

Our Ref: 2013/0524 KG

29 August 2017

Lake Macquarie City Council
PO Box 1906
HUNTER REGION MAIL CENTRE NSW 2310

Attention: Brian Gibson

Re: Development Application – DA/11/2017 – Mixed Use Development at 5 Edgar Street, Belmont

We refer to our continued and recent discussions in relation to the above matter and to your email of 3 August 2017. We have met with our clients and determined that the most appropriate course of action is to make the minor amendments that seek to address the Council's concerns raised in their correspondence of 5 June 2017.

These amendments do not substantially alter the development application before the Council but indeed provide appropriate changes and further clarification around those matters raised by the LMCC Design Review Panel and the Council's Internal referral comments from relevant Council staff.

To assist Council and in accordance with Clause 55(2) or the *Environmental Planning and Assessment Regulation 2000*, the suite of amendments can be sufficiently identified as follows:

1. Project Plans have been amended to remove the reference to the (third) proposed commercial space located on the podium level. The area has been substituted with a multi-purpose facility providing a communal space servicing the residents of the development. The mezzanine levels have been altered so that the multi-purpose facility is now on grade with the remainder of the raised podium. The location of the access ramp to the parking area adjoining the multi-purpose facility has been moved to enable a greater level of amenity to adjoining and adjacent developments and enables further landscaping treatments to be installed between those separated areas. The on-grade alignment of the podium now has an integrated recreational area hosting BBQ's, seating, plantings

Newcastle:
PO Box 2270 Dangar NSW 2309
125 Bull Street Newcastle West
P: (02) 4926 1388

Sydney:
PO Box 28 Crows Nest NSW 1585
Level 11, 205 Pacific Highway St Leonards
P: (02) 9436 4210

Gunnedah:
PO Box 328 Gunnedah 2380
88 Marquis Street Gunnedah
P: (02) 6742 0166

and community recreation spaces to increase the amenity options for proposed residents of the development. The new plans are referenced as follows;

- Brooks Parade DA 02C
- Brooks Parade DA 03E
- Brooks Parade DA 04D
- Brooks Parade DA 05D
- Brooks Parade DA 06D
- Brooks Parade DA 07D
- Brooks Parade DA 08B
- Brooks Parade DA 09B
- Brooks Parade DA 10B
- Brooks Parade DA 11C
- Brooks Parade DA 12E
- Brooks Parade DA 13C
- Brooks Parade DA 14C
- Brooks Parade DA 15
- Brooks Parade DA 31B
- Brooks Parade DA 32B
- Brooks Parade DA 33A
- Brooks Parade DA 34A
- Brooks Parade DA 52A
- Brooks Parade DA 61
- Brooks Parade DA 62
- Brooks Parade DA 63
- Brooks Parade DA 64

The following are the list of existing plans that remained unchanged;

- Brooks Parade DA 01A
- Brooks Parade DA 21A
- Brooks Parade DA 22A
- Brooks Parade DA 41
- Brooks Parade DA 42
- Brooks Parade DA 43
- Brooks Parade DA 45
- Brooks Parade Finishes Board

The following plans have been deleted;

- Brooks Parade DA 17A
- Brooks Parade DA 18A

2. Landscaping solutions have been further addressed in and around the podium enabling deep soil plantings, additional screening from adjoining developments, increased recreational and communal spaces and the introduction of further seating and play space options. Further landscaping has also been placed in the vicinity of the drainage channel enabling the residents with balconies facing the channel to enjoy greater amenity and privacy;
3. The viewing proposed viewing platform over the drainage channel has been removed to ensure that there is no impediment in that specific location to the Council functions in clearing and/or maintaining the drain. This has also led to a reduction in the necessary pathway and hardstand areas leading to the platform, which are now proposed to be used as recreational and child play spaces, directly inter-relating to the new BBQ area and seating. The removal of the viewing platform also creates greater private amenity for unit 1.04 in Block C;
4. An updated Acoustic Assessment letter, dated 20 August 2017 is provided to demonstrate the results of a noise impact assessment conducted for a proposed commercial and residential development.
5. The proposed changes also reflect changes that align with the Apartment Design Guidelines (ADG) and consideration by Council's Design Review Panel (DRP). A response the DRP comments have been included as an additional document prepared by Coeve Design (VIC) Pty Ltd;
6. A revised Social Impact Assessment is provided to address Council's concerns in relation to potential needs of the future residents and whether the existing services, benefits and negatives, impacts on the nature and character of the existing community, and further information about the revised communal spaces;
7. An additional Traffic Report that contains additional clarifying commentary in relation to Assessment of all relevant vehicular traffic routes and intersections for access to / from the site, traffic counts and distribution on the road network of the trips generated by the proposed Development. A traffic analysis of the relevant intersections impacted by the development, using SIDRA, peak hour trip generation rate used from RMS Technical Direction and Consideration of the traffic impacts of the proposed development on the current levels of service at critical intersections.

8. Minimum floor heights have been amended to meet the requirements for residential development and commercial developments in flood prone areas in accordance with Council's sea level rise requirements;
9. The Statement of Environmental Effects has been updated to reflect the relevant changes in the amended documents and plans and to identify any additional information and/or reports provided. By way of example, references to the (third) commercial suite have been removed and substituted with references to the multi-purpose centre. The SoEE changes seek only to provide a consistency in the suite of amended documents and supplementary reports. The SoEE is substantially unchanged and demonstrates that the development at large, is fundamentally the same development as lodged with refinements addressing matters raised in the Council's internal referrals and the LMCC Design Review Panel commentary. The SoEE also acknowledges any additional information supplied such as the Aboriginal Due Diligence Report.
10. The Council requested the submission of an Aboriginal Due Diligence Assessment. This assessment is now complete and accompanies the amended documents;
11. An outline of the discussion and progress for the potential acquisition of the adjoining lot on the corner of Sharp Street and Brooks Parade (44 Brooks Parade).

These respective amendments have been made to the original documents and outlined above so that Council is able to rely upon a complete suite of documents for its further assessment. If Council requires any further information and/or clarification about the changes made, then we encourage you to contact us at your earliest convenience.

We further note that Council has been in discussion with the SEPP65 LMCC Design Review Panel for the purposes of coordinating a further meeting once these amendments were received and considered.

Accordingly, we have submitted these amendments to Council pursuant to Clause 55 of the *Environmental Planning and Assessment Regulation 2000*. **We therefore request that Council acknowledges receipt and acceptance of the Amended Application on or before close of business Wednesday 30 August 2017.**

We look forward to your timely written response.

Yours faithfully

MONTEATH & POWYS PTY LIMITED

A handwritten signature in blue ink, appearing to read 'K. Grinlaubs', written in a cursive style.

Konrad Grinlaubs

Senior Planner

k.grinlaubs@monteathpowys.com.au