

Panel Reference	PPSHCC-22
DA Number	DA2019/01169
LGA	Newcastle
Proposed Development	Mixed use development - demolition of structures, erection of two 14 storey mixed-use buildings with shared basement carparking (285 spaces), comprising seniors housing (114 bed aged care facility and 82 independent living units), residential flat building (166 units), medical centre, food and drink premises (cafe and restaurant) and retail premises (salon).
Street Address	309 King Street Newcastle West (Part Lot 1 DP 826956)
Applicant/Owner	Western Suburbs (Newcastle) Leagues Club Ltd
Date of DA lodgement	06 November 2019
Number of Submissions	Nil
Recommendation	Approval

Background

The subject application (DA2019/01169) was reported to the Hunter Central Coast Regional Planning Panel (HCCRPP) on 9 December 2020.

HCCRPP determined to defer the matter on 16 December 2020. A copy of the Record of Deferral was provided to The City of Newcastle (CN) and the Applicant on 17 December 2020. The key reasons for the deferral related to the requirement for the Applicant to submit amended plans including provision of the required 3.5m clearance height to the basement carpark, waste area onsite to meet EPA Better Practice Guide for Resource Recovery in Residential Developments and relocation of garbage storage area to Bull Street.

The Record of Deferral prescribed a 28-day timeframe, or a period agreed by Council, for submission of the amended information. On 19 January 2021 the Applicant requested an extension of time to enable submission of the information prior to the end of February 2021. The timeframe was agreed by CN. On 18 February 2021, the planning consultant for the Applicant provided preliminary Amended Architectural Plans, prepared by Fender Katsalidis. In addition, the final full set of Amended Architectural Plans, prepared by Fender Katsalidis was received on 26 February 2021. The amended plans have been assessed and have addressed all matters contained within the HCCRPP Record of Deferral (**Attachment A – Amended Architectural Plans**).

The proposal was forwarded to Urban Design Consolidative Group (UDCG), sitting in their role as Design Review Panel pursuant to the Design Competition Waiver granted by the NSW Government Architect. The UDCG reviewed the amendments on 24 February 2021. The UDCG considered that the amendments made in response to the deferral matters and resolved that the development design provides excellence and the intention of the design competition waiver have been met. The resolution of the panel was moved and passed (**Attachment D - UDCG meeting minutes**).

The final full set of Amended Architectural plans (**Attachment A – Amended Architectural Plans**) was forwarded to the UDCG Panel Chair on 26 February 2021. The Panel Chair confirmed that the plans were consistent with the preliminary set considered by the UDCG, acting as Urban Design Review Panel, and were therefore acceptable. The application is recommended for approval subject to conditions of consent (as attached to the assessment report at **Attachment B – Conditions Schedule**). This supplementary report outlines the assessment undertaken against the reasons contained in the Record of Deferral and that Applicant's amended plans. The responses to the reasons of deferral are numbered accordingly below.

1. Amended Plans that provide for:

A. Basement height clearance of 3.5 metres to the carpark.

The amended plans prepared by Fender Katsalidis include changes to Ground Floor Plan (SK-020.5) and First Floor Plan (SK-020.8). Supporting section drawings indicate a satisfactory response to the required clearance of 3.5 metres on entry and into the loading manoeuvring area. The amended access for clearance to 3.5 metres is compliant with AS/NZS 2890.2.2004 (refer to Figure One, Two and Three).

Figure one: Longview section

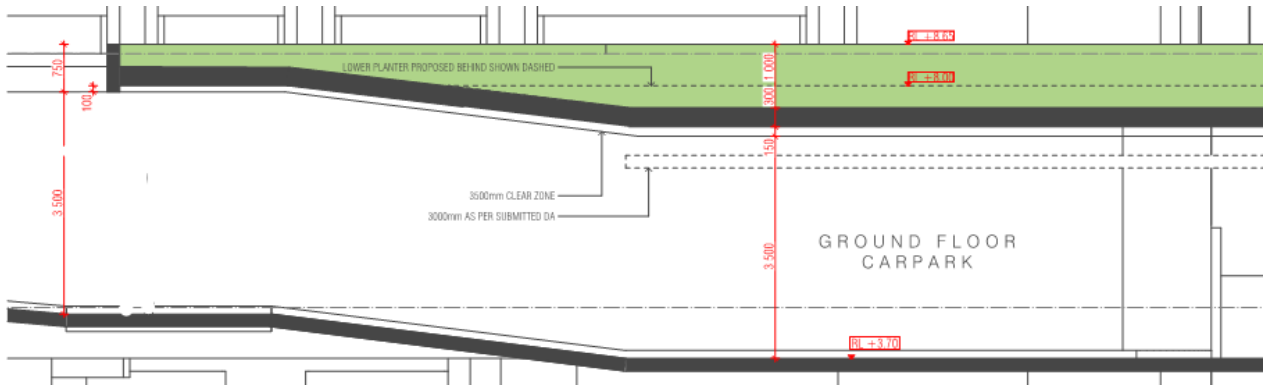


Figure two: Section Garage Entry

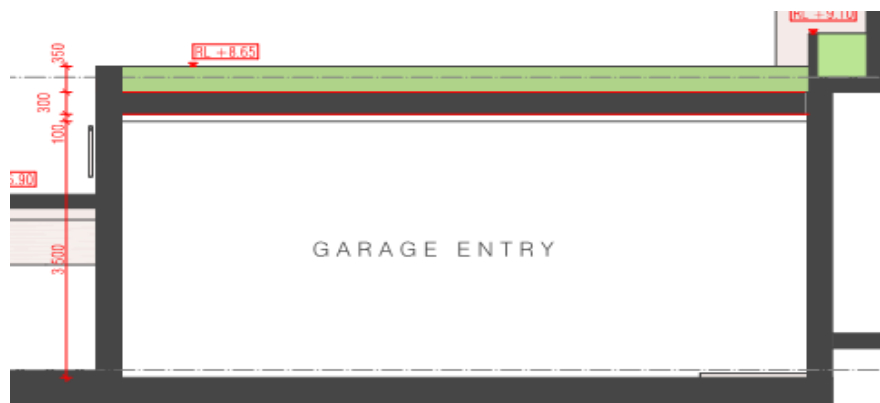
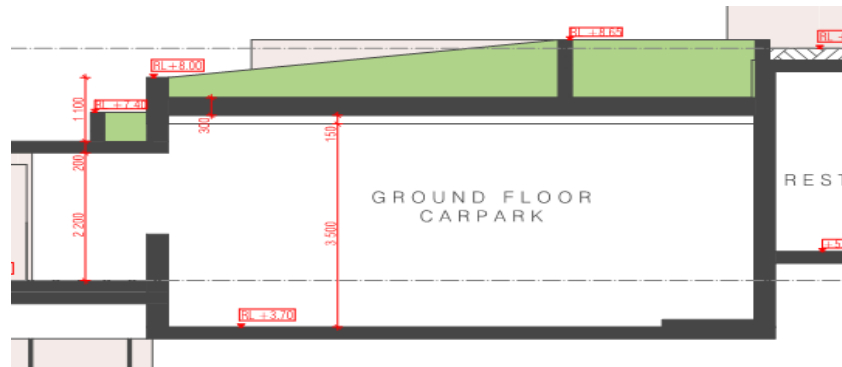


Figure Three: Ambulance Parking and Loading



In addition, amended sweep path plans (Prepared by GHD and Drawing No. A1) have been submitted in relation to the King Street access. There is a minor conflict of the largest vehicle entering the building and with the median strip at the access of the property. As discussed in the previous report, minor modifications are required to the driveway access design along the eastern side to ensure the largest expected vehicle can enter/exit the site. A condition of consent is considered an appropriate means to addressing the matter as the construction detail shall be submitted through the s.138 Roads Act Approval process. In order to ensure the conflict is addressed the below recommended condition shall remain:

Condition No. 9:

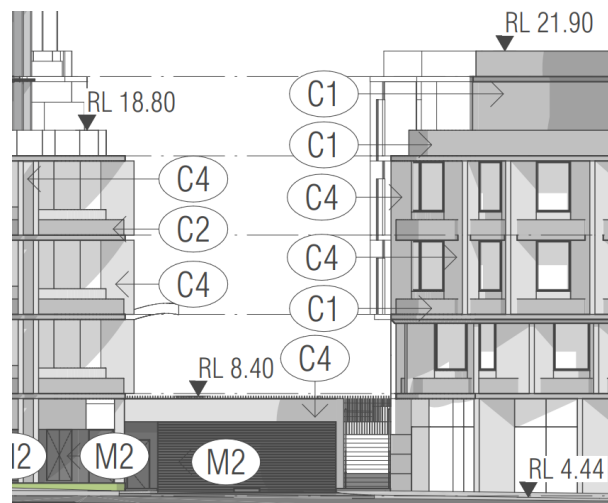
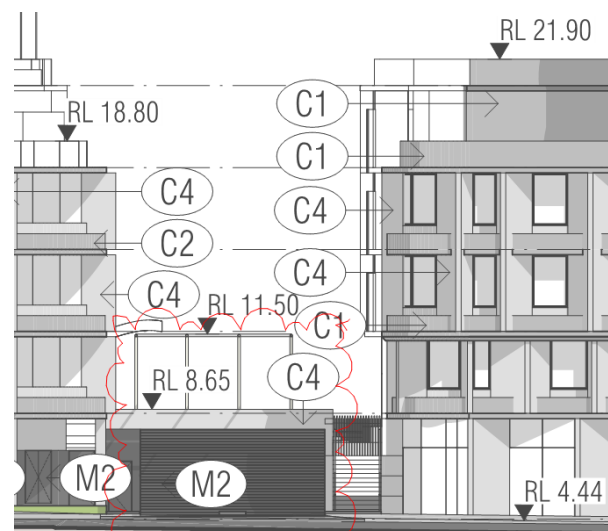
A commercial vehicular crossing is to be constructed across the road reserve, in accordance with the following criteria:

- a) *Constructed in accordance with City of Newcastle's A1300 – Driveway Crossings Standard Design Details.*
- b) *The full width of footpath pavement should be continuous without any kerb returns with maximum gradient of 2.5% along the development frontages.*
- c) *Letterboxes, landscaping and any other obstructions to visibility are to be kept clear of or limited in height to 1.2m, in the 2.0m by 2.5m splay within the property boundary, each side of the driveway entrance.*
- d) *The proposed driveway is to be a minimum of 3.0m clear of the trunk of any tree within the road reserve.*
- e) *The proposed driveway is to be a minimum of 750mm clear of the centre of any pole or obstruction within the road reserve and 1.0m clear of any drainage pit.*

These works are not approved until consent under Section 138 of the Roads Act 1993 (NSW) has been granted by Council. An application under Section 138 must be lodged and consent obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of a Construction Certificate. A separate application must be lodged, and consent obtained from City of Newcastle for all works within the road reserve pursuant to Section 138 of the Roads Act 1993 (NSW), before the issue of a Construction Certificate.

Clause 7.5(6) of the LEP applies to the development, the clause operates to vary the building height development standard prescribed in clause 4.3 of the LEP, by up to 10% if the design has been reviewed by a 'design review panel', as prescribed under the LEP. In the circumstances applicable to this development, where the design has been so reviewed, the maximum building height is 49.5m.

The amended plans have not resulted in an increase to the proposed height. The overall height of the development remains at 46.2m. The increased clearance height to the basement parking from the entrance of King Street results in a podium height increase of 250mm (Refer to Figure Four and Five). The slight increase in height is required to facilitate required amendments, with impacts to the landscape podium area only. In addition, a pergola with greenery will be included in the landscaping area and is visible from King Street. This landscape feature contributes to the overall amenity and design of the development.

Figure Four: Previous RL's of podiums on North Elevation Basement Entry**Figure Five:** Revised RL's of Podium on North Elevation Basement Entry

B. Waste servicing areas that meet the EPA Better Practice Guide for Resource Recovery in Residential Developments (2012 Revision) (the areas are currently undersized).

The Amended Plans submitted by the Applicant have demonstrated that adequate waste servicing areas in accordance with the requirements of the Record of Deferral have been met. An amended Operation Waste Management Plan (OWMP), prepared by Elephants Foot Recycling Solutions dated 26/02/2021 has also been submitted and is considered satisfactory.

To facilitate the additional waste storage / collection areas the applicant reconfigured the existing floor plate. At ground level, modifications to the floor plan result in an increase to the associated Seniors Independent Living Units bin storage area from 18m² to 26m². The bike storage area was reduced from 134m² to 126m², however there was no change to the number of bicycles in the storage area. A goods lift for bin movement to Level 1 (Bull Street) was introduced on previously identified car parks 16, 17 and 18, resulting in the deletion of three car spaces (discussed further below).

In respect to the Residential Development, at ground level a reconfiguration of the services area

has resulted in a reduction in loading area with no compromise on sweep paths. Formalised commercial bin storage areas of 29m² and 49m² have now been provided, previously no formal commercial bin storage area was designated. Residential bin storage area remained at 27m².

The Applicant proposes bin movement to the new storage area on Level 1 (Bull Street access) via the lift, which allows for management of bins for the site ready for collection. The submitted OWMP notes that a manager/caretaker is responsible for the transportation of bins into their designated collection area and then back to their operation use area. The Level One bin storage area is 136m² plus a 23m² bulk goods storage area.

The new bin storage area on Level 1 has been facilitated through the reconfiguration of the Seniors Independent Living Unit (ILU) amenity rooms (storage room, toilets, lounge, arts room, games room and library). A reduction in the Senior ILU amenity areas from 558m² to 431m² has occurred. However, the amendments are not considered to have unreasonably impacted the communal areas which still exceed the minimum requirements. The Level One bin storage area with access to Bull Street enables CN to service the site collection.

The reconfiguration of the waste storage areas is satisfactory when considered against the EPA Guidelines and have been assessed by CN as being acceptable when having regard to waste service and collection requirements.

C. Provision for a bin storage area, accessible from the Bull Street for the residential component of the building.

As detailed above, the amended Ground Floor Plan (Drawing No. DA100) and First Floor Plan (Drawing No. DA101) indicate the change to allow for bin servicing from a loading zone on Bull Street. The bin storage area is to be located to ensure access is gained from a key pinned security door. The waste is moved by CN Waste Collection Staff out of bin storage onto the kerb from the designated loading zone. CN Waste Collection staff have ability to gain suitable access as the entry is located within the required 15m area. The amended waste storage area / collection area has been designed to comply with CN's Waste Services requirements and EPA Guidelines, which require that access to waste collection area be located within 15m of the street. It is noted that the City of Newcastle Traffic Committee has approved a loading zone along the sites Bull Street frontage.

To ensure adequate arrangements for collection are in place an additional waste management condition has been recommended ensuring pin code access is available for the door from Bull Street and a Service Agreement is established with City of Newcastle prior to the release of an Occupation Certificate, as outlined below:

New condition –19

Access to the bin storage area from Bull Street is to be via a pin code door entry. Prior to issue of any Occupation Certificate details of entry are to be provided to the written satisfaction of Council. Documentation demonstrating Councils satisfaction with this requirement is to be provided to the Principal Certifier.

The amended bin storage area does not result in a change in floor space ratio (FSR) of the previously reported proposal. As outlined, within CN's HCCRPP Assessment Report, clause 4.4(2) prescribes that an FSR of 5:1 applies to the subject site. The development results in an overall FSR of 5.45:1. The extent of variation is 3,050m² or 9%. The Applicant submitted a cl.4.6 Variation Request to the floor space ratio development standard.

The amended plans have not resulted in an increase to the proposed FSR. As detailed above, the waste storage / collection areas have been achieved through the reconfiguration of the existing floor plate by way of amendments to the Senior Living amenities (refer Figure Four and Five below). Further, storage areas are not included within the FSR calculation.

Figure Four: Superseded plan – Level 1

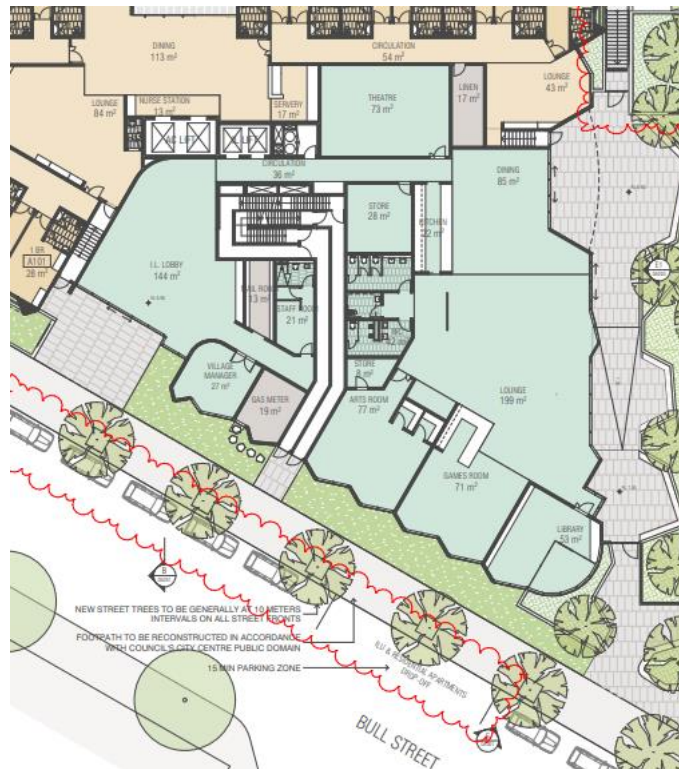


Figure Five: Amended plans - Level 1



2. Retention of the design quality outcomes, and landscape strategy to King, Bull and communal areas.

The amended plans result in minimal amendments to the overall design and presentation of the development. The applicant has achieved the required height clearance without increasing the overall building height by modifying the central podium area.

The change allowed for an improved amenity outcome for the Independent Living Unit (ILU) courtyard area. An increase in green space and landscape features increased green spaces associated with the design. The bin storage areas have been facilitated within the existing floor plates of the development. Therefore, there has been no compromise on the design quality outcomes including landscaping and communal areas.

The area incorporates increased landscaping and an addition of a pergola structure to incorporate greenery with vines. The pergola can be viewed from King Street, with an improved amenity outcome for this location (refer to Figure Six).

Figure Five: Level 1 Independent Living Unit (ILU) Courtyard area

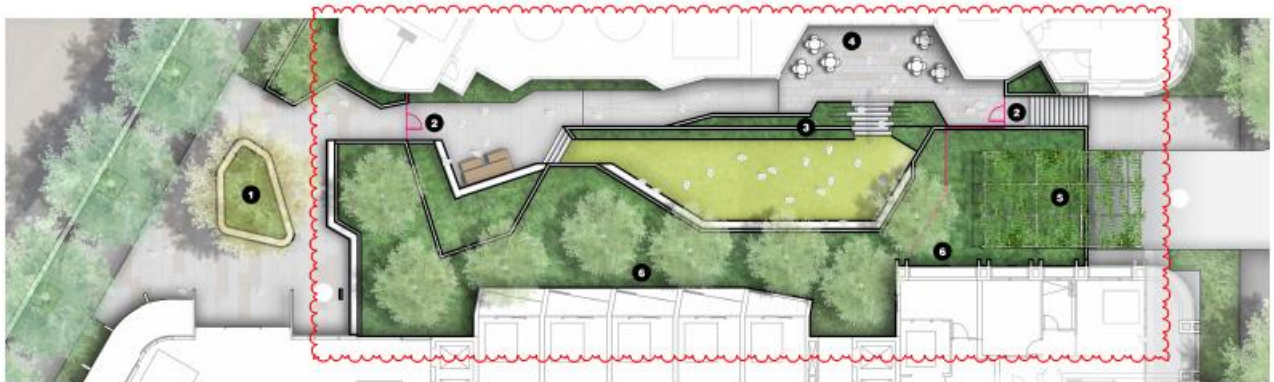
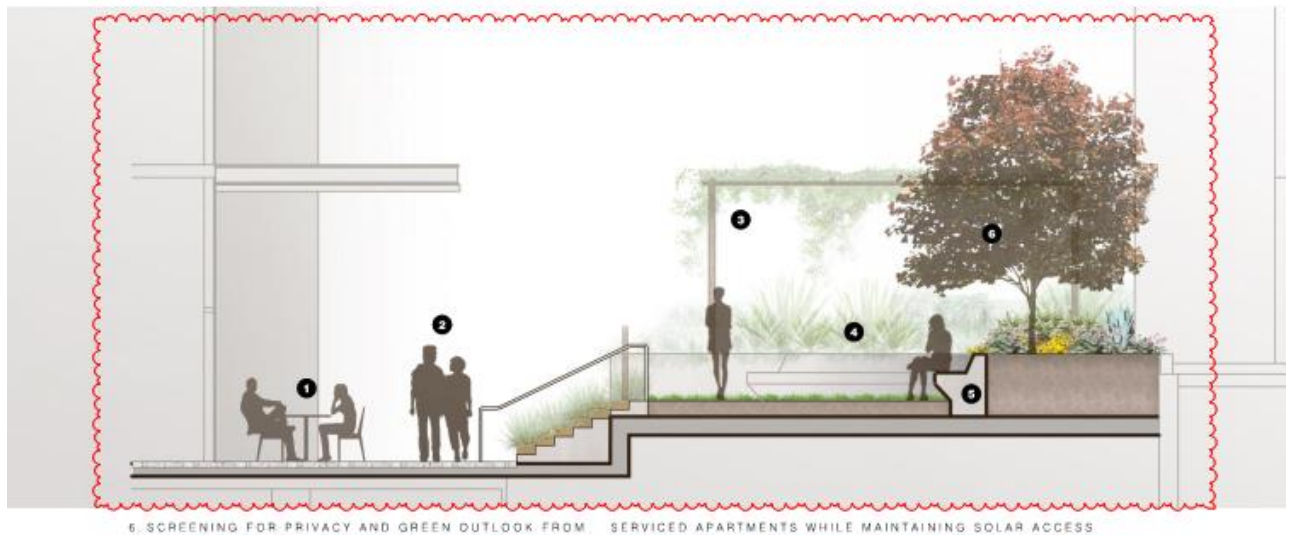


Figure Six: Section of ILU Courtyard area



3. The amended plan be submitted to the UDCG for sign off confirming whether design excellence and the intent of the design competition waiver, have been met.

The Urban Design Consultative Group (UDCG), acting in the role of Urban Design Review Panel, considered the amended design at a meeting on 24 February 2021. The applicant declined to attend the meeting.

The UDCG considered the design changes including floor plan layout changes for bin storage and the improved access to the bin storage area from Bull Street. Whilst amended elevations were not provided the Panel was satisfied that the minimal changes to the floor plan would result in nominal changes to the elevations. The Panel revisited the overall design and were satisfied that the proposal demonstrated design excellence.

The Panel unanimously resolved that the design excellence and the intention of the design competition waiver has been met. The meeting minutes (**Attachment D – UDCG Minutes**) indicated that the resolution be forwarded to the Government's Architects Office (14 August 2018).

The Panel chair was forwarded the final full set of plans submitted by the Applicant on 26 February 2021. The Panel chair concurred the plans were satisfactory with regard to the panels review on 24 February 2021. On this basis the proposed development as amended continues to satisfy design excellence and the intention of the design competition waiver issued by the NSW Government Architect.

4. Council prepare further supplementary report addressing the amended plans, UDC comments, carparking allocation to the existing club and any revised conditions, including public ROW and ensuring seniors use of the independent living units.

A. Amended carparking of existing club resolved in DA determined

The car parking for the existing club has been resolved in the determination of DA2019/001171 – 309 King Street. The club required 125 parking spaces and the application to separate the club site from the development site included a new at grade car park and access including the reconfiguration of the basement parking. The approved development provided 125 car parking spaces to independently service the existing club. The resulting lot (Lot 1) containing the existing club does not rely on car parking proposed under the subject application. The approved allotments operate independently.

The total car parking requirement for the proposed development remains at 266 car spaces, including 24 visitor car spaces, and one ambulance space. As a result of the amendments required to facilitate adequate bin/waste storage the proposed car parking has reduced from 288 to 285 spaces. This is as a result of including a goods lift for waste bin movements to Bull Street (First Floor Level – Bin Storage room). The car parking allocated for development is proposed as follows:

Type of Parking	Location & No. of Parking			Total
	Basement 2	Basement 1	Ground Floor	
Cars R – Residential V – Visitor Re – Retail O – Office C – Commercial D- Disabled ILU- Independent living unit	ILU – 107 D- 11	R – 133	V-13 C- 13 Not allocated – 8	285
Bicycle	0	0	150 (Class 2)	168

			18 (Class 3)	
Motorbike	0	0	17	17
SRV			1	1

The development now includes 285 car spaces, including 8 disabled parking spaces and provides an additional 19 spaces over the required car parking rates. However, the Applicant has not allocated any car spaces to a wash bay to meet compliance with Newcastle DCP Section 3.03.01 G point 5. It is recommended to allocate a parking space with car washing facilities by a condition of consent. The amended proposal continues to provide for 168 bike spaces located in the bike store on ground level, the only alteration is a change in bike class numbers 150 (Class 2) 18 (Class 3) and the previous design was configured 146 (class) and 22 (class 3) bicycle parking. Motor bike parking remains unchanged.

The proposed car parking spaces continue to be compliant with the relevant Australian Standards and is satisfactory subject to conditions of consent as previously recommended. Amendments to reflect the changes to car parking numbers have been made to the recommended conditions as outlined elsewhere within this report.

B. Revised conditions

Revised condition - Right of Way (ROW)

An additional condition has been drafted and included within the recommended conditions to ensure a right of way is over the walkway between Bull and King Street. The ROW will ensure public access at all times. The walkway referred to as Earthquake Memorial Walkway, for the purpose of the condition, is considered a public space requiring the following condition:

New Condition No. 98

The proposed accessway (Earthquake Memorial Way) linking Bull Street and King Street being the subject of an appropriate reciprocal 'right-of-public access' and the necessary survey plan and accompanying instrument under Section 88B of the Conveyancing Act 1919 (NSW) must be registered with NSW Government Land & Property Information. Written evidence of the registered 'right-of-public access' must be provided to the written satisfaction of Council prior to the issue of any Occupation Certificate.

Note: The naming of Earthquake Memorial Way will need to be amended to meet the requirements of the Geographical Names Board and Council approval granted to any proposed naming of this accessway.

Revised condition – Seniors use of the independent living units

An additional condition has been drafted for inclusion within the recommended conditions of consent to ensure that the seniors housing (Aged care facility and Independent Living Units) are exclusively occupied by 'Seniors or people who have a disability' as defined within *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*. The additional condition is as follows:

New Condition No. 99

A restriction as to user must be Registered against the title of the property in accordance with section 88E of the Conveyancing Act 1919 limiting the use of any accommodation on the property to seniors housing as defined under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. Written evidence of the restriction is to be provided to the written satisfaction of Council prior to the issue of any Occupation Certificate.

C. Amended Schedule of conditions

In addition to the additional and revised conditions outlined above, the submission of amended plans and additional information by the applicant has resulted in several necessary amendments to the previously reported recommended conditions of consent. The following section outlines these changes.

A copy of the updated Conditions Schedule is included at **Attachment B**, and to assist the Panel in identifying the changes to the previously reported conditions a 'tracked changes' copy has been provided at **Attachment C**.

Amended conditions:

Condition 1: Condition 1 details the approved plans and documentation and has been updated to include the amended plans and documentation including Operational Waste Management Plan as follows:

The development is to be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Document	Revision/ Reference	Name of Plan/Document	Dated
Drawing No. DA031	5	Site Plan	26/02/2021
Drawing No. DA050	4	Ground Level Demolition Plan	22/05/2020
Drawing No. DA098	4	Basement Level 2 Floor Plan	22/05/2020
Drawing No. DA099	4	Basement Level 1 Floor Plan	22/05/2020
Drawing No. DA100	6	Ground Floor Plan	26/02/2021
Drawing No. DA101	6	Level 1 Floor Plan	26/02/2021
Drawing No. DA102	3	Level 2-3 Floor Plan	19/08/2019
Drawing No. DA103	3	Level 4 Floor Plan	19/08/2019
Drawing No. DA104	3	Level 5 Floor Plan	19/08/2019
Drawing No. DA105	3	Level 6-11 Floor Plan	19/08/2019
Drawing No. DA106	3	Level 12-13 Floor Plan	19/08/2019
Drawing No. DA107	4	Level 14 Floor Plan	22/05/2020
Drawing No. DA120	1	Typical Apartment Layout – Tower A	19/08/2019
Drawing No. DA121	1	Typical Apartment Layout – Tower B	19/08/2019
Drawing No. DA200	5	North Elevation	22/05/202026/02/2021
Drawing No. DA201	5	South Elevation	26/02/2021
Drawing No. DA202	4	West 1 Elevation	22/05/2020
Drawing No. DA203	5	East 1 Elevation	26/02/2019
Drawing No. DA204	5	West 2 Elevation	26/02/2019
Drawing No. DA205	3	East 2 Elevation	22/05/2020
Drawing No. DA206	4	West 3 Elevation	22/05/2020
Drawing No. DA250	43	Section AA	04/06/201926/02/2019
Drawing No. DA251	2	Section BB	19/08/2019
Drawing No. DA252	2	Section CC	19/08/2019
Drawing No. DA301	3	Landscaping Masterplan	19/08/2019
Drawing No. DA302	2	Through-Site Link Plan	19/08/2019
Drawing No. DA303	2	Through-Site Link Section	19/08/2019
Drawing No. DA304	2	Level 1 Courtyard Plan – ILU	26/02/2021
Drawing No. DA305	2	Level 1 Courtyard Section – ILU	26/02/21
Drawing No. DA306	2	Level 5 Terrace Plan – ILU	19/08/2019
Drawing No. DA307	2	Level 14 Plan – Residents Rooftop	19/08/2019

Drawing No. DA308	2	Level 14 Section – Residents Rooftop	19/08/2019
-------------------	---	--------------------------------------	------------

Document	Revision/Reference	Prepared by	Date
Stormwater Management Plan	Drg. No. 22-20206-C001	GHD	13/07/2020
Acid Sulfate Assessment	Version 1	Douglas Partners	29/10/2019
BASIX Certificate	1026173M	Building Sustainability Assessments	20/09/2019
Geotechnical Investigation and Targeted Site Investigation (Contamination)	Project 81229.06	Douglas Partners	June 2019
Green Travel Plan	-	Graph Property Pty Ltd	Received: 06/11/2019
Traffic Impact Assessment	Revision E	Intersect Traffic	14/06/2019
Remediation Action Plan	81229.07 Revision 1	Douglas Partners	21/06/2019
Remediation Action Plan – Supplementary Letter	81229.07	Douglas Partners	01/04/2020
Crime Risk Assessment	-	CHD Partners	June 2018
Noise Impact Assessment	Report No. 17-2090-R2	Reverb Acoustics	August 2018
Operational Waste Management Plan	Report No. SO898 Revision C	Elephants Foot Recycling Solutions	26/02/2021

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

Condition 4: Condition 4 specifies the required car parking and bicycle numerical requirements. The condition has been updated to reflect the three space reduction in car parking spaces and amendment to bicycle class storage areas, as detailed below:

On-site car parking accommodation is to be provided for a minimum of 285 car parking vehicles (includes minimum of 24 residential visitor parking, 109 Residential Unit spaces, 10 spaces for medical centre/salon/café & restaurant parking, 106 spaces for independent living units, 17 car spaces for aged care centre out of which 6 is to be dedicated for staff parking) and 1 space for wash bay, 1 ambulance parking bay, 9 motorbike spaces and 150 bicycle parking (Class 2) and 18 bicycle parking (class 3) being set out generally in accordance with the minimum parking layout standards indicated in Element 7.03 'Traffic, Parking and Access' of Council's adopted Newcastle Development Control Plan 2012 and State Environmental Planning Policy (SEPP) (Housing for Seniors and People with a Disability) 2004. Full details are to be included in documentation for a Construction Certificate application.

Condition 40: Condition 40 requires submission of a comprehensive landscape plan and has been updated to reference the additional Level 1 Courtyard Plan:

All proposed planting and landscape elements indicated on the submitted landscape concept plans and amended Level 1 Courtyard Plan – ILU (Drawing No. SK-020.05) or otherwise required under the conditions of this consent are required to be detailed on a comprehensive landscape design plan and specification. The required comprehensive landscape design plan and specifications is to be in accordance with the provisions of Newcastle Development Control Plan 2012 and is to include

details of the following:

- a) cross sections through the site where appropriate
- b) proposed contours or spot levels
- c) botanical names
- d) quantities and container size of all proposed trees
- e) shrubs and ground cover
- f) details of proposed soil preparation
- g) details of proposed soil preparation
- h) mulching and staking
- i) treatment of external surfaces and retaining walls where proposed
- j) drainage, location of taps and
- k) appropriate maintenance periods.

The plan is to be prepared by a qualified landscape designer and be included in documentation for a Construction Certificate application.

Condition 80: Condition 80 requires that the car parking constructed is to reflect numerical requirements (as amended):

On-site car parking accommodation is to be provided for a minimum of a minimum of 285 car parking vehicles (includes minimum of 24 residential visitor parking, 109 Residential Unit spaces, 10 spaces for medical centre/salon/café & restaurant parking, 106 spaces for independent living units, 17 car spaces for aged care centre out of which 6 is to be dedicated for staff parking) and 1 space for wash bay, 1 ambulance parking bay, 9 motorbike spaces and 150 bicycle parking (Class 2) and 18 bicycle parking (class 3) and such being set out generally in accordance with the details indicated on the submitted plans except as otherwise provided by the conditions of consent.

Condition 83: Condition 83 requires the street plantings to be in consultation with CN City Greening and appropriately species selection near loading zones. The condition has been amended to ensure street tree plantings are appropriate having regard to the Bull Street loading zone:

Nine street trees along King Street, three street trees along Ravenshaw Street, and 14 street trees along Bull Street, are to be planted as compensation for the removal of the two mature 'London Plane' street trees. Tree planting is to be in consultation with Council City Greening Department and this will include appropriate planting for the loading zone tree planting locations. A fee, to be determined by contacting City of Newcastle's City Greening Services, is to be paid to the City of Newcastle for the required compensatory planting and evidence of the payment of the required fee is to be included in documentation for an Occupation Certificate application.

Note: The tree selection and location of the required compensatory planting will be determined by City of Newcastle's City Greening Services in accordance with the City of Newcastle's Street Tree Master Plan. The location of the compensatory tree planting may not be in the immediate proximity of the site.

Condition 113: Condition 113 requires parking to be provided in perpetuity, and has been modified to reflect the changes to numerical rates resulting from the amended plans:

On-site car parking accommodation is to be provided for a minimum of 285 car parking vehicles (includes minimum of 24 residential visitor parking, 109 Residential Unit spaces, 10 spaces for medical centre/salon/café & restaurant parking, 106 spaces for independent living units, 17 car spaces for aged care centre out of which 6 is to be dedicated for staff parking) and 1 space for wash bay, 1 ambulance parking bay, 9 motorbike spaces and 150 bicycle parking (Class 2) and 18 bicycle parking (class 3).

Deleted conditions:

Previous Condition 17: Condition 17 has been deleted amended plans have been submitted which provide for satisfactory residential waste collection and bin storage areas.

Prior to the issue of any Construction Certificate a residential waste collection bin storage area is to be designed with consultation of City of Newcastle's Waste & Commercial Management team along

Bull St frontage of the site within 10m-15m walking vicinity of the proposed Loading Zone on Bull St (Note: the loading zone can be relocated if required subject to consultation with Council) for potential waste collection by Council. The residential waste collection storage area is to be appropriately sized and designed to accommodate for all residential bin collections (including accessibility design) generally in accordance with City of Newcastle DCP requirements and the industry standards (including EPA's Better Practice Guide for Resource Recovery in Residential Developments – 2019 Revision). The waste collection storage area is to be located in close proximity of lifts to service residential units. The waste collection bin storage area is to be designed to the written satisfaction of City of Newcastle's Waste & Commercial Management prior to the issue of any construction certificate. Council's written correspondence is to be provided to the Principal Certifier prior to issue of any Construction Certificate.

Previous Condition 18: Condition 18 has been deleted as an Operational Waste management Plan has been submitted and is satisfactory.

Prior to the release of the Construction Certificate the applicant shall submit a comprehensive waste management report in accordance with the estimated domestic waste generation rates in the EPA's Better Practice Guide for Resource Recovery in Residential Developments – 2019 Revision. The report shall address the storage and disposal of commercial and residential waste (including aged care facility) and in accordance with the conditions of this consent. The report shall include a list of recommendations, including but not limited to: sound insulated chute and/or additional garbage storage areas that are located in close proximity to the residential units. The recommendations of the report shall be included on the construction certificate drawings and shall be completed to the written satisfaction of City of Newcastle's Waste & Commercial Management team.

Conclusion

City of Newcastle previously recommended the application be approved subject to conditions of consent. The applicant has now provided amended information which addresses the HCCRPP Record of Deferral. The amended information has been assessed and is considered satisfactory. As such, the application is recommended for approval subject to conditions.

Attachment A – Amended Architectural Plans

Attachment B – Conditions Schedule

Attachment C – Tracked changes - Conditions Schedule

Attachment D – UDCG meeting minutes