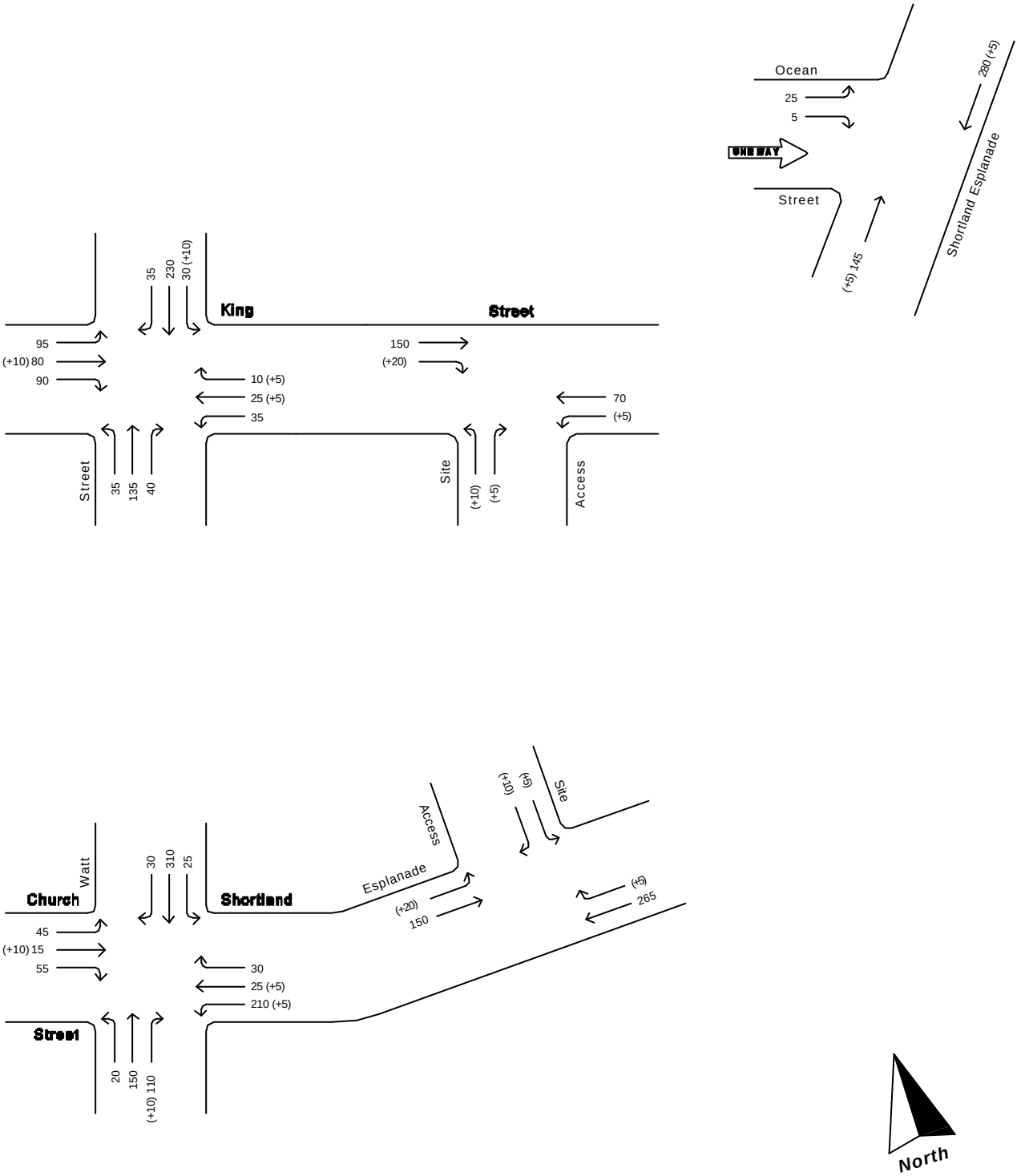
100 - Existing Peak Hour Traffic Flows
(+10) - Additional Development Traffic

Existing weekday morning peak hour traffic flows plus development traffic

Colston Budd Hunt & Kafes Pty Ltd

DRAWN BY CBHK Pty Ltd_ho Ref: 8603 17 May 2012

Figure 2



LEGEND

100 - Existing Peak Hour Traffic Flows
(+10) - Additional Development Traffic

Existing weekday afternoon peak hour traffic flows plus development traffic

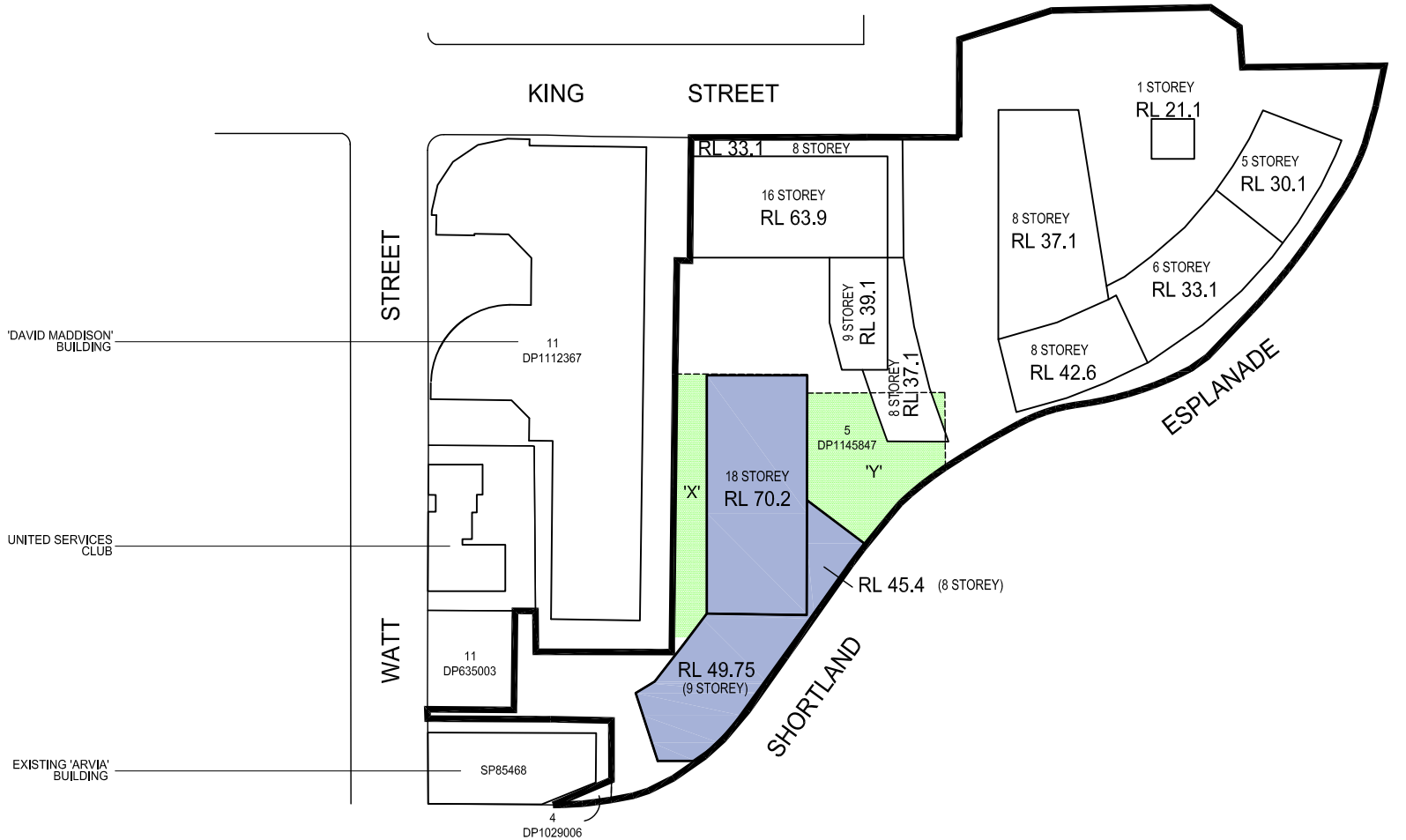
Colston Budd Hunt & Kafes Pty Ltd

DRAWN BY CBHK Pty Ltd_ho Ref: 8603 17 May 2012

Figure 3

ATTACHMENT 4

Communal Open Space Plan prepared by de Witt Consulting



LEGEND

- CONCEPT PLAN BOUNDARY
- SITE BOUNDARY
- COMMUNAL OPEN SPACE
- PROPOSED AMENDED ENVELOPE - 18 STOREY & PART 8 STOREY / PART 9 STOREY

'X' - 382m²

'Y' - 632m²

TOTAL 1014m²

NOTE :

THE AREAS QUOTED FOR SECTION X & Y HAVE BEEN CALCULATED USING ELECTRONIC PLANS BY SUTERS ARCHITECTS AND DEWITT CONSULTING. THE AREAS QUOTED FOR SECTION Z HAVE BEEN CALCULATED USING A SCAN OF THE ORIGINAL CONCEPT PLAN. AS SUCH THE AREAS QUOTED FOR SECTION X & Y ARE OF HIGHER ACCURACY THAN SECTION Z. A SMALL TOLERANCE SHOULD BE CONSIDERED DUE TO THE METHODS USED TO CALCULATE THE QUOTED AREAS.

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TITLE

NEWCASTLE ROYAL HOSPITAL SITE

PLAN SHOWING COMMUNAL OPEN SPACE

Ed.	Date	Amendment
H		
G		
F		
E	24.10.12	AMENDMENTS
D	23.10.12	ADD COMMUNAL OPEN SPACE AREAS
C	11.10.12	CUT OFF 8/9 STOREY BUILDING
B	15.08.12	AMENDMENTS
A	21.06.12	INITIAL ISSUE

JOB ADDRESS: SHORTLAND ESPLANADE

CLIENT: STRONACH PROPERTY

PLAN No 1

JOB REF: 2922

SCALE: NTS

SURVEY DATE:

PLAN DATE: 24.10.12

DATUM: -

CAD REF:

ORIGIN OF LEVELS -

DRAWN MH

SURVEYOR

CHECKED

APPROVED

SHEET No 1/1

DRAWING REF: 2922-CONCEPT AREA 24.10.12

ATTACHMENT 5

GFA extract from SEE

Floor Space Ratio

At the time the Concept Plan was approved, the proponent indicated that the project may be staged. Consequently, condition 2 of the Concept Plan set out the following maximum GFAs and FSRs for each part of the site:

a) Full implementation of the site, representing all of the Subject Site, including the David Maddison Building site and the United Services Club car park site, shall have a maximum FSR of 3.07:1, being a maximum GFA of 53 971sqm. As the submitted documents indicate that GFA is greater than the required maximum, GFA is to be achieved by reducing the height of the buildings. The preferred location for this reduction is the 8 storey building to the east of the Wirraway Flats site as shown on the drawing Supporting Control Drawings – *Concept Plan building heights diagram showing indicative RLs (m AHD) and storeys of all buildings dated 8th December 2006.*

b) Stage 1 of the development, representing all of the subject site including the United Services Club car park, but excluding the David Maddison Building site, shall have a maximum GFA of 41,916sqm being FSR 3.27:1.

c) Development on the David Maddison Site alone shall have a maximum FSR of 2.5:1, being a maximum GFA of 12,055sqm.

d) Should the United Services Club *(car park)* site be excised from the Subject Site, the maximum FSR for the subject site shall be 3.06:1 being a maximum GFA of 52,771sqm.

In relation to d) above, in the Director General's Environmental Assessment Report which formed the basis for the Concept Plan, reference was made to section 2.1.2 of the report which sets out the following:

The site has a total area of 17566sqm, being 17245sqm in total for the Health owned site and 321sqm for the United Services Club (USC) car park site. The car park site has a two storey car park structure on it which is jointly owned by Health and the USC – the ground (Lot 11 DP635003) and stratum airspace are owned by the USC and the stratum and deck car parking above ground (Lot 12 DP 635003) are owned by Health.

On this basis condition d) above is taken to relate to the USC car park being excised from the subject site.

A DA has been lodged with Newcastle City Council seeking consent to carry out alterations and additions to the existing David Maddison Building (DMB) to be used as office space. Hence the DMB is no longer part of the subject site as per b) above. In addition, for the purposes of this DA, the USC car park site has been excised from the subject site as per d) above. Hence the available GFA on Stage 1 is:

41916sqm - 1200sqm (being 53971-52771 because the USC Car park is being excised) = 40716sqm

Less that part of Stage 1 already developed by Mirvac (25222sqm) = 15494sqm

This figure is reflected in the design competition brief (Appendix 8) which was approved by DPI in a letter dated 25 November 2011.

David Maddison DA

It should be noted that as part of the David Maddison DA, 67 car spaces are to be provided utilising part of the existing car park which adjoins the DMB building to the south. 12.5 of these spaces encroach on Lot 11 DP 1112367 which contains the DMB building. 24 spaces are located on Lot 12 DP 635003 (with the bottom level -Lot 11 DP635003 - to be used by the United Services Club). The remaining 31 spaces are being provided for on Lot 5 DP 1145847 which forms the Stage 1 Development Area. Assuming an area of 19.92m^2 per car park, including circulation space, this equates to 618m^2 of parking space being provided for on part of Lot 5 DP 1145847 ie within Stage 1.

The Concept Plan adopts the definition for GFA as defined in the Standard Instrument Local Environmental Plan, being

"gross floor area means 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, 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 areas, 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."

Given the above, the 31 spaces (618m^2) being provided within Stage 1 for use by future occupants of the DM building are to be counted as GFA, since they exceed the requirements of the consent authority for Stage 1. Therefore the GFA remaining on Stage 1 is 15494m^2 – 618m^2 = 14876m^2

The two new buildings will have a combined GFA of 14619m^2, (northern building 11150m^2 and southern building 3469m^2).

ATTACHMENT 6

Response to Submissions

SUMMARY OF SUBMISSIONS AND COUNTER ARGUMENTS TO ROYAL NEWCASTLE HOSPITAL CONCEPT PLAN MODIFICATION: PREPARED BY DE WITT CONSULTING – 25 SEPTEMBER 2012

SUBMISSIONS RECEIVED FOLLOWING THE SECOND ROUND OF EXHIBITION ARE SHOWN IN BLUE.

King Street Residents
Issue

Objector Details	**View Loss**	**Traffic**	**Relocation of building envelopes**	**Retention/excision of DM building**	**Other**	***Counter Arguments***
JBA Planning on behalf of owners within the Royal's existing McCaffrey and Nickson Hannell buildings.	Proposed expansion of southern eight storey building envelope will impact on view corridors of existing residents of the McCaffery building as well as residents in the Hannell and Nickson Buildings.	Excising the DM building from the site removes any opportunity for traffic access onto Watt Street. The DM building and the current proposed DA before Council will have all traffic associated with the development entering King Street adjacent to the existing point of entry to the Royal Development.	No objection to height, Objection to building footprint-proposed expansion of southern eight storey building envelope will impact on view corridors of existing residents of the McCaffery building as well as residents in the Hannell and Nickson Buildings.	Retention of DM building was never envisaged as part of broader development of the site. With its retention the outcome for the site in terms of amended building envelopes is substantially different.	Moving the envelope of the northern building 6.7m south, while providing greater separation does not offset the loss of public open space that has resulted from the retention of the DMB. The residents of the McCaffrey building purchased their dwellings on the understanding that to the west of their building would be a ground level open plaza that would have ground level activity such as restaurants, cafes and the like.	***View Loss*** *– The proposed CP amendments will result in increased separation between the McCaffery, Hannel and Nickson Buildings and the proposed development. The block diagrams prepared by Suters Architects demonstrate enhanced views east and west from existing buildings to the north. It is not clear how view corridors of existing residents will be adversely affected.* ***Traffic*** *– In the DGs original EA report dated Dec 2006, King, Watt and the extended Pacific Street were discussed as providing the main vehicle access points to the site. Vehicle access is proposed to King Street via an existing laneway behind the DM building. This access to King Street remains consistent with what was discussed in the DGs report. Alternative vehicle access is also available to the new development via*

Objector Details	View Loss	Traffic	Relocation of building envelopes	Retention/excision of DM building	Other	*Counter Arguments*
						Shortland Esplanade. Therefore not all traffic associated with the new development will be using King Street. Further, the existing point of entry to the Royal development in King Street would have required a standard separation distance from the laneway behind the DM building to ensure safe traffic movement. This separation distance is not being altered. *We note that the Site Design Principles for the site set out four vehicle access points, including two located on Watt Street which will no longer be viable due to the excision of the David Maddison Building and the United Services Club Car Park sites. Access to the proposed development is to be provided from Shortland Esplanade (car park and set down/pick up area) and King Street (carpark via the existing lane located behind the subject site). As part of the development application (DA) documentation submitted to Newcastle City Council, a Traffic Report for the proposal was prepared by Colston Budd Hunt and Kafes Pty Ltd. The traffic report concludes that the proposed development would generate some 80 vehicles per hour two-way during the morning and afternoon peak periods and that the*

Objector Details	View Loss	Traffic	Relocation of building envelopes	Retention/excision of DM building	Other	***Counter Arguments***
						surrounding road network and its intersections will be able to cater for the additional development traffic. ***Retention/excision of DM building –*** *acknowledged, this is why the CP is being amended in the manner proposed.* ***Loss of Public Open Space -*** *the proposed amendments to the CP include moving the envelope for the northern building 6.7m south (to be consistent with the DA currently before Council). This will allow for increased separation between the northern building and the completed Mirvac Residential towers to the north, with the area between these buildings having the potential to be used as a public plaza. The principle landscape works for the project include a forecourt and common area on the eastern side of the lower ground floor of building north and a walkway providing access to residents of the upper floor apartments on the building's western side. The site is adjoined by public parks and Newcastle beach, which will afford future residents considerable recreation opportunities.*
JBA Planning		Excision of DM		Retention of DM	Concern over DoPI's	

Objector Details	View Loss	Traffic	Relocation of building envelopes	Retention/excision of DM building	Other	*Counter Arguments*
on behalf of owners within the Royal's existing McCaffrey and Nickson Hannell buildings. (21 September 2012)		building and Watt St car park site will result in alternative vehicle access arrangements that will cause traffic congestion along King St. Request existing access from Watt St be retained and provide additional access from Shortland Esplanade.		building results in a reduction of open space envisaged by the concept plan.	failure to notify residents of the proposal to excise DM building from concept plan. The failure to do so understates the extent of the concept plan modifications and raises questions regarding the veracity of DoPI's consultation.	
Sharonne Moore – 58/7 King Street (McCaffery Building)	Concept plan provided reassurance that a view corridor would be retained.	Concept Plan makes no provision for a hotel and resultant increased traffic flow.	The proposal bares little resemblance to the original plan, with the building footprint dominating the site leaving minimal space for community access.		Received no notification of the DA for the DMB	***View Loss*** *– The proposed CP amendments will result in increased separation between the McCaffery, Hannel and Nickson Buildings and the proposed development. The block diagrams prepared by Suters Architects demonstrate enhanced views east and west from existing buildings to the north. It is not clear how view corridors of existing residents will be adversely affected.* ***CP makes no provision for hotel or restaurant.*** *The CP does not have to make provision for a hotel or restaurant on the site for those uses to be permissible.*

Objector Details	View Loss	Traffic	Relocation of building envelopes	Retention/excision of DM building	Other	*Counter Arguments*
						The development outcome for the site is not significantly different to the original CP. The changes to the CP are designed to reduce adverse impacts by ensuring adequate separation between buildings as well as useable open space/ circulation space around the site.
Don Ramsay 49/1 King Street					Object to outlook and noise and amenity impacts associated with a second hotel, impact on general streetscape aesthetics	*It is not anticipated that noise and amenity impacts associated with the hotel would be any different to residential apartments in the locality.* *In terms of streetscape, the southern building will define the street edge in keeping with other developments in the locality as demonstrated in the submission to DPI dated 22 June 2012. It is not anticipated that moving the building forward to the street in the manner proposed will be out of character with the area or affect the quality of the streetscape.*
Laurel Bale – York Apartments					Impact on infrastructure in the immediate vicinity. Development is an overkill.	*These comments are unsubstantiated. The site is in a CBD location and parking is being provided as per NCC requirements. There is no evidence that existing infrastructure cannot cope with the proposed development*
Laurel Bale – York Apartments					Impact on infrastructure and parking in the immediate vicinity.	

Objector Details	View Loss	Traffic	Relocation of building envelopes	Retention/excision of DM building	Other	*Counter Arguments*
(18 September 2012)					Overshadowing of Newcastle Beach.	
D Carole Brown – Apartment 26, 7 King Street (18 September 2012)		Proposal adds to King Street traffic congestion.		Results in reduction of open space ratio.	Proposal is for significant changes to the concept plan.	
Sue Marshall – Resident, Royal Apartments (20 September 2012)		Adverse traffic impacts along King Street. Service entry exit will need to be via Watt St or The Esplanade.			Objection is similar to Trevor Prior's dated 20 September 2012.	
Trevor Prior- Apartment 61 McCaffery Building, The Royal, 7 King Street Newcastle		Additional vehicle access to King Street will create significant traffic conflict for residents of the Royal and other developments fronting King Street.	Qualified non-objection to relocating building envelope 6.7m to the south because of amenity benefits to the southern side of the Royal. Opposed to aligning southern building envelope with Shortland Esplanade boundary and increasing southern building envelope to 9 storeys because of amenity impacts on surrounding residents and impact	Retention of DM building has major impact on development outcomes on the site.	Concept Plan makes no provision for a hotel	*Same comments as above in relation to view loss, traffic, retention/excision of DM building, loss of open space.* *In relation to **aligning the southern building envelope with Shortland Esplanade boundary**, the southern building is to be constructed to the footpath boundary in a manner similar to the Arvia development further up Church Street to the west and parts of the 8 storey Royal Development along Shortland Esplanade to create a consistent public footpath depth along the Esplanade. As demonstrated in the submission to DPI dated 22 June 2012, the building will define the street edge in keeping with other*

Objector Details	View Loss	Traffic	Relocation of building envelopes	Retention/excision of DM building	Other	*Counter Arguments*
			on Shortland Esplanade streetscape.			*developments in the locality and is balanced by setting the northern building back behind a landscaped forecourt. It is not anticipated that moving the building forward to the street in the manner proposed will be out of character with the area or affect the quality of the public domain.* ***CP makes no provision for hotel.*** *The CP does not have to make provision for a hotel on the site for a hotel to be permissible.*
The following owners/occupiers in developments fronting King Street have objected in terms similar to Trevor Prior above Judith Richardson – resident of the Royal Patti Imber – Unit 30 Mc affery Building, 7 King Street Warrick Smith 62/7 King Street Dean Reeves, 53/1 King Street Angelo Kaprilian 46/7King Street Anne and David Wood – Royal Apartments Chris Bates – Royal Apartments Janet Steele- Royal Apartments Phillip Morriss – 27/1 King Street Michele Stokes- 39/7 King Street Doris Littler – 70/7 King Street Dr Carole Brown - Apartment 26, Level 10, 7 King Street AD and DM Sullivan 60/7 King Street Michael Johns 42/7 King Street						

Objector Details	View Loss	Traffic	Relocation of building envelopes	Retention/excision of DM building	Other	*Counter Arguments*
Trevor and Pam Prior-Apartment 61 McCaffery Building, The Royal, 7 King Street (20 September 2012)		Excision of DM building and Watt St car park site will result in alternative vehicle access arrangements that will cause traffic congestion along King St.	Adverse impact on outlook and property value of apartments on the south-eastern side of The Royal. Adverse impact on amenity and streetscape along Shortland Esplanade and reduction of site distances for traffic travelling north-east.	Floor space previously assigned to DM site will be transferred to other areas of the development site resulting in overall reduction of open space.	Concern over DoPI's failure to notify residents of the proposal to excise DM building from concept plan. The failure to do so understates the extent of the concept plan modifications and raises questions regarding the veracity of DoPI's consultation. Hotel proposal inconsistent with concept plan.	

Objector Details	View Loss	Traffic	Relocation of building envelopes	Retention/excision of DM building	Other	*Counter Arguments*
The following owners/occupiers in developments fronting King Street have objected in terms similar to Trevor and Pam Prior above Phillip Morriss – 27/1 King Street (J Morris?) – Submission not signed. Michele Stokes- 39/7 King Street Narayani Nair - 5 Scenic Drive Merewether Barry Robin and Kathleen Mary Doorey Dr Laura Mason and Mr Jeffery Mason Roger and Linda Davies – Apartment 36 McCaffrey Building 7 King Street Additional submission made using template – signature is illegible.						
Trevor Prior					Photos and written descriptions provide details of existing traffic conditions.	

Objector Details	View Loss	Traffic	Relocation of building envelopes	Retention/excision of DM building	Other	*Counter Arguments*
Gayle McCullum	Objector purchased her unit on the basis of the concept plan. Objects to loss of views and privacy.					

Watt Street Residents

	View Loss	**Traffic**	**Relocation of building envelopes**	**Retention/excision of building envelopes**	**Other**	**Counter Arguments**
Priyanka Gupta 410 Arvia Apartments, 67 Watt Street	Proposal will have a devastating loss of views for the property as per tests for view loss established by L&E Court				Object to height increase and moving the northern building south	*Taking into consideration the view sharing principles in Tenacity Consulting vs Warringah (2004) NSWLEC 140, it is proposed to splay the building envelope as per the revised building envelope drawing at Attachment 1. The impact of splaying the building envelope on views from the upper and lower levels of the Arvia building is demonstrated in the revised drawings PD 13 Issue C and PD 14 Issue C, prepared by Suters Architects (Attachment 2). Other than the slight increase in the height of the envelope for the southern building from RL 49.1 to proposed RL 49.75, the revised drawings demonstrate that residents of the Arvia building will have the same views that they would have had under the current concept plan envelope.*
JW Planning on behalf of Mr P Anderson Units 908 Watt Street Newcastle	Devastating view loss for residents of the Arvia as per tests for view loss established by L&E Court.		Application should consider varying the separation distances between the DM building and the southern building or reduce the physical		Changes seek a fundamentally different development outcome on the site, increasing height, number	*See above in relation to view loss from Arvia building. It should be noted that Unit 908 is a combined north east and south east facing apartment* *In relation to building envelopes, the*

	View Loss	Traffic	Relocation of building envelopes	Retention/excision of building envelopes	Other	Counter Arguments
			footprint of the southern building to be consistent with the Ministers Instrument of Approval.		of floors and potential adverse impacts.	*Concept Plan requires building separation distances between all buildings to comply with the building separation provisions of State Environmental Planning Policy (SEPP) No 65. The Residential Flat Design Code sets out suggested building separation dimensions of 12 metres between habitable rooms/balconies (up to four storeys), 18 metres between habitable room/balconies for five to eight storeys and 24m between habitable rooms/balconies for nine storeys and above. Given these controls, there is little scope to vary the distance between the DM building and the southern building.* *The development outcome for the site is not fundamentally different. The increase in the height of the southern building is marginal RL 49.1 to RL 49.75. The changes to the CP are designed to reduce adverse impacts by ensuring adequate separation between buildings as well as useable open space/ circulation space around the site. The proposed changes are designed to accommodate the retention of the DM building which has significant built form and environmental benefits for the locality.*

	View Loss	Traffic	Relocation of building envelopes	Retention/excision of building envelopes	Other	Counter Arguments
JW Planning on behalf of Mr P Anderson- Unit 908 Watt Street Newcastle (21 September 2012)	Devastating view loss for residents of the Arvia as per tests for view loss established by L&E Court.				Changes seek a fundamentally different development outcome on the site, increasing height, number of floors and potential adverse impacts. Proposal undermines the concept planning and implementation processes.	
Patti Graham- Apt 308 Arvia, 67 Watt Street Newcastle	Proposal completely blocks out any view east to Newcastle Beach	With the addition of an 18 storey tower and 9 storey building traffic outflow and inflow would be chaotic				*Apartment 308 is a north facing apartment. With respect to impacts on views from adjoining properties, Suters Architects have prepared a block diagram showing the existing concept plan envelope and proposed concept plan envelope and which includes perspectives taken from midway along the balconies of lower and upper level north east and south east facing apartments in the Arvia development. It is acknowledged that*

	View Loss	Traffic	Relocation of building envelopes	Retention/excision of building envelopes	Other	Counter Arguments
						there will be some additional view loss and that modifications may be required to the proposed envelope of the southern building to address this. *See above for traffic comments*.
Kenneth Grahame Lloyd – Apt 905 Arvia Apartments (13 September 2012)	RLs provided for existing and proposed development make it impossible to compare heights. Application provides misleading information about views from Arvia apartments.				Objects to loss of solar access to north facing units and loss of privacy. Objects to additional height and GFA resulting from changes.	