



To: Hunter and Central Coast JRPP

From: Alison McCabe and Joanne McGuinness – SJB Planning

Date: 20 December 2017

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**Subject: 2017HCC018- Staged DA - Newcastle East End (DA2017/00701)**

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To the Panel Coordinator,

We act on behalf of our clients, Iris Land Pty Ltd in relation to the Staged Development Application for Newcastle East End, Newcastle (DA2017/00701).

We have had the opportunity to review the report prepared by the City of Newcastle Council and are supportive of the recommendation.

We have also reviewed the draft conditions recommended by Council and wish to raise some amendments for clarity.

As you are aware a Stage 1 DA (No.2017/00700) for the redevelopment of Block 1, was lodged concurrently with this Staged DA for the redevelopment of Block 1. This Stage 1 DA is also being considered by the JRPP. As such, some of the amendments to the conditions are to ensure consistency between this Staged DA and the Stage 1 DA.

The amendments to the draft conditions and justification are outlined below. The amendments are highlighted in red for ease of reference.

**Additional Condition – Surrender of Development Consent DA No. 2015/10182**

The Staged Concept Development Application No. 2015/10182 was approved by the JRPP on 28 April 2016. As you are aware the applicant lodged seeks to replace the current approved Staged Concept DA with the subject Staged Concept DA.

As outlined in the Statement of Environmental Effects (SEE) submitted with the Staged DA 2017/00700, it has always been the intention to surrender the consent for Staged DA 2015/10182. This has also been identified in Council's assessment report, however a condition has not been included in the draft conditions to reflect this.

Accordingly, it is recommended that the following condition be included in the final conditions:

***Development consent for Staged Concept Development Application No.2015/10182 is to be surrendered. A Notice of Surrender of Development is to be submitted within 28 days of the date of this consent.***

## Condition: Plans and Documentation

The current draft condition lists comparative building height diagrams (DA5050DA508) as approval documents. This information was provided to Council to assist in the assessment of the development application and preparation of the report. We do not consider these documents should form part of the stamped approval documentation.

The full list of the documents included in the draft condition are reproduced in Attachment 1. The comparative height elevations which are not considered to form part of the stamped approval documentation have been crossed out.

In addition, the Traffic Impact Assessment has been incorrectly dated, which has also been corrected.

## Conditions 3 and 4 - Floor Area

Condition 4 needs to be amended to ensure that the gross floor area (GFA) for Block 1 is consistent with the GFA of the Stage 1 DA 2017/00700. This results in a minor increase in the total GFA of some 130m<sup>2</sup> from 61,000m<sup>2</sup> to 61,130m<sup>2</sup> and an increase in the GFA of Block 1 from 26,092m<sup>2</sup> to 26,224m<sup>2</sup>.

This difference in the GFA for Block 1 is due to amendments to the Stage 1 DA during the design development process and in response to items raised by Council in the assessment of the DA. The discrepancy in GFA is also attributed to the fact the GFA calculation for the Staged DA is based on building envelopes whereas the GFA for Stage 1 is based on actual buildings.

It is noted that the GFA for Block 1 is consistent with the GFA identified in Council's DA assessment report for the Stage 1 DA which has been rounded to GFA of 26,200m<sup>2</sup>.

Condition 4 also needs to be amended as one of the floor plans (DA-202 Level 2) has been excluded from the listed plans.

Condition 5 needs to be amended to increase the total FSR of the site from 3.67:1 to 3.68:1 as a result of the alterations to the GFA on Block 1, outlined above. The FSR of each stage remains unchanged.

### ***Floor Area***

- 4) ***This consent permits a maximum gross floor area of ~~61,000m<sup>2</sup>~~ 61,130m<sup>2</sup> over all stages, calculated in accordance with the definition of gross floor area contained in Newcastle Local Environmental Plan 2012. Of the total gross floor area, not less than 7,300m<sup>2</sup> shall comprise retail space and not less than 1,500m<sup>2</sup> shall comprise business/office space which is generally apportioned to each stage as identified in the approved documentation and as depicted on Floor Plans (Job No. 5614) numbered DA-0200 (Basement 01), DA-0201 (Level 1), DA-0202 (Level 2), DA-0203 (Level 3), DA-0204 (Level 4), DA-0205 (Level 5), DA-0206 (Level Typical), Revision 00 dated 15.5.2017, prepared by SJB Architects.***

***Allocation of gross floor area across the site shall generally be:***

***Block 1: ~~26,092m<sup>2</sup>~~ 26,224m<sup>2</sup>***

***Block 2: 11,709m<sup>2</sup>***

***Block 3: 11,034m<sup>2</sup>***

***Block 4: 12,163m<sup>2</sup>***

5) *This consent permits a maximum floor space ratio on the total site of ~~3.67:1~~, 3.68:1, with the maximum floor space ratio for each stage to be in accordance with the 'FSR Plan' prepared by SJB Architects (Job No. 5614, Drawing No. DA-2904, Revision 00, dated 15.5.17) and is generally apportioned to each stage as identified in the approved documentation and is summarised below:*

*Stage 1: 4.0:1*

*Stage 2: 3.2:1*

*Stage 3: 3.3:1*

*Stage 4A: 4.0:1*

# Attachment 1 – Plans and Documentation for Approval

## Plans and Documentation

*1) The development shall be undertaken substantially in accordance with the details and specifications set out in:*

- a) Statement of Environmental Effects prepared by SJB Planning dated June 2017;*
- b) Heritage Impact Assessment Addendum, Ref: 17-012 dated 13 June 2017, prepared by City Plan Services, and Statement of Heritage Impact (Project No. 14 0181 Issue B, dated October 2015), prepared by TKD Architects;*
- c) Archaeological Considerations, dated 9 June 2017, prepared by Umwelt Australia; Comments on Archaeological Consent Conditions dated 9 June 2017, prepared by Umwelt Australia, and Aboriginal and Historical Archaeology Report Number 3303/R01/V6, dated October 2015, prepared by Umwelt Australia;*
- d) Addendum to Preliminary Site Investigation (Contamination), Project No. 39826.09, dated 29 May 2017, prepared by Douglas Partners, and Report on Preliminary Site Investigation (Contamination) Project No. 39826.08, Revision 6, dated October 2015, prepared by Douglas Partners;*
- e) Summary of Potential 'Ground' Issues, Project No. 39826.09, dated 8 June 2017, prepared by Douglas Partners;*
- f) Infrastructure Services Report, Ref: SYD0296 Rev T3, dated 8 June 2017, prepared by ADP Consulting Engineering;*
- g) Capital Investment Value Report, Ref: 71130.102037.000 dated 14 June 2017, prepared by Altus Group;*
- h) Transport Impact Assessment, Ref N124070, Issue D dated ~~16 June 2017~~ 13 June 2017, prepared by GTA Consultants;*
- i) Construction Management Plan, Rev A dated 8 June 2017, prepared by Parkview;*
- j) Addendum to Social Plan, Ref: 2126423, dated 28 April 2017, prepared by GHD, and Social Impact Assessment, dated October 2015, prepared by GHD;*
- k) Clause 4.6 - Exceptions to Development Standards - Height of Buildings (cl 4.3), prepared by SJB Planning;*
- l) Site Survey, Ref 07/158, Sheets 1- 10, 12-17, 19-26 and 28 dated 15 July 2008; Sheet 11 dated 26 March 2014; Sheet 18 dated 15 July 2008; and Sheet 27 dated 26 March 2014 prepared by Monteath and Powys;*
- m) Design and SEPP 65 Report, Version 00, dated 10 May 2017, prepared by SJB Architects;*
- n) Visual Impact and Street Views Analysis, Version 00, dated 4 May 2017, prepared by SJB Architects and Addendum View Analysis, dated November 2017, prepared by SJB Urban;*

- o) *Indicative Public Domain Strategy, Dwg Nos. 13077-DA01-DA-10 Rev F, dated June 2017, prepared by Aspect Studios;*
- p) *Shadow Diagrams, Version 00, dated 4 May 2017, prepared by SJB Architects;*
- q) *Architectural Plans prepared by SJB Architects, Job No. 5614, listed as follows, except where specifically amended by the conditions of consent as contained in this Notice of Determination:*

<i>Drawing No.</i>	<i>Rev.</i>	<i>Name of Plan</i>	<i>Date</i>
DA-0001	00	Contents	15.05.2017
DA-0101	00	Location Plan	15.05.2017
DA-0102	00	Site Analysis Plan	15.05.2017
DA-0103	00	Block Plan	15.05.2017
DA-0200	00	Floor Plan Basement 01	15.05.2017
DA-0201	00	Floor Plan Level 01	15.05.2017
DA-0202	00	Floor Plan Level 02	15.05.2017
DA-0203	00	Floor Plan Level 03	15.05.2017
DA-0204	00	Floor Plan Level 04	15.05.2017
DA-0205	00	Floor Plan Level 05	15.05.2017
DA-0206	00	Floor Plan Typical	15.05.2017
DA-0501	00	Building Envelope Elevation North & East	15.05.2017
DA-0502	00	Building Envelope Elevation South & West	15.05.2017
DA-0503	00	Building Envelope Elevation Wolfe St East & West	15.05.2017
DA-0504	00	Building Envelope Elevation South & West	15.05.2017
<del>DA-0505</del>	<del>00</del>	<del>Building Envelope Elevation North &amp; East</del>	<del>10.11.2017</del>
<del>DA-0506</del>	<del>00</del>	<del>Building Envelope Elevation South &amp; West</del>	<del>10.11.2017</del>
<del>DA-0507</del>	<del>00</del>	<del>Building Envelope Elevation Wolfe St East &amp; West</del>	<del>10.11.2017</del>
<del>DA-0508</del>	<del>00</del>	<del>Building Envelope Elevation South &amp; West</del>	<del>10.11.2017</del>
DA-0601	00	Section C & D	15.05.2017
DA-0602	00	Section E & F	15.05.2017
DA-0603	00	Section H	15.05.2017
DA-0604	00	Section J	15.05.2017
DA-2901	00	Envelope Plan	15.05.2017
DA-2902	00	Privately Owned Public Access Plan	15.05.2017
DA-2903	00	Indicative Staging Plan	15.05.2017
DA-2904	00	FSR Plan	15.05.2017