

169 Hunter St Newcastle DA2017/00701.02 - PPSHCC-31 Changes to Block one within Stage One

Responses to questions from the Acting Chair about Newcastle East Applications:

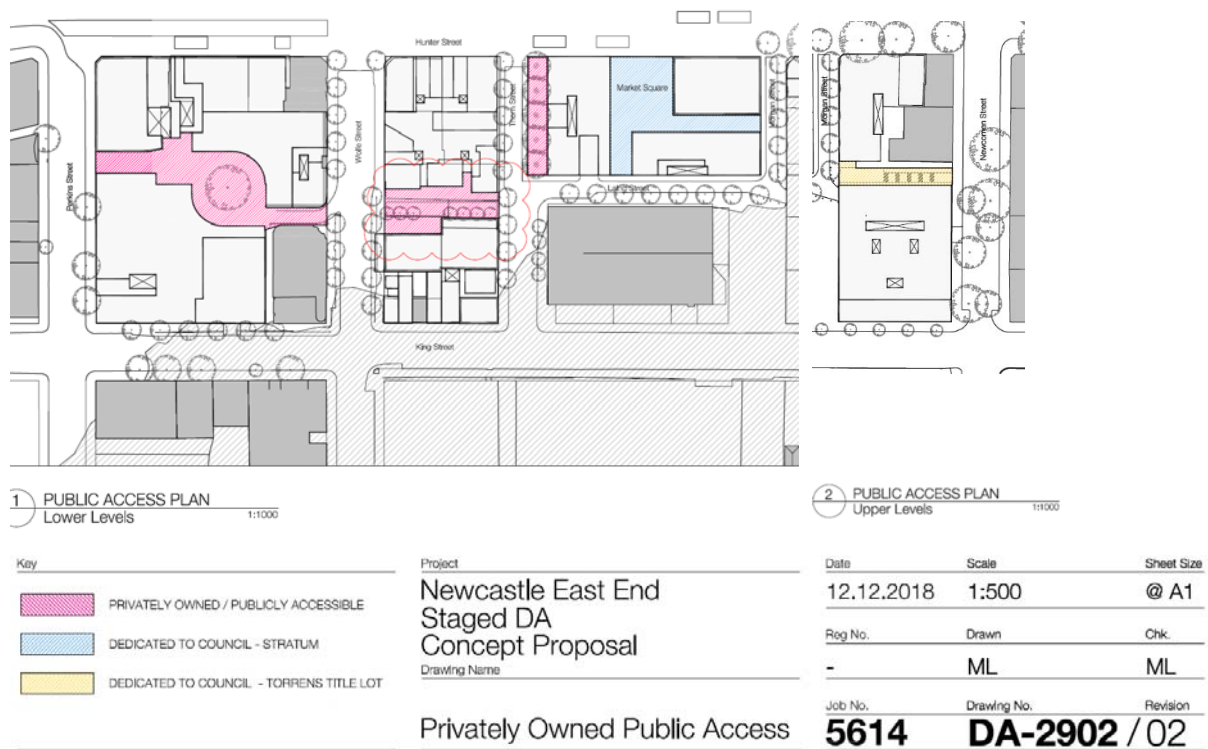
- Modification to the Concept Application DA-2017/00701.02: PPSHCC-31
- DA-DA2019/01150: Hotel Building: PPSHCC-27

2. Laneway

For context and assistance relating to the proposed southern addition above ground level and impacts to laneway, please be in a position to advise us as follows (I note my review of PPSHCC-27 may resolve these questions, but I have sought to review the concept approval modification firstly and at a high level without DA detail):

- *For context, width and nature of other laneway connections across the site so we can put the amendments in a wider context?*

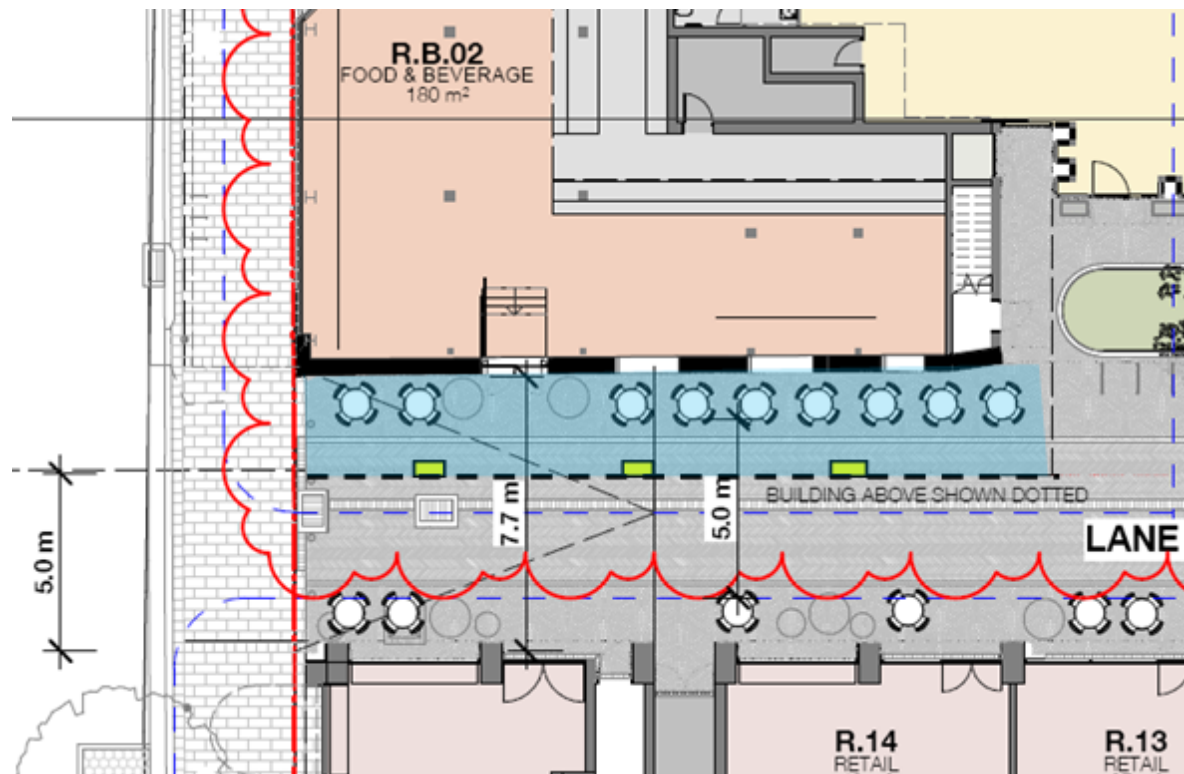
The Four Block Concept Plans (current, as-approved) has several laneway connections as shown coloured below. NB. The plans include two scales (?) and there are no dimensions. However, it is noted that the laneway widths within Blocks 1 and 2 reflect the as-approved physical works (Stage 1 and 2 DAs).



- *confirm width at ground level for laneway is 7.7m but with building above leaving 5m of laneway open to the sky, with columns however sitting within the 5m width both at ground level and levels above? What is min width where columns are proposed? The assessment references 5m width to open air, but the plans to be approved notate the width as 4.5m – is that 0.5m difference due to the support columns? The assessment report references Figure 21 on page 31 in respect to this, please supply Figure 21?*

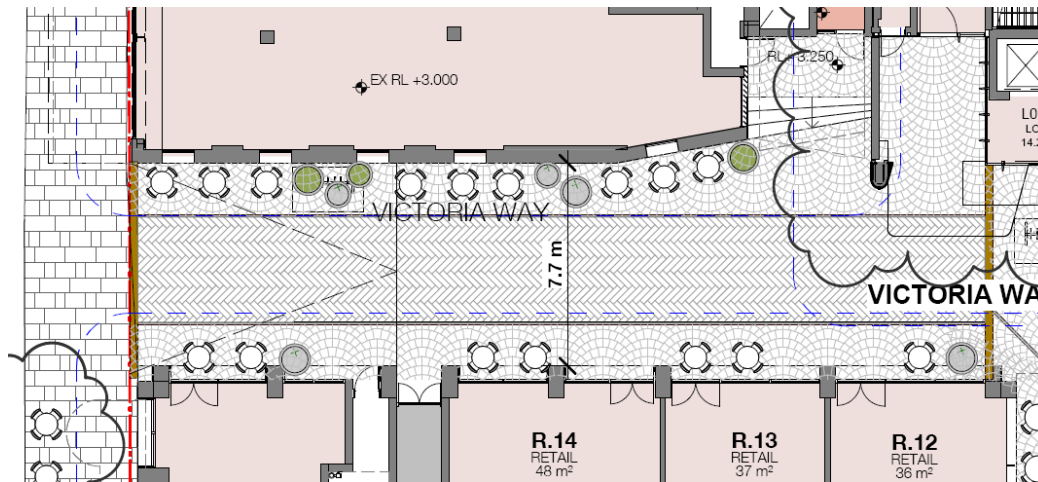
A 'zoomed in' excerpt of Figure 21 from the report is provided below to make it clearer.

Yes, the laneway is 7.7m wide at ground level. The columns (three yellow rectangles) and building above (light blue shading) are located within this 7.7m wide lane. A five (5) metre clearance is provided on the southern side of this structure (see dimension at left of the Figure). I am not sure which "...plans to be approved notate the width as 4.5m"? Figure 21 is an excerpt of *SJB Architects Dwg P-A-0201 Rev 22* which is listed to be approved?



- *please confirm what the width reduction above ground represents compared to approved concept and also to approved Stage 1 consent, and how that reduction compares to a typical awning if floor space wasn't provided above?*

An excerpt from the approved Stage 1 plan (DA2017/700) is provided below, which shows a laneway width of 7.7m (at ground level) which also applied to all levels above. The approved concept plan reflected this width (*SJB Architects Dwg P-A-0201 Rev 16*, dated 9/11/2017).



NDCP 2012 includes controls relating to Awnings (6.01 A7 Awnings; and 7.10 Street Awnings and Balconies). Within the latter, Development Control 7.10.03 'Design requirements for awnings and balconies A. Dimensions' states: "1. *Depth of street awnings from the facade of buildings are **at least 2,000mm** or shall extend to within 600mm of the kerb in the case of footway formations less than 1,400mm.*"

If an awning was provided to this, it would be required to be a minimum width of 2 metres, which would leave an unobstructed width of 5.5m remaining.

- *Please provide a summary of your review against the original assessment report that informed the development consent issued 2 January 2018 (not the surrendered 2015 one) that established the current laneway width and may have expressed its function and amenity, and that informed the baseline condition on width, and as it relates to the proposed modification (to consider the modification in context with the original objective).*

The following provides excerpts from the Assessment Reports prepared/considered in December 2017 for the Concept Development Application and Stage 1 DA that provide background to the issue of the laneway width.

Excerpt from Assessment Report for Concept Development Application DA-2017/00701 (p38) (Panel Ref: 2017HCC018 DA)

"Public Domain & Publicly Accessible Private Land & Funding Arrangements

The previous approved and current Concept Proposal includes an 'Indicative Public Domain Strategy' (Aspect Studios, June 2017) that provides a network of smaller activities, squares, routes and spaces within the site and along internal public road reserves within and immediately adjacent to the site. There is no change from the previously-approved scheme, with the exception of the shape/configuration of the Block 1 Perkins to Wolfe Street Link (which now excludes service vehicles and is pedestrian only). This link will be privately owned and maintained. There will be no change to the other aspects of public domain improvements, which will be funded by the developer at each stage of work at each frontage of the development sites."

Excerpt from Assessment report for DA2017/00700 – Stage 1 DA for Block 1 (page 41) (Panel Ref: 2017HCC017)

Section 6.01.04 Key Precincts - Hunter Street Mall

This section of the DCP contains objectives and performance criteria specific to key precincts, one of which is the Hunter Street Mall. This section of the DCP prevails over Section 6.01.03.

B.01 - Pedestrian Amenity

The Stage 1 development includes a through site connection, extending from Perkins Street in the west to Wolfe Street in the east. This link extends between building A and B in the west (with a width of 7.7m) and between Building D and the existing Telstra building in the east (at a width of 6.1m). The laneways converge into an open court which is to be activated by adjacent retail outlets at ground level. The location of this link is consistent with the location of the through site link identified in Figure 6.01-29 of this chapter (reproduced in Figure 12 below) and will allow for a continuous pedestrian link to be provided through to Newcommen street in the east, as intended by the DCP.



Figure 12 (at left): Extract of Figure 6.01-29 of NDCP 2012 'Hunter Street Precinct Plan' showing planned through link site (in green hatching).

Figure 13: (at right) Extract of submitted Landscape Concept Plan for 'Victoria Way' Link through the subject site (Dwg 17008_DA-2 by Aspect Studio)

The assessment of the laneway width for the current applications are provided at the following pages of the Assessment reports to the Panel:

- Modification to the Concept Application DA-2017/00701.02: page 11, 24-25 and 30-31
- DA-DA2019/01150: Hotel Building: pages 50-54
- *provide brief assessment of the modification to the laneway against the 'indicative public domain strategy' referenced in Condition 43, if relevant (or confirm if not relevant).*

I have attached the Relevant Excerpts/pages of the '*Indicative Public Domain Strategy, Dwg Nos. 13077-DA01-DA-10 Rev F, dated June 2017, prepared by Aspect Studios*' with respect to the laneways.

The current modification broadly conforms with the principles within this document, being an 'open laneway' (albeit being more enclosed by cantilevered building on the northern side). It provides: east west connection; high level pedestrian amenity; provides opportunities for seating and dining.

3. Additional Discussion on acoustic impacts

The details regarding acoustic impacts associated with the Hotel operation is located in the report on pages 65 and 66 for the hotel, not the concept modification. This is reproduced below.

ix. Acoustic Impacts Associated with Hotel Operations

The 'East End Stage 1 Hotel Operational Management Plan' prepared by Iris Capital confirms that the hotel and reception will operate 24 hours per day, 7 days per week. The ground floor restaurant, ground floor hotel bar, ground floor sports bar/gaming lounge and roof terrace bar will trade between 10am and midnight Monday to Saturday and between 10am and 10pm Sunday.

The Stage 1 development application is accompanied by a DA Environmental Noise Impact Assessment prepared by Acoustic Logic. This report considers the potential noise impacts associated with the proposed hotel use which includes a rooftop bar, ground floor restaurants/bar and gaming lounge and plant service areas. The development application also seeks approval to relocate a western facing window in Apartment C.01 which is situated adjacent to the rooftop bar.

Acoustic Logic confirm that the nearest affected receivers are:

- Hotel rooms on Level 2 directly above the restaurant/bar;*
- Hotel rooms on Level 5 directly underneath the roof topbar;*
- Future residential building A located south of the project site;*
- Future residential building C located east of the project site;*
- Existing commercial building located immediately across Hunter St and Perkins St;*
- Hotel rooms on Level 6 horizontally adjacent to the roof top bar.*

The Noise Impact Assessment also considers potential external noise impacts, which are primarily traffic noise, on the proposed development. To assess this impact attended noise measurements were taken at two locations around the project site, being the corner of Hunter St and Perkins St (which represents the worst noise location) and at the corner of Perkins and King Streets which are impacted by bus noise.

The Environmental Noise Impact Assessment confirms that recommendations that the acoustic treatments detailed in Section 6 of the report be provided to satisfy the requirements below:

- Australian/New Zealand Standard, AS/NZS 2107. 2016 Acoustics "Recommended Design Sound Levels and Reverberation Times for Building Interiors".*
- EPA Noise Policy for Industry*
- NSW Office of Liquor and Games.*
- Such measures include:*
- Specified glazing thickness and acoustic seals; specified construction standards for light weight walls; roof/ceilings; façades, and for the mounting of speakers etc.;*
- Specified construction standards for the entry doors, with such doors to remain closed during music activities, except for patrons moving in and out;*
- Within the outdoor area of the ground floor restaurant/bar:*
 - Number of patrons after 10pm shall be limited to ensure that the noise emission for neighbouring guest rooms satisfy the requirements of EPANPfl.*
 - No music or PA or audio systems is allowed within this area.*
 - Indoor music noise limited 82 dB(A)Leq before midnight and 70 dB(A)Leq after midnight.*
- The following shall be implemented for the roof top bar:*

- *Outdoor sittings along Hunter St shall be closed after 10pm but Perkins St outdoor sittings can be open till midnight.*
- *No music or PA or audio systems is allowed within this area.*
- *Smokers will be discouraged from remaining in the area longer than necessary than to have a cigarette.*
- *Signage is to be provided advising patrons that the use of the smoking area is subject to their behaviour being appropriate to meet the noise parameters of OLG. Failure to behave appropriately will result in access to the area being denied.*
- *Partition wall to guest rooms shall be $R_w + C_{tr} > 50$ + Discontinuous structure.*
- *Indoor music noise limited to 96 dB(A)Leq before midnight and 75 dB(A)Leq after midnight.*

The following management measures are required to be implemented for all outdoor areas:

- *Smokers will be discouraged from remaining in the area longer than necessary than to have a cigarette.*
- *Signage is to be provided advising patrons that the use of the smoking area is subject to their behaviour being appropriate to meet the noise parameters of OLG. Failure to behave appropriately will result in access to the area being denied.*

The assessment also confirms that

“Internal noise levels cannot be achieved with windows open. Hence it is required that an alternative outside air supply system be installed in accordance with AS 1668.2 requirements. Any mechanical ventilation system that is installed should be acoustically designed such that the acoustic performance of the recommended constructions is not reduced by any duct or pipe penetrating the wall/ceiling/roof. Noise emitted to the property boundaries by any ventilation system shall comply with Council requirements.”

Council’s Senior Environmental Officer has reviewed the submitted acoustic report and is satisfied with the content and recommendations. The following comments are provided:

‘A theoretical acoustic assessment was carried out by Acoustic Logic dated September 2019 to support the proposal. The assessment has modelled the impacts from external traffic noise on the proposal and the likely noise emissions from the proposed restaurant/ bar and associated mechanical plant noise to ensure that the amenity of the surrounding sensitive receivers is not adversely affected. The acoustic assessment demonstrated that provided the recommendations in Section 6 (which set out the glazing and construction requirements and internal noise levels) are applied, internal noise levels will be compliant with relevant adopted NSW guidelines. This will be addressed by an appropriate condition of consent.

Section 6.6 addressed that the mechanical plant associated with the development has not been selected and thus no external noise emissions have been assessed as part of this assessment. The acoustic consultant however has recommended that a detailed assessment be carried out once the plant has been selected so that any potential acoustic treatments can be incorporated into the design of the building to ensure compliance with the relevant noise criteria. This will be addressed by an appropriate condition of consent.

The ESU will recommend a condition of consent to restrict the use of the outdoor area associated with the Rooftop Bar after 10:00pm seven days a week. Along with this a further condition is recommended that no music is played in the outdoor terrace associated with the Rooftop Terrace.’

No other issues have been raised by NSW Police. No response was received formally. Representatives from NSW Police were included in LPRG meetings. The acoustic considerations are satisfactory.

With respect to potential construction noise, it is noted that the Construction Noise and Vibration Management Plan which was prepared for the previous Stage 1 development (DA2017/00700.01) remains relevant to the current application.

LANDSCAPE SPACES

KEY

- THE MARKET SQUARE
- MORGAN STREET STEPS
- OPEN LANEWAYS
- ARCADES
- SITE BOUNDARY
- STREETSCAPE
- MASONIC COURT
- THORN GROVE
- SHARED WAY



Newcastle East End

ASPECT Studios™

Client: Iris Land Pty Ltd
Architect: SJB Architects

Drawn: TA
Checked: SVB

Scale: 1:500 @ A1
Date: June 2017

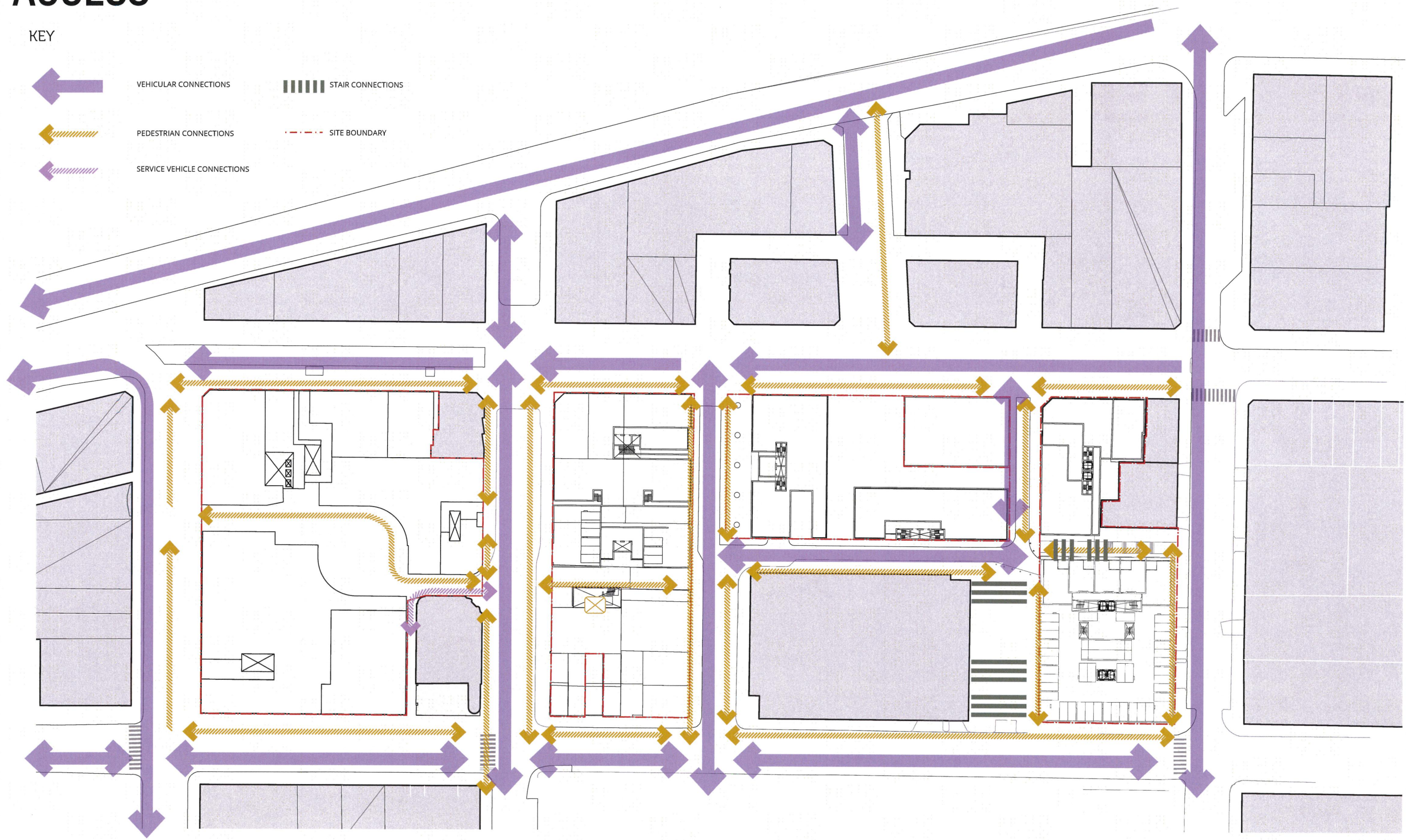


Dwg no.: 13077-DA02
Rev: F

ACCESS

KEY

- VEHICULAR CONNECTIONS
- PEDESTRIAN CONNECTIONS
- SERVICE VEHICLE CONNECTIONS
- STAIR CONNECTIONS
- SITE BOUNDARY



Newcastle East End

ASPECT Studios™

Client: Iris Land Pty Ltd
Architect: SJB Architects

Drawn: TA
Checked: SVB

Scale: 1:500 @ A1
Date: June 2017



Dwg no.: 13077-DA04
Rev: F

INDICATIVE LANDSCAPE MASTER PLAN



Newcastle East End

ASPECT Studios™

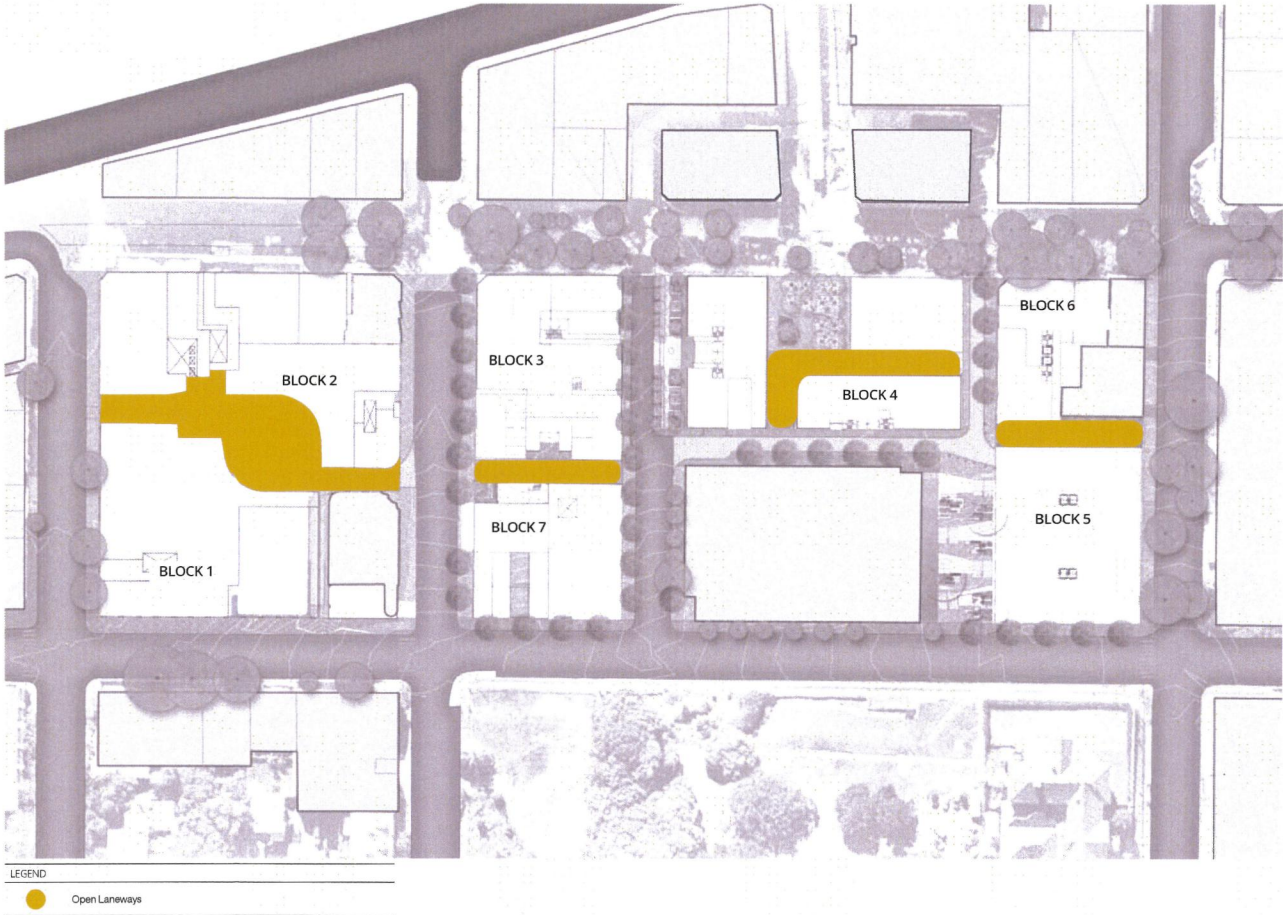
Client: Iris Land Pty Ltd
Architect: SJB Architects

Drawn: TA
Checked: SVB

Scale: 1:500 @ A1
Date: May 2017

Dwg no.: 13077-DA05
Rev: F

OPEN LANEWAYS



Description

A series of open laneways provide east-west permeability acrosss the site. It is intended that these laneways provide a high level of pedestrian amenity including high quality paving, lighting, planting and opportunities for public seating and dining.

Principles

- Provide high quality legible lane connections that utilise the spatial character and play upon the existing urban grain of the Newcastle CBD
- Provide adequate lighting throughout the lanes to promote survailance and safe night time use.
- Provide opportunities for integrated public art throughout the laneways

Character Precedent Images



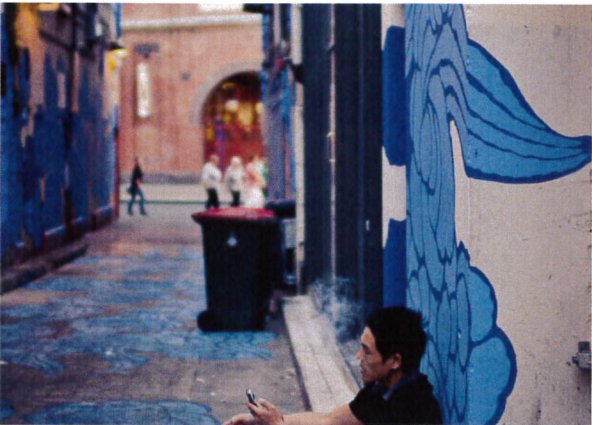
LANEWAY INTEGRATED WITH DECORATIVE FEATURE TREES



FEATURE PAVING AND DRAINAGE



RETAIL SPILLOUT DINING ZONES



OPPORTUNITIES FOR PUBLIC ART