

APPENDIX 2

This Appendix relates to the proposed mixed-use – residential and commercial Concept Proposal and Stage 1 development on the subject land within the local government area of Newcastle. Please note that the following is a summary of compliance against the quantitative provisions, only.

NEWCASTLE DEVELOPMENT CONTROL PLAN (NDCP) 2012 TABLE OF COMPLIANCE

Please note that the below is a summary of compliance against the quantitative provisions only.

Relevant control	Compliance	Comply
3.03 Residential Development		
3.03.01.B.1.(a) Front Setbacks	<p><u>Concept Plan</u></p> <ul style="list-style-type: none"> • Woolstores 2 and 3 are existing heritage buildings. The setback is consistent with the existing streetscape. • Building 4 is non-residential and, as such, this section of the DCP is not applicable. • Building 5 comprises shop top housing. As such, section of the DCP does not apply. Notwithstanding this, the proposed building setbacks comply with the average distance of buildings within 40m either side of the lot on the same primary road. <p><u>Stage 1 DA</u></p> <p>Building 1 is an existing heritage building. The setback is consistent with the local streetscape.</p>	✓
3.03.01.B.2 Front Setbacks	<p><u>Concept Plan</u></p> <ul style="list-style-type: none"> • Woolstores 2 and 3 are existing heritage buildings. The setback is consistent with the existing streetscape. 	✓

Relevant control	Compliance	Comply
	<ul style="list-style-type: none"> Building 4 is non-residential and, as such, this section of the DCP is not applicable. Building 5 comprises shop top housing and consent is sought for a building envelope only. As such, this section of the DCP does not apply. Notwithstanding this, the entry to the ground floor has been designed to be consistent with the existing streetscape, to not dominate the street and to reflect the key heritage attributes of the adjoining Woolstore 1. <p><u>Stage 1 DA</u></p> <p>Woolstore 1 is an existing heritage building. The entry to the ground floor garage is existing and consistent with the local streetscape.</p>	
3.03.01.D.3 Landscaped area	<p><u>Concept Plan</u></p> <ul style="list-style-type: none"> Woolstores 2 and 3 are existing heritage buildings. The area of landscaping in the front setback will not be altered by the proposal. Building 4 is non-residential and, as such, this section of the DCP is not applicable. Building 5 comprises shop top housing and consent is sought for a building envelope only. As such, this section of the DCP does not apply. Notwithstanding this, the entry to the landscaping has been designed to be consistent with the existing streetscape and reflect the landscaped area and front setback of adjoining Woolstore 1. <p><u>Stage 1 DA</u></p> <p>Woolstore 1 is an existing heritage building. The dimensions of landscaped area in the front setback will not be altered by the proposal.</p>	✓
3.03.01.D.3 Landscaped area	<p><u>Concept Plan</u></p> <ul style="list-style-type: none"> Woolstores 2 and 3 are existing heritage buildings. The area of landscaping in the rear setback will not be altered by the proposal. Building 4 is non-residential and, as such, this section of the DCP is not applicable. Building 5 comprises shop top housing and consent is sought for a building envelope only. As such, this section of the DCP does not apply. Notwithstanding this, landscaping has been designed to be consistent with the existing streetscape and reflect the landscaped area and front setback of adjoining Woolstore 1. 	✓

Relevant control	Compliance	Comply
	<p><u>Stage 1 DA</u></p> <p>Woolstore 1 is an existing heritage building. The area of landscaping in the front setback will not be altered by the proposal.</p>	
3.03.01.D.5 &6 Landscaped area	<p><u>Concept Plan</u></p> <ul style="list-style-type: none"> • The concept plan distributes landscaped area through the site and incorporates landscaped areas into both private open space and a communal park. • Landscaped areas take advantage of existing site conditions and respond to significant site features. <p><u>Stage 1 DA</u></p> <p>Woolstore 1 incorporates private terraces for ground floor units, balconies and a community park.</p>	✓
3.03.01.D.7 Landscaped area	<p><u>Concept Plan</u></p> <p>Complies. Please refer to Appendix 10 Landscape Plans.</p> <p><u>Stage 1 DA</u></p> <p>Complies. Please refer to Appendix 10 Landscape Plans.</p>	✓
3.03.02.A2 Siting development	<p><u>Concept Plan</u></p> <p>Complies. Please refer to Appendix 3.</p> <p><u>Stage 1 DA</u></p> <p>Complies. Please refer to Appendix 4.</p>	✓
3.03.02.B.1,2&3 Public Domain Interface	<p><u>Concept Plan</u></p> <p>Complies. Please refer to Appendix 3 and 10.</p>	✓

Relevant control	Compliance	Comply
	<p><u>Stage 1 DA</u></p> <p>Complies. Please refer to Appendix 3 and 10.</p>	
3.03.02.B.6 Public Domain Interface	<p><u>Concept Plan</u></p> <ul style="list-style-type: none"> • Woolstores 2 and 3 are existing heritage buildings. The setback is consistent with the existing streetscape. • Building 4 is non-residential and, as such, this section of the DCP is not applicable. • Building 5 comprises shop top housing and consent is sought for a building envelope only. As such, section of the DCP does not apply. Notwithstanding this, the building envelope has been designed to provide a suitable interface to the public domain. Please refer to Appendices 3 and 10. <p><u>Stage 1 DA</u></p> <p>Complies. Please refer to Appendices 3 and 10.</p>	✓
3.03.02.B.8 Public Domain Interface	<p><u>Concept Plan</u></p> <p>Consent is for a concept proposal. Notwithstanding, compliance with mailbox locations can be achieved. Please refer to Appendix 3.</p> <p><u>Stage 1 DA</u></p> <p>Complies. Please refer to Appendix 4.</p>	✓
3.03.02.B.9 Public Domain Interface	<p><u>Concept Plan</u></p> <p>Consent is for a concept proposal. Notwithstanding, compliance with visibility for front doors and garages can be achieved. Please refer to Appendix 3.</p> <p><u>Stage 1 DA</u></p> <p>Complies. Please refer to Appendix 4.</p>	✓
3.03.02.C.1 Pedestrian & vehicle access.	<p><u>Concept Plan</u></p>	✓

Relevant control	Compliance	Comply
	<p>Complies. Please refer to Appendix 8.</p> <p><u>Stage 1 DA</u></p> <p>Complies. Please refer to Appendix 8.</p>	
3.03.02.C.3 Pedestrian & vehicle access.	<p><u>Concept Plan</u></p> <p>Complies. Please refer to Appendix 10.</p> <p><u>Stage 1 DA</u></p> <p>Complies. Please refer to Appendix 10.</p>	✓
3.03.02.C.5&6&7&8 Pedestrian & vehicle access.	<p><u>Concept Plan</u></p> <p>Complies. Please refer to Appendices 3 and 10.</p> <p><u>Stage 1 DA</u></p> <p>Complies. Please refer to Appendices 4 and 10.</p>	✓
3.03.02.C.9 Pedestrian & vehicle access.	<p><u>Concept Plan</u></p> <p>Can comply.</p> <p><u>Stage 1 DA</u></p> <p>Can comply.</p>	✓
3.03.02.C.11 Pedestrian & vehicle access.	<p><u>Concept Plan</u></p> <p>Complies. Please refer to Appendices 3 and 10.</p> <p><u>Stage 1 DA</u></p> <p>Complies. Please refer to Appendices 3 and 10.</p>	✓

Relevant control	Compliance	Comply
3.03.02.D.1&4 Orientation and siting.	<p><u>Concept Plan</u></p> <ul style="list-style-type: none"> • Woolstores 1, 2 and 3 are existing heritage buildings. Approval is for a concept proposal, only. Notwithstanding this, please refer to the SEPP 65 assessment in Appendix 3. • Building 4 is non-residential and, as such, this section of the DCP is not applicable. • Building 5 comprises shop top housing and consent is sought for a building envelope only. As such, section of the DCP does not apply. Notwithstanding this, future development can comply. <p><u>Stage 1 DA</u></p> <p>Complies. Please refer to Appendix 3.</p>	✓
3.03.02.D.10&11&12 Orientation and siting.	<p><u>Concept Plan</u></p> <ul style="list-style-type: none"> • Woolstores 2 and 3 are existing heritage buildings. Approval is for a concept proposal, only. Notwithstanding this, please refer to the SEPP 65 assessment in Appendix 3. • Building 4 is non-residential and such this section of the DCP is not applicable. • Building 5 comprises shop top housing and, as such, this section of the DCP does not apply. Approval is for a building envelope only. Notwithstanding this, future development can comply. <p><u>Stage 1 DA</u></p> <p>Complies. Refer to Appendix 3 and 5.</p> <p>Excavation is required to be undertaken in accordance with the site Remedial Action Plan provided at Appendix 12.</p>	✓
3.03.02.E.2 Building Separation	<p><u>Concept Plan</u></p> <p>Complies. Refer to Appendix 3.</p> <p><u>Stage 1 DA</u></p> <p>Complies. Refer to Appendix 3.</p>	✓
3.03.02.E.4	<u>Concept Plan</u>	✓

Relevant control	Compliance	Comply
Building Separation	<ul style="list-style-type: none"> • Woolstores 1, 2 and 3 are existing heritage buildings. Approval is for a Stage 1 DA and concept proposal, only. • Building 4 is non-residential and, as such, this section of the DCP is not applicable. • Building 5 comprises shop top housing and consent is sought for a building envelope only. As such, section of the DCP does not apply. Notwithstanding this future development can comply. <p><u>Stage 1 DA</u></p> <p>Woolstores 1 is an existing heritage listed building. Alterations and additions are in accordance with the heritage management guideline provided at Appendix 6.</p>	
3.03.03.A.1,3,4,5,6,7,8 &9 Solar and Daylight Access	<p><u>Concept Plan</u></p> <p>Woolstores 2 and 3 are existing heritage buildings. Approval is for a concept proposal, only. Refer to Appendix 3.</p> <p>Building 4 is non-residential and, as such, this section of the DCP is not applicable.</p> <p>Building 5 comprises shop top housing and consent is sought for a building envelope only. As such, section of the DCP does not apply. Notwithstanding this, future development can comply.</p> <p><u>Stage 1 DA</u></p> <p>Woolstores 1 is an existing heritage listed building that will be adaptively re-used as residential flat building. Refer to section 4.5 of the SEE and Appendix 4 "SEPP 65 Solar and Air Flow Strategy" prepared by Fairweather Jemmott, which confirms that:</p> <ul style="list-style-type: none"> ▪ 65% of apartments receive at least 2 hours of direct sunlight at mid-winter in their living rooms and/or private open areas; ▪ 4% of apartments receive no direct sunlight at mid-winter; and ▪ 78% of apartments are naturally cross ventilated in the first nine storeys of the building. <p>In response to the minor variation in solar access it is noted that every effort has been taken to increase solar access. Due to the heritage nature of existing building (overall dimensions and structural grid), many apartments are single aspect with a narrow layout. Such layouts present a challenge in natural light access to the rear of apartments. To meet these challenges, a range of innovative strategies have been developed depending on apartment configuration and location in the building. In addition, the development will provide for extensive outdoor areas, activated laneways, elevated terraces and a high amenity park with suitable solar access. In this regard, the development is considered to comply with the performance criteria.</p>	✓

Relevant control	Compliance	Comply
3.03.03.B.1	<p><u>Concept Plan</u> Complies. Refer to Appendix 3. <u>Stage 1 DA</u> Complies. 78% of apartments are naturally cross ventilated. Refer to Appendix 4.</p>	✓
3.03.03.C.1	<p><u>Concept Plan</u> Can Comply. <u>Stage 1 DA</u> Complies. 78% of apartments are naturally cross ventilated. Refer to Appendix 4.</p>	✓
3.03.03.D.1	<p><u>Concept Plan</u> Can Comply. <u>Stage 1 DA</u> Complies. Refer to Appendix 4. Due to the heritage nature of existing building (overall dimensions and structural grid), many apartments are single aspect with a narrow layout. Such layouts present a challenge in natural light access to the rear of apartments. As such, 88% of bedrooms have a window in an external wall (direct or light well). In addition, where the maximum habitable room depth is greater than 8m from a window, a skylight access to rear of apartments has been provided, as detailed in the Fairweather Jemmott 'Light & Air Strategy' provided at Appendix 4. Notwithstanding the minor variation, the dwellings are of a sufficient size to provide functional, well organised rooms with a high standard of amenity and layouts to accommodate a variety of household activities and needs appropriate to the number of occupants. Consequently, the design is compliant with the performance criteria.</p>	✓
3.03.03.E.1	<p><u>Concept Plan</u> Can Comply. <u>Stage 1 DA</u> Complies. Refer to Appendix 4. All apartments to have open private space, except 1 bed on levels 3 & 4 and 2 beds on Level 3. This minor variation is considered suitable as operable walls are proposed in lieu of balconies in accordance with Adaptive Re-use provisions of the ADG. In addition, the Stage 1 Concept Plan includes a large park (2,912 sq m), which is considered to suitably enhance residential amenity and livability in accordance with the performance criteria.</p>	✓
3.03.03.F.1	<p><u>Concept Plan</u> Can Comply.</p>	✓

Relevant control	Compliance	Comply
	<p><u>Stage 1 DA</u> Complies. Refer to Appendix 4.</p>	
3.03.03.G.1,2 &3	<p><u>Concept Plan</u> Can Comply. <u>Stage 1 DA</u> Complies. Refer to Appendix 4. Note that the entry to the ground floor car park is existing and, due to the heritage nature of the building, has not been setback 1m behind the front building line. Notwithstanding this, the entry is considered appropriate for the scale of the development in accordance with the performance criteria.</p>	✓
3.03.03.H.1	<p><u>Concept Plan</u> Can Comply. <u>Stage 1 DA</u> Complies. Refer to Appendix 4.</p>	✓
3.03.04.A.2	<p><u>Concept Plan</u> Can Comply. <u>Stage 1 DA</u> Complies. Refer to Appendix 18 Access Assessment Report.</p>	✓
3.03.04.B.	<p><u>Concept Plan</u> A community park is proposed (2,912sqm) which comprises approximately 9.3% of the site. Refer to Appendix 10. <u>Stage 1 DA</u> Complies. Refer to Appendix 10.</p>	✓
3.10 Commercial Uses		
Aims of this section	<p>This section aims to support the efficient use of residential land and expand the variety of housing options.</p> <p>The subject site has an approximate area of 9419m². The site is in close proximity to existing urban services, schools, employment and commercial centres, and community facilities. Its location provides access to public transport as well as safe walking and cycling access to Mayfield and Newcastle city centre.</p>	✓

Relevant control	Compliance	Comply
	The development provides a high quality urban design outcome and residential amenity, resulting in efficient and compact housing providing a variety of housing options.	
3.10 Commercial Uses		
Land to which this section applies	The site is not located within an applicable zone.	N/A
4.01 Flood Management		
Aims of this section	Refer to Section 6.6.5 of the SEE.	✓
4.02 Bush Fire Protection		
Land to which this section applies	The site is not located within bushfire prone land.	N/A
4.03 Mine Subsidence		
Aims of this section	Refer to Section 6.6.4 of the SEE and Appendix 21 NSW Subsidence Advisory approval.	✓
4.04 Safety and Security		
4.04.01 Crime prevention & public safety	Refer to Section 6.7.2 and Appendix 20 CPTED Report.	✓
4.05 Social Impact		
4.05.01 Social impact	Refer to Appendix 13. The proposal will result in the provision of much-needed housing in a unique setting and a well-serviced location, resulting in a positive social impact. It will also result in the adaptive re-use of a heritage item, ensuring its ongoing use and management.	✓
5.01 Soil Management		

Relevant control	Compliance	Comply
5.01.01 Erosion prevention	A <i>Concept Erosion and Sediment Control Plan</i> has been provided at Appendix 9 . Erosion and sediment control is discussed in more detail in Section 6.4.3	✓
5.01.02 Sediment control	As above.	✓
5.01.03 Cut & fill	Minor excavation is proposed to be undertaken in accordance with the remedial action plan provided at Appendix 12. No excessive amounts of earthworks are proposed, evident by the construction of no retaining walls.	✓
5.02 Land Contamination		
5.02.01 Plan making & development assessment	Refer to Section 6.6.3 for further details. Refer to Appendix 12 for the Remedial Action Plan, Detailed Site Investigation and Interim Audit Advice.	✓
5.02.03 Remediation work	Refer to Section 6.6.3 for further details. Refer to Appendix 12 for the Remedial Action Plan, Detailed Site Investigation and Interim Audit Advice.	✓
5.03 Tree Management		
5.03.04 Infill development	Please refer to the Landscape report at Appendix 10. JMD Design notes that, due to the impact undergrounding the existing electrical cables would have on the tree protection zone/structural root area, new street tree planting is proposed along Milford Street and Annie Street to replace existing plantings and provide a consistent approach that complements landscaping within the site and in the surrounding area. Replacement trees will be provided in accordance with Council's street tree requirements.	✓
5.05 Heritage Items		
5.05.01 General principles	Heritage consultant, EJE Heritage, was engaged at the commencement of the design process and has provided heritage input into the design of the proposed adaptive reuse of the woolstore buildings. Heritage Management Guidelines prepared by EJE provided at Appendix 6 identify that the proposed development has been carefully considered and will conserve the environmental heritage of the City of Newcastle and the heritage significance of each item on the site. The proposal protects the setting of the heritage items and retains significant fabric, settings and views. In addition, the proposal seeks to remove unsympathetic elements and reinstate significant building elements. It is noted that in order to conserve items of significant heritage value, a BASIX Heritage Alternative Assessment was also approved by the NSW Department of Planning and Environment. Consequently, the proposed adaptive re-use of the Woolstores as a mixed-use development will ensure the conservation of the heritage items.	✓

Relevant control	Compliance	Comply
5.05.02 Integrating heritage items into new developments	<p>The proposed development has been undertaken in accordance with the Heritage Management Guidelines prepared by EJE provided at Appendix 6 to support the integration of the new development within each heritage item.</p> <p>The scale and siting of the proposed building envelopes (Buildings 4 and 5) have been carefully considered so that they do not dominate the heritage-listed buildings and grounds. The development scheme demonstrates a well-considered and innovative approach to integrating a new residential development within an existing site of heritage significance to ensure its ongoing maintenance and management.</p>	✓
5.05.03 Changing the use of a heritage item	Complies. Refer to section 4.9.10 of the SEE.	✓
5.05.04 Conserving significant elements of adjoining public domain	Proposed upgrades to the public domain are sympathetic to the heritage items and landscape elements. Replacement tree species reflect the heritage significance of the woolstore buildings.	✓
7.02 Landscape, Open Space & Visual Amenity		
7.02.01 Categories of development	The proposal is a Category 3 development. A <i>Detailed Survey</i> is provided at Appendix 5 , and a <i>Site Analysis Plan</i> is provided at Appendix 4 . Landscape concept plans and a landscape design report are at Appendix 10 .	✓
7.02.02 General controls	Tree removal within the site is not proposed as the site is fully developed and devoid of significant vegetation. Proposed landscaping is in scale and context with the existing Woolstore buildings. Deep soil zones are optimised through the provision of a community park. New planting will include species suited to the nature of the proposed development.	✓
7.02.05 Car parking	<p>Car parking has been designed to be inconspicuous and removed from the substantial views. All parking is provided on the site with suitable private vehicle spaces and provision for visitor spaces.</p> <p>Parking is largely provided within the existing heritage items, ensuring the heritage aspect is retained for the benefit of the residents and the public domain. At grade parking ensures functional efficiency and safety while having sufficient shade to reduce heat build-up and glare.</p>	✓
7.03 Traffic, Parking & Access		

Relevant control	Compliance	Comply
7.03.01 Traffic studies & plans	<p>A Traffic Impact Assessment is provided at Appendix 8.</p> <p>The significant street frontages, vehicle entry points and at-grade parking enable adequate offsite parking for any commercial use anticipated and the residential component has been ensured to remain self-contained, providing for adequate onsite parking for residents and visitors available to each unit.</p> <p>The site is large enough to cater for construction traffic. A CTMP will form the paperwork for approval as part of a Construction Certificate Application.</p>	✓
7.03.02 Parking provision	<p>The Traffic Impact Assessment and Concept Master Plan prepared by TZG Architects confirms that approximately 593 car parking spaces will be provided on site. The parking strategy encompasses vehicular parking within buildings alongside extensive at grade parking.</p> <p>The Transport Impact Assessment prepared by Better Transport Futures (BTF) confirms that the proposed concept has a slight (<2%) shortfall for cars, but a significant surplus proposed for both motorbikes and bicycles. Overall, this is considered a positive outcome for the subject site given the configuration of the existing heritage buildings.</p>	✓
7.03.04 Design & layout of parking & access	The access road widths are complying with Council requirements and the AS2890.	
7.04 Movement Networks		
7.04.01 Network	The proposal does not involve any new movement networks or modifications to existing movement networks.	N/A
7.05 Energy Efficiency		
7.05.01 Residential development	The proposed dwellings meet the BASIX targets for energy efficient development.	✓
7.06 Stormwater		
7.06.01 Plan requirements	A Stormwater Management Plan, associated Stormwater Management Plans and Concept Erosion and Sediment Control Plan have been prepared for the proposal at Appendix 9.	✓
7.06.02 All development	A Stormwater Management Plan, associated Stormwater Management Plans and Concept Erosion and Sediment Control Plan have been prepared for the proposal at Appendix 9.	✓

Relevant control	Compliance	Comply
7.06.03 Infrastructure	The proposal does not create a Council stormwater asset.	N/A
7.07 Water Efficiency		
7.07.01 Water efficiency	The proposed dwellings meet the BASIX targets for water efficient development.	✓
7.08 Waste Management		
7.08.01 General requirements	Site Waste Minimisation Management is addressed in Section 6.5.4. A Waste Management Plan (WMP) for the Stage 1 DA is provided at Appendix 16.	✓
7.08.02 Demolition & construction	The <i>Concept Sediment and Erosion Control Plan</i> (see Appendix 9) includes areas for the temporary stockpiling of materials as required. See Section 6.5.4 for further discussion on waste management.	✓
7.08.03 Operational waste	<p><u>A. Residential development</u></p> <p>In relation to the Stage 1 DA, a Waste Management Plan (WMP) is provided at Appendix 16. Operational waste from the units will be collected by a private contractor. See Section 6.5.4 for further discussion on waste management.</p> <p><u>B. Commercial, mixed use and industrial development</u></p> <p>Approval is sought for a Concept Proposal including commercial development. A detailed waste management plan will be provided at later stages involving the commercial development.</p>	✓