

Regional Planning Panel Briefing

MA2023/00316 - 11-17 Mosbri Crescent,
The Hill

Crescent Newcastle Pty Limited

October 2023





Background – Original Application

- DA19/00061 for *residential accommodation, strata subdivision, earthworks and demolition – residential accommodation comprising three residential flat buildings (161 units) and multi-dwelling housing (11 two-storey dwellings), strata subdivision (172 lots), car parking, tree removal, landscaping, access and pathways, associated site works and services, earthworks, mine grouting works (including associated temporary plant and equipment) and staged demolition of existing structures* was granted conditional approval under the delegation of the Hunter and Central Coast Regional Planning Panel (RPP) on 7 July 2022.
- The DA was the subject of a deemed refusal appeal, where the objectors were successful in joining the appeal as a party. This appeal was discontinued, and as noted, the DA was eventually approved by the RPP.



Background - Site

- The site is identified as 11-17 Mosbri Crescent, The Hill and is legally described as Lot 1 in DP1281357.
- The mine grouting works for the approved application have commenced on the site.





Previous conditions of consent

- Significant to this modification, as part of the consent, the RPP included conditions that required design changes.
- Condition 4 most notably required the deletion of a level of Building A.
- As these changes are a requirement of the existing consent, these matters do not form part of this modification, albeit the changes have been included on the plans for reference.

4. The development must be amended to include the follow design amendments:

- a) 'Double-sided' lifts at 'Ground Level' and 'Level 1' for Building A, Building B, and Building C to provide direct access from the lift to both the car parking area and the apartment lobbies.*
- b) Screened or solid (opaque, non-glass) balustrading to no less than 40% of the total area of balustrading (measured in elevation) within the north façade of 'Building A'.*
- c) 1.8m high (measured from finish floor level), fixed privacy screen, along the south edge of apartment D221 balcony.*
- d) Deletion of Level 7 of Building A (comprising 2 x 3 bedroom units, 2 x 2 bedroom units and 2 x 1 Bedroom units)*
- e) Reduction of the eastern balcony extents for apartment B210 and B211 at Level 2 of Building A facing Arcadia Park, to match Level 3 balcony extents above, and include landscaping to the setback of Building A to Arcadia Park with a minimum of five (5) canopy trees plus landscaping of similar species and composition to that provided in the landscaped area between Buildings A and B;*
- f) Identification of any opportunities for additional shrub and tree canopy integrated into the terraced eastern landscaped wall between Arcadia Park and the stormwater infrastructure*



Proposed Modifications

- Minor alterations including reconfiguration and amalgamation of units
- Reconfiguration to the car parking layout and waste room
- Minor level changes to terraces, and to front entrances of terraces
- Minor changes to the design of the Building A west roof, to be hobless.
- The proposed internal reconfiguration includes the amalgamation of several of the existing units and the implementation of the requirements of condition 4, resulting in a reduction in the overall dwelling yield from 172 dwellings to 158 dwellings.
- *Note: The updated plans also encompass changes required under Condition 4 of the DA19/00061, most notably, the deletion of Level 7 from Building A.*



Architectural Plans

Note: Submitted Plans to be shared on screen as needed



Integrated Approvals

- The modification, being lodged in accordance with Section 4.55(2) of the EP&A Act, required referral to the original integrated development authorities, including:
 - Approval from Heritage NSW in accordance with Section 58 of the Heritage Act 1977
 - Approval is required under Section 22 of the Coal Mine Compensation Act 2017 to erect a building within the Newcastle mine subsidence district.
 - Approval is required under section 100B of the Rural Fires Act 1997 as residential subdivision is included in the original application.



Public Submissions

- Council's DA Tracker shows 6 public submissions, and an additional 3 late public submissions. A summary of the issues is outlined below:
 - Concern with aspects of the approved development, including
 - Height, scale, setbacks, overshadowing, parking, views, privacy to school, non-compliances with DCP
 - Setbacks of Building A should be returned to the distance on the original plans (*Applicant Note: no change proposed as part of the modification*)
 - Impacts of commenced construction
 - Request replanting of trees as soon as possible



Urban Design Consultative Group (UDRP)

- The modification has been reviewed by the UDRP.
- UDRP support the modification.
- The proposed modifications do not impact on the proposal's compliance with SEPP65 and the Apartment Design Guide.



Issues

- LEP compliance

- The modified proposal remains compliant with the FSR control
- The modified proposal does not create any additional height variations.

- Mine Grouting

- The modification does not seek any amendments in relation to the approved mine grouting works.

- Parking

- The approved application resulted in a surplus of 42 spaces, the modification maintains this surplus.



Issues

- Privacy and Overshadowing
 - Some minor window adjustments have occurred in relation to the proposed unit amalgamations; however these are internally facing to the site and have no impacts to surrounding properties or public spaces.
 - The shadow plans have been updated to reflect the proposed amendments. As detailed, no additional impacts are created from the modification.
 - The unit amalgamations facing side boundaries have maintained the general window alignments previously approved, and do not have the effect of reducing separation distances to side boundaries.
- Heritage
 - No significant changes are proposed to the elevation plans. The majority of changes demonstrated on the plans are the result of conditions of consent and accordingly do not form part of this modification.
- Tree removal
 - No additional tree removal is proposed.



Thank you

Questions?

