Table 1 – Newcastle DCP 2012 Compliance Table

Control	Requirement	Comment	Compliance
3.00 Land use Specific Provisions			
3.10 Commercial Uses			
3.10.01 Height of buildings	1. Refer to the Newcastle Local Environmental Plan 2012 for building height controls.	The proposed development exceeds the maximum height applied by the LEP 2012. A Clause 4.6 variation under the LEP 2012 has been requested within the EIS. Acceptance of the Clause 4.6 variation would ensure compliance with the LEP 2012.	**N, variation under Clause 4.6 requested.**
3.10.02 Density - floor space ratio	1. Refer to the Newcastle Local Environmental Plan 2012 for floor space ratio controls.	The site is mapped as having a maximum floor space ratio (FSR) of 4:1. with an FSR of 3.17:1 the proposal complies with the controls of the NLEP 2012.	**Y**
3.10.03 Streetscape and front setbacks	1. Within established areas the front setback is consistent with those of adjoining development. Some variations to minimum setbacks can be considered particularly where such variations are used to create streetscape variety and interest. 2. Development facilitates pedestrian access from the street frontage and provides individual identity to dwellings.	The proposed development is consistent with the established setbacks for the Honeysuckle area. N/A, no residential dwellings proposed.	**Y** **N/A**
3.10.04 Side and rear setbacks	1. Side and rear setbacks to walls are in accordance with the Building Code of Australia and subject to consideration of impact on the privacy, private open space and solar access of adjoining properties.	Side and rear setbacks have been proposed to enable appropriate solar access and privacy for adjoining properties.	**Y**
3.10.05 Street activation	1. Provide activated street edges at ground level through the provision of retail premises or business premises uses in business/commercial zones. 2. Ground floor retail uses provide multiple pedestrian accesses along the street frontage. 3. A visual connection into uses at ground level and avoid the use of solid walls or covered glassing for lengths greater than 3m.	Commercial tenancies are proposed along the ground floor with appropriate setbacks to establish street activation. Glazing has been utilised to enable a visual connection to the tenancies to provide and active street frontage along Honeysuckle Drive with the tenancies supported with appropriate pedestrian access.	**Y**
3.10.06 Building design and appearance	1. New development enhances and makes a positive contribution towards the desired built form. 2. The following features of existing areas are considered and integrated into new development where possible: (a) street setbacks (b) grouping or 'rhythm' of buildings within the streetscape (c) corner feature sites (d) traditional street and lane patterns	The proposal comprises a high quality architecturally designed development that makes a positive contribution towards the desired built form of the precinct.	**Y**

	(e) pedestrian walkways and other public open space areas (f) pavement design, including materials and finishes, kerb and gutter treatment.		
3.10.07 Views and privacy	1. Properties are able to be developed within the established planning guidelines, however, existing views from dwellings are not substantially affected where it is reasonable to design for the sharing of views.	The proposal does not unreasonably obstruct existing views, refer to the View Impact Analysis at Appendix F of the RtS.	**Y**
	2. Grand vistas and views from dwellings which are recognised and valued by the community are not unreasonably obscured by new development.	The proposal does not obscure and valued vistas or views.	**Y**
	3. Views to heritage or familiar dominant landmarks from dwellings are not unreasonably obscured.	The proposal does not obstruct views of heritage items or landmarks.	**Y**
	4. A minimum 9m separation is provided between the windows of habitable rooms of facing dwellings that abut a public or communal street. This distance is increased to 12m for windows above first floor level.	There are no dwellings on adjoining lands. The land to the north, west and south of the site is public land. To the immediate east development is for commercial purposes and has a substantial setback to allow for at-grade parking.	**Y**
	5. Direct views between living area windows of adjacent dwellings are screened or obscured where: (a) ground and first floor windows are within an area described by taking a 9m radius from any part of the window of the adjacent dwelling. An area so defined is described as a 'privacy sensitive zone'. (b) other floor windows are within a 'privacy sensitive zone' described by a 12m radius.	As above.	**Y**
	6. Direct views from living rooms of dwellings into the principal area of private open space of other dwellings are screened or obscured within a 'privacy sensitive zone' described by a 12m radius.	N/A, no dwellings proposed.	**N/A**
	7. Direct views described in (5) and (6) may be obscured by one of the following measures: (a) 1.8m high solid fences and walls between ground floor level windows and adjoining open space, where the slope is below 10% (b) screening that has a maximum area of 25% openings, is permanently fixed and is made of durable materials (c) landscape screening either by existing dense vegetation or new planting that can achieve a 75% screening effectiveness within three years.	Any direct views will be appropriately screened.	**Y**

	8. Mechanical plant or equipment designed and located to minimise noise nuisance.	Mechanical plant and equipment has been designed to minimize noise nuisance. A Noise Assessment has been undertaken by Acoustic Logic in respect of the proposal, quantifying the noise impact to and from the proposal (refer to Appendix N of the EIS). The report concluded that the proposed development is capable of complying with relevant acoustic criteria through the means of standard acoustic treatment and management. Note the plant area has been further incorporated into the towers to further reduce any potential noise impact.	**Y**
3.10.08 Fencing and walls	1. The use of fencing along street frontages is not supported. 2. Fences and walls complement the existing streetscape in relation to scale and materials and use similar or compatible materials to those used in attractive buildings within the locality. 3. The use of sheet-metal fencing is avoided adjacent to public places, unless the visual impact is softened by landscaping.	No fences proposed along the street frontage.	**N/A**
3.10.09 Utilities and services	1. Mail boxes (where provided onsite) are located close to each ground floor entry, or a mail box structure located close to the major pedestrian entry to the site and complying with the requirements of Australia Post. 2. Bin storage areas are roofed and designed to conceal contents from view from adjacent public space and/or other properties. The bin storage area is provided with a water-tap for wash down purposes and is drained to connect to the sewer. The bin storage area is located as close as practicable to the pick-up location.	Mailboxes are provided within the ground floor lobby. Australia Post will be capable of gaining access via appropriate means. A bin storage area is provided on the ground floor for each use. Each use has an isolated room designed to conceal waste from view as illustrated on the proposed plans (refer to Appendix A of RtS). Bins will be collected direct from the carpark.	**Y** **Y**
4.00 Risk Minimisation Provisions			
4.01 Flood Management			
4.01.01 Floodways	1. No building or structure erected and no land filled by way of the deposition of any material within any area identified as a floodway except for minor alterations to ground levels which do not significantly alter the fundamental flow patterns for: (a) roads (b) parking (c) below ground structures (d) landscaping. 2. Where dividing fences across floodways are unavoidable, they are constructed only	The existing flood behaviour at the site was obtained from the Flood Information Certification No. FL2020/00005. The flood certificate states the site is not affected by a floodway.	**Y**

	of open type fencing that does not restrict the flow of flood waters and are resistant to blockage. New development shall be designed to avoid fences in floodways.		
4.01.02 Flood storage areas	1. Not more than 20% of the area of any development site in a flood storage area is filled. The remaining 80% is generally developed allowing for underfloor storage of floodwater by the use of suspended floor techniques such as pier and beam construction. 2. Where it is proposed to fill development sites, the fill does not impede the flow of ordinary drainage from neighbouring properties, including overland flow.	The existing flood behaviour at the site was obtained from the Flood Information Certification No. FL2020/00005. The flood certificate states the site is not affected by a flood storage area.	**Y**
4.01.03 Management of risk to property	1. Floor levels of all occupiable rooms of all buildings are not set lower than the FPL.	The occupiable rooms of the building are located at RL 3.0m AHD which provides 510mm freeboard in a 1% AEP event.	**Y**
	2. Garage floor levels are no lower than the 1% Annual Exceedance Probability Event. However, it is recognised that in some circumstances this may be impractical due to vehicular access constraints. In these cases, garage floor levels are as high as practicable.	The carpark is located at the identified 1% AEP event level of 2.77m AHD.	
	3. Basement garages may be acceptable where all potential water entry points are at or above the probable maximum flood (PMF), excepting that vehicular entry points can be at the FPL. In these cases, explicit points of refuge are accessible from the carpark in accordance with the provisions for risk to life set out below.	N/A, the proposal does not incorporate a basement level carpark.	**N/A**
	4. Electrical fixtures such as power points, light fittings and switches are sited above the FPL unless they are on a separate circuit (with earth leakage protection) to the rest of the building.	Noted.	**Y**
	5. Where parts of the building are proposed below the flood planning level, they are constructed of water-resistant materials.	Any portion of the building below the flood planning level are to be water-resistant.	**Y**
	6. Areas where cars, vans and trailers are parked, displayed or stored are not located in areas subject to property hazard of P2 or higher. Containers, bins, hoppers and other large floatable objects also are not stored in these areas. Heavy vehicle parking areas are not located in areas subject to property hazard P3 or higher.	N/A, site is rated P1.	**N/A**
	7. Timber framed, light steel construction, cavity brickwork and other conventional domestic building materials are generally	N/A, site is rated P1.	**N/A**

	not suitable forms of construction where the property hazard is P4 or higher. Where property hazard is P4, the structure is certified by a practising structural engineer to withstand the hydraulic loads (including debris) induced by the flood waters. 8. Property hazards of P5 are generally unsuitable for any type of building construction and building is discouraged from these areas. Where building is necessary, the structure is certified by a practising structural engineer to withstand the hydraulic loads (including debris) induced by the flood waters.	N/A, site is rated P1.	**N/A**
4.01.04 Management of potential risk to life	<u>Risk to life category L5</u> 1. Risk to life hazards of L5 are generally unsuitable for any type of building construction and building is discouraged from these areas. Reliable safe escape to high ground is likely not possible and normal building construction would likely suffer structural failure from the force of floodwaters, so that any people seeking refuge in the building would likely perish. Where building is necessary, the structure is certified by a practising structural engineer to withstand the hydraulic loads (including debris) induced by the flood waters.	Site is rated as L1.	**Y**
	<u>Islands</u> 2. The formation of islands in the floodplain during a flood is a potentially dangerous situation, especially when floods larger than the FPL totally inundate the island for an extended period. Development of such land is considered with great care.	An island effect will not be established by the proposed development.	**Y**
	<u>On-site refuge</u> 3. On-site refuge is to be provided for all development where the life hazard category is L4 unless the proposed development is less than 40m from the perimeter of the PMF extent and the higher ground is accessible.	N/A, site is rated L1.	**N/A**
	<u>Standards for on-site refuge</u> 4. Where on-site refuge is required for a development, it should comply with the following minimum standards: (a) The minimum on-site refuge level is the level of the PMF. On-site refuges are designed to cater for the number of people reasonably expected on the development site and are provided with emergency lighting. (b) On-site refuges are of a construction type able to withstand the effects of flooding. Design certification by a practising	N/A, site is rated L1.	**N/A**

<table>
<tr><td></td><td>structural engineer that the building is able to withstand the hydraulic loading due to flooding (at the PMF).</td><td></td><td></td></tr>
<tr><td colspan="4">4.03 Mine Subsidence</td></tr>
<tr><td></td><td>1. All developments located in areas affected by mine subsidence must have approval from the Mine Subsidence Board prior to lodgement with The City of Newcastle.</td><td>As the site is within a mine subsidence district, approval from Subsidence NSW (SNSW) has been obtained and provided at Appendix S of the EIS.</td><td>Y</td></tr>
<tr><td colspan="4">4.04 Safety and Security</td></tr>
<tr><td>4.04.01 Crime Prevention through Environmental Design (CPTED)</td><td>1. Developments incorporate the CPTED Principles into the design of the proposed development.</td><td>The proposed development incorporated design principles outlined within the plans at Appendix A of the RtS.</td><td>Y</td></tr>
<tr><td>4.04.02 General Principles</td><td>1. A Crime Risk Assessment (in accordance with figure 1 below) may be required for developments which are: major developments; involve an increased risk to public safety; and/or include a component to serve, sell or supply alcohol.
<table><tr><th colspan="2">Information to be included in a Crime Risk Assessment</th></tr><tr><td>Introduction</td><td>· Describe the proposed development.</td></tr><tr><td>Site Analysis</td><td>· Describe the physical surrounds & topography of proposed development.</td></tr><tr><td>Crime Risk & Opportunity</td><td>· Identify existing and possible crime risks.
· Analyse the types of crime that may be prevalent in the area, and to which the development may be susceptible.</td></tr><tr><td>CPTED</td><td>· Describe how the proposed development addresses each of CPTED principles.</td></tr><tr><td>Specific Uses</td><td>· If applicable, identify how the proposed development addresses the key principles (as outlined in Section 4.04.03 below).</td></tr><tr><td>Recommendations & Mitigation Measures</td><td>· Outline whether the proposed development will have an impact on crime and safety, and why.
· Describe risk assessment recommendations and mitigation measures to be implemented as part of the development.</td></tr></table></td><td>The proposed development does not pose an increased risk to public safety however it does include a small bar. The bar is located above the ground level and is predominantly for the use of hotel guest. All staff will be appropriately trained and licensed in the service of alcohol. A CPTED report is included at Appendix A of this Table</td><td>Y</td></tr>
<tr><td></td><td>2. A Crime Risk Comment included within the Statement of Environmental Effects (where a Crime Risk Assessment is not required).</td><td>N/A</td><td>N/A</td></tr>
<tr><td></td><td>3. Exterior design and layout:
(a) Building entrances are orientated to face public areas, are clearly identified and visible from the street.</td><td>Building entrances are oriented to face public areas.</td><td>Y</td></tr>
<tr><td></td><td>(b) Development is designed so as not to include entrapment locations and blind corners.</td><td>The development has been designed to not include entrapment locations or blind corners.</td><td>Y</td></tr>
<tr><td></td><td>(c) Building facades are designed so as not to include external indentations, projections or regular features that provide footholds allowing access to private property.</td><td>Development has been designed to not include footholds which may allow access to private property.</td><td>Y</td></tr>
<tr><td></td><td>(d) Building walls located adjacent to carparks or other public spaces include features such as windows and/or balconies, allowing casual surveillance to these areas.</td><td>Windows from habitable spaces along with private open spaces look over the public and communal areas facilitating surveillance.</td><td>Y</td></tr>
<tr><td></td><td>(e) Building entrances, walkways and connecting paths, are clearly defined, visible from the street, and well-lit at night.</td><td>Building entrances, walkways and connecting paths are well defined, visible and well lit at night.</td><td>Y</td></tr>
</table>

	(f) Public places incorporate features to attract people in a safe manner, rather than discourage people from gathering.	Communal opens spaces attract people in a safe manner and do not discourage people from gathering.	**Y**
	(g) Development is designed so that it reduces the opportunity for graffiti and vandalism.	The design of the development minimises opportunities for graffiti and vandalism.	**Y**
	(h) Cues, symbols and signs are used to assist people to navigate their environment and define appropriate use of spaces.	Signage is to be implemented to assist navigation through the development.	**Y**
	4. Surveillance and sightlines: (a) Buildings are designed to overlook public areas.	Windows from habitable spaces along with private open spaces look over the public and communal areas facilitating surveillance.	**Y**
	(b) Ground and near-ground levels of buildings are occupied by active land uses that overlook public areas.	Ground levels contain active uses including gym, café and lobby areas.	**Y**
	(c) New development maximises visibility and sightlines to destination points (eg. street frontage, car parks, stairwells etc).	Sightlines to the street frontage and car park entrances have been enhanced to improve visibility.	**Y**
	(d) Fence designs maximise natural surveillance between the street and the building.	N/A, no fencing proposed.	**N/A**
	(e) Landscaping, walls and fences maintain clear sight lines between public and private areas and do not block fields of vision.	The proposed landscaping has been designed to improve sightlines and visibility from private spaces to public spaces.	**Y**
	(f) Mechanical/electronic surveillance systems are installed in compliance with Australian Standard 806.1: Closed Circuit Television (CCTV) Management and operation (where required by Council and/or Police).	CCTV is to be installed where required, detailed at CC stage.	**Y**
	5. Lighting: (a) Lighting is provided in accordance with Australian Standard 1158 - Lighting for roads and public spaces and Australian Standard 4282 - Control of the obtrusive effects of outdoor lighting.	Proposed lighting is in accordance with AS1158 and AS 4282.	**Y**
	(b) All areas intended to be used at night to provide appropriate lighting and visibility.	Appropriate lighting is provided to areas intended to be used at night enhancing visibility.	**Y**
	(c) Lights are directed towards access/egress routes, and illuminate possible entrapment locations/places to hide.	Lights are provided to access/egress points and routes and provided to any potential entrapment locations.	**Y**

	(d) Lighting is to provide a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed; reduces light shadow contact; and is not unshielded at eye level.	Wide beams which reach the next light are to be implemented. Light shadow is minimised with no shielding of light at eye level.	**Y**
	(e) Lighting is designed so that it reduces the opportunity of vandalism (eg. anti-graffiti, anti-breakage, and scratch resistant materials).	Lighting proposed reducing opportunities for vandalism.	**Y**
	(f) Lighting is located so that there is no spillage to neighbouring properties.	Lighting has been located and oriented to prevent spillage to neighbouring properties.	**Y**
	(g) Growing and mature vegetation does not obscure lighting.	Species selection in the proposed landscaping has been selected to be of an appropriate size for its location.	**Y**
	6. Signage / Wayfinding (a) Clear signage and wayfinding devices are incorporated into developments, including audible, tactile, graphic and/or architectural cues.	Signage and wayfinding devices are to be implemented throughout the development.	**Y**
	(b) Information and directional signs are strategically located at entrances and near activity nodes (eg. intersections of corridors and paths, landmarks).	Information and directional signs to be located at intersections of corridors and paths.	**Y**
	(c) Information and directional signs are legible and where appropriate include standard symbols and/or simple graphics.	Directional signage are to be legible and incorporate standard symbols and simple graphics.	**Y**
	(d) Location maps and directional signage are provided for larger developments.	Location maps are to be provided where necessary.	**Y**
	(e) Signposting is provided clearly identifying public amenities and hours of access (eg. toilets, carparking, lifts, ATM's).	Signage identifying public amenities are to be provided.	**Y**
4.04.03 Principles for Specific Use	<u>Carparks (or developments including carparks)</u> Natural and/or mechanical surveillance provided (as required by Council and/or Police). • Pedestrian access points are provided at ground level and in active areas. • Entry and exit points to multi-level carparks are minimised and attendant's booths are clearly identified. • Pedestrian paths link users from car parking spaces to buildings/lift lobbies directly as possible with clear sightlines along the route.	CCTV to be provided as required. Pedestrian Access points provided at ground level. Car park is private only, no attendant booth required. Clear sightlines established along pedestrian path links. Good lighting provided to pedestrian paths. Landscaping, walls, and fences maintain clear sightlines between public and private spaces. Concealment areas minimised through design. Car park ceilings are greater than 2.2m high.	**Y**

	• Pedestrian paths, entrances and exits are provided with good lighting, signposted and clearly defined. • Landscaping, walls and fences maintain clear sight lines between public and private areas and avoid concealment areas. • Every second aisle of an open car park with 200 or more spaces has a pedestrian path between parking spaces, with paths linked to identified crossing areas and access points. • Car parking ceilings are greater than 2.2m height • Lighting is sufficient to allow pedestrians to see into the interior of cars and eliminate shadows between cars. • Incorporate vandal resistant materials (eg. lighting, exterior). • Stairwells are located on carpark perimeters and are open or highly see through from external public areas. • Stairwells, corridors etc are painted light colours to assist in reflecting light in these areas	Lighting provided allows for sight into cars and eliminate shadows between cars. Vandal resistant materials are to be implemented. Stairwells are located in visible areas. Stairwells and corridors to be painted light colours.	
5.00 Environmental Protection Provisions			
5.01 Soil Management			
5.01.01 Erosion Prevention	*For development where site disturbance is between 250m2 and 2,500m2 involving construction, demolition or earthworks:*		
	2. An erosion and sediment control plan complies with 'Managing Urban Stormwater: Soils and Construction' (the 'Blue Book').	The proposal has incorporated a stormwater management design, and erosion and sediment control practices which are suitable for the scale and type of building proposed. Details are provided within the civil design plans at Appendix U of the EIS.	**Y**
	3. Extent of clearing/disturbance is limited to locations of site works, and as much existing natural vegetation is to be retained as much as possible.	Extent of disturbance will be limited to the site. There is currently no natural vegetation existing onsite.	**Y**
	4. Topsoil stockpiles are stored as low mounds, not compacted and are sown with a temporary grass cover if left longer than 4 weeks. Easily wind-borne material such as sand and cement dust are covered.	Noted.	**Y**
	5. Temporary fencing is placed around trees to prevent soil compaction and root damage.	N/A	**N/A**
	6. Site clearing is staged to allow recycling of site material for re-use in the landscaping of the development. For example surface rock or gravel may be re-used.	Noted.	**Y**

5.01.02 Sediment Control	*For development where site disturbance is between 250m2 and 2,500m2 involving construction, demolition or earthworks:*		
	3. An erosion and sediment control plan should comply with 'Managing Urban Stormwater: Soils and Construction' (the 'Blue Book').	The proposal has incorporated a stormwater management design, and erosion and sediment control practices which are suitable for the scale and type of building proposed. Details are provided within the civil design plans at Appendix U.	**Y**
	4. Where there is native grassland on-site and not in conflict with the proposed development, it is retained as a preferred groundcover to assist with stormwater run-off interception and absorption.	No native grassland present onsite.	**N/A**
	5. Where there are areas of significant and useful site vegetation, including native grass cover, these areas are fenced off and protected during construction. Use of these areas for construction access, storage of construction material and dumping waste material is prevented.	No areas of significant and useful vegetation exist onsite.	**N/A**
5.01.03 Cut and Fill	1. A site plan prepared by a registered surveyor is submitted demonstrating the existing levels of the property and proposed levels of the landfill.	Site survey plan has been prepared and is provided within Appendix F of the EIS.	**Y**
	2. Development minimises the amount of cut and fill required by: (a) maximum cut of 3m within the building envelope (b) maximum fill within building envelope of 1m (c) maximum cut external to building envelope of 1m (d) maximum fill external of building envelope of 1m. (e) variation to (a), (b), (c) or (d) above will require justification, design and certification by a Structural Engineer.	The extent of earthworks required has been minimised in the design, having above ground carpark and only requiring cut to the central portion of the site as a result of the landform. The design and finished levels have also been influenced by the impact of flooding. Further details provided at Civil Drawings at Appendix U and Flooding Assessment at Appendix P of the EIS.	**Y**
	3. No cut or fill is to take place within easements.	N/A	**N/A**
	4. If landfill is to be used it is preferred that it is virgin excavated natural material (VENM). If landfill contains material other than VENM, a licence may be required from the Office of Environment and Heritage.	N/A	**N/A**
	5. Stormwater or surface water runoff is not to be redirected or concentrated onto adjoining properties so as to cause a nuisance.	Stormwater is appropriately managed in the design (refer to Appendix E and U of the EIS).	**Y**

	6. Buildings are designed to relate to the existing topography with minimal excavation or fill and with the height of foundations kept to a minimum.	The extent of earthworks required has been minimised in the design, having above ground carpark and only requiring cut to the central portion of the site as a result of the landform.	**Y**
5.02 Land Contamination			
5.02.01 Plan Making & Development Assessment	A: Initial Investigation 1. Where the proposal involves a change of use of land, or the carrying out of earthworks, Council is to undertake an initial evaluation generally in accordance with the relevant Contaminated Land Planning Guidelines.	The SEARS for this proposed SSD requests that contamination be investigated during the preparing of the EIS.	**Y**
	2. The initial evaluation is to comprise an assessment of readily available factual information. Its purpose is to determine whether contamination is an issue that requires further investigation prior to the preparation of the plan, or determination of the matter and whether a site investigation process is required to be carried out.	An environmental site assessment has been carried out by Douglas Partners in accordance with the Contaminated Land Planning Guidelines. Refer to Appendix J of the RtS.	**Y**
	3. The evaluation is to be based upon records held by Newcastle City Council that are readily accessible, and may also be based upon factual information gained from a site inspection. There is no requirement to research or consider records held by other agencies. Matters to be considered are described in the Technical Manual for this section (Newcastle Contaminated Land Management Technical Manual).	Noted.	**Y**
	B: Is a site investigation required? 1. If after initial evaluation there is nothing to suggest that the land might be contaminated, or that further enquiry is warranted, Council and the proponent may proceed without further reference to this Section 5.02 Land Contamination.	An environmental site assessment has been carried out by Douglas Partners in accordance with the Contaminated Land Planning Guidelines. Refer to Appendix J of the RtS.	**Y**
	2. If there are indications that: (a) the land is or may be contaminated land, or (b) there is insufficient information on which to make a decision, a site investigation process is to be carried out in accordance with the Contaminated Land Planning Guidelines.	An environmental site assessment has been carried out by Douglas Partners in accordance with the Contaminated Land Planning Guidelines. Refer to Appendix J of the RtS.	**Y**
	3. The circumstances in which a site investigation process is required also include those specified in clauses 6 and 7 of State Environmental Planning Policy No 55 – Remediation of Land. In accordance with these clauses, Council will require a preliminary investigation to be submitted	Noted.	**Y**

	with zoning and rezoning applications or a subdivision or development application where land is concerned: (a) land that is within an investigation area (b) land on which potentially contaminating land use is being, or is known to have been carried out (c) land on which it is proposed to carry out development for residential, educational, recreational or child care purposes, or for a hospital: (i) where there is no knowledge (or incomplete knowledge) as to whether potentially contaminating development has been carried out on the land, and (ii) where it would have been lawful to carry out such development on the land during any period in respect of which there is no knowledge (or incomplete knowledge).		
	C: Site Investigation Process 1. The appropriate level of investigation will depend on the specific circumstances and may involve one or more of the following stages as described in Guidelines for Consultants Reporting on Contaminated Sites (NSW EPA) and section 3.4 of the Contaminated Land Planning Guidelines. ▪ Stage 1 - Preliminary investigation ▪ Stage 2 - Detailed investigation ▪ Stage 3 - Remedial action plan ▪ Stage 4 - Validation and site monitoring. The proponent is responsible for undertaking and paying for the site investigation process. 2. Reports submitted to Council must include an electronic copy consisting of a single PDF document or similar. Reports consisting of multiple files will not be accepted. Reports and associated drawings and tables must be legible when printed in black and white.	An environmental site assessment was undertaken by Douglas Partners in accordance with the Contaminated Land Planning Guidelines. Refer to Appendix J of the RtS. Noted.	**Y** **Y**
5.02.03 Remediation Work	1. Remediation of land to be subdivided or developed is completed consistent with the proposed or current zoning and land use, so that it does not place any future land owner or occupier in a position where further remediation of contaminants is required. In the case of subdivision, all remediation work including site capping is to be completed on the development lots prior to the issue of a subdivision certificate.	A RAP has been prepared by Douglas Partners and has been provided at Appendix J of the RtS.	**Y**
5.04 Aboriginal Heritage			
5.04 Aboriginal Heritage	1. Where a development will disturb the ground surface, provide documentation to satisfy the consent authority that the due diligence process has been followed. The documentation should include (but is not limited to) the following:	A Preliminary Aboriginal Archaeological Assessment has been prepared by Archaeological Management & Consulting Group, and Streat Archaeological Services. This is provided at Appendix K of the EIS and an addendum from Northrop	**Y**

	▪ A statement indicating the results of the AHIMS database search and any other sources of information considered. ▪ A statement indicating whether there are landscape features that indicate the presence of Aboriginal objects. ▪ A statement indicating whether the proposed development is likely to harm Aboriginal objects. ▪ A statement indicating whether an Aboriginal Heritage Impact Permit (AHIP) is required. 2. Where required, prepare an Aboriginal cultural heritage assessment to assess the impact of the proposed development on Aboriginal cultural heritage consistent with the Office of Environment and Heritage Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW. 3. Where required, prepare an Aboriginal cultural heritage assessment report consistent with the Office of Environment and Heritage Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW that includes strategies to avoid or minimise harm to Aboriginal objects and places of cultural significance. 4. Where the investigation and assessment requires the preparation of an Aboriginal cultural heritage assessment report, provide documentation to satisfy the consent authority that the relevant Aboriginal community and stakeholders have been involved in the decision making process.	Engineers at Appendix C of the RtS to demonstrate required further earthworks.	
5.05 Heritage Items			
5.05.06 Development in the vicinity of a Heritage Item	1. New development and alterations and additions in the vicinity of heritage items respects and enhances the setting and significance of the heritage item with regard to the following elements: (a) building envelope (b) proportions (c) setbacks (d) material and colours. 2. Development in the vicinity of heritage items respect the heritage item by: (a) retaining adequate space around the heritage item to enable its interpretation (b) conserving significant landscaping including horticultural features, trees, and outbuildings	The site adjoins the Newcastle City Centre Heritage Conservation Area, and there are items of significance in the general area. However, the proposed development will not affect the significance of the listed heritage buildings, nor detract from their setting or obstruct any view of these items from public places.	**Y**

	(c) enabling archaeological sites to be conserved in accordance with relevant approvals (d) retaining significant views and lines of sight to the heritage item.		
6.00 Locality Specific Provisions			
6.01 Newcastle City Centre			
C. Honeysuckle	Honeysuckle is currently the premier locale for A-grade large floor plate commercial office development. A range of complementary uses include higher density residential development, restaurants and hotels which take advantage of Honeysuckle's prime position on the Hunter River foreshore. Honeysuckle has opportunities for significant public domain. The extension of the foreshore park westwards will form a continuous publicly accessible foreshore that extends from Maryville to Merewether around the city centre peninsula.	The proposal will complement the surrounding commercial developments concentrated in Honeysuckle; providing need hotel and commercial space with associated facilities, perfectly situated in the foreshore precinct of Honeysuckle.	**Y**
	Principles 1. Development between the former rail corridor and Honeysuckle Drive provides a building address to both frontages.	The proposal relates to both the light rail and Honeysuckle Drive frontages. Hotel rooms have glazing to the light rail corridor outlook, and the façade is well articulated with changes in finishes and planting.	**Y**
	2. Development along the waterfront, Cottage Creek, lanes or through-site links provide a building address to encourage activity, pedestrian and cycleway movement, and improve safety.	The site adjoins public space alongside the drainage line and provides serviced apartments to this aspect appropriately. The apartments have individual pedestrian entries and gardens and afford casual surveillance.	**Y**
	3. Heritage items and their setting are protected Principles	The proposal will have no substantial impact on heritage items and their setting.	**Y**
6.01.03 General controls			
A. Building Form			
A1. Street wall heights	<u>Performance criteria</u> A1.1. Street wall heights of new buildings define and enclose the street, are appropriately scaled and respond to adjacent development. <u>Acceptable solutions</u> 1. New buildings have a street wall height of 16m unless indicated otherwise in Figure 6.01-12. 2. Any development above the street wall height is set back a minimum of 6m, as shown in Figure 6.01-11. 3. Corner sites may be emphasised by design elements that incorporate some	The street wall height of the proposal is 3 storeys (approx. 11.5m). As the site is situated on a 'corner' having no private lands adjoining the western boundary, the proposed wall height should be considered on merit as an acceptable solution in accordance with this clause.	**Y**

<table>
<tr><td></td><td>additional height above the nominated street height</td><td></td><td></td></tr>
<tr><td>A2. Building setbacks</td><td><u>Performance criteria</u>
A2.1. Building setbacks define and address the street and public domain spaces, and respond to adjacent buildings.

<u>Acceptable solutions</u>
1. Front setbacks are nil (zero) unless shown otherwise in Figure 6.01-13 and Table 6.01-1.
2. Where it is not possible to meet the setbacks in Figure 6.01-13 and Table 6.01-1 new development aligns with the adjoining front setbacks.
3. When a setback is used, footpaths, steps, ramps and the like may be provided within it.
4. Minor projections beyond the setback are possible for Juliette balconies, sun shading devices, and awnings. Projections into the setbacks are complementary to the style and character of adjoining buildings.
Table 6.01-1: Minimum setback for side and rear boundaries
<table><tr><th colspan="3">Minimum setback for side and rear boundaries</th></tr><tr><th>Part of building</th><th>Side boundary</th><th>Rear boundary</th></tr><tr><td>Below street wall height</td><td>Nil</td><td>Nil</td></tr><tr><td>Between street wall height and 45m</td><td>6m</td><td>6m</td></tr><tr><td>Above 45m</td><td>12m</td><td>12m</td></tr></table></td><td>In accordance with Figure 6.01-14 the site has a 2.5m minimum setback control. A 3m setback is proposed from the front boundary to the street wall with a portion of the hotel component positioned within the setback above the ground floor level, however walkways are provided along ground level under this protrusion.

The commercial component of the building provides a 6m setback above the street wall on the northern and eastern boundaries with the standard 2.5m setback afforded to the western boundary adjoining the creek line.</td><td>Y</td></tr>
<tr><td></td><td><u>Performance criteria</u>
A2.2 Side and rear setbacks enhance amenity and allow for ventilation, daylight access, view sharing and privacy for adjoining buildings.

<u>Acceptable solutions</u>
1. Development may be built to the side and rear boundary (a nil setback) below the street wall height.
2. Commercial development above street wall height is consistent with the side and rear setbacks outlined in Table 6.01-1 and Figure 6.01-13.</td><td>No adjoining development is located to the south and west however a 2.5m side and rear setback is afforded on the southern and western boundaries consistent with the ADG.
A 6m setback is afforded on the eastern boundary above the street wall.</td><td>Y</td></tr>
<tr><td>A3. Building separation</td><td><u>Performance criteria</u>
A3.1. Sites that accommodate more than one building achieve adequate daylight, ventilation, outlook, view sharing and privacy for each building.

<u>Acceptable solutions</u>
1. Buildings achieve the minimum building separation for commercial buildings within the same site, as shown in Table 6.01-2 and Figure 6.01-14.
2. Building separation distances may be longer for residential and mixed-use</td><td>The building separation on the eastern boundary exceeds 6m compliant with the control.</td><td>Y</td></tr>
</table>

<table>
<tr><td></td><td>developments to satisfy SEPP 65 guidance.
3. Sites with a road frontage 100m or greater include separation between buildings to maximise view corridors between the buildings and provide appropriate through-site links.
Table 6.01-2: Minimum building separation
<table><tr><th colspan="3">Minimum building separation</th></tr><tr><td>Up to 16m</td><td>Up to 45m</td><td colspan="2">Above 45m</td></tr><tr><td colspan="2">Nil or 6m for link</td><td>9m</td><td>21m</td></tr></table></td><td></td><td></td></tr>
<tr><td>A4. Building depth and bulk</td><td><u>Performance criteria</u>
A4.1. Building depth and floor plate sizes relates to the desired urban form and skyline of the city centre.

Acceptable solutions
1. Buildings achieve the maximum building depth and floor plate sizes as outlined in Table 6.01-3.
2. Buildings with large floor plates are expressed as separate building elements, as shown in Figure 6.01- 15.
3. Buildings above street wall height have a maximum building length of 50m.
4. Floor plates are flexible and allow adaption for multiple configurations or uses.
Table 6.01-3: Maximum building depth and floor plate size
<table><tr><th colspan="4">Maximum building depth and floor plate size</th></tr><tr><th>Building typology</th><th>Floor plates affected</th><th>Maximum GFA per floor</th><th>Maximum building depth</th></tr><tr><td>Campus style commercial building</td><td>All floor plates Honeysuckle</td><td>2500m^2</td><td>25m</td></tr><tr><td>Commercial tower</td><td>Above street wall height</td><td>1200m^2</td><td>25m</td></tr><tr><td>Residential tower</td><td>Above street wall height</td><td>900m^2</td><td>18m</td></tr></table></td><td>The building design facilitates GFA floor plats of less than the prescribed 1,200m² for the commercial component. The depth of the commercial and hotel components exceed 25m responding to the generous site area whilst presenting reduced widths to the public domain in the north and south.
The proposed design has undergone extensive review by the HCCDC Design Review Board culminating in the proposed design.</td><td>Y</td></tr>
<tr><td></td><td><u>Performance criteria</u>
A4.2. Buildings achieve good internal amenity with minimal artificial heating, cooling and lighting.

<u>Acceptable solutions</u>
1. Workspaces in office buildings achieve adequate natural light. Design solutions include windows, atria, courtyards or light wells and by locating workspaces within 10-12m from a window or daylight source.
2. Consider opportunities to incorporate natural ventilation for commercial and mixed use development. Design solutions include the use of cross ventilation or stack effect ventilation via atria, light wells or courtyards to reduce reliance on artificial sources.</td><td>The proposed development achieves good internal amenity with minimal artificial heating, cooling, and lighting.</td><td>Y</td></tr>
<tr><td>A5. Building exteriors</td><td><u>Performance criteria</u>
A5.1. Building exteriors feature high quality design with robust materials and finishes.</td><td>Materials and finishes complement the character of the precinct. High quality, durable materials are proposed.</td><td>Y</td></tr>
</table>

	Acceptable solutions 1. Materials and finishes complement the character of the precinct. 2. External walls are constructed of high quality and durable materials and finishes with low maintenance attributes such as face brickwork, rendered brickwork, stone, concrete and glass. 3. An exterior material and finishes sample board and schedule shall be submitted with development application to show the quality of the materials proposed.		
	Performance criteria A5.2. Building exteriors make a positive contribution to the streetscape and public domain. Acceptable solutions 1. Buildings are articulated to differentiate between the base, middle and top 2. Visually prominent parts of buildings such as balconies, overhangs, awnings, and roof tops are of high design quality. 3. Roof lines are to be designed to create a visually interesting skyline with roof plant and lift overrun integrated into the overall architectural design of the building. 4. Facades do not incorporate large expanses of a single material, including reflective glass	Building exteriors make a positive contribution to the streetscape and public domain.	**Y**
	Performance criteria A5.3. Building exteriors are designed to ensure a positive contribution to streets and public spaces. Acceptable solutions 1. Building exteriors clearly define the adjoining streets, street corners and public spaces, designed with safety in mind and easy to navigate for pedestrians. 2. Where development exposes a blank wall a visually interesting treatment is applied to the exposed wall. 3. Balconies and terraces are provided where buildings overlook parks and squares to contribute to casual surveillance. 4. External building facade lighting is integrated with the design of the building and contributes to the character of the building and surrounding area.	Building exteriors have been designed ensure a positive contribution to the street.	**Y**
	Performance criteria A5.4. Building exteriors respond to adjoining buildings. Acceptable solutions 1. Adjoining buildings are considered in terms of: (a) appropriate alignment of building line, awnings, parapets, cornice lines and street wall heights	The design considers the adjoining building and respects the future development potential of that site in the current proposed development.	**Y**

	(b) setbacks above street wall heights (c) selection of materials and finishes (d) façade proportions including horizontal or vertical emphasis (e) detailing of the interface with adjoining buildings.		
A8. Design of parking structures	Performance criteria A8.1. At-grade or above-ground parking structures are well designed. Acceptable solutions 1. Proposed at-grade or above-ground parking structures whether freestanding or part of larger developments in the city centre are to be reviewed and endorsed by Council's Urban Design Consultative Group prior to be lodged for development consent as: (a) having fulfilled the requirements of Newcastle DCP 2012 Section 7.03.04 Clause B Parking areas and structures (b) being well designed and well integrated with the streetscape and ground plane of the particular site and minimise the visual impact of parking structures (c) Consultative Group confirms that development meets the performance criteria.	The proposed development incorporates carparking within the building, well integrated into the overall building design using appropriate materials and façade treatment.	**Y**
	Performance criteria A8.2. Minimise the visual impact of at grade or above-ground parking structures. Acceptable solutions 1. All parking is provided within the building footprint either within basements or well integrated into the building's design using materials and architectural façade treatments that are common to the rest of the development. 2. Where on-site parking cannot be provided within the building footprint it is located to the side or rear and not visible from the primary street frontage. 3. Access to above ground car parking is located in side or rear streets or lanes. 4. At-grade or above-ground car parking is screened from view from public spaces. Design solutions include: (a) green walls and roofs (b) solar panels incorporated into screens and awnings over car parking (c) architecturally designed façade treatments that incorporate artworks (d) using car park roof tops for community facilities such as tennis courts (e) sleeved by active and/or other uses as per Figure 6.01-16 and Figure 6.01-17.	The proposed development incorporates carparking within the building, well integrated into the overall building design using appropriate materials and façade treatment.	**Y**
	Performance criteria A8.3. Basement car parks are designed to provide protection against flooding.	N/A, no basement car parking proposed.	**N/A**

	Acceptable solutions 1. The design of entry ramps, ventilation points and pedestrian exits prevents water entering the basement until the last possible moment in a flood event, as shown in Figure 6.01-18. Design solutions include warning signage of the hazard and the route to safe refuge affixed in prominent locations.		
A9. Landscaping	Performance Criteria A9.1 New development incorporates landscaping and communal open space that respects the desired character of the streetscape, adjoining land and public spaces. Acceptable solutions 1. Landscaping and communal open space is provided having regard to the desired streetscape character, building setbacks and relationship to pubic open space. 2. Landscaping on upper levels and roof tops through the use of roof and wall gardens is encouraged in compliance with Section 7.02.07 Green walls and roof space. 3. Private open space areas which adjoin public open space complement the landscape character of the public open space. 4. Residential buildings in the city centre do not require the provision of a deep soil zone.	A landscape plan prepared by Terras Landscape Architects has been provided at Appendix W of the EIS and amended plans at Appendix M of the RtS. The design of the landscaping results in a high quality and respond to the adjoining interfaces including to Cottage Creek and the light rail corridor. Green walls and communal space landscaping are proposed within the development notable in the terraces, courtyards and screen planting.	**Y**
B. Public domain			
B1. Access network	Performance criteria B1.1 Streets prioritise pedestrian, cycling and public transport users to support sustainable travel behaviour. Acceptable solutions 1. Improved and new pedestrian connections are as shown in Figure 6.01-19 and are designed in accordance with the City Centre Public Domain Technical Manual. 2. Sites with a street frontage 100m or greater incorporate additional pedestrian connections to improve access and permeability. 3. New pedestrian connections are within comfortable walking distance to public transport. 4. Streets and lanes are connected to encourage pedestrian use. 5. Way finding signage is incorporated and clearly defined.	The development enhances pedestrian amenity along Honeysuckle Drive; and affords surveillance of the street from the commercial premises at ground level as well as hotel rooms atop. Suitable lighting shall be incorporated and active street frontage encouraged through large-span glazing and commercial premises' openings to Honeysuckle Drive.	**Y**
	Performance criteria B1.2 Lanes, through-site links and pedestrian paths are retained, safe and enhanced to promote access and public use.	All existing lanes and connections in proximity to the site are to be retained. Safety is to be improved on pedestrian links with enhanced surveillance.	**Y**

	Acceptable solutions 1. Retain existing laneways 2. New streets, lanes, through-site links and pedestrian paths are provided as shown in Figure 6.01-19 and designed in accordance with the City Centre Public Domain Technical Manual. 3. Lanes and through-site links maintain clear sight lines from each end. 4. Dead-ends or cul-de-sacs are avoided. Where they exist they are extended to the next street, where possible. Where unavoidable, way finding signage should be provided. 5. Pedestrian bridges are avoided over public spaces, including lanes. 6. Development adjacent to a lane or pedestrian path includes: (a) active uses at the ground level (b) appropriate lighting (c) access for service vehicles if necessary. 7. Streets, lanes and footpaths include lighting and illumination in accordance with the requirements of the City Centre Technical Manual. 8. Blank walls and solid fencing that inhibit natural surveillance and encourages graffiti should be avoided. 9. Laneways, paths and through site links incorporate Crime Prevention Through Environmental Design Principles.		
	Performance criteria B1.4 Street and block network is permeable and accessible to promote pedestrian use. Acceptable solutions 1. A permeable pedestrian network from the city centre to the foreshore is provided as shown in Figure 6.01-20. 2. Through-site connections on privately owned land: • Have a public character, are easily identified by users, safe, well lit, highly accessible and have a pleasant ambience; • Have a minimum width of 5m with no obstructions; • Have buildings which address the frontage and/or contain active uses to provide opportunities for natural surveillance. • Have clear and direct through-ways; • Are open to the sky and publicly accessible at all times; • Are clearly distinguished from vehicle access ways; • Align with breaks between buildings so that view corridors are extended and there is less sense of enclosure; • Do not contain structures such as electricity substations, carpark exhaust vents, swimming pools or the like);	The development does not inhibit permeability and accessibility for pedestrians. The development is to provide well lit and safe connections and will provide a pleasant ambiance for the area. Active land uses are proposed along Honeysuckle Drive.	**Y**

	• Incorporate signage at street entries indicating public accessibility and the street to which the through-block connections ends; and • Are designed in accordance with the Crime Prevention Through Environmental Design principles. 3. Residential developments with a frontage to a through site link incorporate windows, doors and verandahs facing the through-site link at ground level. 4. Arcades in retail and commercial developments: (a) Are a minimum width of 3m; and (b) Include ground level active uses; and (c) Have access to natural light, and (d) Provide public access during business hours; and (e) Have clear connections to streets and lanes with a direct line of sight between entrances. 5. Pedestrian crossings are located to enable a direct line of travel for pedestrians 6. Pedestrian-only public lanes are designed in accordance with the City Centre Technical Manual.		
B2. Views and vistas	Performance criteria B2.1 Public views and sight lines to key public spaces, the waterfront, prominent heritage items and landmarks are protected. Acceptable solutions 1. New development protects the views nominated in Figure 6.01-23. 2. New development in the vicinity of views to Christ Church Cathedral nominated on Figure 6.01-23 must ensure that vistas of the Cathedral's tower, roof-scape and pinnacles of the buttresses are preserved. 3. Open space and breaks in the built form align with existing streets and view corridors as identified in Figure 6.01-23. 4. A visual impact assessment accompanies the application and confirms that this performance criteria has been met.	A View Impact Analysis is provided at Appendix F and Appendix A, as well as a response in the RtS.	**Y**
	Performance criteria B2.2 New development achieves equitable view sharing from adjacent development. Acceptable solutions 1. Align new development to maximise and frame view corridors between buildings, taking into account topography, vegetation and surrounding development. 2. Where there is potential impacts on views an assessment of the following principles should be submitted with the application: (a) the views to be affected	As above.	**Y**

	(b) what part of the property the views are obtained (c) the extent of the impact (d) the reasonableness of the proposal that is causing the impact.		
B3. Active Street Frontages	Performance criteria B3.1 In identified activity hubs, ground floor uses add to the liveliness and vitality of the street Acceptable solutions 1. Active frontages are a minimum 70% of the primary street frontage. They have transparent glazing to allow unobstructed views from the adjacent footpath to at least a depth of 6m within the building. 2. Active frontages are to be provided in activity nodes: (a) in the locations shown in Figure 6.01-24 (b) on through block links, pedestrian only lanes and arcades (c) on all other streets where possible. 3. New development: (a) maximises entries or display windows to shops and/or food and drink premises, customer service areas and activities which provide pedestrian interest and interaction. (b) minimises fire escapes, service doors, car park entries and plant and equipment hatches and grilles, to the active frontage (c) provides elements of visual interest such as display cases, or creative use of materials where fire escapes, service doors and plant and equipment hatches cannot be avoided. (d) provides a high standard of finish for shop fronts. (e) avoid blank walls that inhibit natural surveillance and encourage graffiti. 4. Street frontages are activated through one or more of the following: (a) retail and shop fronts (b) cafés or restaurants (c) active office uses, visible from the street (d) public building or community facilities where activities inside the building are visible from the street (e) entries and lobbies (f) multiple entries for residential buildings (g) uses that overlook the street (h) uses that screen or sleeve car parks to a minimum depth of 6m from the street (i) avoiding porte cochères 5. Ground levels of buildings in commercial core and mixed zones have a minimum 4m floor to ceiling height on the ground floor to ensure flexibility for a variety of active uses. 6. Foyer and lobby spaces are no more than 20% of the street frontage where active frontages are required as shown in Figure	The site is located within an activity node however not located with an active frontage designated. Ground floor commercial tenancies are proposed along the Honeysuckle Drive frontage with will contribute to the liveliness and vitality of the street which has been further enhanced through the use of glazing for the tenancies and the high quality architectural design of the building presentation generating visual interest.	**Y**

	6.01-24, or no more than 8m of a street frontage elsewhere. 7. The ground floor level is at the same level as the footpath. 8. Shopfronts are enclosed, unless they are food and drink premises. 9. Security grills, where provided, are fitted internally behind the shop front, are fully retractable and at least 50% transparent when closed 10 Active uses in existing and new laneways are encouraged.		
B4. Addressing the street	Performance criteria B4.1 Buildings positively address streets, footpaths, lanes and other public spaces. Acceptable solutions 1. Acceptable design solutions include: (a) maximise the number of entries onto the street (b) ground floor internal uses are visible from the street (c) building name and / or street number signage is well designed and easily identifiable (d) well lit building entries (e) well designed efficient external lighting to non-residential buildings (f) building frontages to incorporate Crime Prevention through Environmental Design entries are at the same level as the adjacent footpath on sites not flood affected (g) finished floor levels are no greater than 500mm above or below the adjacent footpath or public domain (h) finished floor levels are no greater than 1.2m above the adjacent footpath or public domain on sites with a cross fall of greater than 1 in 10 (i) high quality finishes and public art that is visible from the public domain (j) opportunities for direct surveillance from the building to the adjacent street (k) ground floor residential uses can be elevated up to 1.0m above ground level for privacy	The building positively addresses the street, with commercial premises' entries at street level; visual connectivity between the ground floor premises and street; the building address prominently displayed on the building; external lighting to be appropriately integrated; high quality building finishes; and good opportunities for surveillance of the street from all levels of the building.	**Y**
	Performance criteria B4.2 Ground levels are designed to mitigate flood risk while ensuring accessibility and a positive relationship to the public domain. Acceptable solutions 1. Equitable access to a building is provided where the lowest level is elevated above the flood planning level. 2. Locate accessibility ramps from the footpath to the lowest level of buildings above the flood planning level so that a positive address to the street and activated frontages are maintained.	The ground floor level is designed to minimise flooding impact, with occupiable rooms at the FPL. The relationship between the building entry and the adjoining public domain is maintained with pedestrian steps and ramp.	**Y**

B5. Public artwork	Performance criteria B5.1 Significant development incorporates public artwork. Acceptable solutions 1. Public and civic buildings, development on key sites and development over 45m in height are to allocate 1% of the capital cost of development towards public artwork for development. 2. Council is consulted on the location and proposal for public art.	The building is not a public or civic building and does not exceed 45m. Therefore, public art investment is not applicable.	**N/A**
	Performance criteria B5.2 Artworks in new buildings are to be located so they can be appreciated from streets and public spaces Acceptable solutions 1. Design solutions include: (a) locating artworks in a public foyer so that they are visible from the street (b) integrating public artwork into the design of the building such as its façade or roof features (c) integrating public artworks with the delivery of essential open space infrastructure such as stormwater treatment or rainwater collection.	The building is not a public or civic building and does not exceed 45m. Therefore, public art investment is not applicable.	**N/A**
	Performance criteria B5.3 Public artworks are used to interpret heritage components or recognise former uses of large development sites Acceptable solutions 1. Work with a heritage consultant and/or a public artist to develop innovative ways to interpret heritage using public art.	The building is not a heritage building or on a heritage site and does not exceed 45m. Therefore, public art investment is not applicable.	**N/A**
B7. Infrastructure	Performance Criteria B7.1 Stormwater, water and sewerage infrastructure is integrated into each site and does not create negative off-site impacts. Acceptable Solutions 1. Drainage, overland flow paths and infrastructure easements are generally as shown in Figure 6.01.26 2. Stormwater management facilities comply with Section 7.06 Stormwater of this DCP. 3. New development has water and sewer links into the existing network with suitable capacity	The site will be fully serviced with appropriate infrastructure. Full Stormwater Plans provided at Appendix U of the EIS and is supported with a Stormwater Management Plan at Appendix E of the EIS.	**Y**

<table>
<tr><th colspan="4">7 Development Provisions</th></tr>
<tr><th colspan="4">7.02 Landscape, Open Space and Visual Amenity</th></tr>
<tr><td>7.02.01 Categories of Development</td><td>For the purpose of this section development proposals are grouped into three categories, which determine the level of information required with a development application:
▪ Category 1 - small scale development with relatively little impact on surrounding development. No landscape plan is required for Category 1 development.
▪ Category 2 - medium scale development with potential visual significance and impact on the amenity of the host neighbourhood.
▪ Category 3 - large scale development or development on prominent or ecologically sensitive sites with a high degree of visual significance and environmental impact.

<u>Controls applying to landscape categories for development types to which this section applies</u>
1. Landscape plan documentation for categories 2 and 3 development applications is in accordance with the following table:

<table><tr><th></th><th colspan="2">Category</th></tr><tr><th></th><th>2</th><th>3</th></tr><tr><td>Site Survey and Analysis</td><td>3 copies at DA stage</td><td>3 copies at DA stage</td></tr><tr><td>Landscape Concept Plan/Master plan</td><td>3 copies at DA stage</td><td>3 copies at DA stage</td></tr><tr><td>Preliminary Landscape Design Report</td><td>N/A</td><td>1 copy at DA stage</td></tr><tr><td>Comprehensive Landscape Plan, Specifications</td><td>3 copies at CC stage</td><td>3 copies at CC stage</td></tr><tr><td>Landscape Practical Completion Report by Landscape Architect or design consultant</td><td>1 copy at occupation certificate stage</td><td>1 copy at occupation certificate stage</td></tr><tr><td>Landscape Establishment Report</td><td>1 copy at completion of maintenance period</td><td>1 copy at completion of maintenance period</td></tr></table>
3. All documentation for Category 3 development is prepared by a Landscape Architect or similar qualified professional practising at the membership level of Registered Landscape Architect of the Australian Institute of Landscape Architects, or as determined by Council.

4. All required landscape works are implemented by members of the Landscape Contractors Association of NSW and/or similar qualified contractors. In the case of Category 3 development, implementation is under the supervision of the landscape consultant responsible for the design.</td><td>The due to the scale of the proposed development it is classed as Category 3.

Due to the scale of development proposed, the requirements for Category 3 apply. The required items have been provided within the landscape plan at Appendix W. Site survey and site analysis provided within the architectural plans at Appendix C of the EIS.
The Category 3 documentation have been prepared by suitably qualified and experienced professions with the relevant registrations.</td><td>Y

Y

Y</td></tr>
<tr><td>7.02.02 General Controls</td><td>1. Landscaping is in scale and context with the proposed development, street reserve width, other buildings and landscape elements within the streetscape, ie. it is not appropriate to plant a large tree in the front garden of a small terrace or to landscape a large industrial structure with ground covers.</td><td>The development will maintain a sufficient level of landscaped area for the development. Refer to Appendix C of the EIS.</td><td>Y</td></tr>
</table>

	2. Existing trees and vegetation should be preserved particularly street trees and those within the front setback. The existing tree canopy is retained and enhanced wherever possible.	No existing trees onsite.	**Y**
	3. Where possible integrate on-site stormwater management with the design of landscaped areas.	Noted. Refer to the Landscape Design at Appendix C of the EIS. Irrigation has been considered in the landscape design for the development.	**y**
	4. Plant species are selected and located to avoid structures, services and paths.	Noted.	**Y**
	5. Undesirable species are not selected (See Appendix 1 of Urban Forest Technical Manual and Appendix B Landscape Technical Manual).	Suitable species selection is incorporated in the landscape design.	**Y**
	6. Deep soil zones are optimised within a site by: (a) the design of basement and sub-basement car parking, so as not to fully cover the site and conflict with tree planting (b) ensuring appropriate front and side setbacks are provided for tree planting (c) that the soil profile is free draining (d) works, excavations, infrastructure, services and drainage pipes are located away from the deep soil zone (e) optimise the extent of deep soil zones beyond the site boundaries by locating them contiguous with the deep soil zones of adjacent properties.	Appropriate deep soil zones are provided where possible. Refer to Architectural Plans at Appendix C and Landscape Plan at Appendix W.	**Y**
	7. Landscape treatment within the front setback is substantial enough to enhance the appearance and integration of the development with the streetscape.	Planter boxes proposed at the street frontage of the development enhance the appearance and integration of the development with the streetscape.	**Y**
	8. Landscape design responds to user requirements, taking into account maintenance, social / recreational needs and aesthetic quality.	User requirements and ongoing maintenance have been considered in the design.	**Y**
	9. Plant species are suitable for site conditions, using native species where possible, and local indigenous species adjoining environmentally sensitive sites, such as waterways and bushland.	Suitable species have been incorporated in the design. Further detail is provided at Appendix M.	**Y**
	10. Landscape design is used to enhance the amenity and energy efficiency of the development where possible by providing shade to the northerly and westerly elevations of buildings in summer and adequate solar access in winter.	Appropriate shading is considered in the landscape design provided in Appendix M.	**Y**
	11. Landscape areas to address privacy issues between dwellings.		**Y**

<table>
<tr><td></td><td>12. Significant site vegetation, landscape features incorporated in the public landscape areas of the development and linked to the local open space network where possible.</td><td>Proposed landscaping provides additional privacy between apartment terraces.

There are no significant features to be retained as the site has previously been developed. The landscape design includes enhancement of ground level public areas.</td><td>Y

Y</td></tr>
<tr><td></td><td>13. Adequate provision is made for planted buffer zones between major road corridors and nearby development.</td><td>N/A.</td><td></td></tr>
<tr><td>7.02.06 Green Walls and Roof Space</td><td>1. Planting on structures is designed for optimum conditions for plant growth by:
(a) providing soil depth, soil volume and soil area appropriate to the size of the plants to be established
(b) providing appropriate soil conditions and irrigation methods
(c) providing appropriate drainage.</td><td>The landscape design has been prepared by a Landscape Architect and incorporates suitably designed planters for landscaping on structures. The Landscape Design is provided at Appendix W of the EIS and amended at Appendix M of the RtS.</td><td>Y</td></tr>
<tr><td></td><td>2. Planters are to be designed to support the appropriate soil depth and plant selection by:
(a) ensuring planter proportions accommodate the largest volume of soil possible and soil depths to ensure healthy tree and shrub growth
(b) providing square or rectangular planting areas where possible, rather than narrow linear areas.</td><td>Suitable planters have been designed for the intended species.</td><td>Y</td></tr>
<tr><td></td><td>3. Provide sufficient soil depth and area to allow for plant establishment and growth. The following minimum standards are recommended:
<table><tr><th>Plant Type</th><th>Minimum Soil Depth (m)</th><th>Minimum Soil Volume (m³)</th></tr><tr><td>Large trees (over 8m high)</td><td>1.3</td><td>150</td></tr><tr><td>Medium trees or shrubs(2m to 8m high)</td><td>1.0</td><td>35</td></tr><tr><td>Small trees or shrubs (up to 2m high)</td><td>0.8</td><td>9</td></tr><tr><td>Small shrubs and ground cover</td><td>0.5</td><td>Not applicable</td></tr></table></td><td>Suitable areas have been allocated for the intended species.</td><td>Y</td></tr>
<tr><td></td><td>4. Green walls are used to enliven blank facades.</td><td>Green walls are proposed around the site to improve blank walls.

N/A</td><td>Y

N/A</td></tr>
<tr><td></td><td>5. Water filtration is optimised by green roofs through the use of permeable paving.

6. Utilities such as plant rooms, lift overruns or air conditioning units are screened with green cover to improve the aesthetic quality of the development.</td><td>Planting is used throughout the proposal to improve the aesthetic quality of the development.</td><td>Y</td></tr>
<tr><td colspan="4">7.03 Traffic, Parking and Access</td></tr>
<tr><td>7.03.01 Traffic Studies and Plans</td><td>1. The Statement of Environmental Effects addresses the following issues: (a) parking facilities provided, with details of calculations, types, number and arrangement</td><td>Details of the proposed onsite parking facilities, access arrangement, traffic generation, and public transport options have been discussed within both the EIS</td><td>Y</td></tr>
</table>

	(b) proposed access arrangements and their compliance with design standards outlined in this Section (c) identification of public transport services, stops and shelters in the vicinity of the development (d) traffic generation, impacts expected and proposed traffic management measures.	and the Traffic Impact Assessment provided at Appendix G of the RtS.	
	2. Development proposals which, in the opinion of Council, may cause significant impacts on the surrounding movement network, are supported by a Traffic Impact Study, prepared by a suitably qualified and experienced transport professional. The requirement for a Traffic Impact Study should be discussed with Council pre-lodgement.	A Traffic Impact Assessment has been prepared by SLR and provided at Appendix G of the RtS.	**Y**
	3. Issues addressed in the Traffic Impact Study include: (a) review of the existing and proposed traffic network, traffic operating conditions and flows (b) likely car parking supply and demand, as well as servicing requirements (c) estimates of trip generation of the development (d) public transport services in the vicinity of the proposed development (e) impacts of generated traffic on the surrounding road network and the locality (f) safety of access between the site and the adjacent road network (g) pedestrian infrastructure, generation and movements (h) recommended improvement works (i) linkages with existing and proposed bicycle and pedestrian routes.	The Traffic Impact Assessment includes the required detail including review of existing and proposed traffic conditions, car parking demands, trip generation, public transport options, access safety, pedestrian facilities, and comment on required upgrades if required.	**Y**
	4. Further to (3) above, the Traffic Impact Study also includes details of public transport services and stops, and measures proposed to increase mode share to public transport and improve access to services. Evidence of liaison with public transport service providers and Transport NSW is provided.	Details of the available public transportation options have been discussed within the Traffic Impact Assessment.	**Y**
	5. A Traffic Impact Study, prepared by a suitably qualified and experienced transport professional, is submitted with the Development Application.	The Traffic Impact Assessment has been prepared by a suitable qualified and experienced professional.	**Y**
	6. The Traffic Impact Study is prepared in accordance with the RTA's Guide to Traffic Generating Developments (2002). The Traffic Impact Study includes details of public transport services and stops, and measures proposed to increase mode share	The Traffic Impact Assessment has been prepared in accordance with the RTA's Guide to Traffic Generating Developments (2002) and includes the relevant	**Y**

	to public transport and improve access to services. Evidence of liaison with public transport service providers and Transport NSW is provided.	discussion points.	
	B. Construction traffic Management Plan 1. Council requires submission of a draft Construction Traffic Management Plan, where it is likely that the demolition and construction phases of a development will significantly impact traffic movement, pedestrians and/or parking. 2. The draft Construction Traffic Management Plan is prepared in accordance with Australian Standard 1742.3 by a Roads and Traffic Authority qualified person as defined under the RTA's Traffic Control at Work Sites. 3. The draft Construction Traffic Management Plan clearly sets out: a) traffic generation associated with demolition and construction b) heavy vehicle routes c) impacts on road networks, cycle routes, pedestrian paths and parking, including frequency and duration of closures, and associated control measures d) proposed hours of operation in demolition and construction phases. 4. Provision is made for safe, continuous movement of traffic and pedestrians on public roads and for the erection of traffic warning signs conforming to the RTA's General Specifications. Traffic control is carried out only by flagmen with certification of training in accordance with Australian Standard 1742.3. 5. The conditions of consent for development outline requirements of the Construction Management Plan.	A concept construction traffic management plan was provided at Appendix G of the EIS and will be further detailed prior to the commencement of works.	**Y**
7.03.02 Parking Provision	1. Car parking is generally provided in accordance with the rates set out in Table 1 – Parking Rates, except for car parking for non-residential development in the Newcastle City Centre, which is provided at the rate of one space per 60m2 gross floor area. Council reserves the right to vary the rates, subject to merit assessment of the proposal. 2. Parking provision for major traffic generating development in Newcastle is assessed on merit, with particular reference to: (a) likely peak usage times	Parking provision has been discussed in the Traffic Report at Appendix G of the RtS. The proposal requires **197** spaces when calculated for the proposed uses. The amended design provides for **177** spaces, resulting in a deficiency of **20** spaces. Due to the site's city centre location and access to several forms of public transport it is considered the proposed amount of parking spaces can	**Y**

	(b) the extent to which development will attract additional patronage, as opposed to drawing on existing visitations (c) the likely use of public transport. 3. Parking provision for developments not listed in Table 1 is assessed having regard to RTA guidelines, and/or demonstration of parking requirements from surveys of comparable establishments and the following criteria: (a) the proportion of visitors or patrons likely to arrive by car (b) the availability and level of service of public transport relative to the site (c) the number of employees and their likely spread of work hours (d) the hours of operation (e) the location of the premises, particularly in relation to schools, local services, and employment, retail and recreational facilities (f) the number of occasions during the year when the proposed development is likely to be fully utilised (g) the availability and affordability of public parking within a reasonable distance of the proposed development (h) the availability of additional parking facilities to cover peak demands.	accommodate the expected use and parking demand. In addition, the hotel use is expected to be predominantly used by business travellers, who utilise a high amount of ride share/taxi type of travel.	**Y**
	4. Provision of car parking and associated internal vehicular access and manoeuvring areas above the maximum rates nominated in Table 1 are included in the gross floor area for the purpose of calculating floor space ratio, except where provided in association with controls 5 and/or 6.	Noted, counted.	**N/A**
	5. Where a development proposal involves alterations or additions to an existing building, a change in use or an intensification of use, the required on-site parking provision is based on the likely demand arising from the additions or the intensification of use, as assessed by Council. The possibility of a future change of use is also considered when preparing a development proposal and, if appropriate, due allowance made for provision of supplementary parking spaces. This applies particularly to premises being constructed for leasing or renting or in those premises where the type of occupation could be subject to variation. Failure to provide adequate parking spaces under these circumstances could result in the refusal of a future development application for a change of use.	N/A, proposal consists of a new development.	**N/A**

	6. Where development/redevelopment is proposed that will result in a loss of on-street spaces (arising from the construction of access, loading facilities etc.), Council may require for such spaces to be replaced on site.	N/A, proposal consists of a new development.	**N/A**
	7. Stack parking, including mechanical devices, occurs only where it can be demonstrated that it will be operationally efficient and not cause unreasonable obstruction.	N/A, no stacked or mechanical parking proposed.	**Y**
	8. Service vehicle parking, courier facilities and loading and unloading facilities are provided on site in a manner that is conveniently accessible for all developments likely to generate a need for such facilities. The submitted plans clearly indicate that the proposed facilities will be adequate, having regard to: (a) intended use of the site (b) frequency of deliveries and collections (c) size and bulk of goods (d) size of vehicles (e) ease of access.	Sufficient space is afforded for service vehicles to manoeuvre on site facilitating entry and exit in a forward direction.	**Y**
	9. Table 2 shows indicative standards for provision of service vehicles for various types of development.	Noted.	**N/A**
	10. Council may require the provision of taxi, private vehicle and bus/coach drop off/set down areas where warranted by the proposed development. Specifically, bus set down facilities are provided, in close proximity to the main pedestrian access, for education establishments, shopping centre developments or commercial premises of more than 10,000m2, convention and exhibition centres, and other development as deemed appropriate by Council.	N/A, proposed development not a listed type requiring bus or taxi zones.	
	<u>The following controls apply only to the Newcastle City Centre</u> 11. Except for residential development, car parking for development in the Newcastle City Centre is provided at the rate of one space per 60m2 gross floor area.	This rate is complied with. Refer to carparking calculations above.	**Y**
	<u>The following controls apply only to Attached Dwellings, Multiple Dwelling Housing and Residential Flat Buildings as defined within Newcastle Local Environmental Plan 2012</u> 12. Visitor parking is allocated, marked out on the pavement surface, clearly signposted and designated as common property on any Strata Plan.	Visitor parking is to be clearly marked and signposted.	**Y**

	<u>The following controls apply only to Mixed Use Development</u> 13. The total number of parking spaces for a mixed-use development is generally calculated on the basis of the sum of the required car parking spaces in respect of each use, unless it is demonstrated that an overlap of car parking demand is likely to occur. 14. The total number of spaces to be provided for each type of parking is rounded to the nearest whole number.	The carparking requirements have been tallied for each use to provide a total sum. Each rate is complied with, despite any overlap that may be experienced. Achieved. Rates have been rounded up.	**Y** **Y**
	B. Variations to Parking Rates 1. Applicants comprehensively justify any departure from the parking rates set out in Table 1 in the Statement of Environmental Effects or Traffic Impact Study. 2. Council has regard to the following when considering any departures from the parking rates set out in Table 1: (a) the size and nature of the development, including any change of use proposed, the amount of additional floor area relative to the existing floor area and the increased parking demand likely to be generated (b) the applicability of other Council policies (c) the mix of uses, the hours of operation and timing of peak demand for each use, including any overlap of parking demand (d) results of any comprehensive parking survey submitted in support of the application (e) whether a Green Travel Plan has been provided and a written agreement between Council and the owner/occupier is established for implementation of the Green Travel Plan (f) whether a car sharing scheme is proposed to be implemented (g) access to public transport services and the probable transport mode of staff and patrons or customers of the development (h) availability and accessibility of public parking facilities in the vicinity of the proposed development (i) the availability of kerb-side parking opportunities in the vicinity of the proposed development (j) continuity, streetscape and heritage significance (k) existing and likely future traffic volumes on the surrounding road network, traffic circulation and safety (l) the impacts of providing on-site parking (m) anticipated impacts of not providing for adequate on-site car parking	N/A, no variation required.	**N/A**

	3. For alterations, additions or change of use of an existing building, a departure from the rates set out in Table 1 may be considered if a historic parking deficiency applies. However, a historic parking deficiency does not apply in the case of total redevelopment of a site. 4. In certain circumstances, Council may consider entering into a voluntary planning agreement to accept a monetary contribution in lieu of on-site car parking provision. A monetary contribution in lieu of on-site provision will not be accepted for bicycle parking/storage.		
	C. Bike Parking 1. Secure and conveniently accessible bicycle parking for new development is provided in accordance with the rates set out in Table 1. Council may require a greater provision of bicycle parking than indicated if warranted in particular circumstances. Historic parking deficiency does not apply to the provision of bike parking.	50 bicycle parks are provided in compliance with the DCP requirements.	**Y**
	2. Bicycle parking complies with the relevant Australian Standard (AS2890.3).	Bike parking is compliant with AS 2890.3.	**Y**
	3. Bicycle parking is clearly marked and signposted.	Signposting and marking is provided for bike parking.	**Y**
	4. Where bicycle parking is provided within a car parking area, adequate sight lines are provided to ensure safety of users.	Sightlines provided to ensure visibility of bicycle facilities.	**Y**
	5. Where bicycle parking for tenants is provided in a basement car park, it is located on the uppermost level, close to entry/exit points. A well-lit, marked path of travel from the bicycle parking area to entry/exit points is provided.	N/A, bike parking is communal in nature.	**N/A**
	6. Bicycle parking for visitors/shoppers is provided at grade near key access points to the development.	Visitor bike parking is provided near access points.	**Y**
	7. Where shower facilities and change rooms are provided for cyclists, convenient access to such facilities is to be considered in the siting of bicycle parking.	End of trip facilities are included in the design.	**Y**
	8. Access to bicycle parking is provided in accordance with the RTA's NSW Bicycle Guidelines, which reference Austroads Guide to Traffic Engineering Practice. Slotted drainage grates, longitudinal joint cracks and sharp gradient transitions, which provide hazards to riders, are avoided.	The proposed bike parking is provided in accordance with RTA's NSW Bicycle Guidelines. Hazardous features to cyclists are avoided in the design of the proposed development.	**Y**

	D. Motorbike Parking 1. Motorbike parking for new development is provided in accordance with the rates set out in Table 1. Council may require a greater provision of motorbike parking than indicated where warranted in the particular circumstances.	Motorbike parking provided in accordance with the DCP requirements.	**Y**
	2. Motorbike parking complies with the relevant Australian Standard (AS2890.3) and Council's Guidelines for Motorbike Parking in Newcastle.	Motorbike parking provided comply with AS2890.3.	**Y**
	E. Parking for people with a disability 1. A proportion of parking spaces is designed and designated by appropriate pavement marking and signposting as parking for people with a disability. Minimum rates are in accordance with the Building Code of Australia.	Accessible parking is identified on the architectural plans at Appendix A of the RtS.	**Y**
	2. Parking for people with a disability is designed and constructed in accordance with current relevant Australian Standards (AS2890 and AS1428) and the Building Code of Australia.	Disabled parking bays are to be constructed in accordance with AS2890 and AS1428 along with the BCA.	**Y**
	3. Parking spaces for people with a disability are identified by a sign incorporating the appropriate international symbol. The signage and indicative directions are visible from a vehicle at the entrance to the car park.	Disabled parking bays to be appropriately signposted and line marked.	**Y**
	4. Parking spaces for people with a disability are located close to wheelchair accessible entrances or lifts.	The location of disabled parking bays are in proximity to wheelchair accessible entrances and/or lifts.	**Y**
	5. A continuous accessible path of travel is provided from each parking space for people with a disability to the closest accessible public entrance.	Disabled parking bays are to be constructed in accordance with AS2890 and AS1428 along with the BCA.	**Y**
	6. The minimum floor to ceiling clearance above parking spaces for people with a disability is 2.5m and the minimum floor to ceiling height clearance throughout the accessible path of travel is 2.3m.	The height above disabled parking bays and accessible pathways meet the minimum height requirements.	**Y**
	7. The applicant is required to demonstrate, to the satisfaction of Council, how parking restrictions are enforced. Council may enter into an agreement with the owner/operator of the premises to allow Council's Compliance Officers to enter the site to enforce parking restrictions. Should such an arrangement be mutually agreed, it will be included as a condition of consent.	The proposed development includes private parking only.	**Y**
7.03.03 Travel Demand Management	**A. Public Transport** The following controls apply to major development, as identified		

	1. For major development, resulting in more than 50 dwellings, recreation facilities, hospitals, community centres, entertainment venues, aged persons' accommodation or other development deemed appropriate by Council, a bus stop and shelter are provided, except where the pedestrian entrance to the proposed development is located within 400m of an existing bus stop with shelter. Alternatively, Council may accept a monetary contribution in lieu of provision of a bus stop with shelter, through a voluntary planning agreement.	The proposed development is located within 400m of a bus stop and the Newcastle Interchange.	**Y**
	2. For major developments, defined above, the applicant will liaise with public transport service providers and Transport NSW regarding the adequacy of current services and potential improvements.	The proposal is centrally located to enable access to diverse transport options.	**Y**
	3. The bus shelters are directly connected to the entry to the development by a conveniently accessible footpath.	N/A	**N/A**
	4. Signage is installed directing patrons to public transport stops facilities, with timetable information displayed in a prominent location.	Signage displaying public transport options and locations to be provided within the development.	**Y**
	B. Green Travel Plan <u>The following controls apply only to major development, as defined in this DCP</u> 1. A Green Travel Plan is prepared and submitted to Council in support of applications for major new development. Components/strategies of a Green Travel Plan will likely vary according to the nature of the development, but may include: (a) identification and promotion of public transport options to access the site (for example, on a web site and/or business cards) (b) preparation of a Transport Access Guide (TAG) for the site/venue (c) encouragement of a car pool system for employees (d) encouragement of cycling and walking to the workplace through provision of bicycle parking, showers and lockers (e) incentive schemes to encourage employees to commute using sustainable transport modes (such as provision of public transport vouchers/subsidised public transport tickets) (f) allocation of designated parking spaces for a car sharing scheme, and/or (g) prominent display of a large map of cycling routes (for example, in the foyer of a residential complex).	The proposal is centrally located to enable access to diverse transport options, and incorporates sufficient measures including bicycle parking to ensure various transport options are available to future residents.	**Y**

	The undertakings made in the submitted Green Travel Plan will be included as conditions of consent to the development.		
	C. End of Trip Facilities The following controls apply only to development with an estimated cost of more than $250,000, involving employment of staff. 1. For new development that has an estimated cost of more than $250,000, "end of trip" facilities for employees are provided at the following rates: (a) one personal secure locker for each bicycle parking space (b) one shower cubicle, with ancillary change rooms, per 12 bicycle spaces (or part thereof over four spaces) with a minimum of one shower and change facility. 2. Facilities are secure, with controlled access, and located in well-lit areas, as close as practicable to bicycle parking. Facilities may be unisex.	End of trip facilities are proposed including bicycle parking, lockers, and wash rooms.	**Y**
	D. Parking Permit Schemes 1. Resident and Visitor Parking Permits are not issued to occupants of new residential developments, including dwelling houses, that have been approved by Council in accordance with this DCP, irrespective of the amount of provision of on-site parking. Similarly, permits are not issued to occupants of new development approved by any other determining authority. 2. All intending owners, tenants and occupiers of new developments are notified by the owners of the building or individual units (once on-sold) that residents are ineligible for participation in a Council on-street parking scheme, prior to entering a purchasing, lease or occupancy agreement. 3. Signage with words to the effect that all owners, tenants and occupiers are ineligible to obtain an on-street parking permit from Council is displayed prominently, in such a way that it can be easily observed by persons entering the building. Signage is erected within the completed buildings prior to the release of an occupancy certificate or issue of strata subdivision approval, whichever occurs first, and is maintained in good order.	Noted.	**Y**
7.03.04 Design and Layout of	**A. Siting** Controls applying to all development to which this section applies		

Parking and Access	1. Parking facilities are sited and designed to be properly integrated within the overall development/building to minimise their visual impact and any adverse impact on the continuity and amenity of street frontages.	The proposed car parking is integrated within the building footprint minimising site coverage and visual impact maintaining street frontage amenity.	**Y**
	2. Parking is located so that it is within a reasonable distance of access to the premises it serves.	Access points are provided within the car park areas.	**Y**
	3. Parking spaces are not positioned so as to obstruct access to the premises by pedestrians or cyclists.	Parking spaces do not obstruct access to the building.	**Y**
	4. Loading areas are situated so that when in use, they do not interfere with pedestrian, cyclist or vehicular circulation. <u>The following controls apply only to Residential Accommodation as defined within the Newcastle Local Environmental Plan 2012, where not complying development</u>	Loading areas are located as to minimise impact on circulation.	**Y**
	5. Generally, car parking structures are set back a minimum distance of 5.5m from the street frontage providing access to the car parking space.	N/A, no residential component proposed.	**Y**
	B. Parking areas and structures 1. Design and construction of parking, set down areas and loading facilities comply with the provisions of AS2890 Parking facilities.	Compliance with AS2890 is achieved.	**Y**
	2. Wherever possible, car parking structures such as multi-level car parks, enclosed half basement or single-storey car parks, incorporate active uses along the ground level frontage.	Achieved. An active street frontage is proposed.	**Y**
	3. Car parking provided at or above ground level has horizontal flooring and a minimum floor to ceiling height of 3.6m at the ground level and 3.3m for the next two floors above, to enable it being adapted to an alternative use in future.	The ground floor has a floor to ceiling height of 3.6m. Level 1 and Level 2 have a floor to ceiling height of 3.1m. Given the nature of the development it is unlikely to be adapted to an alternative use in the future. Refer to the ceiling height requirements of the ADG.	**N/A**
	4. The facade of an above ground parking structure is: (a) designed and finished to complement the architecture of the building (b) designed to avoid domination of ramps or strong horizontal and/or vertical features.	The facade is suitably screened and treated to contribute positively to the building design.	**Y**

	5. Covered or enclosed parking areas have adequate provision of lighting and ventilation. Natural lighting is preferred.	The carpark design features light and ventilation.	**Y**
	6. Parking layout facilitates efficient parking search patterns. Dead-end aisles are avoided.	The carpark design is safe and efficient.	**Y**
	7. Clear signage and pavement markings are provided on site to manage traffic movements, driver behaviour and provide warning of potential safety hazards.	Noted.	**Y**
	8. Where development is expected to generate vehicle movements during hours of darkness, self-illuminated and/or reflective signage and pavement markings are provided.	Noted.	**Y**
	9. Within parking areas of larger than ten car spaces, segregated routes for pedestrian and bicycle movements are created, using line marking, pedestrian crossings, signage and/or speed bumps.	Pedestrian access is available via the front lobby; and separate access for cyclists/pedestrians is available to the carpark.	**Y**
	C. Access 1. Vehicular crossings are designed and located in accordance with the current relevant Australian Standard (AS2890 Parking facilities) and Council's requirements.	The access design complies with AS2890.1	**Y**
	2. Vehicular crossings are located having regard to driver and pedestrian safety, and impacts on traffic movement. Vehicular crossings are avoided in the following areas: (a) in areas of high pedestrian movement (b) on major roads (c) close to intersections (d) where the use of the driveway may significantly obstruct through traffic or the operation of bus stops.	The vehicle access is suitably located.	**Y**
	3. Direct vehicle access to a classified road is not provided wherever alternate access is available. Refer to SEPP (Infrastructure) 2007.	N/A, Honeysuckle Drive is not a classified road.	**N/A**
	4. Direct access (vehicle or pedestrian) to a classified road requires the separate approval of the Roads and Traffic Authority pursuant to s138 of the Roads Act 1993.	N/A, Honeysuckle Drive is not a classified road.	**N/A**
	5. Vehicular crossings are located to provide adequate sight distance to traffic on the frontage road and to pedestrians on the frontage road footpath. Sight distances are in accordance with Australian Standards (AS2890 Parking facilities).	Sight distances are in accordance with Australian Standards.	**Y**

	6. Access ways and structures are designed so that vehicles are able to enter or exit in a single turning movement in a forward direction.	Forward movements are facilitated accordingly.	**Y**
	7. Vehicular crossings are positioned so as to maximise on-street parking and so that there are whole car parks between access points.	Achieved, minimal on-street parking impacted.	**Y**
	8. Where rear lane access to residential development is achievable, car parking is accessed from the rear lane only.	N/A, no rear lane is present.	**N/A**
	9. No additional vehicular crossings (other than from rear lanes) are provided in heritage conservation areas where these may adversely impact on streetscape continuity, the character of the built form or landscape setting.	Achieved. No additional vehicular crossings are proposed in heritage conservation areas.	**Y**
7.05 Energy Efficiency			
7.05.01 Business development	The following controls apply only to "registered club, veterinary hospital, child care centre, community facilities, public administration building, health service facilities, tourist and visitor accommodation, business premises, office premises, retail premises, environmental facilities, sex service premises," as defined within Newcastle Local Environmental Plan 2012, where not complying development		
	1. Development is to meet a minimum 4 Star Green Star Rating in the Green Building Council of Australia rating system where applicable.	An ESD statement has been prepared by Bates Smart and is attached at Appendix C of the EIS.	**Y**
	2. An energy efficiency report from a suitably qualified consultant should accompany any development application for new commercial office development over $5 million in estimated cost. The required report is to demonstrate that the building would achieve a rating of not less than 4 Star Green Star Rating in the Green Building Council of Australia Rating System where applicable.	N/A	**N/A**
	3. The placement of glassing on new buildings and facades does not result in glare that causes discomfort or threatens safety of pedestrians or drivers, or negatively impact on adjoining development.	The proposed development will not result in glare that causes discomfort or threatens safety of pedestrians or drivers. It will not negatively impact on adjoining development.	**Y**
	4. Building materials used on the facades of new buildings are low reflectivity.	Noted.	**Y**
	5. Subject to the extent and nature of glazing and reflective materials used, a	Noted.	**Y**

<table>
<tr><td></td><td>reflectivity report may be required that analyses potential solar glare from the proposed development on pedestrians or motorists.</td><td></td><td></td></tr>
<tr><td colspan="4">7.06 Stormwater</td></tr>
<tr><td>7.06.01
Plan Requirements</td><td>1. For the purpose of this section, the following documents are submitted with a development application for the development type listed in Table 1.
<table><tr><th>Development type</th><th>Required documents</th><th>Modelling</th></tr><tr><td>1. Development proposals that are the scale of a dual occupancy or smaller (see note 2)</td><td>• Stormwater management plan
• Erosion and sediment control plan</td><td>Not required</td></tr><tr><td>2. Development proposals that:
• Incorporate 20 or more dwellings; or
• Accommodate 50 or more employees or clients, or
• Involves the use of more than 1 hectare of land for commercial, industrial or special use purposes.</td><td>• Water cycle management plan
• Soil and water management plan
• Broad scale development assessment checklist for water sensitive urban design (see Note 2)</td><td>For large scale development hydrological and hydraulic modelling assessment is required in accordance with Section 7.06.02 of this DCP and the Stormwater and Water Efficiency for Development Technical Manual. Modelling shall be in accordance with Newcastle MUSIC link.</td></tr><tr><td>3. All other development</td><td>• Stormwater management plan
• Erosion and sediment control plan
• Broad scale development assessment checklist for water sensitive urban design (see Note 2)</td><td>For large scale development hydrological and hydraulic modelling assessment is required in accordance with Section 7.06.02 of this DCP and the Stormwater and Water Efficiency for Development Technical Manual. Modelling shall be in accordance with Newcastle MUSIC-link.</td></tr></table></td><td>Due to the scale of the development proposed it triggers Development Type 3 – All Other Development.

A stormwater management strategy has been provided at Appendix E with stormwater plans and erosion and sediment control plan provided at Appendix U of the EIS.</td><td>Y</td></tr>
<tr><td>7.06.02
All Development</td><td>1. The water cycle management plan or stormwater management plan (whichever is submitted with the development application) includes the following items:
(i) the location of all buildings, driveways and impervious surfaces
(ii) the location of any watercourses or bushland passing through or adjacent to the property
(iii) any overland flowpaths which drain through the property or adjacent to the property
(iv) the location, size and depth of easements or drainage pipelines
(v) the discharge point of the site into the public drainage system.
(vi) cross section and long sections of major drainage structures

The water cycle management plan or stormwater management plan shows the appropriate design elements to achieve compliance with the requirements set out in the following subclauses relating to:

(a) Stormwater collection
i) surface levels are to be graded such that sites are generally free draining with sufficient overflow capacity to ensure that waters do not enter buildings when underground drainage systems are beyond their capacity
ii) drainage pits are to be installed so that nuisance water does not collect at low points</td><td>A stormwater management strategy has been provided at Appendix E with stormwater plans and erosion and sediment control plan provided at Appendix U of the EIS.</td><td>Y</td></tr>
</table>

	iii) gutters, down pipes and pits are to be connected to the stormwater management system for the site. (b) Flooding and runoff regimes i) Development is to be designed so that runoff from low intensity, common rainfall is equivalent to the runoff from a natural catchment. This can be achieved by intercepting and storing 12mm of rainfall from a minimum of 90% of the impervious area of the site. ii) Runoff generated by more intense rainfall needs to be managed so that downstream drainage systems are not compromised beyond their design criteria. In general runoff from the development up to and including the 5% AEP shall be collected and drained underground. Public drainage (minor system) has a design capacity of the 10% AEP and connections from private development shall be made subject to the 10% AEP hydraulic grade line of the public drainage being lower than the property drainage system. iii) Runoff from the development up to the 1% AEP shall be drained to the major drainage system in a manner that poses nil adverse impact to neighbouring property. iv) Development is to be designed so that peak runoff from the site for all events is not greater than the 'natural' drainage conditions of the site. (c) Storage i) General For sites of less than 50% impervious area, development shall provide 12mm of storage to meet the peak runoff requirements. Where the proposed development covers 100% of the site area, the interception and storage of 25mm of rainfall will achieve the peak runoff requirement. The rainfall depth storage can be linearly interpolated between 12mm and 25mm for sites between 50% and 100% of the impervious area of the site. Where there is a change in the impervious area of an existing site, the entire site is to be considered as pre developed or in a natural condition in regard to impervious areas for design purposes. For a single dwelling house, a rainwater tank with a minimum capacity of 4,000L is required in order to reduce mains water demand and to assist in minimising stormwater discharge from the site. In some cases BASIX will require a larger tank that will further reduce mains water demand. The roof area directed to a rainwater tank should be maximised, to		

	both increase the effectiveness and reliability of the reuse system, and reduce the degree of stormwater treatment required for those areas not draining to the rainwater tank. Rainwater tanks are not required for additions to existing houses, however, where rainwater tanks are provided, the volume of the tank can be used to offset any additional discharge control storage that is required. All rainwater tanks must be fitted with a first flush device to prevent contaminates fouling water and to prolong the life of the tank. For large scale development it will be necessary to undertake a more rigorous hydrologic and hydraulic assessment to demonstrate that the flooding and runoff regimes are being satisfied in accordance with Council's requirements and the Stormwater and Water Efficiency for Development Technical Manual. ii) Coastal wetland catchments To meet the hydrology objectives for development draining to coastal wetlands a deemed to comply solution has been developed where specific rainwater tank configurations are required. The tank sizes shall be adopted for all small scale development and can be used as a guide for large scale development. Rainwater tanks to be configured such that: • all roofs greater than 10m2 drain to a rainwater tank • 100% of the roof area drains to the rainwater tank • only roof areas are connected to the tank • 50% of the rainwater tank is to be provided as air space. The top half of the rainwater tank is to drain to a small 5mm weep hole. The weep hole is to be located at the mid-point of the tank and is to drain to the overflow pipe for the rainwater tank. (d) Storage drawdown i) General In order to provide sufficient capacity to accommodate subsequent rainfall events, the stored water must be drawn down at a minimum rate of 2mm of rainfall per day (0.023L per second per 1000m2 contributing catchment). In general, this can be achieved by using the water internally in the development by connection to toilet cisterns and washing machine taps, or by disposing to groundwater. While the stored water can be used for garden irrigation, there are few additional benefits to stormwater management due to the intermittent nature of garden watering (especially during rain). Notwithstanding		

	the above, use of stored water for garden irrigation is encouraged. Alternatively, the stored water may be released back to the catchment. In order to ensure flows do not form erosive velocities downstream, the maximum discharge rate must not exceed 2mm of rainfall per hour (0.5L per second per 1000m2 contributing catchment). ii) Coastal wetlands catchments The rainwater tanks must be plumbed into the following non potable uses with a separate pipe connection to that of the potable water supply: ▪ irrigation ▪ outside taps ▪ all toilets ▪ washing machine taps and all laundry basin taps ▪ hot water service Stored water shall not be released back to coastal wetlands catchments (e) Site discharge controls i) General The above requirement relating to storage and drawdown can be achieved by installing 'site discharge controls'. Selection of appropriate 'site discharge controls' will largely depend on the constraints and opportunities presented by the site and are a matter for the applicant to integrate with the development proposal. Alterations and additions within the existing building footprint, such as building a second floor, do not require additional discharge controls. The requirement to manage runoff regimes does not apply for additions less than 50m2 or 20% of the existing ground floor area (whichever is greater), up to a maximum addition of 150m2 . For additions larger than 50m2 , additional discharge controls are required at a rate of 1.8m3 for every 100m2 of additional impervious area. Additional discharge controls may be selected from a combination of one or more of the following measures: • rainwater tanks • absorption trenches • on-site retention • swales • bioretention rain gardens or biobasins • bioretention swales or bioswales • porous paving (this is not a discharge control but it reduces the overall impervious area on a site) • Sand filters with basins (not recommended for single dwelling houses) • Constructed wetlands (not recommended for small scale development)		

	• Sediment basins (not recommended for small scale development) Details for certain 'site discharge controls' can be found in Part 4 of the 'Stormwater and Water Efficiency for Development Technical Manual'. Site discharge controls are to be designed and installed for each impervious segment of a site's catchment and include appropriate storage and water quality devices for that segment. ii) Coastal wetland catchments In order to meet the hydrology objectives in Table 4, site discharge controls are required for the following: • Rainwater tanks only for single dwelling houses having a lot area of less than 600m2. • For other small scale development either bioretention systems or on-site retention systems with sandfilter in addition to the rainwater tanks. • For large scale development a site specific solution is to be prepared. Rainwater tanks are to be provided at a lot scale and additional site discharge controls are required in other areas. All controls shall be located within the site boundary of the development. Details for certain site discharge controls can be found in Part 4 of the Stormwater and Water Efficiency for Development Technical Manual. (f) Water Quality and Quantity Targets i) All development covered by this section of the DCP is to achieve the targets set out in Table 4. These targets relate to post-construction. The site discharge controls in Part 4 of the 'Stormwater and Water Efficiency for Development Technical Manual' have been designed with inbuilt mechanisms to filter pollutants. Where one or more of the prescribed site discharge controls are applied according to the technical manual, the pollutant load in stormwater runoff is reduced and is deemed to comply to the pollutant targets. The reduction in loads is relative to the stormwater pollution loads expected from conventional urban development without stormwater treatment measures. The stream forming flow is defined as 50% of the 2-year flow rate estimated for the catchment under natural conditions. For developments larger than 5,000m2 , or development which will become a Council asset, it will be necessary to undertake a more rigorous modelling assessment to demonstrate that the pollutant (water		

	quality and water quantity) reduction targets in Table 4 will be met. ii) Gross Pollutant Traps. The objective of Gross Pollutant Traps (GPT's) is to remove contaminants such as sediment, oil and other pollutants before it discharges into the receiving system. GPTs must be installed for the following developments: ▪ residential developments with more than four dwellings ▪ all commercial developments that may involve the use, storage or transportation of contaminants ▪ commercial developments on allotments greater than 2,000m2 ▪ all industrial developments ▪ upstream of all bioretention devices. (g) Overflow disposal The objective of overflow disposal is to ensure that development is designed so that overflows do not adversely affect neighbouring properties by way of intensification, concentration or inappropriate disposal across property boundaries. This can be achieved by securing appropriate easements over downstream properties or discharging overflows directly to the street system where feasible. Overflows from paved areas adjacent to the property boundary are to be directed by a kerb or formed gutter to drain away from neighbouring properties. A dwelling house that drains to the rear of the property is not required to obtain an easement over downstream lands. Dispersion trenches may be used where an easement cannot be obtained for single dwelling houses only. (h) Existing drainage systems Where a drainage system serving other lands is located on the development site, that system is to be protected by an easement in favour of the beneficiary of the drainage system in order to permit the continued use of the drain. At the same time, a drainage easement gives the beneficiary the right to maintain the pipes contained in the easement. Where necessary, upstream lots are to be given a legal right to drain through a development site. New buildings are not to be constructed over or compromise the integrity of drainage lines or easements including those originating from outside the site. Where an existing drainage line runs under a proposed building, the drainage line and any associated easement is to be		

	diverted around the building. Redundant easements are to be extinguished and new easements are to be created. Where an existing drainage system across the site is retained, access to the existing system is not to be affected by the proposed development. The development is to be designed so as not to degrade the structural integrity of the system. Pollution reduction devices are to be retrofitted to existing development where practical. Preliminary advice should be sought from Council should the applicant believe such measures are impractical. (i) Installation and maintenance requirements i) Erosion and sediment controls are to be installed prior to the commencement of work, maintained throughout the course of the work and are not to be removed until the site is stable with all bare areas supporting an established vegetative cover. ii) All drainage elements and water saving fixtures and appliances nominated in the application or required by conditions of consent are to be installed and operational prior to the issue of the occupation certificate for the new building. Drainage elements and water saving fixtures and appliances must be appropriately maintained throughout the life of the building. 2. Structures are not to be located within a drainage easement or where there is no easement, within 1.5m of the centreline of a drainage pipe. Eave overhangs are permitted subject to at least 4.5m clearances to ground level. Footings for buildings should not be founded on material that is shallower than a line drawn at 45° to the vertical from the bottom edge of the existing drainage system. 3. Maintenance manuals are to be provided for all devices in large scale development and selected devices for other types of development that include on-site retention, bioretention rain gardens, bioretention swales, porous paving and sand filters within basins. The manual is to address maintenance issues including routine monitoring and maintenance as well as any associated components (such as vegetation, subsurface drainage, filter material, flush outs, etc) of the system that could impact on device performance. Periodic monitoring and maintenance is to ensure the system functions as designed,		

	and meets water quality and quantity targets as indicated in the DCP (see Table 4) over the life cycle of the device. The manual is to be kept onsite. 4. Each on site stormwater management system shall be indicated on site by fixing a marker plate or sign in a prominent position. The marker plate or sign is to be provided in accordance with the Stormwater and Water Efficiency for Development Technical Manual. 5. First order streams within Newcastle LGA require assessment for their riparian corridor function and proposed development is designed to protect such first order streams and their contribution to reduction of stream erosion index (SEI). 6. Stormwater treatment measures are integrated into the urban design and landscaped areas. 7. Stormwater treatment measures are located, and configured, to maximise the impervious area that is treated. Devices are to be located within the property boundary. 8. Structural stormwater treatment measures must be able to bypass flows in excess of the design discharge with negligible concentrated flows resulting from overtopping or blockage of the device to protect property life and maximise infrastructure performance and useful life. 9. Water use within open spaces (for uses such as irrigation and water features) is supplied from non-potable sources such as recycled water, roof water, harvested stormwater or other non-licensed water sources to meet a minimum of 50% of the demand and treated to an appropriate standard in accordance with NSW State Government and Commonwealth Standards.		
7.07 Water Efficiency			
7.07.01 Water efficiency	<u>General controls applying to all development (other than residential development)</u> 1. Where plumbing fixtures and water appliances are proposed to be installed, such are to be of the following types: (a) a minimum WELS 3 Star Water Rating (b) maximum 6L dual flush toilet cisterns where they are not supplied by a roof water tank.	The commercial premises shall comply with these standards where applicable. Noted.	**Y** **Y**

<table>
<tr><td></td><td>2. Where washing appliances are installed, they are WELS 3 Star (or better) Water Rated where they are not supplied by a roof water tank.

3. Where installed, garden water hoses are fitted with trigger nozzles in order to maximise the efficiency of garden watering.

4. A rainwater tank is installed for the dual purposes of mains water demand management and reducing the volume of stormwater discharge from sites. The rainwater tank must be connected to roof areas and not be connected to possible contaminating water sources. All rainwater tanks must be fitted with a first flush device to prevent contaminates fouling water and to prolong the life of the tank. Rainwater tanks should be designed to cater for maintenance and cleaning.

Where rainwater tanks are provided, the volume of the tank can be used to offset any additional discharge control storage that is required. Rainwater tanks are to supply water for toilets, watering systems and other reuse devices and be designed and installed in accordance with Council's Stormwater and Water Efficiency for Development Technical Manual.

5. Toilets and watering systems for landscaping are connected to rainwater supply.

6. Where devices in Table 1 are installed, they are to be of the type indicated. Where water is supplied to washing appliances from roof water tanks, this requirement does not apply
Table 1:
<table><tr><th>Device</th><th>Requirement</th></tr><tr><td>Shower heads</td><td>WELS 3 Star or better</td></tr><tr><td>Toilet Cisterns</td><td>6L – 3L dual flush</td></tr><tr><td>Basin Taps</td><td>WELS 3 Star or better</td></tr><tr><td>Dishwasher</td><td>WELS 3 Star or better</td></tr><tr><td>Washing Machine</td><td>WELS 3 Star or better</td></tr></table></td><td>Noted.

An aboveground rainwater tank. Refer to civil drawings and plans provided in Appendix E of the EIS.

Noted.

Water device to comply with requirements.</td><td>Y

Y

Y

Y</td></tr>
<tr><td colspan="4">7.08 Waste Management</td></tr>
<tr><td>7.08.01 General Requirements</td><td>1. All development applications (including demolition, construction and the ongoing use of a site/premise) are to include a SWMMP within their Statement of Environmental Effects demonstrating compliance with this section's requirements.</td><td>A Waste Management Plan has been provided addressing waste management procedures ongoing occupation of the building. This WMP has been prepared by Elephants Foot Recycling Solutions and is included at Appendix R of the EIS.</td><td>Y</td></tr>
</table>

	2. In addition to submission of a SWMMP (as part of the Statement of Environmental Effects), the waste management facilities, proposed as part of the development, clearly illustrated on the plans of the proposed development, accompanying the development application (DA).	The waste management facilities and components are clearly illustrated on the plans (refer to Appendix A of RtS).	**Y**
	3. The SWMMP nominates: (a) volume and type of waste and recyclables to be generated (b) storage and treatment of waste and recyclables on site (c) disposal of residual waste and recyclables (d) operational procedures for ongoing waste management once the development is complete.	The Waste Management Plan includes these details. Refer to Appendix R of the EIS.	**Y**
	4. The SWMMP details the method of recycling or disposal and the waste management service provider.	A private contractor will be engaged to collect commercial and hotel waste to an agreed schedule.	**Y**
7.08.02 Demolition and Construction	1. The SWMMP within the Statement of Environmental Effects includes details which demonstrate an allocated area for the storage of materials for use, recycling and disposal (giving consideration to slope, drainage, location of waterways, stormwater outlets, vegetation, and access and handling requirements).	Details of the waste storage area is provided within the preliminary construction management plan at Appendix G and sediment and erosion plans at Appendix U of the EIS. Further discussion is provided within the EIS.	**Y**
	2. Site disturbance is minimised by limiting unnecessary excavation where materials are not to be used on site as part of developments.	The proposed excavation of the site has been minimised where possible.	**Y**
	3. The SWMMP incorporates the following requirements: (a) separate collection bins or areas for the storage of residual waste are provided and clearly signposted	Waste areas are to be clearly signposted.	**Y**
	(b) footpaths, public reserves, street gutters are not used as places to store demolition waste or materials of any kind without Council approval	Demolition waste is to be directed to a designated storage area away from public places/reserves.	**Y**
	(c) any material moved offsite is transported in accordance with the requirements of the Protection of the Environment Operations Act 1997	Waste moved offsite is to be undertaken in accordance with the POEO Act 1997 where relevant.	**Y**
	(d) waste is only transported to a place that can lawfully be used as a waste facility	Waste will be directed to approved and appropriately licenced facilities.	**Y**
	(e) generation, storage, treatment and disposal of hazardous waste and special waste (including asbestos) is conducted in accordance with relevant waste legislation administered by the Office of Environment and Heritage and relevant Occupational	Handling of hazardous waste is to be undertaken in accordance with the relevant waste and safety legislation.	**Y**

	Health and Safety legislation administered by WorkCover NSW		
	(f) evidence such as weighbridge dockets and invoices for waste disposal or recycling services are retained and are readily accessible for inspection by regulatory authorities such as Council, NSW Office of Environment and Heritage or WorkCover NSW	Records detailing waste disposal/recycling are to be kept and accessible for Council and government agencies.	**Y**
	(g) arrange contractors for the transport, processing and disposal of waste and recycling and ensure that all contractors are aware of the legal requirements for disposing of waste	Appropriately licenced contractors will handle the transport, processing and disposal of waste and recycling.	**Y**
	(h) estimate volumes of materials to be used and incorporate these volumes into a purchasing policy so that the correct quantities are purchased. For small-scale building projects see the rates in the 'Waste Management Technical Manual' for a guide	Purchasing policy for the proposed development will incorporate estimated waste volumes to minimise waste generation.	**Y**
	(i) identify potential reuse/recycling opportunities of excess construction materials	Where possible, construction materials are to be reused.	**Y**
	(j) incorporate the use of prefabricated components and recycled materials	Prefabricated components and recycled materials are to be preferred.	**Y**
	(k) arrange for the delivery of materials so that materials are delivered 'as needed' to prevent the degradation of materials through weathering and moisture damage	Deliveries are to be as needed.	**Y**
	(l) measures shall be implemented to prevent damage by the elements, odour and health risks, and windborne litter.	Material stockpiles and storage are to handled to minimise damage, litter, odour and health risks.	**Y**
	4. Any demolition necessary is carried out in accordance with 'AS 2601—2001, The Demolition of Structures'.	Demolition is to be undertaken in accordance with AS 2601—2001.	**Y**
	5. Handling, management and disposal of asbestos complies with WorkCover NSW requirements. The NSW WorkCover Authority's Working with Asbestos Guide 2008 recommends a range of work procedures for dealing with bonded asbestos material including asbestos cement. This document may be obtained from the following NSW WorkCover Authority website: www.workcover.nsw.gov.au	If any asbestos is encountered, it will be handled in accordance with WorkCover requirements to ensure a safe work environment.	**Y**
	6. A garbage receptacle is provided at the work site before works begin and must be maintained until the works are completed.	Appropriate provisions for garbage disposal will be provided prior to works and maintained until completion of works.	**Y**
7.08.03 Operational Waste	B. Commercial, mixed use and industrial development Controls applying to all commercial, mixed use and industrial development to which this section applies		

	1. The required SWMMP shall include plans which demonstrate: (a) the location of the designated waste and recycling storage room(s) or areas, sized to meet the waste and recycling needs of all tenants (b) development includes a designated waste/recycling storage area or room(s) (designed in accordance with the 'Waste Management Technical Manual') (c) the path of travel for moving bins from the storage area to the identified collection point (if collection is to occur away from the storage area). Step-free access is provided between the point at which bins are collected/emptied and the waste/recycling storage room(s) or area(s) (d) the on-site path of travel for collection vehicles (if collection is to occur on-site) (e) depending upon the size and type of the development, it may be necessary to include a separate waste/recycling storage room/area for each tenancy (f) all tenants keep written evidence on site of a valid contract with a licensed waste contractor for the regular collection and disposal of the waste and recyclables that are generated on site (g) waste management facilities are suitably enclosed, covered and maintained so as to prevent polluted wastewater runoff from entering the stormwater system (h) where possible, waste/recycling containers are collected from a rear lane access point (i) the size and layout of the waste/recycling storage room/area are capable of accommodating reasonable future changes in use of the development (j) a waste/recycling cupboard is provided for each and every kitchen area in a development, including kitchen areas in hotel rooms, motel rooms and staff food preparation areas. Each waste/recycling cupboard must be of sufficient size to hold a minimum of a single day's waste and to hold separate containers for general waste and recyclable materials (k) premises that discharge trade wastewater do so in accordance with a written agreement from the local sewer authority (Hunter Water Corporation) (l) premises which generate at least 50L per day of meat, seafood or poultry waste have that waste collected on a daily basis or must store that waste in a dedicated and refrigerated waste storage area until collection (m) arrangements are in place regarding the regular maintenance and cleaning of	A Waste Management Plan has been provided addressing waste management procedures ongoing occupation of the building. This WMP has been prepared by Elephants Foot Recycling Solutions and is included as Appendix R of the EIS.	**Y**

	waste management facilities. Tenants and cleaners are made aware of their obligations in regards to these matters (n) any garbage chutes are designed in accordance with the requirements of the 'Waste Management Technical Manual', the 'Building Code of Australia' and 'Better Practice Guide for Waste Management in Multi-Unit Dwellings'. Garbage chutes are not suitable for recyclable materials and must be clearly labelled to discourage improper use. <u>Controls applying to mixed use development to which this section applies</u> In addition to the general requirements of this section, the SWMMP demonstrates the following for a mixed use development: 2. Mixed use development incorporates separate and self-contained waste management systems for the residential component and the non-residential component. In particular, the development incorporates separate waste/recycling storage rooms/areas for the residential and non-residential components. 3. Commercial tenants are prevented (via signage and other means), from using the residential waste/recycling bins and vice versa. 4. The residential waste management system and the non-residential waste management system are designed to efficiently operate without conflict. For example, collection vehicles disrupting peak residential and commercial traffic flows or causing noise issues when residents are sleeping.	N/A, mixed use development does not include residential component. N/A, mixed use development does not include residential component. N/A, mixed use development does not include residential component.	**N/A** **N/A** **N/A**
7.09 Advertising and Signage			
7.09.01 Types of signage and controls	Signage attached to or painted on the wall of a building and projecting horizontally no more than 300mm from the wall. <u>Controls</u> a) No more than one sign per building elevation. In the case of multiple occupancies, one sign per occupant may be considered (in such cases a directory board is preferred). b) Is to be attached to the building in which the business identified in the sign is located. c) Is not more than 10% of wall area in commercial zones. d) Is not more than 20% of wall area in industrial zones (including land to which the Three Ports SEPP applies). e) For all other land use zones, size to be	A single sign associated with the hotel component is proposed and consists of a building identification sign. The sign is fixed to the hotel tower and is of an appropriate size for the tower and location. The sign has been architecturally integrated with the building design and does not extend beyond the bounds of the building wall. The sign is not located on any heritage items.	**Y**

	considered on merit. f) Does not extend laterally beyond the wall, to which it is attached, in any direction. g) Does not cover any window, door or architectural feature. h) For heritage items/heritage conservation areas, is not fixed (by any means) to sandstone or face brickwork, but may be fixed into mortar joints.		
7.09.02 General design guidelines	1. A signage strategy is submitted with all development applications for new buildings or for buildings that are a heritage item and/or within a heritage conservation area. The signage strategy is to address the general design guidelines and any applicable Key Precinct principles. The signage strategy will then be used to guide the provision of any signs at the premises. 2. Proposals for new or amended signs on existing buildings will be considered in relation to the building's streetscape, architectural compatibility and cumulative impact within the vicinity. 3. The total number of signs on a property is to be limited to those needed to reasonably identify the business. To minimise clutter, composite signs should be used where there are multiple businesses located on a property. 4. Signage is to be unobtrusive in colour, height and scale, and located so as to be integrated with the architecture and scale of the buildings and adjoining premises. The design and location of signs should not unduly detract from existing architectural features. 5. Signage is to be designed to complement the significance of heritage items and/or heritage conservation areas. 6. Signage is to be positioned so that it does not affect the safe movement of pedestrians, bicycles or motor vehicles. 7. Signage is not to obstruct or cause confusion with the interpretation of traffic signs, traffic controls or navigational beacons. 8. Signage is to be designed and built so that it is structurally and electrically sound. 9. Signage illuminated by internal or external lighting: (a) is to meet the NSW Department of Planning and Environment's requirements regarding Illumination and Reflectance (b) is not to detract from the architecture of the host building (c) is not to cause distraction or nuisance to neighbouring properties, residential areas or traffic (d) is generally restricted to the hours between 7am and 10pm.	The proposed sign is singular. Signage for any future tenants will be subject to approval.	**Y**

	(e) has illumination sources (including cabling) concealed or integrated within the sign (f) is generally not supported in connection with heritage items.		