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**DAC 08/12/20 – DA2018/00773 – 73-79 RAILWAY LANE, WICKHAM -
ALTERATIONS AND ADDITIONS TO A MIXED-USE DEVELOPMENT**

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Extraordinary Development
Applications Committee Meeting
8 December 2020

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**EDAC 08/12/20 – DA2018/00773 – 73-79 RAILWAY LANE, WICKHAM
- ALTERATIONS AND ADDITIONS TO A MIXED-USE DEVELOPMENT**

ITEM-45 **Attachment A:** Item 43 - DAC 01/12/20 - DA2018/00773 -
73-79 Railway Lane Wickham - Alterations and
additions to a mixed-use development

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15 January 2020. Should the development application (DA) be approved by the DAC, the deemed refusal appeal can be withdrawn by the applicants.

Further, a draft voluntary planning agreement associated with this proposal has been separately assessed and reported to Council by City of Newcastle's (CN) Urban Planning Section at **Attachment A**. At the Ordinary Council meeting held on 22 September 2020, Council resolved to place the voluntary planning agreement on public exhibition. The exhibition has now been completed and the draft voluntary planning agreement, associated with this proposal, is being reported to Council for endorsement on 24 November 2020. However, it is noted that under the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the submitted DA and voluntary planning agreement require separate assessment processes and pathways.

The current development has been recommended for approval on a deferred commencement basis and the finalisation of the voluntary planning agreement forms one of the deferred commencement conditions.

A copy of the amended plans for the proposed development are at **Attachment B**.

The DA was publicly notified in accordance with the Newcastle Development Control Plan 2012 (NDCP 2012) – section 8.0 (now repealed) and one submission has been received in response.

The objector's concerns included:

- i) Questions regarding CN as being the appropriate consent authority;
- ii) Objection to how the additions and alterations have been submitted under the subject application;
- iii) Questioning the proposed construction costs of the development;
- iv) Concerns regarding the public benefit of the height exceedance;
- v) Concerns regarding urban design elements of the proposal;
- vi) Concerns regarding solar access, natural ventilation and amenity aspects for the proposed dwellings; and
- vii) Questioning the public art aspects as the proposal is over 46.5m in height.

Details of the submission received is summarised at section 3.0 of Part II of this report and the concerns raised are addressed as part of the Planning Assessment at section 5.0.

Issues

- 1) Height of Buildings – the proposed development has a building height of 44.99m and does not comply with the maximum building height of 24m prescribed under clause 4.3 of the NLEP 2012. This results in a variation of 87.46%. The applicant has submitted a clause 4.6 variation request.
- 2) Matters raised in the submission including height, urban design, amenity and visual impacts.

Conclusion

The proposed development has been assessed having regard to the relevant heads of consideration under section 4.15(1) of the EP&A Act and is considered to be acceptable subject to compliance with appropriate conditions.

RECOMMENDATION

Vote by division

- A. That the Development Applications Committee, as the consent authority, note the objection under clause 4.6 Exceptions to Development Standards of the Newcastle Local Environmental Plan 2012, against the development standard at clause 4.3 Height of Buildings, and considers the objection to be justified in the circumstances and to be consistent with the objectives of clause 4.3 and the objectives for development within the B4 Mixed Use zone in which the development is proposed to be carried out;
- B. That DA2018/00773 for proposed alterations and additions to the approved mixed-use development (DA2016/00384) involving four additional storeys, an additional 40 apartments, alterations to basement car parking and design of commercial tenancies at 73-79 Railway Lane, Wickham be approved and consent granted on a deferred commencement basis, subject to compliance with the conditions set out in the Draft Schedule of Conditions at **Attachment C**; and
- C. That those persons who made submissions be advised of CN's determination.

Political Donation / Gift Declaration

Section 10.4 of the EP&A Act requires a person to disclose "reportable political donations and gifts made by any person with a financial interest" in the application within the period commencing two years before the application is made and ending when the application is determined. The following information is to be included on the statement:

- a) all reportable political donations made to any local Councillor of Council; and

- b) all gifts made to any local Councillor or employee of that Council.

The applicant has answered **NO** to the following question on the application form: *Have you, or are you aware of any person having a financial interest in the application, made a 'reportable donation' or 'gift' to a Councillor or Council employee within a two year period before the date of this application?*

PART II

1.0 BACKGROUND AND THE SUBJECT SITE

Background

The JRPP approved DA2016/00384 on 20 October 2019, for “demolition of existing buildings and erection of 10 storey mixed development including 150 residential units, two commercial units, two basement levels for parking and associated site works” on this site. As part of this approval the 10th storey consisted of rooftop terraces and communal open space.

No works under this consent have commenced on site as yet and the approval has not lapsed.

Land and Environment Court Appeal

On 29 April 2020, the applicants lodged a deemed refusal appeal against the application with the Land and Environment Court. Currently a hearing is set down for 14-15 January 2020.

Should the DA be approved by the DAC, the deemed refusal appeal can be withdrawn by the applicants.

Subject Site

The subject property comprises Lot 11 DP 1106378 and Lot 110 DP 1018454, and is known as 73-79 Railway Lane, Wickham. The site is irregular in shape and has an area of 4,556m². The site adjoins Railway Lane to the south, with the railway corridor located on the southern side of Railway Lane. The consolidated site has a frontage of approximately 109m to Railway Lane, a western boundary of 41.135m, a northern boundary of approximately 83.635m and an eastern boundary of approximately 69.76m.

The site is currently occupied by a large industrial building and associated yard, which has been used for storing and servicing of vehicles. The site is surrounded to the north and west by industrial properties. To the east (between the site, Croft Street and Railway Street) is a small cluster of single and two storey residential properties and the Lass O'Gowrie Hotel (Local Heritage Item I691 under the NLEP 2012). Further east, the suburb of Wickham is a varied mix of older industrial /

commercial uses, single dwellings, lower scale multi-unit housing and newer larger scale mixed-use apartment buildings.

The subject site and surrounding area are relatively flat in level with a slight fall towards the north east. The subject site does not contain any trees or shrubs.

2.0 THE PROPOSAL

The applicant seeks consent for alterations and additions to the approved mixed-use development (DA2016/00384). The application is lodged on the basis that it interlinks with the previous approval (levels three to seven – DA2016/00384), while proposing a new design for the basement to level two, and levels seven to thirteen, as follows:

- i) Increase of four additional storeys (ie. levels 10-13) and an additional 40 residential apartments within the overall reconfigured design;
- ii) Amendment to basement parking design, including removal of basement level two and relocation of parking from the previous basement level two, the ground floor and level one;
- iii) Amendment to the design of the commercial tenancies; and
- iv) Alterations to the design of open space and landscaping for the site, including relocation of the ground floor communal open space courtyard to level two, and incorporation of private courtyards for 11 apartments on level two.

The overall development (ie. combination of the approved DA2016/00384 and the works proposed under DA2018/00773) involves:

- i) Demolition of the existing buildings.
- ii) Construction of a 14-storey mixed-use development (height of 44.99m) comprising a total of 190 residential apartments with the following configurations:
 - a) 12 x studio units
 - b) 43 x one-bedroom units
 - c) 131 x two-bedroom units
 - d) 4 x three-bedroom units
- iii) Basement and ground level parking comprising 228 parking spaces.
- iv) Two commercial units (301m² and 105m² respectively).
- v) A courtyard garden element on the podium at level two.

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- vi) Associated site works.

Refer to **Attachment B** for a copy of the amended floor plans and elevations of the proposal.

The various steps in the processing of the application to date are outlined in the Processing Chronology at **Attachment D**.

3.0 PUBLIC NOTIFICATION

The application was publicly notified in accordance with CN's Community Participation Plan (CPP). One submission was received in response. The concerns raised by the objector in respect of the proposed development are summarised as follows:

- i) Concern that the JRPP should be the consent authority, not CN.
- ii) It has been raised that the scope of the current application should be the entire proposal (ie. not DA2016/00384 with the addition of the proposed changes under this DA2018/00773).
- iii) The cost estimate for the proposal is questioned.
- iv) The public benefit resulting from the 45m high proposal is questioned.
- v) Issues raised regarding the urban form of the proposal, it's height and compliance with the requirements and intent of the Apartment Design Guideline (ADG).
- vi) Concern regarding the effective solar access, natural ventilation and amenity achieved by the proposed dwellings within the development and that it does not comply with the provisions of the ADG in these respects.
- vii) The proposed building, being over 46.5m in height, should be required to provide Public Art (ie. 1% of the total capital cost).

4.0 INTEGRATED DEVELOPMENT

The proposal is integrated development pursuant to section 4.46 of the EP&A Act, as approval is required from Subsidence Advisory NSW under the *Coal Mine Subsidence Compensation Act 2017*. Subsidence Advisory NSW granted their General Terms of Approval on 1 July 2019, at **Attachment E**.

It is also advised that the proposal was originally referred to Water NSW as integrated development due to the provisions of the *Water Management Act 2000*. Water NSW subsequently have confirmed that the current proposal no longer

constitutes integrated development as no ground water removal would likely be necessary and, as such, no licences / approvals are required.

5.0 PLANNING ASSESSMENT

The application has been assessed having regard to the relevant matters for consideration under the provisions of section 4.15(1) of the EP&A Act, as detailed hereunder.

5.1 Provisions of any environmental planning instrument

State Environmental Planning Policy No 55 - Remediation of Land (SEPP 55)

SEPP 55 provides that prior to granting consent to the carrying out of any development on land the consent authority is required to give consideration to whether the land is contaminated and, if the land is contaminated, whether the land is suitable for the purpose of the development or whether remediation is required.

The previously approved development (DA2016/00384) included an assessment of the existing site suitability in respect to contamination (consisting of asbestos, construction / demolition wastes, lead, zinc, arsenic and hydrocarbons). A Remedial Action Plan (RAP) was prepared to address the contamination and ensure that the land could be made suitable for the proposed development. The implementation of that RAP was included as a condition of the approval for DA2016/00384.

A new RAP has been prepared and submitted to support the current DA. The changes between the submitted RAP and the one prepared for the earlier DA are minor. It is noted that the reduction of underground parking compared with the earlier proposal results in the required excavation for the development being reduced. This results in a reduction of the potential for groundwater ingress to the excavation, and a smaller total volume of material needing to be removed from the site. All the identified fill material will still be removed from site for appropriate disposal, with the reduction in volume of excavation applying to the underlying natural alluvial material only.

The recommended consent conditions regarding contamination are similar to those applied to the previously approved development, consisting of adoption of the RAP, the preparation of a validation report and the removal and disposal of all material which does not achieve the set remediation criteria. The application has been assessed against SEPP 55 and is considered acceptable subject to conditions of consent, as recommended at **Attachment C**.

State Environmental Planning Policy (State and Regional Development) 2011 (SEPP)

This policy sets out the functions of regional panels in determining applications for regional development. Clause 20 of the SEPP requires the JRPP to be the determining authority for development where it is included in schedule 7.

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The capital investment value of the currently proposed application is approximately \$27.53m including GST and falls below the \$30m threshold for consideration by the JRPP. It is further advised that the proposal does not fall into any of the other categories of development which would trigger schedule 7 of the SEPP and, as such, CN is the consent authority for the proposal.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP)

The Vegetation SEPP works together with the *Biodiversity Conservation Act 2016* and the *Local Land Services Amendment Act 2016* to create a framework for the regulation of clearing of native vegetation in NSW. Part 3 of the Vegetation SEPP provides that the NDCCP 2012 can make declarations with regards to certain matters, and further that CN may issue a permit for tree removal.

The subject site is clear of any native trees or vegetation. The applicant does not propose the removal of any vegetation in order to facilitate the development. The provisions of the Vegetation SEPP do not apply.

State Environmental Planning Policy (Coastal Management) 2018 (Coastal Management SEPP)

The Coastal Management SEPP seeks to balance social, economic and environmental interests by promoting a coordinated approach to coastal management, consistent with the objectives of the *Coastal Management Act 2016*.

The 'coastal zone' is defined in the *Coastal Management Act 2016* as comprising four coastal management areas: coastal wetlands and littoral rainforest, coastal environment, coastal use and coastal vulnerability. Note: the Newcastle Local Government Area (LGA) has no areas identified in the coastal vulnerability map.

The subject site is partially affected by the coastal environment area towards the north eastern corner. The proposed development is not inconsistent with the Coastal Management SEPP.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

This policy facilitates the effective delivery of infrastructure across the State. The development is subject to the following requirements of the ISEPP.

Ausgrid

The previous proposal was referred to Ausgrid under the provisions of clause 45 of the ISEPP to seek their comments regarding the proposal in context of the electricity transmission and distribution network. Ausgrid raised no objections to the design of the proposal subject to standard criteria regarding electricity supply and construction safety requirements. The current proposal was not referred to Ausgrid as the proposal retains the same footprint at the south eastern corner as the approved

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design (area of potential effect) and, as such, no new issues arise. Conditions are recommended at **Attachment C** to ensure Ausgrid's requirements are met.

Sydney Trains and Acoustic Impacts

Clause 86 of the ISEPP requires concurrence from Sydney Trains (under Transport for NSW) for development that involves the penetration of ground to a depth of at least 2m below ground level within 25m of a rail corridor. Sydney Trains has issued their concurrence and provided conditions for the development on a deferred commencement consent basis.

Sydney Trains conditions have been included within the recommended condition at **Attachment C**. A copy of Sydney Trains advice is at **Attachment F**.

In addition, the potential for acoustic impacts from the nearby railway line has been assessed by CN staff in accordance with clause 87 of the ISEPP as well as acoustic impacts from nearby Lass O'Gowrie Hotel. A Noise Assessment Report prepared by RCA Australia has been submitted to support the proposed development. The assessment report provides a description of the acoustic issues associated with the proposed development, a determination of noise levels and appropriate project criteria, an assessment of the impact of rail traffic noise and noise from the adjacent Lass O'Gowrie Hotel, and recommendations for any noise management measures that will be necessary.

It is identified that the required acoustic levels can be achieved for all proposed units with the incorporation of building treatments for walls, windows and doors. The glazing specifications will vary between units depending upon proximity and exposure to rail, hotel and traffic noise. A condition has been recommended within the draft conditions of consent which requires that acoustic treatment is to be implemented in accordance with the recommendations set out in the report prepared by RCA Acoustics, and further that certification be provided prior to issue of Occupation Certificate.

The assessment considers the different orientations and varying distances from the noise sources to the proposed residential units and determines that internal noise level goals can be achieved in all units of the development, with the incorporation of building treatments for walls, windows and doors. The required glazing specifications vary between units depending on the exposure to rail traffic and the hotel. A consent condition requiring the adoption of the recommendations contained in the Noise Assessment has been included within the recommended conditions contained at **Attachment C**.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX Certificate was lodged with the application, demonstrating that the development can achieve the required water and energy reduction targets. A condition of consent has been recommended, requiring that the development be carried out in accordance with the BASIX Certificate.

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State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65)

SEPP 65 applies to the development of new residential flat buildings and aims to improve the quality of residential flat development. SEPP 65 requires the consent authority to take into consideration the advice of a Design Review Panel and the design quality of the development when evaluated in accordance with the design quality principles and the ADG. An assessment of the development under the design principles is provided below.

CN's Urban Design Consultative Group (UDCG) reviewed the application on 19 July 2019. A summary of the UDCG's advice in relation to the design principles is provided in the table below.

Design Quality Principles	Assessment
<p>Principle 1: Context and Neighbourhood Character</p> <p><u>UDCG comments:</u></p> <p>Industrial buildings and an industrial storage yard occupy the site. Railway Lane to the south is currently a narrow carriageway. A similar industrial site to the immediate north is proposed for development after site remediation.</p> <p>A heritage listed site – the Lass O'Gowrie Hotel and a two-storey duplex are situated to the immediate east of the site.</p>	<p><u>Applicant's response:</u></p> <p>No issues raised by the UDCG in relation to context and neighbourhood character.</p> <p><u>Assessments Officer's comment:</u></p> <p>The proposal is acceptable having regard to the strategic planning outcomes intended for the Wickham area.</p>
<p>Principle 2: Built Form and Scale</p> <p><u>UDCG comments:</u></p> <p>The additions to the approved development extend the outer 'tower' sections of the approved development by an additional five storeys. Additions are proposed as seamless extrusions, continuing the form and finishes of the approved development.</p> <p>Alterations to the existing approval involve the removal of one full level of basement parking (basement 2), the introduction of a second driveway</p>	<p><u>Applicant's response:</u></p> <p>The minutes at the bottom of page 2 advise that the Wickham Masterplan (WMP) is not likely to be adopted in the early future. The WMP has been adopted and the NDCP 2012 has also been updated to reference the WMP.</p> <p>The UDCG minutes raise concern over the setbacks of the proposed and approved residential wings on the north frontage, stating that they do not satisfy ADG recommendations and would leave inadequate separation from future development on the large site immediately</p>

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street access in lieu of deep soil landscaping, and a substantial reduction in the proposed area of commercial space proposed (958m² as approved with 406m² now proposed). No car parking was previously proposed at ground level or at level one in the approved development, but the revised proposal includes extensive car parking at ground level with a thin sleeve of commercial space on the southern extremity. Above, at level one, car parking under the proposal occupies much of the footprint extending to the northern, eastern and western boundaries. This level was previously primarily commercial, with four residences at the northern side, and with a large central courtyard, a smaller eastern landscaped courtyard, and deep soil planting to the west. The approved development was set back from the boundaries at both ground level and level one, but the revised proposal pushes the car parking structure to three of the four site boundaries.

The proposed development extends an approved U-shaped plan form rising stories plus rooftop common areas to 14.5 levels (by virtue of a partially above ground basement). The approved lower four levels are partially expressed as a brick faced podium extending east over a vehicle entry. A central landscaped courtyard is now proposed at level two to the inner area of the U-shaped plan. This central court is set above three levels of carparking with a smaller landscaped common area at level nine bridging the street front elevation between the outer residential levels, which are proposed to continue to level 13.

The development is proposed at the

to the north.

The setbacks at the lower levels, other than the new carpark, generally reflect those approved by the JRPP.

The proposed alterations will introduce a boundary wall to the north for the ground level and the first floor. From there the development steps back consistent with that approved by the JRPP and then for the proposed new levels consistent with the ADG.

To summarise the setbacks to the north boundary are:

- i) Close to the boundary for approximately 8m high;
- ii) Stepping back to 3m and 6m as per the existing approval setbacks up to level eight; and
- iii) Stepping back to 12m as per the ADG requirements for levels nine and above (other than a very small fire stair intrusion).

Currently the adjoining site to the north is occupied by an industrial building located on the northern boundary (minimal setback) with a similar height as that of the proposed development, see photo below.



It is considered good design and of improved amenity to match up to this existing built form.

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western edge of an area of evolving residential apartment buildings in close proximity to the rail interchange. The development rising to 46.2m at the top roof level is in excess of the allowable 24m height limit. The approved development rises to a roof level of 30.3m with an overall height of plant and wall blades of 33.8m.

The proposed height of the additions is based upon recommendations in the WMP, which CN planners advised was not likely to be adopted in the early future.

Setbacks of the proposed and approved residential wings on the north frontage do not satisfy ADG recommendations and would leave inadequate separation from future development on the large site immediately to the north.

In addition we have given consideration to the likely future development of the adjoining property to the north, see sketch plan prepared by EJE below (see **Figure 1** – applicant's future development sketch). The most obvious design outcome for the adjoining site will be to place its car park onto the south boundary adjoining the proposed car park.

Accordingly, the proposal development responds to both the current constraints of the existing adjoining building to the north as well as the most obvious future design outcome for the adjoining site.

Assessments Officer's comment:

It is considered that the applicant has adequately addressed the issues raised by the UDCG. It is noted that ADG allows that "no building separation is necessary where building types incorporate blank part walls."

It is further advised that several recent proposals (ie. being a combination of recent approvals to completed developments) within the southern portion of Wickham (ie. rail edge precinct), reflect a similar design approach with zero setbacks to front, side and / or rear boundaries including 43 Station Street, 1 Union Street, 7 Union Street, 11 Charles Street, 12 Bishopsgate Street, 38 Hannell Street and 10 Dangar Street Wickham. All of these sites, including the subject site, are within the 'rail edge' precinct under the section 6.03 – Wickham of the NDCP 2012.

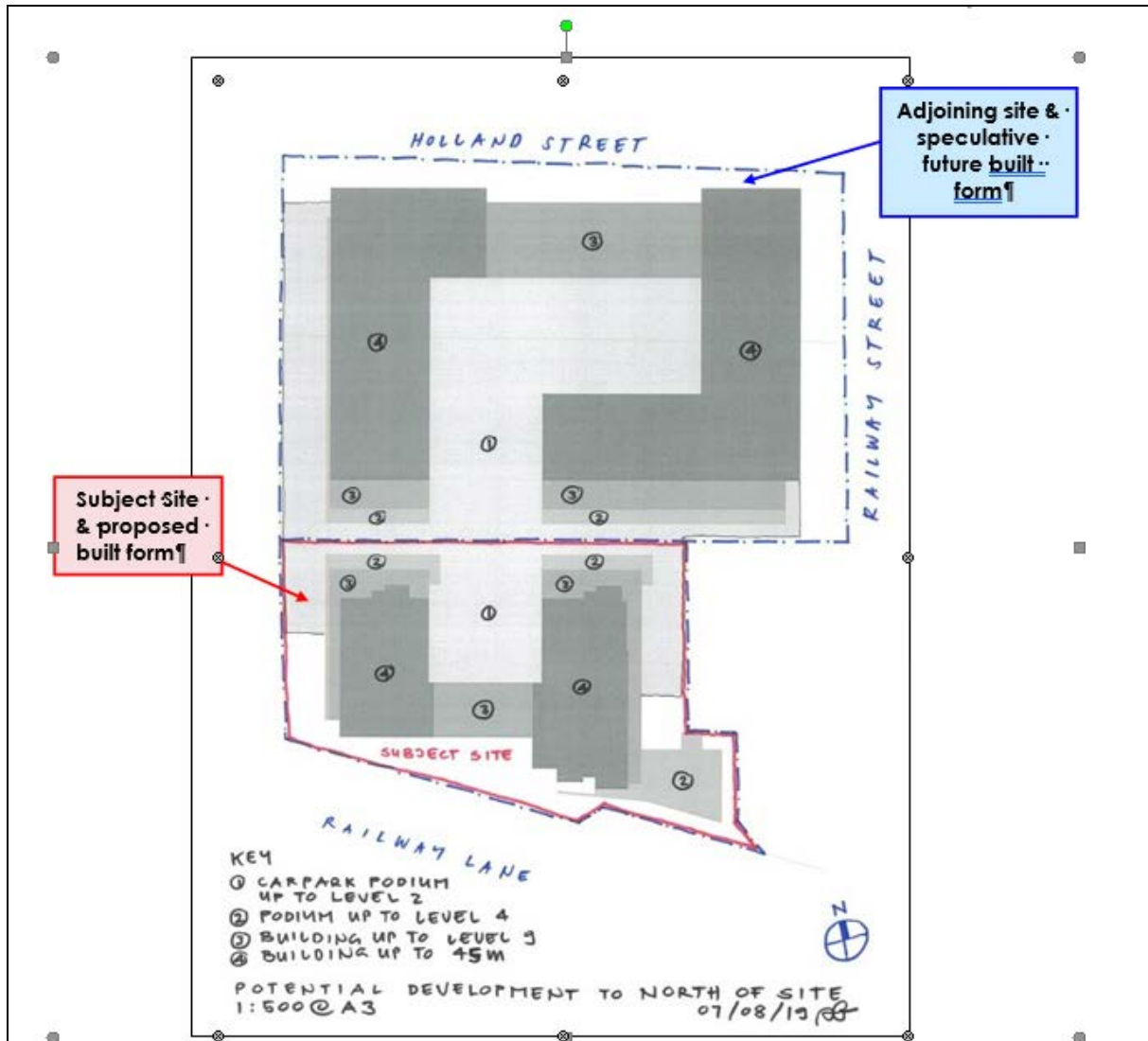


Figure 1 – Applicant’s future development sketch

Principle 3: Density

UDCG comments:

The new works combined with the existing approval have a floor space ratio (FSR) of 3.88:1 this being compliant with the maximum FSR of 4.0:1 allowable.

The proposed height of 45m does not comply with the current height limit of 24m.

Applicant’s response:

It is somewhat disappointing that the minutes of the UDCG do not make comment of the strategic location of the site and the good planning outcomes that are achieved by achieving density in this key location with exceptional access to public transport, shops and services and recreation.

The NLEP 2012 prescribes an FSR of up to 4:1 for the subject site.

The approved development achieves an FSR of 3.21:1.

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	<p>The proposed development with the additional height will result in an FSR of 3.88:1. This still remains less than the NLEP 2012 density standard.</p> <p><u>Assessments Officer's comment:</u></p> <p>The proposal complies with the allowable FSR. The height exceedance is assessed under clause 4.3 and 4.6 of the report below.</p>
<p>Principle 4: Sustainability</p> <p><u>UDCG comments:</u></p> <p>Proposed inclusions in the development providing sustainability are identified by the applicant as compliant with BASIX and exceeding minimum standards for natural ventilation and solar access.</p> <p>Whilst cross ventilation complies, UDCG previously identified the opportunity for improved solar access and cross ventilation to the residential apartments by deletion of the cross-over corridor on the southern central section of the floor plan. It is noted that this was not implemented in the approved development.</p>	<p><u>Applicant's response:</u></p> <p>The UDCG did not raise any concerns in relation to the proposed alterations and additions the subject of DA2018/00773.</p> <p>The UDCG comments in relation to improved solar access and cross ventilation by deletion of the cross over corridor on the southern central section of the floor plan, is part of the approved development under DA2016/384.</p> <p><u>Assessments Officer's comment:</u></p> <p>It is considered that the applicant has adequately addressed the issues raised by the UDCG as per the current application.</p>
<p>Principle 5: Landscape</p> <p><u>UDCG comments:</u></p> <p>The following comments from the UDCG's 17 May 2017 review of the earlier development are considered applicable to the current application:</p> <p>i) At podium level it is recommended that planting areas to private courts should be increased in preference to the proposed extent of hard paving and extended into the adjacent common area. Private</p>	<p><u>Applicant's response:</u></p> <p>Landscaping on the podium has been increased as requested please refer to the attached drawings.</p> <p><u>Assessments Officer's comment:</u></p> <p>It is considered that the applicant has adequately addressed the issues raised by the UDCG. The current proposal, while reducing / amending some of the positive landscape elements of the previous design, is still acceptable and would not warrant refusal or redesign on</p>

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<p>courts should all have planting separation in addition to privacy screens.</p> <p>ii) Planter edges should not rise vertically more than (say) 500mm in one increment.</p> <p>iii) Sand pits and other children's' play features should be incorporated into the central common area.</p> <p>It is noted that the current proposal has fully dispensed with the approved proposal's area of deep soil planting on the development's western side, which had provided a useful opportunity for introducing some appropriately scaled trees. It appears that no deep soil planting is now proposed, which is considered to be a retrograde step.</p> <p>The approved roof terrace communal area on the tenth floor (level nine), which is partially landscaped, and which included attractive covered barbeque areas and seating, has been substantially reduced in area. The proposed smaller communal area in this location, is likely to introduce noise conflicts with the immediately adjacent proposed residential units on this level.</p> <p>Similarly, at level one, the landscaped terrace on the eastern side of the approved commercial area has been deleted in favour of an enclosed car parking structure which extends virtually to the eastern boundary. The corresponding area at level one above, is proposed to become extensive hard-paved "private garden" spaces for Units 2.15, 2.16 and 2.17. These areas are proposed to include narrow planter beds that would only be capable of supporting low growing shrubs, which do not appear to have</p>	<p>this basis.</p>
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<p>any provision for (body corporate) maintenance access. The approved large central courtyard has been moderately reduced in area and relocated to the level above.</p> <p>This proposed revision represents a reduction of soft landscaping area, and a reduction of communally and publicly accessible landscaped open space, while at the same time introducing a substantial number of additional residences.</p>	
<p>Principle 6: Amenity</p> <p><u>UDCG comments:</u></p> <p>In addition to the northern setback, east and west side setbacks remain non-compliant.</p> <p>The proposed deletion of the car parking at basement level two, and introduction of additional parking to support the proposed additional units has involved, as described under Built Form and Scale, the dedication of a substantial proportion of both ground level and level one as car parking, and the creation of a podium form that extends to eastern, northern and western boundaries. The impact of this proposed change arising from the form, and related overlooking upon the neighbouring low-scale residences to the east has not been adequately addressed. One unit, no. 1.07 is somewhat isolated from its neighbours, and is overshadowed by the car park structure proposed adjacent to its north. Its only aspect is to the open driveway below.</p> <p>The UDCG does not support the extent and form of glazed balustrades, and recommends partially or fully obscure balustrades for privacy, screening of balcony furniture, thus</p>	<p><u>Applicant's response:</u></p> <p>Additional landscaping as shown on the attached drawings combined with the proposed setback of private courtyards to the east on level two will ensure adequate privacy is maintained.</p> <p>The clear balustrades are part of the approved development for the lower levels and the upper levels do not require obscure glass given the view angles from these levels.</p> <p><u>Assessments Officer's comment:</u></p> <p>It is considered that the applicant has adequately addressed the issues raised by the UDCG. The applicant has amended the extent of glazed balustrades to address the concerns of the UDCG.</p> <p>The setback aspects have been discussed above under Principle 2. The altered ground floor and first floor setbacks do not result in any privacy / overlooking impacts on neighbouring sites as the associated elevations are blank walls.</p> <p>It is agreed that Unit 1.07 has a lesser amenity due to its position in terms of outlook and solar access. The overall development still meets the solar access requirements under the ADG. It is typical</p>

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<p>providing less exposed, more useable private open areas.</p>	<p>of large multi-storey apartment developments that a small proportion of proposed dwellings will have a slightly lesser aspect / amenity compared to the overall development.</p>
<p>Principle 7: Safety</p> <p><u>UDCG comments:</u></p> <p>Egress from the western fire stairs is directly into the main vehicle driveway and this needs to be amended.</p>	<p><u>Applicant's response:</u></p> <p>The Fire Stair 6 from basement to ground level has been adjusted so as to not have the exit directly into the vehicle driveway, please refer to the attached drawings.</p> <p><u>Assessments Officer's comment:</u></p> <p>It is considered that the applicant has adequately addressed the issues raised by the UDCG.</p>
<p>Principle 8: Housing Diversity and Social Interaction</p> <p><u>UDCG comments:</u></p> <p>The number of apartments and the variety, including studios, would cater for the identified market in this evolving location. The predominance of two-bedroom apartments over studios or single bed apartments provides flexibility for most occupants.</p> <p>The large numbers of apartments with common circulation on levels two to eight is well in excess of ADG recommendations and is not supported.</p> <p>The level nine communal area previously provided good social amenity under the approved scheme, but has been reduced in area, in spite of the significant increase in the number of residences proposed. The communal spaces should include several enclosed area(s) with simple facilities, - kitchenette, toilet etc. Also, a toddler's play space with sandpit etc. (as included in the approved scheme</p>	<p><u>Applicant's response:</u></p> <p>We note that the UDCG have supported the mix of units.</p> <p>In relation to comments concerning circulation we note that levels two to eight are as approved under DA2016/384.</p> <p>It is considered that the number of apartments from level two to eight is not excessive, because of its U-shaped arrangement and layout. Each wing and each corridor are facing a different direction and could have its own identity.</p> <p>The location of elevators / lift lobbies allows all Residents to access their Unit without using two different corridors.</p> <p>It is considered that the proposal offers a sufficient amount of communal spaces with a very diverse range of community areas including a 326m² courtyard on level two, a 159m² community garden on level four (including kitchenette and toilet), several corridor lounge areas (level four to eight) and a 426m² roof terrace on level nine.</p>

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<p>but is not now proposed) remains a very desirable amenity for future young families.</p> <p>The UDCG recommends provision of a car wash area opening onto external landscaping.</p>	<p><u>Assessments Officer's comment:</u></p> <p>It is considered that the applicant has adequately addressed the issues raised by the UDCG.</p>
<p>Principle 9: Aesthetics</p> <p><u>UDCG comments:</u></p> <p>The UDCG considers the increased bulk and scale of the overall development requires further design development. This should address the relationship of the brick faced podium and additional upper floors, and the impacts of the proposed above - ground car park. Further consideration is required of the central elevation linking the outer towers as viewed from the street elevation. Use of increased recess and colour / tonal variation is recommended.</p>	<p><u>Applicant's response:</u></p> <p>The relationship of the brick faced podium and the additional upper floors has been designed as a reference to the scale and materialisation of the existing warehouse buildings in the Wickham precinct.</p> <p>It is proposed to extend the vertical wall blades in the lower levels to achieve a more dynamic rhythm and to underline the intention of a more filigree façade structure. Please refer to the attached drawings.</p> <p>The UDCG minutes do not articulate in detail the aesthetic concerns relating to the raised car park. The car park is sleeved behind a commercial tenancy and is otherwise not particularly visible from public spaces. The car park responds to both the existing surrounding and likely future surrounding built form.</p> <p>EJE advise that the Central Elevation (Street Elevation) linking the two towers has been created with a very well-structured and delicate composition. The design works with subtle balcony or Loggia recesses, with vertical tower-like blade elements, with different materialised wall blade arrangements and with the use of different coloured formations; all to emphasize the vertical façade elements and visually to breakdown the scale of the development.</p> <p>Additional drawings (A1012.1-A1014 and A1016 directly address the aesthetics of the car park elevation.</p>

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	<p>The design intent of the precast concrete panels with its diamond pattern is to break down the scale of the geometric nature of the podium – the diamond pattern is a reference to the paving brick used in Newcastle and in particularly the Wickham area.</p> <p>Further the proposed precast concrete panels are rebated facade elements to allow a playful appearance between sunlight and shade on the surface of the material.</p> <p><u>Assessments Officer's comment:</u></p> <p>It is considered that the applicant has adequately addressed the issues raised by the UDCG by the final amended design. The elevations of the podium level incorporate a decorative pattern to offer further relief and interest.</p>
<p>Amendments Required to Achieve Design Quality</p> <p><u>UDCG comments:</u></p> <p>Clarification of the legal basis of this application needs to be resolved by CN.</p> <p>The above detailed matters discussed above and in particular those related to aesthetics, landscaping, social issues and amenity, need to be resolved to achieve design quality.</p>	<p><u>Applicant's response:</u></p> <p>This information responds to CN's additional information request dated 12 June 2019 and the UDCG minutes from the meeting of 19 July 2019.</p> <p><u>Assessments Officer's comment:</u></p> <p>It is advised that the application is the subject of a deemed refusal appeal before the Land and Environment Court. The adoption of the WMP, the applicant's submission of revised clause 4.6 request for the height variation and the formal offer of a Voluntary Planning Agreement address the legal aspects of the application.</p> <p>It is considered that the proposal is adequate in terms of the issues raised by the UDCG. It is noted that several of the issues raised by the UDCG are related to non-compliances already previously supported as part DA2016/00384 (with which this DA is interlinked) or are</p>

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	<p>indicating that the previous development was a preferred design outcome compared to the current proposal. While it is agreed that aspects of the previous design resulted in a better outcome (eg. ground floor combination of open space, public domain and commercial units), the current proposal is still acceptable and would not warrant refusal or redesign on this basis.</p>
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Apartment Design Guide (ADG) - Key "Rule of Thumb" Numerical Compliances

The ADG provides benchmarks for designing and assessing a residential apartment development. The following section contains an assessment of the development against key aspects of the ADG.

Apartment Design Guide (ADG)		
3D Communal and public open space		
Objective 3D-1		
An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping.		
Design Criteria	Comment	Compliance
1. Communal open space has a minimum area equal to 25% of the site.	<p>The proposal provides four areas of communal open space / public open space;</p> <ul style="list-style-type: none"> i) Ground floor public open space – 160m² ii) Level two – 1,063m² iii) Level four - 216m² iv) Level nine - 198m² <p>The total communal open space provided is 1638m², or 36% of the total site area.</p>	Complies
2. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of two hours between 9am and 3pm on 21 June (mid winter).	At least 50% of the communal open space achieves direct sunlight for a minimum of 2hrs between 9am and 3pm in mid-winter.	Complies

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3E Deep soil zones			
Objective 3E-1			
Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.			
Design Criteria			Comment
1. Deep soil zones are to meet the following minimum requirements:			The design guidance provided for this objective acknowledges that achieving the design criteria is not possible on some sites including where: i) The location and building typology have limited or no space for deep soil at ground level (eg. central business districts, constrained sites, high density areas, or in centres); and / or ii) There is 100% site coverage or non-residential uses at ground floor level. Due to the subject site's location, and extensive site coverage with non-residential development at ground (commercial units and parking), the development with the design guidance for this objective by integrating acceptable alternative forms of planting such as deep planting boxes on upper levels. This is considered acceptable.
Site area	Minimum dimensions	Deep soil zone (% of site area)	
greater than 1,500 m ²	6m	7%	
			Compliance
			Merit based assessment
3F Visual privacy			
Objective 3F-1			
Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.			
Design Criteria			Comment
1. Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required			Separation distances <u>Up to 12m (Ground level and level one to three)</u> Blank walls with a zero setback are
			Complies and merit based assessment

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separation distances from buildings to the side and rear boundaries are as follows:			<p>proposed to the north boundary, eastern boundary and part of the western boundary at ground level and level one. The street front boundary is a variable staggered setback. No minimum separation distance is required for blank walls, as such a zero setback complies with the required separation distances.</p> <p>Level two and three are 3.0m from the northern boundary and approximately 8.7m from the western and 9.6m from the eastern boundary. The street front boundary is a variable staggered setback at these levels. The eastern and western setbacks are considered to be acceptable. The northern windows are provided with sun and privacy louvres and are considered to meet the requirements of the ADG. It is noted that level two and three are consistent with the northern setbacks already approved under DA2016/00364.</p>	
Building height	Habitable rooms and balconies	Non-habitable rooms		
up to 12m (4 storeys)	6m	3m (zero allowable for blank walls)		
up to 25m (5-8 storeys)	9m	4.5m		
over 25m (9+ storeys)	12m	6m	<p>The northern windows are provided with sun and privacy louvres and are considered to meet the requirements of the ADG. It is noted that level two and three are consistent with the northern setbacks already approved under DA2016/00364.</p> <p><u>Up to 25m (level four to seven)</u> Levels three to seven were approved under DA2016/00384 and the subject application does not make any changes to these levels. The currently proposed DA interlinks with this earlier approval. Levels four to seven have a western and eastern setback of approximately 9.0m and a northern setback of 6.0m.</p> <p><u>Over 25m (level eight to level 13)</u> Level eight has a western setback of 10.0m, an eastern setback of approximately 9.0m and a northern setback of 6.0m. The northern windows are provided with sun and privacy louvres and are considered to meet the requirements of the</p>	<p>Complies and Merit based assessment</p> <p>Merit based assessment</p>
<p>Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room (see Figure 3F.2). Gallery access circulation should be treated as habitable space when measuring privacy separation distances between neighbouring properties.</p>				

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	<p>ADG.</p> <p>Levels 9-13 have western, north and eastern setbacks of approximately 12.0m and comply with the ADG.</p>	
	<p>Separation distances between the proposed towers</p> <p><u>Up to 25m (level three to seven)</u> Levels three to seven were approved under DA2016/00384 and the subject application does not make any changes to these levels. The currently proposed DA interlinks with this earlier approval.</p> <p>The proposal has a separation distance of 23.3m and complies.</p> <p><u>Over 25m (level eight to level 13)</u> At level eight to 13, a minimum 23.3m separation distance is provided between the eastern and western towers. A minimum separation distance of 24m is required between buildings on the same site and it is considered that the 23.3m proposed is acceptable in this instance.</p>	<p>Complies</p> <p>Merit based assessment</p>

A4 Solar and daylight access**Objective 4A-1**

To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space.

Design Criteria	Comment	Compliance
<p>1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of two hours direct sunlight between 9am and 3pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local</p>	<p>144 out of the 190 proposed apartments, or 76%, will achieve a minimum 2hrs sunlight during mid-winter.</p>	<p>Complies</p>

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government areas.		
2. In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of three hours direct sunlight between 9am and 3pm at mid winter.	N/A	N/A
3. A maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at mid winter.	46 out of the 190 proposed apartments, or 24%, receive no direct sunlight between 9am and 3pm at mid-winter.	Complies
4B Natural ventilation		
Objective 4B-3		
The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents.		
Design Criteria	Comment	Compliance
1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.	The development provides for a least 60% of the proposed dwellings to achieve cross ventilation although the quality of ventilation for the studio apartments and the apartments facing the courtyard on level two is somewhat reduced.	Merit based assessment
2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	The proposal complies with the maximum single depth to openings being approximately 14.0m.	Complies
4C Ceiling heights		
Objective 4C-1		
Ceiling height achieves sufficient natural ventilation and daylight access.		

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Design Criteria	Comment	Compliance								
<p>1. Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</p> <table border="1" data-bbox="209 443 628 887"> <thead> <tr> <th colspan="2" data-bbox="209 443 628 551">Minimum ceiling height for apartment and mixed-use buildings</th> </tr> </thead> <tbody> <tr> <td data-bbox="209 555 379 622">Habitable rooms</td> <td data-bbox="379 555 628 622">2.7m</td> </tr> <tr> <td data-bbox="209 627 379 694">Non-habitable</td> <td data-bbox="379 627 628 694">2.4m</td> </tr> <tr> <td data-bbox="209 698 379 887">If located in mixed-used areas</td> <td data-bbox="379 698 628 887">3.3m for ground and first floor to promote future flexibility of use</td> </tr> </tbody> </table> <p>These minimums do not preclude higher ceilings if desired.</p>	Minimum ceiling height for apartment and mixed-use buildings		Habitable rooms	2.7m	Non-habitable	2.4m	If located in mixed-used areas	3.3m for ground and first floor to promote future flexibility of use	<p><u>Mixed-use</u> The ground floor has a floor-to-floor height of 3.4m. As such, a minimum ceiling height from finished floor level to finished ceiling level of 3.3m can be achieved for the Ground Floor retail premises.</p> <p><u>Apartments</u> All storeys containing apartments (level one to level 13) have a floor-to-floor height of 3.0m. As such, a minimum ceiling height from finished floor level to finished ceiling level of 2.7m to habitable rooms and 2.4m to non-habitable rooms can be achieved for all apartments.</p>	Complies
Minimum ceiling height for apartment and mixed-use buildings										
Habitable rooms	2.7m									
Non-habitable	2.4m									
If located in mixed-used areas	3.3m for ground and first floor to promote future flexibility of use									

4D Apartment size and layout

Objective 4D-1

The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity.

Design Criteria	Comment	Compliance										
<p>1. Apartments are required to have the following minimum internal areas:</p> <table border="1" data-bbox="209 1442 628 1706"> <thead> <tr> <th data-bbox="209 1442 416 1550">Apartment type</th> <th data-bbox="416 1442 628 1550">Minimum internal area</th> </tr> </thead> <tbody> <tr> <td data-bbox="209 1554 416 1590">Studios</td> <td data-bbox="416 1554 628 1590">35m²</td> </tr> <tr> <td data-bbox="209 1594 416 1630">1 bedroom</td> <td data-bbox="416 1594 628 1630">50m²</td> </tr> <tr> <td data-bbox="209 1635 416 1671">2 bedroom</td> <td data-bbox="416 1635 628 1671">70m²</td> </tr> <tr> <td data-bbox="209 1675 416 1711">3 bedroom</td> <td data-bbox="416 1675 628 1711">90m²</td> </tr> </tbody> </table> <p>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each.</p> <p>A fourth bedroom and</p>	Apartment type	Minimum internal area	Studios	35m ²	1 bedroom	50m ²	2 bedroom	70m ²	3 bedroom	90m ²	The proposal complies with the ADG.	Complies
Apartment type	Minimum internal area											
Studios	35m ²											
1 bedroom	50m ²											
2 bedroom	70m ²											
3 bedroom	90m ²											

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<p>further additional bedrooms increase the minimum internal area by 12m² each.</p>		
<p>2. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.</p>	<p>The proposed apartment design provides every habitable room with a window in an external wall.</p>	<p>Complies</p>
<p>Objective 4D-2 Environmental performance of the apartment is maximised.</p>		
Design	Comment	Compliance
<p>1. Habitable room depths are limited to a maximum of 2.5 x the ceiling height.</p>	<p>For a ceiling height of 2.7m, the maximum depth for habitable rooms other than combined living / dining / kitchen rooms is 6.75m.</p> <p>Other than combined living / dining and kitchen rooms, all habitable room depths have been limited to a less than 4m.</p>	<p>Complies</p>
<p>2. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.</p>	<p>The majority of the 190 proposed apartments have a maximum habitable room depth of 7m from a window for open plan living, dining and kitchen area.</p>	<p>Merit based Assessment</p>
<p>Objective 4D-3 Apartment layouts are designed to accommodate a variety of household activities and needs.</p>		
Design Criteria	Comment	Compliance
<p>1. Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space).</p>	<p>All master bedrooms have a minimum area of 10m², and all other bedrooms have a minimum area of 9m² (excluding wardrobe space)</p>	<p>Complies</p>
<p>2. Bedrooms have a minimum dimension of 3m</p>	<p>All bedrooms have a minimum dimension of 3m (excluding</p>	<p>Complies</p>

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(excluding wardrobe space).	wardrobe space).																
3. Living rooms or combined living / dining rooms have a minimum width of: i) 3.6m for studio and 1-bedroom apartments. ii) 4m for 2-bedroom and 3-bedroom apartments.	All of the 190 proposed apartments have living rooms or combined living / dining rooms which achieve the minimum dimension required for the number of bedrooms provided.	Complies															
4E Private open space and balconies																	
Objective 4E-1 Apartments provide appropriately sized private open space and balconies to enhance residential amenity.																	
Design Criteria	Comment	Compliance															
1. All apartments are required to have primary balconies as follows: <table border="1" data-bbox="204 994 635 1223"> <thead> <tr> <th>Dwelling type</th> <th>Min. area</th> <th>Min. depth</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>4m²</td> <td>-</td> </tr> <tr> <td>1 bedroom</td> <td>8m²</td> <td>2m</td> </tr> <tr> <td>2 bedroom</td> <td>10m²</td> <td>2m</td> </tr> <tr> <td>3+ bedroom</td> <td>12m²</td> <td>2.4m</td> </tr> </tbody> </table> The minimum balcony depth to be counted as contributing to the balcony area is 1m.	Dwelling type	Min. area	Min. depth	Studio	4m ²	-	1 bedroom	8m ²	2m	2 bedroom	10m ²	2m	3+ bedroom	12m ²	2.4m	All of the 190 proposed apartments have primary balconies that achieve the minimum area and depths required.	Complies
Dwelling type	Min. area	Min. depth															
Studio	4m ²	-															
1 bedroom	8m ²	2m															
2 bedroom	10m ²	2m															
3+ bedroom	12m ²	2.4m															
2. For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m ² and a minimum depth of 3m.	All the proposed apartments which form part of the podium level (level two) are provided private open space with a minimum area of 15m ² and minimum depth of 3m. The design is such that this provision only applies to the apartments towards the north portion of the site.	Compliance Complies															
4F Common circulation and spaces																	
Objective 4F-1 Common circulation spaces achieve good amenity and properly service the number of apartments.																	

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Design Criteria	Comment	Compliance								
1. The maximum number of apartments off a circulation core on a single level is eight.	The maximum number of apartments off the circulation core on a single level is seven apartments.	Complies								
2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.	The east and western towers each are serviced by two lifts (ie. four in total). The design of the proposal is such that from ground level to level nine allows access to all lifts via a central common corridor. The proposal does not meet the lift ratio of one per 40 apartments and provides approximately one lift per 47.5 apartments. It is considered that the design outcome in this instance is acceptable.	Merit based assessment								
4G Storage										
Objective 4G-1 Adequate, well designed storage is provided in each apartment.										
Design Criteria	Comment	Compliance								
<p>1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</p> <table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Storage size volume</th> </tr> </thead> <tbody> <tr> <td>1 bedroom</td> <td>6m³</td> </tr> <tr> <td>2 bedroom</td> <td>8m³</td> </tr> <tr> <td>3+ bedroom</td> <td>10m³</td> </tr> </tbody> </table> <p>At least 50% of the required storage is to be located within the apartment.</p>	Dwelling type	Storage size volume	1 bedroom	6m ³	2 bedroom	8m ³	3+ bedroom	10m ³	Each apartment is provided an extent of storage volume located and access from within the individual apartments, in addition to storage volume access from a common area (a secure storage cage within the car parking areas). It is not considered that 50% of the storage is within the apartment but the proposal is otherwise considered to be acceptable.	Merit based assessment
Dwelling type	Storage size volume									
1 bedroom	6m ³									
2 bedroom	8m ³									
3+ bedroom	10m ³									

The proposal is acceptable having regard to privacy, visual appearance, character, urban design and SEPP 65, taking into consideration the comments received from the UDCG and the design criteria in the ADG.

State Environmental Planning Policy No 64 - Advertising and Signage (SEPP 64)

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The application does not include approval of signage. A separate DA is to be submitted for any future signage which does not comply with exempt or complying development requirements.

Newcastle Local Environmental Plan 2012 (NLEP 2012)

The following summarises an assessment of the proposal against the provisions of NLEP 2012 that are primarily relevant to the proposed development.

Clause 2.1 - Land Use Zones

The subject property is included within the B4 Mixed Use zone under the provisions of the NLEP 2012, within which zone the proposed development is permissible with CN's consent as a combination of retail premises and residential flat buildings (ie. apartments).

The proposed development is consistent with the objectives of the B4 Mixed Use zone, which are:

- i) To provide a mixture of compatible land uses.
- ii) To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- iii) To support nearby or adjacent commercial centres without adversely impacting on the viability of those centres.

The development meets the objectives of the zone as it will encourage a mixture of employment opportunities and accommodation in an accessible location, will maximise public transport patronage and will assist in strengthening the role of the Newcastle City Centre as a regional business centre for the Hunter region. The subject site is located within walking distance of the Newcastle Interchange (ie. currently incorporating trains and light rail with future bus terminal).

Clause 2.7 - Demolition Requires Development Consent

The proposal includes the demolition of the structures on the site. Conditions are recommended to require that demolition works, and the disposal of material is managed appropriately and in accordance with relevant standards.

Clause 4.3 - Height of Buildings

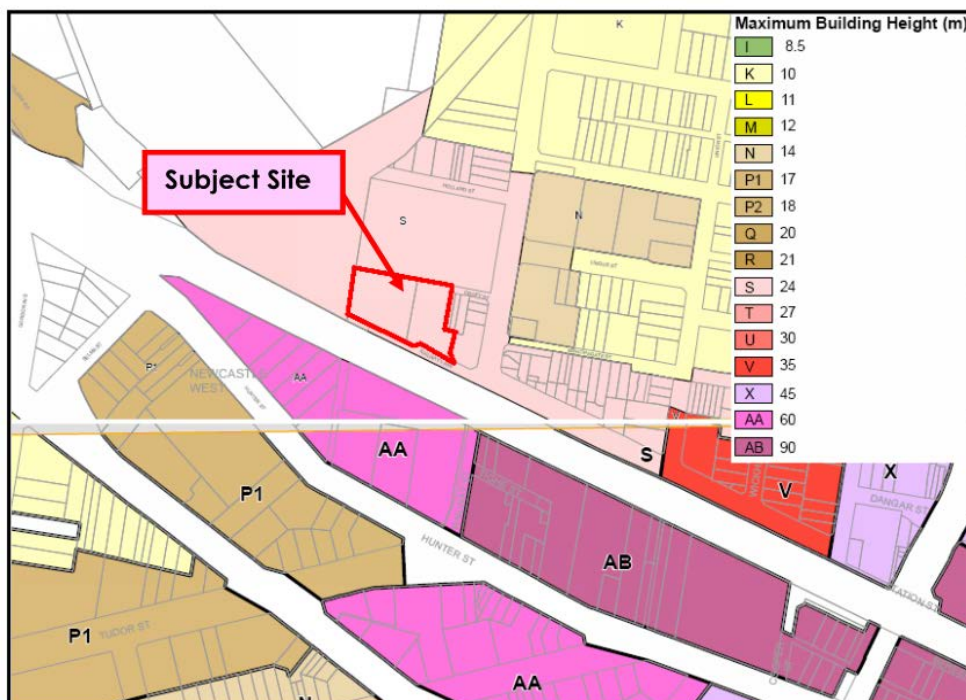
Under the NLEP 2012 the site has a height development standard of 24m (see Figure 2). The submitted proposal has a maximum height of 44.99m which exceeds this requirement. This represents an 87.46% variation to the height standard (20.99m exceedance).

Figure 2 – Current allowable height standard (NLEP 2012)

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(Source: Applicant's clause 4.6 request, page 9, version E)

The current proposal is interlinked with the previous DA 2016-00384 by retaining the approval of levels three to seven plus partly based on the previous design / layout. It is noted that this previous DA was approved with the following height breakdown and relied on a height variation under clause 4.6 as follows:

- i) The top of the ninth storey is 27.4m.
- ii) The top of the roof terrace and plant areas is 29.9m (clause 4.6 height).
- iii) The top of the architectural fin walls is 31.1m (clause 5.6).

The fin walls within the previous design met the provisions of clause 5.6 'Architectural Roof Features' under the NLEP 2012 and, as such, did not fall within the clause 4.6 variation. The previous fin wall design element is no longer part of the design in the current proposal.

Notwithstanding that the previous development was approved with a variation to 29.9m, the consideration of the current clause 4.6 variation request must be still based on the variation now being proposed (ie. 44.99m) relative to the existing 24m height standard. The assessment of the current clause 4.6 will still have regard to the circumstances of case in this instance which includes the existing environmental planning instruments, planning policies, surrounding approvals / developments and the previous approval on the site.

The applicant has submitted the required clause 4.6 variation request to this height standard. Refer to discussion under clause 4.6 Exceptions to Development Standards below.

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Clause 4.4 - Floor Space Ratio (FSR) and Clause 7.10 – Floor Space Ratio (FSR) for Certain Development in Area A

Under the NLEP 2012, the site has an FSR development standard of 4.0:1. The submitted FSR is 3.88:1 and complies with this requirement.

Clause 4.6 - Exceptions to development standards

The subject site has a height development standard 24m. The proposal has a height of 44.99m, being 20.99m over the height standard (87.46% variation).

The applicants have a clause 4.6 request to address the variation to the height development standard as assessed below.

The provisions of clause 4.6 are extracted below:

“4.6 Exceptions to development standards

- (1) The objectives of this clause are as follows —
 - (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
 - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating —
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

- (4) Development consent must not be granted for development that contravenes a development standard unless —
 - (a) the consent authority is satisfied that —

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- (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
- (b) the concurrence of the Planning Secretary has been obtained."

The Court of Appeal, in *Legal and General Life v North Sydney Municipal Council (1990) 69 LGRA 201 (Legal and General)*, considered whether there was any limit (numerical maximum) to the extent to which a consent authority could vary a development standard (ie. via the provisions of then SEPP 1 which is now comparable to clause 4.6). The Court ruled that there were no numerical limits in this respect to this discretion where a variation was properly made in the opinion of the consent authority (ie. meets the legal criteria / legal tests) and that the consent authority's discretion in respect to considering the quantum of a variation was "...unconfined".

The context of the Legal and General appeal was against the Council's approval of a large mixed-use residential apartment where the increase over the development standards was 329% for FSR (15:1) and 240% for height (17 storeys). It was found as part of the appeal that the SEPP 1 objection had been properly made and that the Council had properly assessed the SEPP 1 objection to the development standards in accordance with its powers under the provisions.

This appeal was lodged as a third-party challenge (by Legal and General Life) under the previous provisions section 123 of the EP&A Act (ie. now largely similar to the current section 9.46 of the EP&A Act regarding a breach of the provisions of the EP&A Act and seeking the Court to remedy said breach). This judgement shows that a variation can still be allowed under clause 4.6, notwithstanding that it may be numerically large, if the provisions of clause 4.6 are properly met.

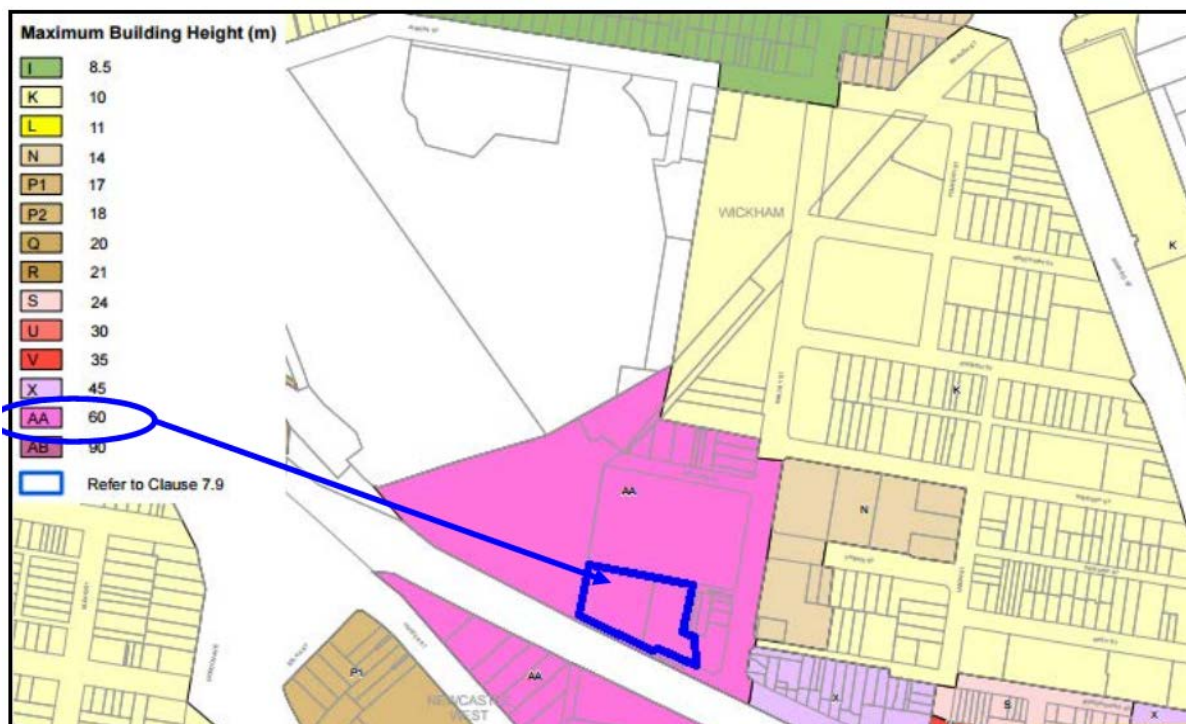
Height vs FSR 'disconnect' – compliance with the development standard is unreasonable or unnecessary in the circumstances of the case clause 4.6(3)(a)

The applicant includes within their clause 4.6 request, the historic development standards (see Figure 3 and 4 below) that applied to the subject site as follows:

"The subject site originally had a maximum building height of 60m and an FSR of 6:1 when the NLEP 2012 was gazetted on 15 June 2012 (refer Figures 4 and 5 below - now included as Figures 3 and 4). However these standards were amended (to the current standards with height control of 24m and FSR control of 4:1) as part of the Newcastle Urban Renewal Strategy (NURS) and

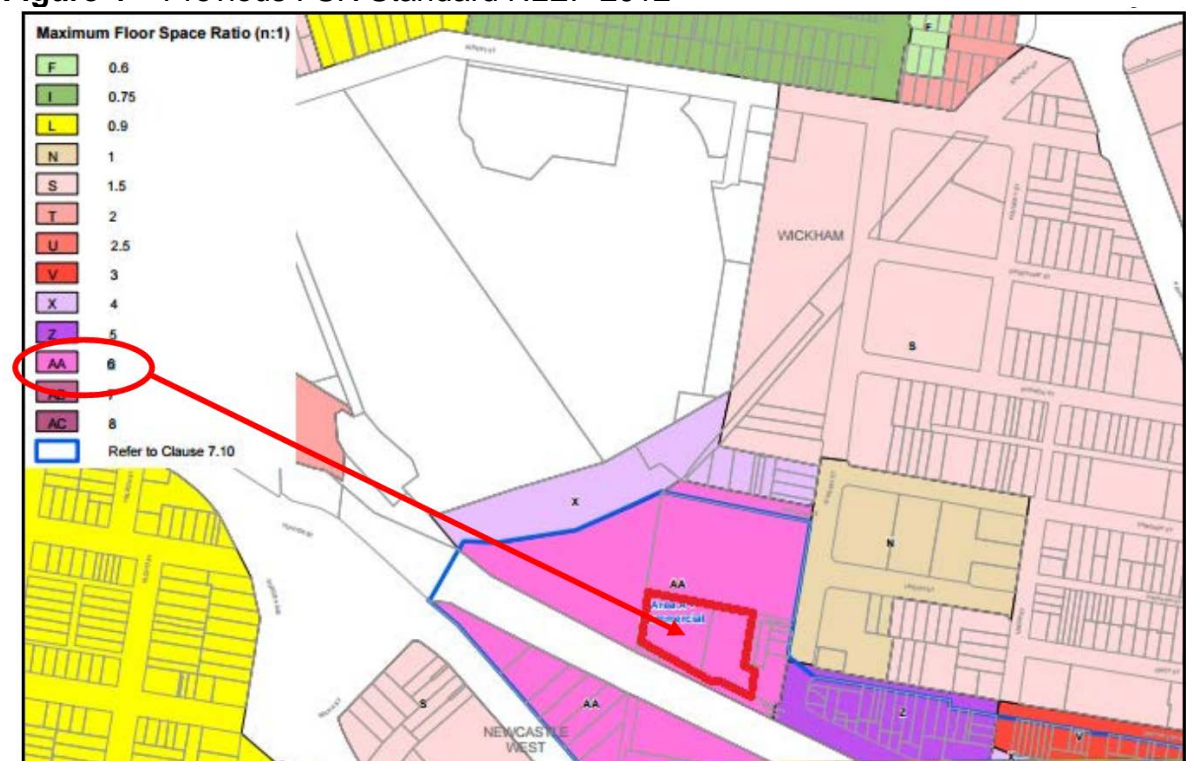
subsequent amendments to zoning, FSR and height controls throughout the city centre that were gazetted on 29 July 2014” (page 11, version E).

Figure 3 – Previous Height Standard NLEP 2012



(Source: Applicant’s clause 4.6 request, page 11, version E)

Figure 4 – Previous FSR Standard NLEP 2012



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(Source: Applicant's clause 4.6 request, page 12, version E)

At the same time that the height development standards within the NLEP 2012 were amended for the subject site, the heights were also altered in Wickham generally, along Hunter Street and notably within the area around the intersection of Hunter Street and Stewart Avenue where the allowable height increased to 90m.

While the subject site had a greater height development standard under a recent previous version of the NLEP (ie. July 2014), this was later amended by the Department of Planning directly (via the operation of SEPP (Urban Renewal) and this earlier height standard is not considered to be determinative in the consideration of the current clause 4.6 variation request.

Within the applicant's clause 4.6 variation request they make the following submissions, extracted below, regarding the interaction of FSR and height development standards and the resultant outcomes and impacts on the design of the proposed development:

"FSR is the primary "bulk and scale" control used in the NLEP 2012. In this case, there is a disconnect between the current height and FSR controls. The approved development for the site was not able to achieve close to the allowable FSR because of height restriction. The proposed height of 44.99m promotes a better density outcome, closer to the allowable and desired FSR.

The additional floor space achieved will make an important contribution to housing and be consistent with the Ecologically Sustainable Development (ESD) principles. It is sound planning practice to maximise density within the FSR control in this location and this is consistent with CN's Strategic Planning for the city (page 12, version E).

The ADG provides consistent planning and design standards for apartments across the State. It provides design criteria and general guidance about how development proposals can achieve the nine design quality principles identified in SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development).

The desired FSR can be achieved by either providing a building that is lower in height but that is filling all of the available height envelope within the height standard (so a more squat building form); or by providing a building form that is taller than the maximum permitted height but that does not use all of the available envelope, and so producing a more slender building form (or tower).

The slender built form is considered to be a superior design outcome, being a more aesthetically pleasing design to achieve a larger floor space. Best practice urban design principles support the slender built form approach. This is set out in the ADG as follows:

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- i) Page 19 “Towers are suited to central business districts, major centres and urban renewal areas. This building type can be freestanding or combined with block developments (podiums).”

Consistent with this design principle, the proposed development is for two towers on a podium;

- ii) Page 21 “Strategic centres are characterised by an established commercial core with a full range of services, taller buildings and a network of retail and commercial streets with active street frontages.”

Taller building forms are consistent with strategic centres such as the inner city of Newcastle; and

- iii) Page 32 in particular identifies relationships between height and FSR and provides relevant diagrams for residential flat buildings, see below (page 15-16, version E).

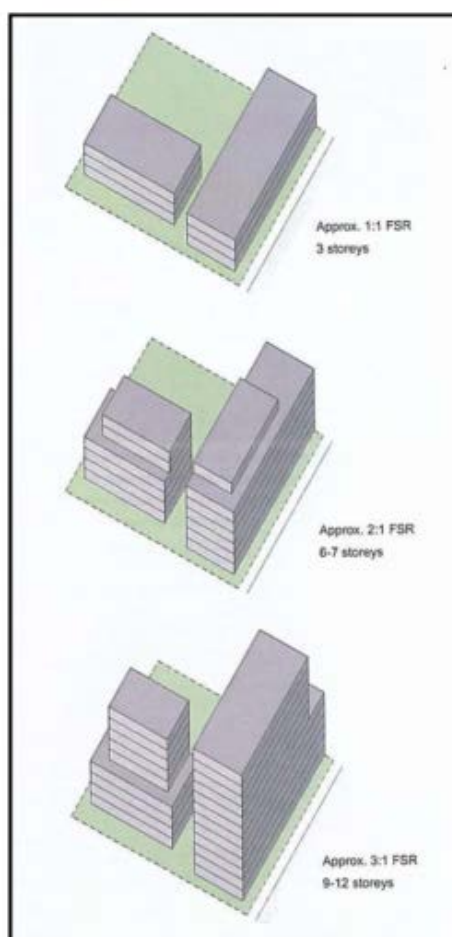


Figure 8: Sketches from Apartment Design Guide page 32.

It can be seen that an FSR of 3:1 results in a suggested 9 – 12 storeys or say 25m to 32m in height conservatively. The FSR of 4:1 adopted by CN for this site should therefore adopt a height of around 14 – 17 storeys or 38m to 46m in

height conservatively. The proposed alterations and additions result in a responsive maximum height of 44.99m and an FSR of 3.88:1.

The ADG supports the slender tower form. With appropriately sized buildings, building floor plates and building depths, they can provide superior amenity to residents in terms of solar access, cross ventilation and views from buildings” (page 16, version E).

The inability of a proposal to achieve a certain allowable FSR for the site (ie. 4.0:1), due to the interaction with the height development standard, is not of itself accepted as direct argument as to why the standard is unreasonable or unnecessary in terms of the assessment of the current clause 4.6 variation request.

Notwithstanding circumstances where it may appear there is a disconnect between the allowable height and FSR within any environmental planning instrument (EPI), as may be the case in this instance, this is not a basis on which it would be accepted that it has been justified that the height standard is unreasonable or unnecessary.

Furthermore, the claimed ‘disconnect’ between the height and FSR standards within the NLEP 2012 may be the intended planning outcome allowing an alternative form of shorter, broader development on the site (eg. a commercial office building). More so, any applicant, before proceeding with a development, is fully aware of the applicable combination of FSR / height standards and ultimately the impacts on any possible design.

It is the applicant’s choice to pursue a mixed-use development (retail premises / residential apartments) with the resultant limitations on the design due to the combinations of FSR, height and interaction with SEPP 65 and ADG. Arguably, the requirements under the ADG are actually the largest limitation on achieving the FSR in this instance and not the interaction between height and FSR within the NLEP 2012. It is considered that support for clause 4.6 variation request on the basis that the interaction of the FSR and height is inappropriate (ie. that it’s disconnected) and, hence unreasonable or unnecessary, is not considered justified and would not be supported on these grounds.

Any clause 4.6 request justifying a variation of the height standard on the basis that it is ‘unreasonable or unnecessary’ needs to focus of the standard itself and not be reliant on the interaction with other standards or controls. This is opposed to a circumstance where the clause 4.6 variation request may argue that the objectives of the development standard are otherwise met notwithstanding non-compliance with the numerical requirements of the standard.

Notwithstanding that the applicant’s submission on the interaction of the FSR / height is not accepted as a basis to argue that the standard is unreasonable or unnecessary, it is advised that the proposed clause 4.6 variation is considered to be acceptable and justified having regard to other elements of the applicant’s clause 4.6 variation request as assessed below.

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Height - development standard is unreasonable or unnecessary in the circumstances of the case clause 4.6(3)(a)

The Land and Environment Court has provided guidance via five approaches on which clause 4.6 variations may be considered most notably in *Wehbe v Pittwater Council [2007] NSW LEC 827* by the Chief Justice Preston. While *Wehbe* has been the subject of further judicial reviews it still remains the principle case in terms of clause 4.6 variations and these five approaches continue to be applicable.

The applicant's submitted clause 4.6 variation summaries the five approaches under *Wehbe v Pittwater Council [2007] NSW LEC 827* as follows:

- i) "The objectives of the development standard are achieved notwithstanding non-compliance with the standard (unreasonable and unnecessary);
- ii) The underlying objective or purpose is not relevant to the development (unnecessary);
- iii) The underlying objective or purpose would be defeated or thwarted if compliance was required (unreasonable);
- iv) The development standard has been virtually abandoned or destroyed by the Council's own decisions in granting development consent that departs from the standard (unreasonable and unnecessary); or
- v) The zoning of the particular land on which the development is proposed to be carried out was unreasonable or inappropriate so that the development standard was unreasonable or unnecessary."

The applicant's clause 4.6 variation request submits that the height standard in this instance is unnecessary and unreasonable as the objectives of the development standard are achieved notwithstanding non-compliance with the standard (per point i) listed above). The applicant's clause 4.6 variation request also submits that the standard has been abandoned (point iv) above). Both of these aspects within the submitted clause 4.6 variation request are assessed in the report below.

The height development standard (clause 4.3 of the NLEP 2012) is extracted below:

"4.3 Height of buildings

- (1) The objectives of this clause are as follows —
 - (a) to ensure the scale of development makes a positive contribution towards the desired built form, consistent with the established centres hierarchy,
 - (b) to allow reasonable daylight access to all developments and the public domain."

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The applicant's clause 4.6 variation request makes the following submissions in regard to the height standard being unreasonable or unnecessary in the circumstances of the case:

- “(a) To ensure the scale of development makes a positive contribution towards the desired built form, consistent with the established centres hierarchy.

The proposed development achieves this objective for the following reasons:

- i) the proposed height provides a better transition from the taller permitted built form to the south and the reduced heights to the north as acknowledged in the WMP and modified the NDCP 2012.
- ii) the proposed height is consistent with the good design principles of the ADG in attempting to achieve as much density as possible in this key location. In particular it provides for more slender tower design rather than squat bulky built form” (page 19, version E).

- “(b) To allow reasonable daylight access to all developments and the public domain.

Reasonable daylight access is provided to all surrounding developments, and the proposed height variation will not result in any detrimental impact to any sensitive land uses, as illustrated in the shadow diagram analysis submitted with the application and having regard to the SEPP 65 design statement” (page 19-20, version E).

“Compliance with the development standard is unreasonable and unnecessary because the objectives of the standard are achieved notwithstanding non-compliance with the standard. Further to the reasons identified in section 6.2 (as extracted above) (page 19) of our report above, the proposed development will meet the objectives of the standard in the following ways:

- i) The site is in the Newcastle City Centre and is identified in both regional and local planning strategies as a city centre. The Newcastle City Centre is the major centre under the hierarchy of centres in the Hunter Valley;
- ii) The scale of the development is consistent with approved developments in the area. The proposed height provides a better transition from the taller permitted built form to the south and the reduced heights to the north as acknowledged in the WMP and modified NDCP 2012;
- iii) The scale of development is consistent with the vision outlined in the WMP and the desired future character of Wickham;

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- iv) The scale of development is consistent with regional strategies and plans for higher buildings around key public transport nodes; and
- v) The proposed height is more consistent with the good design principles of the ADG in attempting to achieve as much density as possible in this key location. In particular it provides for more slender tower design than squat built form.

Compliance with the development standard is unreasonable because the underlying objective or purpose of the standard would be defeated or thwarted if compliance was required, for the following reasons:

- i) The objectives of clause 4.3 of the NLEP 2012 aim to ensure a scale of development consistent with established centres hierarchy and allow reasonable daylight access to all developments and the public domain. The proposed additional height is consistent with the future desired character of the Wickham area and its status as a part of the Newcastle City Centre (as outlined in the WMP, Hunter Regional Plan 2036 and the Greater Newcastle Metropolitan Plan 2036). If compliance was required, CNs desired built form would not be achieved because it would mean that a lower, but bulkier building with inferior built form would be proposed to achieve the density set by the NLEP 2012 FSR development standard.

Compliance with the development standard is unreasonable and unnecessary because the development standard has been virtually abandoned or destroyed by the Council's own decisions in granting development consent that departs from the standard. The following are examples of the Council granting consent for development that departs from the standard:

- a) DA2016/01401 21 Parnell Place, Newcastle East
- b) DA2016/01106 291 King Street, Newcastle
- c) DA2017/00700 169 Hunter Street, Newcastle
- d) DA2017/00758 139 Scott Street, Newcastle
- e) DA2016/00384 73 Railway Lane, Wickham
- f) DA2016/01209 29 Throsby Street, Wickham
- g) DA2016/01024 5 Hall Street, Wickham (now known as 65 Downie Street, Maryville)
- h) DA2016/00351 5 Wickham Street, Wickham
- i) DA2016/00385 5 Throsby Street, Wickham

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- j) DA2017/01532 7 Union Street, Wickham” (page 21, version E)

The applicants have raised various elements above to support their clause 4.6 variation request which are assessed below:

- i) The desired built form intended by the WMP, in combination with the NLEP 2012, gives credence to the applicant’s argument that the proposal meets the height standard objectives by providing a better transition within the western end of the Newcastle Central Business District (CBD) area consistent with the established centres hierarchy. The proposal itself is slightly inconsistent with the WMP, in that the ‘public benefit’ aspects of the WMP have not as yet been finalised in context of the proposal. Similarly, the ‘public benefit’ aspects of the WMP have not as yet been incorporated within any draft amendment to the NLEP 2012.

Notwithstanding this, the desired built form intended by the WMP still exists within a publicly exhibited and CN adopted strategic policy and informs an intended future amendment of the NLEP 2012. The lack of the WMP public benefit resolution does not negate this intended desired built form. More so, it is considered that the existence of the desired built form intended within the WMP being adopted, without associated amendments within the NLEP 2012 establishing a clear statutory public benefit ‘mechanism’ and framework, creates the circumstance where an applicant has relied on the directions within the WMP as partial basis of their clause 4.6 variation request.

Furthermore, the WMP ‘public benefit’ requirements are specific to an individual proposal, whereas the ‘public interest’ provisions (under clause 4.6(4)(b) below) are a broad criteria measured against the outcomes under the NLEP 2012 and the wider overall community. The fact that the public benefit requirements under the WMP are not being fully met at this time is not sufficient basis to withhold support for the proposed clause 4.6 request. Further, public benefit requirements under the WMP not being met does not negate that the WMP still adopts strategically these greater heights (ie. 45m for the subject site) and indicates that these heights are appropriate and, in effect, broadly in the public interest. It cannot be the case that these allowable heights are only in the public interest if the public benefit ‘mechanisms’ are met; the public interest is broader principle than that. This balance may be altered into the future where an amendment to the NLEP 2012 specifically achieves a statutory outcome that requires a different balance via its adopted provisions (eg. repeals the operation of clause 4.6 within the WMP area altogether or incorporates specific public benefit clauses which limits the operation of clause 4.6 in some effective way).

- ii) The development does result in a better density outcome for the site within the Newcastle CBD area, compared to a height compliant

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development, by proposing mixed-use residential development and increased housing options at the scale submitted. The proposed increased height, and number of dwellings, resulting from the proposed variation only further supports making "...a positive contribution to the desired built form and is considered consistent with the established centres hierarchy."

- iii) It is considered that the proposal results in reasonable daylight access. The submitted shadow diagrams demonstrate that the overshadowing generated is reasonable notwithstanding the non-compliant height. It is noted that the level of shadowing is comparable to the impacts of similar sized and designed buildings approved and / or built within the Wickham area and nearby CBD. It is further noted that a significant amount of the shadowing falls on the roadway and railway line and is not considered to have an unreasonable impact of the daylight access to the public domain.
- iv) The position of the proposal within the CBD is consistent with planning strategies encouraging use of public transport, cycling and walking. The subject site is within walking distance of the Newcastle Interchange.
- v) The applicant's last submission that "...the development standard has been virtually abandoned or destroyed by the Council's own decisions..." is not accepted and it is not considered that the applicants have justified this claim.
- vi) The list of approved DAs submitted by the applicants, to support this claim of abandonment of the height standard, is not considered to have justified this argument and does 'reach the bar' that the Council has abandoned or destroyed the standard by its decisions.
- vii) It is noted that the first four examples listed are towards the eastern end of the Newcastle CBD and are not considered to be relevant to the question of whether the standard has been 'abandoned or destroyed' as this is a distinctly different area and not analogous in context of current proposal and the relevant height development standard.
 - a) DA2016/01401 – 21 Parnell Place, Newcastle East
 - b) DA2016/01106 – 291 King Street, Newcastle
 - c) DA2017/00700 – 169 Hunter Street, Newcastle
 - d) DA2017/00758 – 139 Scott Street, Newcastle

The remaining developments detailed by the applicant's clause 4.6 submission are not considered to constitute abandonment of the height standard as discussed below:

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- i) DA2016-01024 – It is noted that DA2016/1024 (which is now known as 65 Downie Street, Maryville) is a totally different form of development (ie. 33 two storey high ‘town house’ style development) to the current proposal located in a low scale suburban area which is somewhat disconnected and distant from the subject site and has no real relevance to the question of whether the standard has been ‘abandoned or destroyed’ in context of the current proposal.
- ii) DA2016/1209 – 29 Throsby Street, Wickham - Erection of 3-storey residential flat building with ground floor commercial premises – The development standard (10m) varied by 2.43m when measured to the top of the lift overrun. It is not agreed this contributes to abandonment of the height standard in context of the current proposal considering the distinctly different form and nature of development relative to the height standards.
- iii) DA2016/0351 – 5 Wickham Street, Wickham – This proposal was over a split height standard area where part of the site had a 24m height and the remaining half had a 35m height standard. The 2m variation to the 24m height standard is not considered to constitute any abandonment of the height standard having regard to the context of the proposal.
- iv) DA2016/0385 - The variation under DA2016/385 (5 Throsby Street, Wickham) consisted of a height variation of 0.556m to the 10m height standard – this hardly constitutes an abandonment of the height standard.
- v) DA2017/01532 – 7 Union Street, Wickham – The outcomes in this proposal were the result of an LEC appeal, not a decision of Council.
- vi) DA2016/0384 - The variation given for DA2016/0384 is for this actual subject site – 73-79 Railway Lane, Wickham. The current application relies on that approval DA2016/00384 to allow this development.

Overall, it is considered that the applicant has demonstrated that the proposed height variation is unnecessary and unreasonable in this instance. The architectural design of the proposal, size and scale of the variation, the applicable environmental controls and policies (eg. WMP), having regard to the position and context within the Newcastle CBD, it is considered that the proposal meets the objectives of the height standard and, on balance, it is in the public interest. The proposed design ensures that the development remains consistent with the established centres hierarchy and the represents a positive contribution to the location and desired built form notwithstanding that the proposal represents a further exceedance of the height standard in this instance and does not fully meet the public benefit mechanisms intended by the WMP.

The submitted shadow diagrams demonstrate that the proposal results in reasonable access to daylight. It is considered that the additional shadowing posed by the height variation is acceptable and reasonable having regard to the provisions of the ADG, the intended desired future character and built form for the area and the nature of the existing and approved development in the vicinity of the site especially towards the growing city centre orientated around the intersection of Hunter Street and Stewart Avenue.

Overall, it is considered that the proposed clause 4.6 variation is acceptable and, the submitted proposal, with its associated clause 4.6 variation, is in the public interest having regard to the height standard and its objectives.

Height - That there are sufficient environmental planning grounds to justify contravening the development standard - clause 4.6(3)(b)

The extracts and summaries below outline the applicant's submission with respect to this element of the clause 4.6 variation.

The applicants submit that the proposal meets the objects of the EP&A Act, as follows:

- i) "The proposed variation to the height standard will allow for the orderly and economic use of the site consistent with the WMP and the NDCP 2012" (page 21, version E).
- ii) "The proposed height variation will allow the delivery of more housing within a key location, assisting with affordability of housing" (page 21, version E).
- iii) "The proposed height variation will promote a better built form outcome for the site by allowing for a more slender tower form consistent with ADG Principles. The variation will also allow for a transition in height from taller buildings in the south to lower heights in the north, identified as a preferred outcome by the WMP and NDCP 2012" (page 21, version E).

The applicants submit that the proposal meets the provisions of section 4.15 of the EP&A Act, as follows:

"SEPP 65 - Built Form

In accordance with the SEPP 65 ADG, the (slender) tower built form, is a preferred outcome over squat podium designs, particularly in inner city areas. The proposed height variation allows the FSR to be achieved consistent with the ADG.

The proposed development will provide a superior built form outcome for the city by providing an appropriate transition from adjacent greater heights, to the south and lower heights to the north.

Improving urban design outcomes is an environmental planning ground and accordingly the variations sought can be justified.

Impacts of the Development

The site is strategically located with excellent access to public transport, shops, services, recreation and entertainment. The proposed height will achieve a better housing yield on the site, that more closely reflects the desired density for the site.

Achieving higher residential densities in inner city and well-connected locations is vital to realising urban consolidation and ESD objectives. Missing opportunities to maximise densities around significant public transport infrastructure (Newcastle Interchange) undermines transport land use and environmental planning principles.

From a strategic planning perspective there are strong reasons to encourage and achieve as much development in this location as is reasonable possible.

Public Interest

In considering the public interest, it is relevant to take the WMP into account. The proposed increased height is consistent with the maximum height proposed for the subject site in the Masterplan. The increased height of the proposed development is consistent with this adopted policy of CN and, therefore, CN's desired future character for the subject site and the Wickham area generally. For this reason, the additional height is an orderly and economic use and development of land and there are sufficient environmental planning grounds to justify contravening the development standard" (page 22, version E).

The applicant has submitted within their clause 4.6 variation request that the current proposal, and the associated clause 4.6 variation, is consistent with the strategic outcomes detailed within the WMP and in effect, there is sufficient environmental grounds to justify the variation, as detailed below:

“Wickham Masterplan (WMP)

The vision of the masterplan is that Wickham will continue to evolve into a diverse and dynamic mixed-use neighbourhood. Redevelopment will support increased residential densities as well as economic and employment generating uses that complement and support the adjoining emerging commercial core of the Newcastle City Centre located within Newcastle West.

The WMP:

- i) Is a detailed policy that has been the subject of significant public consultation and reflects CN's desired future character for the Wickham

area, in particular, the public interest in increasing heights in specific parts of the Wickham area in certain circumstances;

- ii) Has been adopted by the Council and the report to the Council Meeting identify actions to implement the Plan within 12 months (that is, by November 2018);
- iii) Is based on sound planning and urban design principles and is compatible with other Government policies such as the Hunter Regional Plan 2036 and the Greater Newcastle Metropolitan Plan 2036; and
- iv) Does not contain any significant flaws when assessed against conventional planning principles” (page 13, version E).

“The WMP identifies a height of 45m for the subject site located within the Rail Edge Precinct in order to support increased residential densities (see Figure 5 extracted below).

The WMP identifies increased height for the site, however there is no change in FSR, this acknowledges that additional height is required to achieve the allowable FSR and the desired future character of the precinct.

Consistent with the above strategic goals for this precinct, the proposed development seeks a total maximum building height of 44.99m, in order to deliver the desired increased density (housing) within the locality” (page 14, version E).

“Summary

In this instance, there are several environmental planning grounds that justify the contravention of the Development Standard Including:

- i) A superior built form for the site;
- ii) A better built form in the context of the city and achieving density in a key location consistent with CN’s adopted Masterplan and the NDCP 2012 for Wickham; and
- iii) The proposed development is consistent with the objectives of the B4 zone, the objectives of the height standard and the objects of the EP&A Act” (page 23, version E).

Figure 5 – Potential redevelopment densities / heights – WMP



(Source: Applicant's clause 4.6 request, page 14, version E)

The applicant has raised various elements above to support their clause 4.6 variation request which are assessed below:

- i) The proposal is consistent with the environmental and planning outcomes encouraged by the NLEP 2012, WMP, ADG and the NDCP 2012 having regard to the density, alternative housing availability options, encouraging alternative transport options, ESD and strategic planning outcomes, notwithstanding that the public benefit mechanisms with the WMP have somewhat not been met as discussed above.
- ii) The development is consistent with the intended desired future character, built form and strategic outcomes for a prime site within the Newcastle CBD. Notwithstanding the non-compliance with the current height standard, the WMP intends to allow for larger development to 45m on the subject site (as opposed to the current 24m). It is considered that were the proposal was limited to the current 24m standard it would likely, in the medium to long term, result in a lesser planning outcome than envisaged under the WMP by limiting the intended utilisation of relatively scarce resource (ie. being CBD located land with the capacity for larger mixed-use residential apartments) and this outcome would ultimately not be in the broad public interest.

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Overall it is considered that there are sufficient environmental planning grounds to justify contravening the development standard in this instance and that this variation is in the public interest.

Clause 4.6 Variation Request - Further Assessment - Clause 4.6(4)

In the assessment of a clause 4.6 variation request a consent authority must be satisfied as follows:

- “(4) Development consent must not be granted for development that contravenes a development standard unless —
- (a) the consent authority is satisfied that —
 - (i) the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3);
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out; and
 - (b) the concurrence of the Planning Secretary has been obtained.”

Clause 4.6(4)(a) is assessed directly below and part (b) is addressed at the end in regard to assumed concurrence.

Applicant’s Written Request - Clause 4.6(4)(a)(i)

It is considered, based on the assessment contained the report above and below, that the applicant’s written clause 4.6 variation request has adequately addressed the matters required to be demonstrated by subclause 4.6(3).

Public Interest - Clause 4.6(4)(a)(ii)

The public interest element has two components under the subclause being:

- i) Objectives of the development standard (ie. clause 4.3 height); and
- ii) Objectives of the particular zone (ie. B4 Mixed Use zone).

The consent authority must be satisfied when assessing a clause 4.6 variation, that the proposed development, and its associated clause 4.6 variation are in the public interest by being consistent with the objectives of the development standard (height) as follows:

“4.3 Height of buildings

- (1) The objectives of this clause are as follows —

- (a) to ensure the scale of development makes a positive contribution towards the desired built form, consistent with the established centres hierarchy,
 - (b) to allow reasonable daylight access to all developments and the public domain.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.”

The applicant’s clause 4.6 variation request above argues that the height development standard is unreasonable and unnecessary on the basis that the objectives of the height standard are met. The overall proposal is considered to be in the public interest, inclusive of the proposed height variation, as it is considered to be consistent with the objectives of the height standard as already assessed above in the report.

The consent authority must be satisfied when assessing a clause 4.6 variation, that the proposed development, and its associated clause 4.6 variation are in the public interest by being consistent with the objectives of the B4 Mixed Use zone as follows:

“Zone B4 Mixed Use

1 Objectives of zone

- i) To provide a mixture of compatible land uses.
- ii) To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- iii) To support nearby or adjacent commercial centres without adversely impacting on the viability of those centres.”

The applicant’s clause 4.6 variation request submits that the proposal is consistent with the zone objectives as follows:

“The objectives of the B4 zone are set out and addressed below:

- a) To provide a mixture of compatible land uses.

The proposed development is consistent with this zone objective. The proposed development will provide an additional five storeys of residential accommodation on top of the approved mixed-use development which consists of commercial / retail uses at ground level and residential flat building above. The proposal will provide an increased supply of residential accommodation in an inner-city area characterised by a mix of

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compatible and complementary land uses including residential, business, entertainment, public transport infrastructure and public open space.

- b) To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

The proposed development is consistent with this zone objective. The proposed development will increase the residential housing yield that is ideally located relative to the Newcastle Interchange to maximise public transport patronage. The sites inner city location, with close proximity to shops, jobs, education, recreation and entertainment will promote walking and cycling as alternative modes of transport.

- c) To support nearby or adjacent commercial centres without adversely impacting on the viability of those centres.

The proposed development is consistent with this zone objective. The proposed development will support the viability of the city centre (CBD, Hunter Street Mall, Honeysuckle precinct and Darby Street precinct) through an increase in population and patronage within the locality.

The proposed contravention of the Development Standard is consistent with the objectives of the B4 zone" (page 19, version E).

The applicant has raised various elements above to support their clause 4.6 variation request which are assessed below:

- i) The first limb of the B4 zone objective is very broad to the extent that it would be difficult to argue within this zone, considering the broad spread and nature of allowable uses, that a proposal is inconsistent with the objectives. The current proposal is a typical example of the expected development envisioned within this zone and within the Rail Edge Precinct (NDCP 2012 / WMP) and, as such, it is readily considered to be compatible.

It is noted as significant that the current allowable heights along Hunter Street (especially Hunter Street / Stewart Avenue) are currently 60-90m. Additionally, that all of the land along the north side of the railway line with the Wickham Rail Edge Precinct are intended to have a 45m height limit under the WMP.

The only question that remains for the current development is whether the proposed height exceedance is of such a scale and degree would make the proposal incompatible within the zone, this is not considered to be the case and the proposal is considered to be consistent with the objectives.

- ii) The proposal readily meets the second limb of the B4 zone objective. The development proposes a mixed-use retail / residential development which

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will likely "...maximise public transport patronage and encourage walking and cycling." The subject site is within walking distance of the Newcastle Interchange. The only question that appears to arise would be to the term 'suitable' within the objective – it is considered that it would be difficult for a development predominately residential in nature, such as the current proposal, to be 'unsuitable' in this context of these transport objectives and, as such, it is considered that the proposal is consistent with the objectives.

- iii) The proposal is considered to broadly support the third limb of the B4 zone objective by both supporting nearby CBD locations (especially increased population and housing in close proximity to the intended future 'centre' of the Newcastle CBD at Hunter Street / Stewart Avenue) and it is considered that the development's proposed retail elements (ie. two smaller retail premises) do not adversely impact commercial centre hierarchy as it is relatively limited and of an appropriate scale within the commercial centre hierarchy.

It is further noted that the mixed-use nature of the proposal, having regard to its location within the CBD and proximity to significant public transport, meets objectives of the B4 zone. Overall, the proposal is considered to be in the public interest, inclusive of the proposed height variation, as it is considered to be consistent with the objectives of the B4 zone objectives.

Planning Secretary Concurrence - Clause 4.6(4)(b)

The proposal requires approval of the DAC due to the proposed FSR variation being above the delegation provisions for clause 4.6 variations of 10% or less (ie. the height variation being above the 10%). This is also in accordance with the provisions of clause 4.6(4)(b) (as extracted below) and the Planning Secretary's assumed concurrence requirements under planning system circular PS2020-002.

"(4) Development consent must not be granted for development that contravenes a development standard unless—

(b) the concurrence of the Planning Secretary has been obtained."

The Planning Secretary's concurrence is assumed only based on planning system circular PS2020-002.

The most recent planning system circular (PS2020-002, 5 May 2020) '...replaces Planning Circular PS18-003 and issues assumed concurrence, governance and reporting requirements for consent authorities.' "The assumed concurrence notice takes effect immediately and applies to pending development applications."

The concurrence only applies to CN (ie. does not apply to a staff member delegate) in this instance due to the height variation being greater than 10% (ie. 87.46%) as PS20-002 has the following restriction on the concurrence applying:

“The Secretary’s concurrence may not be assumed by a delegate of Council if:

- a) the development contravenes a numerical standard by greater than 10%; or
- b) the variation is to a non-numerical standard”.

Clause 4.6 – Conclusion

Overall is it considered that the submitted clause 4.6 height variation request is acceptable.

Notwithstanding that the height variation is relatively large, there are no numerical or percentage limit under the provisions of clause 4.6 regarding size of a variation which can be considered, where that variation was properly made in the opinion of the consent authority (ie. ‘Legal and General’ above).

It is considered that the submitted clause 4.6 height variation request is well founded and meets the provisions of clause 4.6(3) and principles set out in Wehbe. The clause 4.6 assessment above demonstrates that the clause 4.6 height variation request is supportable and that the provisions of clause 4.6 have been met including clause 4.6(4).

It is recommended that the submitted clause 4.6 height variation request be supported and that DAC as the consent authority note the objection under clause 4.6 Exceptions to Development Standards of the NLEP 2012, against the development standard at clause 4.3 Height of Buildings, and considers the objection to be justified in the circumstances.

Clause 5.10 - Heritage Conservation

The subject site does not include any identified heritage items having regard to the NSW State Heritage Register and Schedule 5, Part 1 of the NLEP 2012. The site does not include an identified archaeological site or is located within a Heritage Conservation Area.

The nearest Heritage Item is located at 14 Railway Street being Lass O’Gowrie Hotel (Local Heritage Item I691). The proposal is not likely to have an adverse impact on the heritage significance of the neighbouring heritage item. The proposed development is an expected outcome of the planning controls that apply to the area and the proposed design has a four storey form for the portion of the subject site closest to the heritage item.

Clause 6.1 – Acid Sulfate Soils

The subject site is identified as containing Class 3/4 Acid Sulphate Soils (ASS). The development is likely to require works 2m or more below natural ground level.

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A site specific Acid Sulfate Soils Management Plan (ASSMP) has been prepared for the development. A requirement to comply with the ASSMP is included as a recommended condition.

Clause 6.2 - Earthworks

The proposal will involve earthworks involving excavations to approximately 2m into the ground. This is acceptable subject to conditions of consent. It is further noted that the land contamination aspects have been addressed in this report under SEPP 55 above.

Part 7 Additional local provisions—Newcastle City Centre

The site is located within the Newcastle City Centre but it is not a 'key site' under the provisions of the NLEP 2012. There are a number of requirements and objectives for development within the city centre, which includes promoting the economic revitalisation of the city centre, facilitating design excellence and protecting the natural and cultural heritage of Newcastle. The proposed development will meet the objectives of Part 7 of the NLEP 2012 as it allows for the redevelopment of a site for a mixed-use development consisting of 190 apartments and two commercial units.

Clause 7.3 - Minimum building street frontage

This clause requires that a building erected on land in the B3 Commercial Core zone must have at least one street frontage of at least 20m. The proposal is within the B4 Mixed Use zone and this clause does not apply. Notwithstanding this, the subject site has a combined frontage of approximately 109m to Railway Lane.

Clause 7.4 - Building Separation

Clause 7.5 provides that a building on land to which the clause applies must be erected so that the distance from the building to any other building is not less than 24m at 45m or higher above ground level. The current proposal has a total height of 44.99m and this clause does not apply.

Clause 7.5 - Design excellence

The proposal has been considered by the UDCG and is generally considered acceptable subject to several design amendments. The amended plans, subject to this assessment, have adequately addressed the recommendations of the UDCG and satisfy the design excellence criteria.

The proposal does not trigger the requirement for a design competition under clause 7.5(4). The proposal is acceptable in terms of clause 7.5, and specifically subclause 7.5(3), as detailed within this assessment report. The proposed development achieves a high standard of architectural design and is considered consistent with the intended future desired built form for the area.

5.2 Any draft environmental planning instrument that is or has been placed on public exhibition

There is no exhibited draft environmental planning instrument relevant to the subject application.

5.3 Any development control plan

Newcastle Development Control Plan (NDCP 2012)

The main planning requirements of relevance in the NDCP 2012 are discussed below.

Commercial Uses - Section 3.10

This section of the NDCP 2012 applies to various land uses such as business, office and retail premises. The proposal is acceptable in relation to its impacts on the character and location of surrounding buildings, views, access and existing vegetation and topography. The proposal has been architecturally designed and will provide an active street frontage, with visual connection into commercial / retail uses at ground level.

The development is consistent with the aims and objectives of this section of the NDCP 2012. It is noted that prime design controls for this development are contained within the ADG and section 6.01.01-04 of the NDCP 2012.

Flood Management - Section 4.01

The site is subject to flooding a flood certificate was provided for the site (Ref: FLD2016/00082) and a small section of the land adjoining 6 Croft Street is noted as a flood storage area.

The flood storage area is a very small component at the north eastern corner. The impact of any filling around the area can therefore be said to have minimum impact in the overall flood storage. The development has allowed for 20% of the area to be filled in accordance with CN's requirements with the north eastern area being designed for landscaping and driveway access.

The following is noted from CN's Flood Certificate:

- 1) The PMF Flash flood level is noted as 2.98m and Ocean PMF is noted as 3.40m AHD.
- 2) 1 % AEP level for flash flood is noted as 2.05m AHD and Ocean level is noted as 2.20m AHD.
- 3) The recommended floor level is noted as 2.55m AHD.

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It is however noted that Northrop Consulting Engineers have completed a more detailed site investigation and have recommended floor levels and basement levels based on their investigations.

Further, the proposed building floor levels are compliant to the CN's Flooding NDCP 2012 and are acceptable. Conditions are recommended. Accordingly, the proposal is considered to be acceptable in terms of flooding subject to conditions of consent.

Mine Subsidence - Section 4.03

The mine subsidence aspects have been discussed within section 4.0 of the report above. The proposal has been given approval by Subsidence Advisory NSW.

Safety and Security - Section 4.04

The building has been designed with safety and security being a consideration. The access to the ground floor residential foyers / residential levels will be via electronic swipe card. A combination of security alarms and lighting will be used to limit access and improve surveillance. Overall, the proposal has an acceptable combination of passive surveillance, lighting and territorial control measures to ensure that Crime Prevention Through Environmental Design (CPTED) principles have been adequately addressed.

Social Impact - Section 4.05

The provision of a new mixed-use development within the Wickham area is an intended outcome of CN's and State Government's planning policies to achieve diversity of housing in higher densities near the Newcastle CBD. The proposal will provide good mix of dwellings sizes being a combination of studio, one-bedroom, two-bedroom and three-bedroom dwellings within walking distance of the Newcastle Interchange.

Soil Management - Section 5.01

A Sediment and Erosion Plan has been submitted with the application to minimise sediments being removed from the site during the construction period. Appropriate conditions have been recommended at **Attachment C** to address potential sediment and erosion for the entire construction period.

Land Contamination - Section 5.02

A detailed assessment has been discussed under SEPP 55 in regard to land contamination.

Vegetation Management - Section 5.03

The site is largely vacant and contains no significant trees and as such the proposal is acceptable.

Aboriginal Heritage - Section 5.04

Reference to the Aboriginal Heritage Information Management System confirmed that there are no sites of Aboriginal significance recorded on the site.

Heritage Items - Section 5.05 and Heritage Conservation Areas - Section 6.02

A detailed assessment has been discussed under clause 5.10 of the NLEP 2012 in regard to heritage.

Archaeological Management - Section 5.06

The site is not specifically listed in the Newcastle Archaeological Management Plan 1997 or the NLEP 2012 as an 'Archaeological Site'.

Part 6.00 Locality Specific Provisions - Wickham - Section 6.03

The development is affected by the provisions of section 6.03. Notwithstanding that the proposal, at the time of lodgement, was subject to section 6.01 – Newcastle City Centre of the NDCP 2012, subsequent amendments, which commenced 16 November 2018, result in section 6.03 being applicable, as detailed within the associated savings provisions.

The proposal is located within the Rail Edge precinct under section 6.03. It is noted that the previously approved development (DA2016/0384) is included as part of the typology for the potential future built form within the Rail Edge precinct.

The current proposal is consistent with the vision for the precinct by contributing to the development of a high-density residential area serviced by the nearby Newcastle Interchange. The proposal incorporates ground floor retail premises which is considered an appropriate element within this precinct.

The majority of prime design controls are contained within the ADG and have been assessed under SEPP 65 above.

6.03.02 A Setbacks to streets

A 6m setback at the 12m street wall applies to the site. The proposal does not meet the setback at the 12m street wall height at the street front as it had been designed based on the previous 16m height (section 6.01). It is further advised that levels three and four, the height at which the 12m and 16m wall height would apply, were approved under DA2016/00384 and this proposal interlinks and relies on that approval and is not being reconsidered as part of this application.

Under the approved application DA2016/00384, a large portion of land (over 3.0m in width) is required to be dedicated along the majority of the site's frontage to increase the width of Railway Lane which meets the provisions of section 6.03. This dedication has had the effect of limiting the proposal's compliance with the street

wall height setbacks along the Railway Lane frontage. This required land for dedication is maintained as part of the current proposal.

The development provides a 16m street wall height setback on the western and eastern boundaries. The Railway Lane street front, south eastern corner and northern setbacks exceed this setback and this is assessed under the ADG section above.

6.03.02 B Setbacks to neighbouring sites

The proposal does not meet these provisions having been designed prior to the controls being adopted. It is considered that the proposal is acceptable in this instance as the design provides for a suitable degree of separation from the neighbouring sites via the combination of proposed driveways, positioning of plant rooms and blank walls at lower levels.

6.03.03 A Interface to the street and B Urban Activation Spaces

It is considered that the combination of the design at the lower levels, the land dedication along Railway Lane and the overall public domain works associated with the proposal demonstrate that the proposal is consistent with the provisions within this section of the NDCP 2012.

Landscape Open Space and Visual Amenity - Section 7.02

The majority of the key design controls are contained within the ADG and have been assessed under SEPP 65 above.

The landscape concept plan has been designed by a suitably qualified Landscape Architect as required under the section 7.02 as the proposal is a 'category 3' development. It is considered that the submitted plan meets the requirements of this section of the NDCP 2012.

Traffic, Parking and Access - Section 7.03

The development proposes 228 off street spaces and complies with the 205 required under the provisions of the NDCP 2012. It is recommended that 156 spaces be allocated to the residential units (being one per unit), 30 spaces be for visitor parking for the residential units and 16 spaces be allocated for commercial and for commercial visitors. The number of off-street car parking for cars and motorbike is adequate to service the development and is acceptable.

Loading Bays

Loading bays have been indicated on the plans at the western boundary, which has been designed for small rigid vehicles. However, the driveway access for the loading bay will act as a turning area for vehicles at the end of Railway Lane. The driveway has been designed to allow for trucks up to medium rigid vehicles (8.8m long trucks - Garbage trucks) to turn. The second loading bay is provided as an

indented parking which can be accessed from Railway Lane. This loading bay can be multipurpose as it can be an emergency bay and drop-off area as well. The third loading area is for the existing Hotel on the east.

The proposed loading areas will be able to service the development and the commercial areas for delivery and garbage pickup.

Road Widening and Turning Area

The proposal is indicating for widening of Railway Lane road width by relocating the kerb further north along the property frontage to the intersection of Railway Street. Infrastructure such as drainage pipes, kerb and gutter and kerb inlet pits are proposed as part of the widening. The proposed widening will allow for a two-way roadway to service the development and a concept plan has been provided with estimates of the road width and footpath and loading bay widths.

It has also been noted that the condition of Railway Lane along the proposed development frontage is not in a state to accommodate the proposed development. There is limited access by the public in the area due to the previous use of the road. The proposed development is changing the dynamics of the area and will increase the use of the road. The increase in demand for infrastructure is driven via the urbanisation of the area and this development will increase the number of vehicles and cyclists to / from the site.

The increase in the use of Railway Lane is directly related to the development. To service the new residents Railway Lane will need to be upgraded into a formal Road and therefore the full width of the road will need to be reconstructed to cater for the demand.

It is also noted that NSW Transport have undertaken civil works as part of the Wickham Station.

Traffic Generation

The traffic report has considered the issues surrounding traffic generation. It is noted that the land has been developed by CN and the road network and traffic movements have been analysed for this area.

Pedestrian / Cyclist Movement

Railway Lane has been designated as the most direct pedestrian / cyclist connection between Maitland Road via Albert Street Park to the Wickham Street and vice versa. It is also evident that the residents and other users of the development will be using Albert Street Park as the main recreational park and sports facility due to the proximity. It is envisaged that Wickham Station and other alternative means of transport such as cycling, walking and buses will be utilised as main means of transportation into the City due to the urbanisation of Newcastle City.

The proposed development has considered the requirements for access to / from the property by pedestrians and the connectivity to the local transport and park and have allowed for the widening of the roadway and the footpath. Subject to recommended conditions of consent the proposed development is considered satisfactory with respect to pedestrian / cyclist movements, including footpath widening, footpath network and safety.

Security and Surveillance

It is noted that there is very limited street lighting fronting the development. The development is the last residential property at the end of Railway Lane. New Street lighting and surveillance technology will be required along the laneway to ensure that the laneway is made more secure due to the increased use. As the site is within a CBD area, the street lighting will need to be provided in accordance with CN's City Centre Public Domain Manual.

New street lighting will be located on the southern side of Railway Lane (Rail Track end). This will allow for a clear accessible pedestrian path along the building frontage and mitigate the conflict with other services and street tree installation. This matter is addressed by recommended conditions of consent.

Street Trees and Furniture

The development has proposed new street trees along Railway Lane. The inclusion of street trees and any additional street furniture such as bins and seats are encouraged. In addition to these, bicycle parking can be provided in wide areas or attached to light and sign poles.

Garbage Servicing

The applicants have confirmed that the garbage will be serviced by private contractors for both the residential and commercial developments. Loading areas are available for garbage pick-up.

The garbage collection indicated on the ground floor plan adjoining the kerb has not been supported. It is required that garbage pick-up be made from loading areas and as such conditions have been recommended.

Overall the proposal is considered to be acceptable in terms of traffic, parking, access and public domain. Appropriate conditions have been recommended at **Attachment C**.

Section 7.05 - Energy efficiency

The application is affected by the BASIX requirements. A BASIX Certificate has been included in the documentation. The proposal complies with this section.

Stormwater- Section 7.06 and Water Efficiency - Section 7.07

A stormwater management strategy has been provided with the application and the stormwater management strategy and proposed stormwater design has been carried out to current NDCP 2012, Technical Specifications and industry standards, as outlined below:

Stormwater Reuse and Detention

The concept stormwater management plan and stormwater design prepared by Northrop Consulting Engineers allow for a 30 KL stormwater tank for reuse for the first two floors of the residential apartments. The tank will be connected to the new building roofs which will be the main source of supply and should be backed by mains water. A 70m³ detention tank is provided which will be storing stormwater from hard surface areas and any discharge from the stormwater tank. The required On Site Detention (OSD) storage and water reuse is generally in accordance with CN requirements.

Stormwater Quality Assessment

A stormwater quality assessment has been undertaken by Northrop in order to determine the impact on the ecology of the downstream watercourse. The performance of the stormwater strategy was assessed against the Model for Urban Stormwater Improvement Conceptualisation (MUSIC) software targets set in the CN's Technical Manual and the MUSIC Link and create a Water Sensitive Urban Design (WSUD) for the development. The following features are noted in the design:

- i) Rainwater Tanks (30kL) have been provided for reuse for the first two storeys for the residential units.
- ii) Gross Pollutant Traps (GPT) has been provided as the primary treatment measure on the discharge locations.
- iii) OSD basin with capacity of 70m³.
- iv) Discharge is proposed to be connected to the new drainage system on Railway Lane.

MUSIC modelling has been done by Northrop and the submitted stormwater management plan has indicated that the development achieves the targets set by CN.

Furthermore, new street trees have been indicated on the plans. Some of these trees can be designed to allow for the stormwater treatment for the road surface before being discharged into the proposed kerb inlet pits.

Drainage Connection

The stormwater from the site is proposed to be connected to the proposed new drainage on Railway Lane. It is noted that there is a proposed road widening of Railway Lane. The proposed stormwater connections are generally acceptable.

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Details for the proposed connections can be resolved at construction certificate stage and conditions are recommended.

Maintenance and Monitoring and Safety

The proposed stormwater structures will require regular monitoring and maintenance to ensure the system is functional. A detailed monitoring and maintenance plan have been provided with the stormwater management strategy.

The principles of WSUD and the requirements of the NDCP 2012 have been applied to the development. The submitted stormwater strategy reports and supporting documents have demonstrated that the development will not impact of the downstream ecology, is sustainable and can be maintained in the long term.

Accordingly, the proposal is acceptable in relation to water management and stormwater. Appropriate conditions have been recommended at **Attachment C**.

Waste Management - Section 7.08

The applicant has prepared a detailed waste management plan, which addresses waste minimisation and litter management strategies. Demolition and waste management will be subject to conditions recommended to be included in any development consent to be issued.

Development Contributions

The EP&A Act enables CN to levy contributions for public amenities and services. The proposed development would attract a development contribution to CN of \$825,966.00, as detailed in CN's Development Contributions Plans.

A condition requiring this contribution to be paid has been included in the Draft Schedule of Conditions at **Attachment C**.

5.4 Planning agreements

A draft voluntary planning agreement associated with this proposal has been separately assessed and reported to Council by CN's Urban Planning Section.

It is advised the under the provisions of the EP&A Act, the submitted DA and voluntary planning agreement require separate assessment processes and pathways.

The current development has been recommended for approval on a deferred commencement basis and the finalisation of the voluntary planning agreement forms one of the deferred commencement conditions.

5.5 The regulations (and other plans and policies)

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The application has been considered pursuant to the provisions of the EP&A Act and the Environmental Planning and Assessment Regulation 2000. In addition, a requirement to comply with AS2601 – Demolition of Structures will be included in the conditions of consent for any demolition works.

No Coastal Management Plan applies to the site or the proposed development.

5.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Impacts upon the natural and built environment have been discussed in this report in the context of relevant policy, including the NLEP 2012, ADG and the NDCP 2012 considerations. In addition, the following impacts are considered relevant.

View Loss

The surrounding area is relatively flat and is interspersed with larger industrial buildings. There are limited distinct views available to the surrounding properties and no direct views are enjoyed by the surrounding dwellings. The larger industrial buildings are also limiting the general outlook.

The proposal will result in a change to the general outlook in the area due to the height and scale of the proposal which replaces the existing larger industrial building on the site.

It is considered that the change to the outlook is reasonable having regard to the strategic outcomes for the area and the allowable planning controls. The overall impacts in terms of views and outlook are considered acceptable in this instance.

5.7 The suitability of the site for the development

These matters have been addressed within the SEPP, the NLEP 2012 and the NDCP 2012 sections above.

5.8 Any submissions made in accordance with this Act or the regulations

The application was notified and advertised in accordance to the regulations and the NDCP 2012 and one submission was received. The following issues were raised in the submissions.

Issue	Comment
Concern that the JRPP should be the consent authority, not CN.	The proposal does not trigger any of the criteria under Schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011 for referral to the Regional Planning Panel, known previously as JRPP (eg. the proposal does not exceed a capital investment value of \$30m as detailed within the submitted cost report by a qualified quantity surveyor).

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<p>It has been raised that the scope of the current application should be the entire proposal (ie. not DA2016/00384 with the addition of the proposed changes under this DA2018/00773).</p>	<p>The current application can be made in the manner submitted and relying on being interlinked with the previously approved DA.</p>
<p>The cost estimate for the proposal is questioned.</p>	<p>The cost report has been submitted by a qualified quantity surveyor and is considered to be acceptable.</p>
<p>The public benefit resulting from the 45m high proposal is questioned.</p>	<p>A detailed assessment of the proposal's height has been undertaken in the report above and the height exceedance is considered acceptable as addressed under clause 4.6 section of the report.</p>
<p>Issues raised regarding the urban form of the proposal, it's height and compliance with the requirements and intent of the ADG.</p>	<p>As noted above, a detailed assessment of the proposal's height has been undertaken in the report above and the height exceedance is considered acceptable as addressed under clause 4.6 section of the report. An assessment of the proposal's urban form and the compliance with the ADG has been undertaken within the SEPP 65 section of the report above and considered to be acceptable.</p>
<p>Concern regarding the effective solar access, natural ventilation and amenity achieved by the proposed dwellings within the development and that it does not comply with the provisions of the ADG in these respects.</p>	<p>All of these elements have been assessed and considered to be acceptable as detailed under SEPP 65 section of the report.</p>
<p>The proposed building, being over 46.5m in height, should be required to provide Public Art (ie. 1% of the total capital cost).</p>	<p>The proposed development is 44.99m in height. The public art provisions, contained within 6.01 – Newcastle City Centre, relate to developments over 45m in height or those listed as key sites in the NLEP 2012. The subject site is not mapped as a key site.</p>

5.9 The public interest

The proposed development is considered to be satisfactory having regard to the principles of ESD.

The proposal is consistent with CN's urban consolidation objectives, making more efficient use of the established public infrastructure and services.

The proposed development will not result in the disturbance of any endangered flora or fauna habitat or otherwise adversely impact on the natural environment.

The development is in the public interest and will allow for the orderly and economic development of the site.

The proposed overall development is considered to be satisfactory having regard to the provision of additional housing and retail uses within the Wickham and Newcastle City Centre area and is consistent with the strategic planning outcomes intended for the area.

6.0 CONCLUSION

The proposal is acceptable against the relevant heads of consideration under section 4.15(1) of the EP&A Act and is supported on the basis that the recommended conditions at **Attachment C** are included in any consent issued.

ATTACHMENTS

- Item 40 Attachment A:** Draft Voluntary Planning Agreement – 73-79 Railway Lane, Wickham
- Item 40 Attachment B:** Plans and elevations of proposed development – 73-79 Railway Lane, Wickham
- Item 40 Attachment C:** Draft Schedule of Conditions – 73-79 Railway Lane, Wickham
- Item 40 Attachment D:** Processing Chronology – 73-79 Railway Lane, Wickham
- Item 40 Attachment E:** General Terms of Approval – Subsidence Advisory NSW – 73-79 Railway Lane, Wickham
- Item 40 Attachment F:** Sydney Trains Advice – 73-79 Railway Lane, Wickham

Item 40 Attachments A - F distributed under separate cover

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 01/12/20 – DA2018/00773 – 73-79 RAILWAY LANE, WICKHAM –
ALTERATIONS AND ADDITIONS TO A MIXED-USE DEVELOPMENT**

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PAGE 26	ITEM-43	Attachment B:	Plans and Elevations
PAGE 87	ITEM-43	Attachment C:	Draft Schedule of Conditions
PAGE 97	ITEM-43	Attachment D:	Processing Chronology
PAGE 100	ITEM-43	Attachment E:	General Terms of Approval - Subsidence Advisory NSW
PAGE 106	ITEM-43	Attachment F:	Sydney Trains Advice

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**DAC 01/12/20 – DA2018/00773 - 73-79 RAILWAY LANE, WICKHAM -
ALTERATIONS AND ADDITIONS TO A MIXED-USE DEVELOPMENT**

ITEM-43 Attachment A: Draft Voluntary Planning Agreement

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Voluntary Planning Agreement

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Agreement

Date

Parties

First party

Name Newcastle City Council (**Council**)

ACN 25 242 068 129

Contact

Telephone

Second party

Name 22 Park Avenue Pty Ltd (**Developer**)

ACN 604 598 316

Contact

Telephone

Background

- A. The Developer is the owner of the Land.
- B. The Developer has entered into an agreement with Mr Peter Blake who has made a Development Application to the Council for Development Consent to carry out the Development on the Land.
- C. The Developer has offered to enter into this agreement in connection with the proposed Development.

Operative part

1 Definitions

In this agreement, unless the context indicates a contrary intention:

Act means the *Environmental Planning and Assessment Act 1979* (NSW);

Address means a party's address set out in the Notices clause of this agreement;

Approval means any certificate, licence, consent, permit, approval or other requirement of any Authority having jurisdiction in connection with the activities contemplated by this agreement;

Authority means any government, semi-governmental, statutory, administrative, fiscal or judicial body, department, commission, authority, tribunal, public or other person;

Business Day means a day on which banks are open for general banking business in Sydney, excluding Saturdays and Sundays;

CPI means the All Groups Consumer Price Index applicable to Sydney published by the Australian Bureau of Statistics;

Dealing, in relation to the Land, means, without limitation, selling, transferring, assigning, mortgaging, charging, encumbering or otherwise dealing with the Land;

Development means the proposed mixed use development on the Land, including the alterations and additions to the approved development as described in Development Application DA2018/00773 lodged by the Developer on 25 July 2019;

Development Application has the same meaning as in the Act;

Development Consent has the same meaning as in the Act;

GST has the same meaning as in the GST Law;

GST Law has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition of or administration of the GST;

Land means Lot 110 DP 1018454, and Lot 11 DP 1106378 known as 73-79 Railway Lane, Wickham NSW;

Law means:

- (a) any law applicable including legislation, ordinances, regulations, by-laws and other subordinate legislation;
- (b) any Approval, including any condition or requirement under it; and
- (c) any fees and charges payable in connection with the things referred to in paragraphs (a) and (b);

Monetary Contribution means the monetary contribution payable by the Developer under clause 6 of this agreement;

Occupation Certificate means an occupation certificate as defined under section 6.4 of the Act, or section 109C of the Act if it continues to apply; and

Wickham Master Plan means the Wickham Master Plan adopted by Council on 28 November 2017.

2 Interpretation

In this agreement, unless the context indicates a contrary intention:

- (a) **(documents)** a reference to this agreement or another document includes any document which varies, supplements, replaces, assigns or novates this agreement or that other document;
- (b) **(references)** a reference to a party, clause, paragraph, schedule or annexure is a reference to a party, clause, paragraph, schedule or annexure to or of this agreement;
- (c) **(headings)** clause headings and the table of contents are inserted for convenience only and do not affect interpretation of this agreement;
- (d) **(person)** a reference to a person includes a natural person, corporation, statutory corporation, partnership, the Crown and any other organisation or legal entity and

their personal representatives, successors, substitutes (including persons taking by novation) and permitted assigns;

- (e) **(party)** a reference to a party to a document includes that party's personal representatives, executors, administrators, successors, substitutes (including persons taking by novation) and permitted assigns;
- (f) **(president, CEO or managing director)** the president, CEO or managing director of a body or Authority means any person acting in that capacity;
- (g) **(requirements)** a requirement to do any thing includes a requirement to cause that thing to be done, and a requirement not to do any thing includes a requirement to prevent that thing being done;
- (h) **(including)** including and includes are not words of limitation, and a list of examples is not limited to those items or to items of a similar kind;
- (i) **(corresponding meanings)** a word that is derived from a defined word has a corresponding meaning;
- (j) **(singular)** the singular includes the plural and vice-versa;
- (k) **(gender)** words importing one gender include all other genders;
- (l) **(parts)** a reference to one or more things includes each part and all parts of that thing or group of things but nothing in this clause implies that part performance of an obligation constitutes performance of that obligation;
- (m) **(rules of construction)** neither this agreement nor any part of it is to be construed against a party on the basis that the party or its lawyers were responsible for its drafting;
- (n) **(legislation)** a reference to any legislation or provision of legislation includes all amendments, consolidations or replacements and all regulations or instruments issued under it;
- (o) **(time and date)** a reference to a time or date in connection with the performance of an obligation by a party is a reference to the time and date in , Australia, even if the obligation is to be performed elsewhere;
- (p) **(joint and several)** an agreement, representation, covenant, right or obligation:
 - (i) in favour of two or more persons is for the benefit of them jointly and severally; and
 - (ii) on the part of two or more persons binds them jointly and severally;
- (q) **(writing)** a reference to a notice, consent, request, approval or other communication under this agreement or an agreement between the parties means a written notice, request, consent, approval or agreement;
- (r) **(replacement bodies)** a reference to a body (including an institute, association or Authority) which ceases to exist or whose powers or functions are transferred to another body is a reference to the body which replaces it or which substantially succeeds to its power or functions;
- (s) **(Australian currency)** a reference to dollars or \$ is to Australian currency;
- (t) **(month)** a reference to a month is a reference to a calendar month; and

- (u) **(year)** a reference to a year is a reference to twelve consecutive calendar months.

3 Planning Agreement under the Act

- (a) The parties agree that this agreement is a planning agreement within the meaning of section 7.4 of the Act.
- (b) Schedule 1 of this agreement summarises the requirements for planning agreements under s 7.4 of the Act and the way this agreement addresses those requirements.

4 Application of this agreement

This agreement applies to:

- (a) the Development; and
- (b) the Land.

5 Operation of this agreement

This agreement commences on and from the date it is executed by all parties.

6 Contributions to be made under this agreement

6.1 *Monetary Contribution*

- (a) The Developers will pay to Council a monetary contribution of \$955,000.00 indexed in accordance with increases in the CPI from the date of this agreement to the date of payment.
- (b) The Monetary Contribution must be paid to Council prior to the issue of an Occupation Certificate for the Development.
- (c) The Monetary Contribution must be paid by way of bank cheque in favour of Council or by deposit by means of electronic funds transfer into an account specified by Council.
- (d) The Monetary Contribution will be taken to have been made when the Council notifies the Developers in writing that the bank cheque has been received and cleared funds or electronic funds have been deposited in the Council's bank account for the full amount of the Monetary Contribution.
- (e) The parties agree and acknowledge that the Monetary Contribution will be used towards the provision of local public amenities or infrastructure to support implementation of the Wickham Master Plan.

7 Application of s 7.11, s 7.12 and s 7.24 of the Act to the Development

- (a) This agreement does not exclude the application of section 7.11 of the Act to the Development.
- (b) This agreement does not exclude the application of section 7.12 of the Act to the Development.
- (c) This agreement does not exclude the application of section 7.24 of the Act to the Development.

- (d) The benefits under this agreement are not to be taken into consideration in determining a development contribution under section 7.11 of the Act.

8 Registration

8.1 Registration

- (a) The Developer agrees to procure the registration of this agreement under the *Real Property Act 1900* (NSW) in the relevant folios of the Register of the Land in accordance with section 7.6 of the Act.
- (b) The Developer at its own expense will, promptly after the execution of this agreement, take all practical steps, and otherwise do anything that the Council reasonably requires to procure:
 - (i) the consent of each person who:
 - (A) has an estate or interest in the Land registered under the *Real Property Act 1900* (NSW); or
 - (B) is seized or possessed of an estate or interest in the Land,
 - (ii) the execution of any documents; and
 - (iii) the production of the relevant certificates of title.
- (c) The Developer at its own expense, will take all practical steps, and otherwise do anything that the Council reasonably requires:
 - (i) to procure the lodgement of this agreement with the Registrar-General as soon as reasonably practicable after this agreement comes into operation, but in any event, no later than 30 Business Days after that date; and
 - (ii) to procure the registration of this agreement by the Registrar-General in the relevant folios of the Register for the Land as soon as reasonably practicable after this agreement is lodged for registration.

8.2 Removal from Register

- (a) The Council will provide a release and discharge of this agreement so that it may be removed from the folios of the Register for the Land (or any part of it):
 - (i) provided the Council is satisfied the Developer and Owner have duly fulfilled their obligations under this agreement, and are not otherwise in default of any of the obligations under this agreement; or
 - (ii) in the event any Development Consent granted on determination of Development Application DA 2018/00773 lodged with the Council on 25 July 2019 lapses or is determined by a Court to be invalid.

9 Review of this agreement

- (a) This agreement may be reviewed or modified. Any review or modification of this agreement will be conducted in the circumstances and in the manner determined by the parties.
- (b) No modification or review of this agreement will be of any force or effect unless it is in writing and signed by the parties to this agreement.

- (c) A party is not in breach of this agreement if it does not agree to an amendment to this agreement requested by a party in, or as a consequence of, a review.

10 Dispute Resolution

10.1 Reference to Dispute

If a dispute arises between the parties in relation to this agreement, the parties must not commence any court proceedings relating to the dispute unless the parties have complied with this clause, except where a party seeks urgent interlocutory relief.

10.2 Notice of Dispute

The party wishing to commence the dispute resolution process must give written notice (**Notice of Dispute**) to the other parties of:

- (a) The nature of the dispute,
- (b) The alleged basis of the dispute, and
- (c) The position which the party issuing the Notice of Dispute believes is correct.

10.3 Representatives of Parties to Meet

- (a) The representatives of the parties must promptly (and in any event within 10 business days of the Notice of Dispute) meet in good faith to attempt to resolve the notified dispute.
- (b) The parties may, without limitation:
 - (i) resolve the dispute during the course of that meeting,
 - (ii) agree that further material about a particular issue or consideration is needed to effectively resolve the dispute (in which event the parties will, in good faith, agree to a timetable for delivery of that material and further meetings); or
 - (iii) agree that the parties are unlikely to resolve the dispute and, in good faith, agree to a form of alternative dispute resolution (including arbitration or mediation) which is appropriate for the resolution of the relevant dispute.

10.4 Further Notice if Not Settled

If the dispute is not resolved within 20 Business Days after the nominated representatives have met, either party may give to the other a written notice calling for determination of the dispute (Determination Notice) by mediation under clause 10.5.

10.5 Mediation

If a party gives a Determination Notice calling for the dispute to be mediated:

- (a) The parties must agree to the terms of reference of the mediation within 10 Business Days of the receipt of the Determination Notice (the terms shall include a requirement that the mediation rules of the Institute of Arbitrators and Mediators Australia (NSW Chapter) apply;
- (b) The mediator will be agreed between the parties, or failing agreement within 10 Business Days of receipt of the Determination Notice, either Party may request the President of the Institute of Arbitrators and Mediators Australia (NSW Chapter) to appoint a mediator;

- (c) The mediator appointed pursuant to this clause 10.5 must:
 - (i) Have reasonable qualifications and practical experience in the area of the dispute; and
 - (ii) Have no interest or duty which conflicts or may conflict with his or her function as a mediator he or she being required to fully disclose any such interest or duty before his or her appointment;
- (d) The mediator shall be required to undertake to keep confidential all matters coming to his or her knowledge by reason of his or her appointment and performance of his or her duties;
- (e) The parties must within 10 Business Days of receipt of the Determination Notice notify each other of their representatives who will be involved in the mediation;
- (f) The parties agree to be bound by a mediation settlement and may only initiate judicial proceedings in respect of a dispute which is the subject of a mediation settlement for the purpose of enforcing that mediation settlement; and
- (g) In relation to costs and expenses:
 - (i) Each party will bear its own professional and expert costs incurred in connection with the mediation; and
 - (ii) The costs of the mediator will be shared equally by the parties unless the mediator determines that a party has engaged in vexatious or unconscionable behaviour in which case the mediator may require the full costs of the mediation to be borne by that party.

10.6 *Litigation*

If the dispute is not *finally* resolved in accordance with this clause 10, then either party is at liberty to litigate the dispute.

10.7 *No suspension of contractual obligations*

Subject to any interlocutory order obtained under clause 10.1, the referral to or undertaking of a dispute resolution process under this clause 10 does not suspend the parties' obligations under this agreement.

11 Enforcement

11.1 *Default*

- (a) In the event a party considers another party has failed to perform and fulfil an obligation under this agreement, it may give notice in writing to the other party (**Default Notice**) giving all particulars of the matters in respect of which it considers default has occurred and by such notice require the default to be remedied within a reasonable time not being less than 21 days.
- (b) In determining a reasonable time, regard must be had to both the nature of the default and the work or other action required to remedy it and whether or not the continuation of the default constitutes a public nuisance or raises other circumstances of urgency or emergency.
- (c) If a party disputes the Default Notice it may refer the dispute to dispute resolution under clause 10 of this agreement.

11.2 *Restriction on the issue of Certificates*

- (a) In accordance with section 6.10 of the Act and any associated regulations (or if the Former Building and Subdivision Provisions apply, section 109H of the Act) an Occupation Certificate must not be granted for the Development or any part of the Development unless the Monetary Contribution has been paid in full.
- (b) For the purposes of this clause 11.2, "Former Building and Subdivision Provisions" has the same meaning as in clause 18 of the *Environmental Planning and Assessment (Savings, Transitional and Other provisions) Regulation 2017*.

11.3 *General Enforcement*

- (a) Without limiting any other remedies available to the parties, this agreement may be enforced by any party in any Court of competent jurisdiction.
- (b) Nothing in this agreement prevents:
 - (i) a party from bringing proceedings in the Land and Environment Court to enforce any aspect of this agreement or any matter to which this agreement relates; and
 - (ii) the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this agreement or any matter to which this agreement relates.

12 Assignment and Dealings

12.1 *Assignment*

- (a) A party must not assign or deal with any right under this agreement without the prior written consent of the other parties.
- (b) Any change of ownership or control (as defined in section 50AA of the *Commonwealth Corporations Act 2001*) of a party (excluding the Council) shall be deemed to be an assignment of this agreement for the purposes of this clause.
- (c) Any purported Dealing in breach of this clause is of no effect.

12.2 *Transfer of Land or Interest*

- (a) The Developer (**Transferor**) may not transfer, assign or dispose of the whole or any part of its right, title or interest in the Land (present or future) or in the Development to another person (**Transferee**) unless before it sells, transfers or disposes of that right, title or interest:
 - (i) The Transferor satisfies the Council that the proposed Transferee is financially capable of complying with the Developer's obligations under this agreement;
 - (ii) The Transferor satisfies the Council that the rights of the Council will not be diminished or fettered in any way;
 - (iii) The Transferee delivers to the Council a novation deed signed by the Transferee in a form and of such substance as is acceptable to the Council containing provisions under which the Transferee agrees to comply with all the outstanding obligations of the Transferor under this agreement;

- (iv) Any default under any provisions of this agreement has been remedied or waived by the Council, on such conditions as the Council may determine, and
- (v) The Transferor and the Transferee pay the Council's reasonable costs in relation to the assignment.

13 Approvals and consents

Except as otherwise set out in this agreement, and subject to any statutory obligations, a party may give or withhold an approval or consent to be given under this agreement in that party's absolute discretion and subject to any conditions determined by the party. A party is not obligated to give its reasons for giving or withholding consent or for giving consent subject to conditions.

14 No fetter

14.1 *Discretion*

This agreement is not intended to operate to fetter, in any manner, the exercise of any statutory power or discretion of the Council, including, but not limited to, any statutory power or discretion of the Council relating to the Development Application or any other application for Development Consent (all referred to in this agreement as a "**Discretion**").

14.2 *No fetter*

No provision of this agreement is intended to constitute any fetter on the exercise of any Discretion. If, contrary to the operation of this clause, any provision of this agreement is held by a court of competent jurisdiction to constitute a fetter on any Discretion, the parties agree:

- (a) They will take all practical steps, including the execution of any further documents, to ensure the objective of this clause is substantially satisfied,
- (b) In the event that (a) cannot be achieved without giving rise to a fetter on the exercise of a Discretion, the relevant provision is to be severed and the remainder of this agreement has full force and effect, and
- (c) To endeavour to satisfy the common objectives of the parties in relation to the provision of this agreement which is to be held to be a fetter on the extent that is possible having regard to the relevant court judgment.

15 Notices

15.1 *Notices*

Any notice given under or in connection with this agreement (**Notice**):

- (a) must be in writing and signed by a person duly authorised by the sender;

- (b) must be addressed as follows and delivered to the intended recipient by hand, by prepaid post or by email at the address below, or at the address last notified by the intended recipient to the sender after the date of this agreement:
- | | | |
|------|----------------------------|--|
| (i) | to Newcastle City Council: | Address:
Email:
Attention: |
| (ii) | to 22 Park Avenue Pty Ltd: | Address: 13/5 Cherry Street, Warrawee NSW 2074
Email: peter@blakeorganisation.com
Attention: Peter Blake |
- (c) is taken to be given or made:
- (i) in the case of hand delivery, when delivered; and
- (ii) in the case of delivery by post, three Business Days after the date of posting (if posted to an address in the same country) or seven Business Days after the date of posting (if posted to an address in another country);
- (d) if under clause (c) a Notice would be taken to be given or made on a day that is not a Business Day in the place to which the Notice is sent, or later than 4.00 pm (local time), it is taken to have been given or made at the start of business on the next Business Day in that place.

15.2 Notices sent by email

- (a) A party may serve a Notice by email if the Notice:
- (i) includes a signature block specifying:
- (A) the name of the person sending the Notice; and
- (B) the sender's position within the relevant party;
- (ii) states in the body of the message or the subject field that it is sent as a Notice under this agreement;
- (iii) contains an express statement that the person sending the Notice has the authority to serve a Notice under this agreement;
- (iv) is sent to the email address below or the email address last notified by the intended recipient to the sender:
- (A) to Newcastle City Council:
- (B) to 22 Park Avenue Pty Ltd: peter@blakeorganisation.com
- (b) The recipient of a Notice served under this clause 15.2 must:
- (i) promptly acknowledge receipt of the Notice; and
- (ii) keep an electronic copy of the Notice,

15.3 *Receipt of Notices sent by email*

- (a) A Notice sent under clause 15.2 is taken to be given or made:
 - (i) when the sender receives an email acknowledgement from the recipient's information system showing the Notice has been delivered to the email address stated above;
 - (ii) when the Notice enters an information system controlled by the recipient;
or
 - (iii) when the Notice is first opened or read by the recipient,
whichever occurs first.
- (b) If under clause 15.3 a Notice would be taken to be given or made on a day that is not a Business Day in the place to which the Notice is sent, or later than 4.00 pm (local time), it will be taken to have been given or made at the start of business on the next Business Day in that place.

16 General

16.1 *Relationship between parties*

- (a) Nothing in this agreement:
 - (i) constitutes a partnership between the parties; or
 - (ii) except as expressly provided, makes a party an agent of another party for any purpose.
- (b) A party cannot in any way or for any purpose:
 - (i) bind another party; or
 - (ii) contract in the name of another party.
- (c) If a party must fulfil an obligation and that party is dependent on another party, then that other party must do each thing reasonably within its power to assist the other in the performance of that obligation.

16.2 *Time for doing acts*

- (a) If the time for doing any act or thing required to be done or a notice period specified in this agreement expires on a day other than a Business Day, the time for doing that act or thing or the expiration of that notice period is extended until the following Business Day.
- (b) If any act or thing required to be done is done after 5.00 pm on the specified day, it is taken to have been done on the following Business Day.

16.3 *Further assurances*

Each party must promptly execute all documents and do all other things reasonably necessary or desirable to give effect to the arrangements recorded in this agreement.

16.4 *Variation*

A provision of this agreement can only be varied by a later written document executed by or on behalf of all parties and in accordance with the provisions of the Act.

16.5 *No assignment*

A party cannot assign or otherwise transfer its rights under this agreement without the prior written consent of the other party.

16.6 *Counterparts*

This agreement may be executed in any number of counterparts. All counterparts taken together constitute one instrument.

16.7 *Legal expenses and stamp duty*

Each party will pay their own legal costs and disbursements in connection with the negotiation, preparation and execution of this agreement.

16.8 *Entire agreement*

The contents of this agreement constitute the entire agreement between the parties and supersede any prior negotiations, representations, understandings or arrangements made between the parties regarding the subject matter of this agreement, whether orally or in writing.

16.9 *Representations and warranties*

The parties represent and warrant that they have the power and authority to enter into this agreement and comply with their obligations under the agreement and that entry into this agreement will not result in the breach of any law.

16.10 *Severability*

If a clause or part of a clause of this agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this agreement, but the rest of this agreement is not affected.

16.11 *Invalidity*

- (a) A word or provision must be read down if:
 - (i) this agreement is void, voidable, or unenforceable if it is not read down;
 - (ii) this agreement will not be void, voidable or unenforceable if it is read down; and
 - (iii) the provision is capable of being read down.
- (b) A word or provision must be severed if:
 - (i) despite the operation of clause (a), the provision is void, voidable or unenforceable if it is not severed; and
 - (ii) this agreement will be void, voidable or unenforceable if it is not severed.
- (c) The remainder of this agreement has full effect even if clause 16.11(b) applies.

16.12 *Waiver*

- (a) A right or remedy created by this agreement cannot be waived except in writing signed by the party entitled to that right. Delay by a party in exercising a right or remedy does not constitute a waiver of that right or remedy, nor does a waiver

(either wholly or in part) by a party of a right operate as a subsequent waiver of the same right or of any other right of that party.

- (b) The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party. A waiver by a Party is only effective if it is in writing. A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

16.13 GST

- (a) Words and expressions which are not defined in this agreement but which have a defined meaning in GST Law have the same meaning as in the GST Law.
- (b) Unless otherwise expressly stated, all prices or other sums payable or consideration to be provided under this agreement are exclusive of GST.
- (c) If GST is imposed on any supply made under or in accordance with this agreement, the Developer must pay the GST or pay to the Council an amount equal to the GST payable on or for the taxable supply, whichever is appropriate in the circumstances.

16.14 Governing law and jurisdiction

- (a) The laws applicable in New South Wales govern this agreement.
- (b) The parties submit to the non-exclusive jurisdiction of the courts of New South Wales and any courts competent to hear appeals from those courts.

Schedule 1 Summary of requirements (section 7.4)

Subject and subsection of the Act	Planning Agreement
<p>Planning instrument and/or Development Application – Section 7.4(1)</p> <p>The Developer has:</p> <p>(a) Sought a change to an environmental planning instrument</p> <p>(b) Made, or propose to make a Development Application</p> <p>(c) Entered into an agreement with, or are otherwise associated with, a person to whom paragraph (a) or (b) applies</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>Description of the application- Section 7.4(3)(b)</p>	<p>Proposed alterations and additions to an approved mixed use development (residential building and commercial premises) on the Land as described in Development Application DA2018/00773 lodged 25 July 2018.</p>
<p>Description of the land to which the planning Agreement applies – Section 7.4(3)(a)</p>	<p>Lot 110 DP 1018454, and Lot 11 DP 1106378 known as 73-79 Railway Lane, Wickham NSW.</p>
<p>The scope, timing and manner of delivery of contribution required by the Planning Agreement – Section 7.4(3)(b)</p>	<p>Monetary contributions in the sum of \$955,000.00 indexed in accordance with increases in the CPI. See clause 6.</p>
<p>Applicability of section 7.11 of the Act – Section 7.4(3)(d)</p>	<p>Not excluded. See clause 7.</p>
<p>Applicability of section 7.12 of the Act – Section 7.4(3)(d)</p>	<p>Not excluded. See clause 7.</p>
<p>Applicability of section 7.24 of the Act – Section 7.4(3)(d)</p>	<p>Not excluded. See clause 7.</p>
<p>Contributions to be taken into account under s 7.11- Section 7.4(3)(e)</p>	<p>Contributions are not to be taken into account when determining contributions under s 7.11.</p>
<p>Mechanism for dispute resolution – Section 7.4(3)(f)</p>	<p>Clause 10.</p>
<p>Enforcement of the Planning Agreement – Section 7.4(3)(g)</p>	<p>Clause 11 restricts the issue of an occupation certificate for the Development.</p>
<p>No obligation to grant consent or exercise functions – Section 7.4(9)</p>	<p>See clause 14 (no fetter).</p>

Executed as an agreement

Signed for and on behalf of **Newcastle**)
City Council ABN 25 242 068 129 by its)
authorised representative who warrants)
that they are duly authorised to execute)
this document on behalf of **Newcastle**)
City Council in the presence of:)
)
)
)

.....
Signature of Witness

.....
Signature of Authorised Representative

.....
Print name of Witness

Executed by **22 Park Avenue Pty Ltd**)
ACN 604 598 316 in accordance with)
section 127 of the *Corporations Act 2001*)
(Cth) by:)
)
)

.....
Signature of Director

.....
Signature of Director/Secretary

.....
Print name of Director

.....
Print name of Director/Secretary

Annexure A Draft Explanatory note

Explanatory Note

Exhibition of draft Voluntary Planning Agreement

Lot 110 DP 1018454, known as 73-79 Railway Lane, Wickham

Environmental Planning & Assessment Regulation 2000 (clause 25E)

Planning Agreement

The purpose of this Explanatory Note is to provide a plain English summary to support the notification of a draft voluntary Planning Agreement (**the Planning Agreement**) under Section 7.4 of the *Environmental Planning and Assessment Act 1979 (the Act)*.

The Planning Agreement will require the provision of monetary contributions in connection with proposed development of land at Lot 110 DP 1018454 and Lot 11 DP 1106378, known as 73-79 Railway Lane, Wickham NSW.

This Explanatory Note has been prepared jointly between the parties as required by clause 25E of the *Environmental Planning and Assessment Regulation 2000 (the Regulations)*.

This Explanatory Note is not to be used to assist in construing the Planning Agreement.

Parties

22 Park Avenue Pty Ltd (**the Developer**) made an offer to Newcastle City Council (**the Council**) to enter into a voluntary Planning Agreement, in connection with a Development Application relating to the subject land.

Description of subject land

The land to which the Planning Agreement applies is described as Lot 110 DP 1018454 and Lot 11 DP 1106378, known as 73-79 Railway Lane, Wickham NSW (**the Land**).

Description of the Development Application to which the Planning Agreement applies

Proposed alterations and additions to an approved mixed use development (residential building and commercial premises) on the Land as described in Development Application DA2018/00773 lodged 25 July 2018.

Summary of Objectives, Nature and Effect of the Planning Agreement

The Planning Agreement requires a monetary contribution in the amount of \$955,000.00 adjusted in accordance with increases in the Consumer Price Index from the date of the agreement to the date of payment.

The monetary contributions are to be used by Council towards the provision of public amenities and infrastructure to support implementation of the Wickham Master Plan 2017.

Assessment of the Merits of the Planning Agreement

How the Planning Agreement Promotes the Objects of the Act and the public interest

The draft Planning Agreement will contribute to the provision of public amenities and infrastructure in the vicinity of the development and increasing the connectivity and amenity for people who will live, work or visit the locality. In doing so, the Agreement promotes the following objectives of the *Environmental Planning and Assessment Act 1979*:

- To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources (section 1.3(a) EP&A Act).
- To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment (section 1.3(b) EP&A Act).
- To promote the orderly and economic use and development of land (section 1.3(c) EP&A Act).
- To promote good design and amenity of the build environment (section 1.3(g) of the EP& Act).

The delivery of the contributions under the Agreement will be in the public interest because they will result in the provision of public infrastructure and will improve amenity for residents and visitors to the Wickham area. The provision of these items will promote the social and economic welfare of the community.

The Planning Purposes served by the Planning Agreement

The delivery of the contributions will provide community benefits that will facilitate the redevelopment of the Land envisaged by relevant planning strategies, including the Wickham Master Plan. The monetary contribution will be used to provide public amenities and infrastructure in the vicinity of the Development as proposed in the Wickham Master Plan. This contribution will assist in implementing the Council's strategy and vision for the Wickham area as identified in the Wickham Master Plan. The contributions to be delivered under the Planning Agreement will contribute to providing appropriate facilities and infrastructure for the Development and the surrounding area, producing a good planning outcome for the Development of the Land. As it would be difficult to obtain these benefits through other statutory means, the Planning Agreement is the most suitable instrument by which the contributions can be delivered.

How the Planning Agreement promotes the objectives of the *Local Government Act 1993* and the elements of the Council's Charter

The Planning Agreement is consistent with the following purposes of the *Local Government Act 1993*:

- to give councils the ability to provide goods, services and facilities, and to carry out activities, appropriate to the current and future needs of local communities and the wider public;
- to give councils a role in the management, improvement and development of the resources of their areas.

By enabling Council to provide public infrastructure and improve public domain areas, the Planning Agreement is consistent with the following guiding principles for councils, set out in section 8A of the *Local Government Act 1993* (replacing the Council's Charter):

- Councils should provide strong and effective representation, leadership, planning and decision-making.
- Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- Councils should consider the long term and cumulative effects of actions on future generations.
- Councils should consider the principles of ecologically sustainable development.
- Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures

Whether the Planning Agreement Conforms with the Council's Capital Works Program

The public amenities and infrastructure to be provided will assist Council in implementing the Wickham Master Plan. The Planning Agreement will provide capital infrastructure and public benefits beyond those set out in Council's capital works program and will enable Council to advance the construction of relevant infrastructure. The Planning Agreement provides for infrastructure needs that will arise as a consequence of the proposed development of the Land.

Whether the Planning Agreement specifies that certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued

The contributions under the Planning Agreement must be delivered prior to the issue of an occupation certificate for the Development. The Planning Agreement restricts the issue of an occupation certificate if the obligation to deliver the contributions has not been satisfied.

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 01/12/20 – DA2018/00773 - 73-79 RAILWAY LANE, WICKHAM -
ALTERATIONS AND ADDITIONS TO A MIXED-USE DEVELOPMENT**

ITEM-43 Attachment B: Plans and Elevations

DISTRIBUTED UNDER SEPARATE COVER





ARCHITECTURAL DRAWING SCHEDULE

A000 COVER SHEET	SUBJECT OF THIS DA
A001 SITE PLAN	
A002 SITE ANALYSIS PLAN	
A003 SITE LOCALITY PLAN	
A011 SURVEY DIAGRAM - WITH LIFT OVERRUNS	
A101 BASEMENT LEVEL 1 FLOOR PLAN	
A102 GROUND LEVEL FLOOR PLAN	
A103 LEVEL 1 FLOOR PLAN	
A104 LEVEL 2 FLOOR PLAN	
A105 LEVEL 3 FLOOR PLAN	SUBJECT OF APPROVED DA - NO. 2016/384
A106 LEVEL 4 FLOOR PLAN	
A107 LEVEL 5 FLOOR PLAN	
A108 LEVEL 6 FLOOR PLAN	
A109 LEVEL 7 FLOOR PLAN	
A110 LEVEL 8 FLOOR PLAN	
A111 LEVEL 9 FLOOR PLAN	SUBJECT OF THIS DA
A112 LEVEL 10 FLOOR PLAN	
A113 LEVEL 11 FLOOR PLAN	
A114 LEVEL 12 FLOOR PLAN	
A115 LEVEL 13 FLOOR PLAN	
A116 ROOF LEVEL FLOOR PLAN	
A501 SOUTH ELEVATION	
A502 EAST ELEVATION - WEST TOWER	
A503 EAST ELEVATION - EAST TOWER	
A504 NORTH ELEVATION	
A505 WEST ELEVATION - EAST TOWER	
A506 WEST ELEVATION - WEST TOWER	
A507 SECTION A-A & SECTION D-D	
A508 SECTION B-B	
A509 SECTION C-C	SUBJECT OF THIS DA

A991 SHADOW DIAGRAM - SHEET 1 - 21 JUNE, 9 AM
A992 SHADOW DIAGRAM - SHEET 2 - 21 JUNE, 12 NOON
A993 SHADOW DIAGRAM - SHEET 3 - 21 JUNE, 3 PM
A994 SHADOW DIAGRAM - SHEET 3 - 21 JUNE, 10 AM
A995 SHADOW DIAGRAM - SHEET 3 - 21 JUNE, 11 AM
A996 SHADOW DIAGRAM - SHEET 3 - 21 JUNE, 1 PM
A997 SHADOW DIAGRAM - SHEET 3 - 21 JUNE, 2 PM
A1001 PERSPECTIVES - SHEET 1
A1002 PERSPECTIVES - SHEET 2
A1003 PERSPECTIVES - SHEET 3
A1004 PERSPECTIVES - SHEET 4
A1005 PERSPECTIVES - SHEET 5
A1006 PERSPECTIVES - SHEET 6
A1011 PERSPECTIVES - VIEW UNIT 7.01
A1012.1 PERSPECTIVES - VIEWS FROM EAST - SHEET 01
A1012.2 PERSPECTIVES - VIEWS FROM EAST - SHEET 02
A1013.1 PERSPECTIVES - VIEWS FROM WEST - SHEET 01
A1013.2 PERSPECTIVES - VIEWS FROM WEST - SHEET 02
A1014 PERSPECTIVES - VIEWS FROM NORTH
A1015 SCHEDULE OF EXTERNAL FINISHES
A1016 SCHEDULE OF EXTERNAL FINISHES - PRECAST CONCRETE
A1020 NOTIFICATION - SITE PLAN
A1021 NOTIFICATION - SOUTH ELEVATION
A1022 NOTIFICATION - EAST ELEVATION
A1023 NOTIFICATION - WEST ELEVATION
A1024 NOTIFICATION - NORTH ELEVATION

UNIT MIX - 190 UNITS TOTAL

12 x STUDIOS
 43 x 1 BED UNITS
 131 x 2 BED UNITS
 4 x 3 BED UNITS

406m² RETAIL / COMMERCIAL SPACE

228 PROPOSED CAR SPACES
 201 TOTAL REQUIRED CAR SPACES
 (153 RESIDENTIAL, 39 VISITORS, 9 COMMERCIAL)

PLANNING CONTROLS

SITE AREA 4556m²

ALLOWABLE FSR 4:1 (MAX. GFA 18,224m²)

PROPOSED GFA 17,700m²
 PROPOSED FSR 3.88:1 (97.1%)

BASIX INFORMATION

May 2018 (102 units for levels 1, 2, 8 to 13 only)		BSA Reference: 11252	
Building Sustainability Assessments		Ph: (02) 4962 3439	
enquiries@buildingsustainability.net.au		www.buildingsustainability.net.au	
Important Note			
The following specification was used to achieve the thermal performance values indicated on the Assessor Certificate and takes precedence over any other specification.			
If different construction elements are applied then the Assessor Certificate is no longer valid.			
Thermal Performance Specifications (does not apply to garage)			
External Wall Construction		Added Insulation	
Brick Veneer & Concrete Veneer & Lightweight		R2.0	
Internal Wall Construction		Added Insulation	
Plasterboard on studs (Internal to units)		none	
Plasterboard + Stud + AAC + Stud + Plasterboard (Party walls between units)		R2.0 + R2.0	
Plasterboard + Stud + AAC + Stud + Plasterboard (Walls to common areas)		R2.0 + R2.0	
Plasterboard + Stud + Concrete (Walls to lift and stairwells)		R1.0	
Ceiling Construction		Added Insulation	
Plasterboard		R3.0 to ceilings adjacent to roof space and decks above	
Roof Construction		Colour	
Metal		Any	
Concrete		Foil + R1.0 blanket	
Floor Construction		Covering	
Concrete		As drawn	
Concrete		As drawn	
Concrete		R2.0 to units 103, 107, 109, 221 only	
Windows		Glass and frame type	
Aluminium double clear		4.80 0.46 - 0.65	
Aluminium low-E clear		5.40 0.44 - 0.64	
Aluminium single clear		6.70 0.51 - 0.77	
Aluminium double clear		4.80 0.46 - 0.65	
Aluminium low-E clear		5.40 0.44 - 0.64	
Aluminium single clear		6.70 0.51 - 0.77	
U and SHGC values are according to AFRC. Alternate products may be used if the U value is lower and the SHGC is within the range specified			
External Window Shading (eaves, verandahs, pergolas, awnings etc)			
All shade elements modelled as drawn			
Ceiling Penetrations (downlights, exhaust fans, flues etc)			
No adjustment has been made for losses to insulation arising from ceiling penetrations.			

MIXED USE DEVELOPMENT ALTERATIONS & ADDITIONS

73-79 RAILWAY LANE, WICKHAM, NSW 2293

ISSUE FOR DA

Certificate no.: 0002927070
 Assessor Name: Gavin Chambers
 Accreditation no.: VIC/BD/AV/13/1491
 Certificate date: 06 July 2018
 Dwelling Address: 73-79 Railway Lane, Wickham, NSW 2293

REV B

EJE ARCHITECTURE

ACN 002 912 843 | ABN 52 644 648 848
 Registered Architect - Gavin Chambers
 NSW Architects Registration No. 4294
 P +61 2 4929 2353 | F +61 2 4926 3099 | E mail@eje.com.au | W www.eje.com.au
 A 412 King Street, Newcastle, NSW 2300

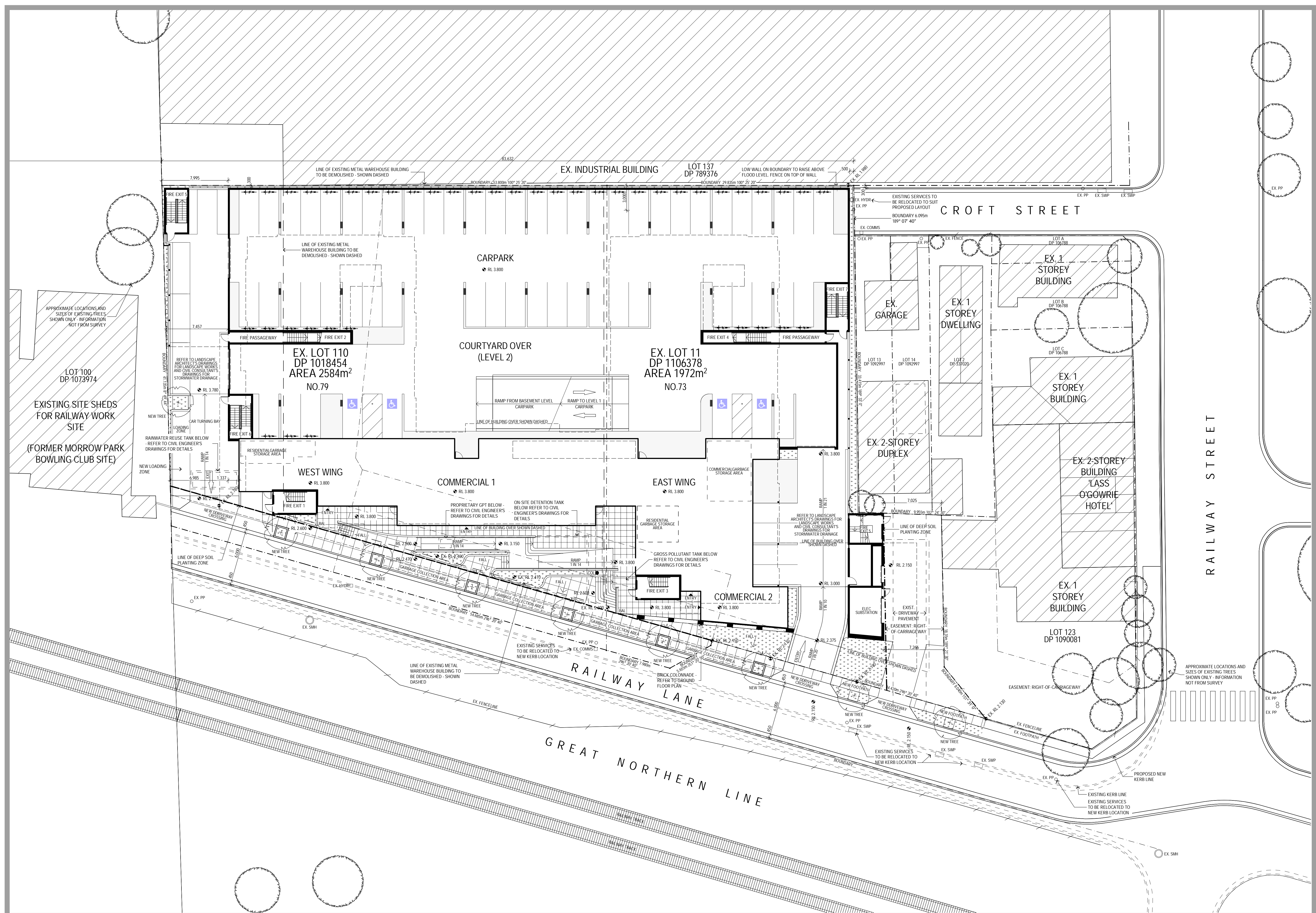
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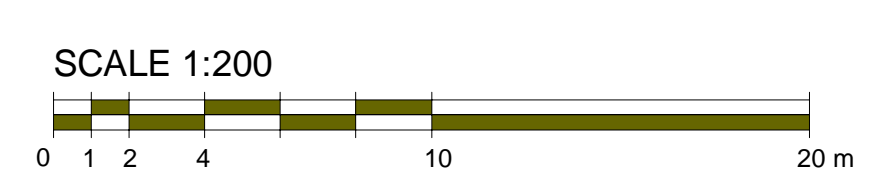
LEGEND

- BOL BOLLARD
 - COL COLUMN
 - COMS COMMUNICATION SERVICES
 - COS CONFIRM ON SITE
 - EX EXISTING
 - HYDR HYDRAULIC SERVICES
 - KB CONCRETE KERB
 - LM GENERAL CARPARK & LINE MARKINGS TO AS2890
 - PP POWER POLE
 - SMB SEWER MANHOLE
 - SWP STORMWATER PIT
-
- NEW TREE PLANTING
 - EXISTING TREE / PLANTING LOCATION
 - EXISTING BUILDINGS
 - NEW HARD LANDSCAPING
 - NEW SOFT LANDSCAPING



1 SITE PLAN
1:200

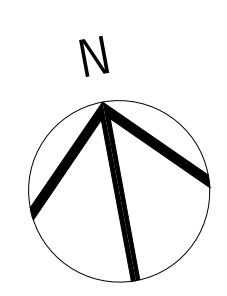
SUBJECT OF THIS DA



EJE ARCHITECTURE
 ACN 002 912 843 | ABN 82 014 949 849
 Notified Architect - Bernard Collins
 NSW Architects Registration No. 4828
 A-112 KING STREET, NEWCASTLE, NSW 2300
 P 491 2 4929 2383 | F 491 2 4929 3069 | E mail@eje.com.au | W www.eje.com.au

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REV	DATE	COMMENTS
G	2016.11.07	ISSUE FOR COORDINATION
H	2016.11.10	ISSUE FOR COORDINATION
J	2016.11.22	REVISED ISSUE FOR DEVELOPMENT APPLICATION
K	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
L	2017.03.08	ISSUE FOR COORDINATION - OPTION GROUND LEVEL CARPARKING
M	2017.04.24	ISSUE TO COUNCIL - CARPARK ABOVE GROUND
N	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
P	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
Q	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHND	VRFD
PHB	BC	BC
PHB	BC	BC
PHB	BC	BC
PHB	BC	BC
PHB	BC	BC
PHB	BC	BC
PHB	BC	BC
PHB	BC	BC
PHB	BC	BC
PHB	BC	BC

PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT
 SITE: 73-79 RAILWAY LANE WICKHAM 2293

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: SITE PLAN

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS ON THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-SK 18018_45M OPTION.pln DATE PRINTED: 3/05/2018
 DRAWN: DATE: SCALES:
 SJB FEB '16 1:200@B1

PROJECT No: 10670 PHASE: SK DRAWING No: A001 REV: Q

EJE architecture

NOT FOR CONSTRUCTION



REV	DATE	COMMENTS
A	2016.03.16	ISSUE FOR COORDINATION
B	2016.03.24	FINAL CONSULTANT ISSUE FOR COORDINATION
C	2016.04.05	ISSUE FOR DEVELOPMENT APPLICATION
D	2016.08.30	REVISED ISSUE FOR DEVELOPMENT APPLICATION
E	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
F	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
G	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRW	CHKD	VRFD	PROJECT	SITE
PHB	BC	BC	NEW MIXED USE RESIDENTIAL DEVELOPMENT	73-79 RAILWAY LANE WICKHAM 2293
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: SITE ANALYSIS PLAN

NOT FOR CONSTRUCTION



CORNER OF RAILWAY AND LINDUS STREETS

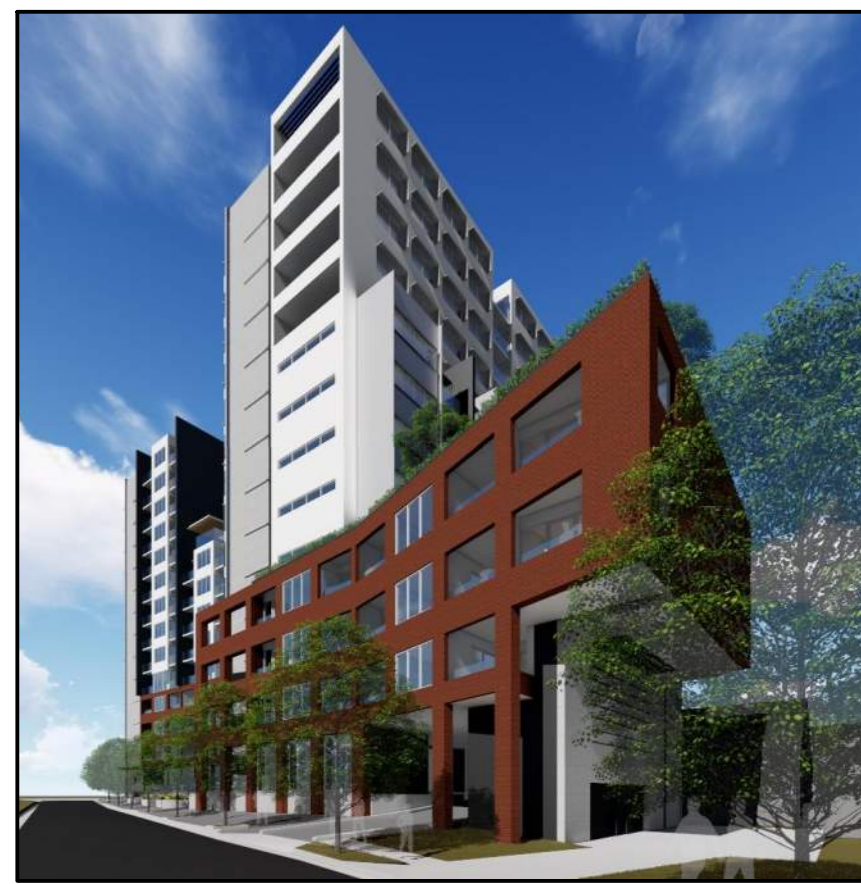


NEARBY DEVELOPMENT NEWLY COMPLETED



NEARBY DEVELOPMENT NEWLY COMPLETED

NEARBY DEVELOPMENT PROPOSAL CURRENTLY UNDER CONSTRUCTION. NO IMAGE AVAILABLE



SUBJECT OF CURRENT DEVELOPMENT PROPOSAL



NEARBY DEVELOPMENT UNDER CONSTRUCTION



NEARBY DEVELOPMENT GRANTED APPROVAL



CORNER OF RAILWAY AND STATION STREETS. THE LASS O'GOWRIE HOTEL



NEARBY DEVELOPMENT PROPOSAL CURRENTLY UNDER CONSTRUCTION



TRANSPORT INTERCHANGE NEWLY COMPLETED



NEARBY DEVELOPMENT PROPOSAL CURRENTLY UNDER CONSTRUCTION

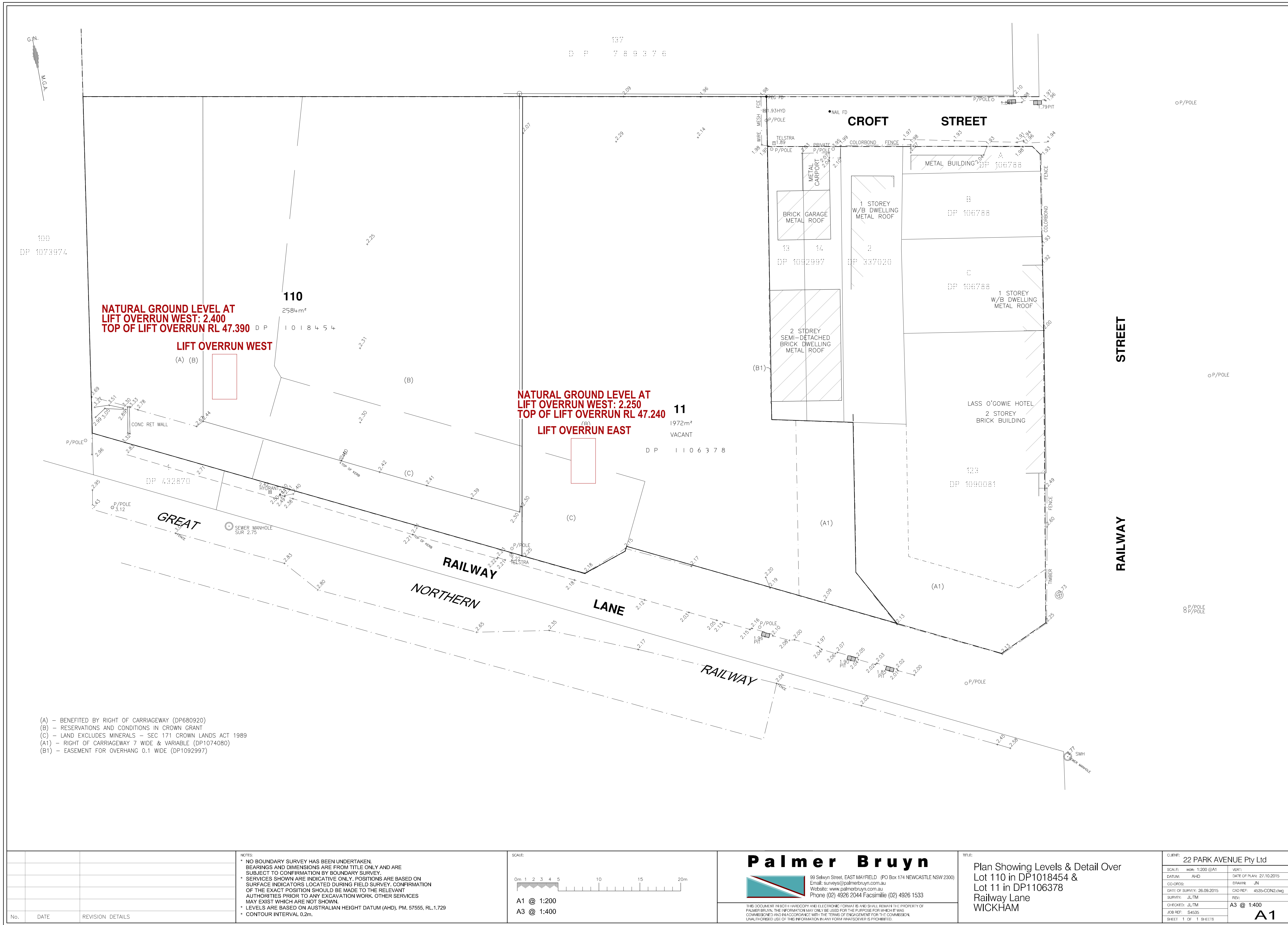
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DWG	CHD	VRFD	PROJECT	SITE
PHB	BC	BC	NEW MIXED USE RESIDENTIAL DEVELOPMENT	73-79 RAILWAY LANE WICKHAM 2293
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
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PHB	BC	BC		
PHB	BC	BC		

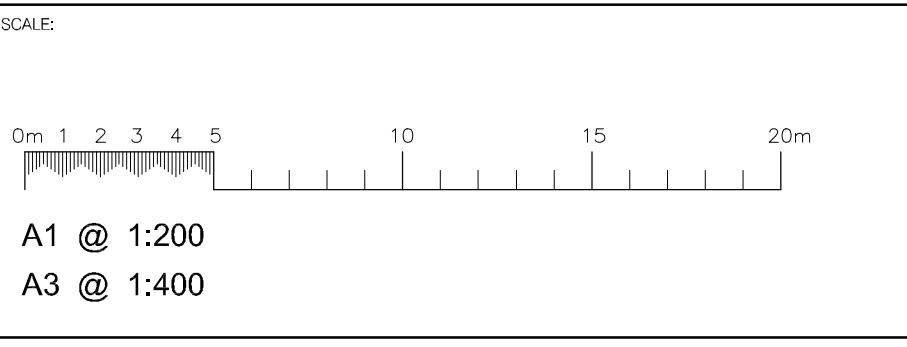
CLIENT	DRAWING
PETER BLAKE F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW	SITE LOCALITY PLAN

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK, REPORT ALL ERRORS AND OMISSIONS.
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DRAWN: DATE: SCALES:
SJB FEB '16 N.T.S
PROJECT No: PHASE: DRAWING No: REV:
10670 SK A003 G



- (A) - BENEFITED BY RIGHT OF CARRIAGEWAY (DP680920)
- (B) - RESERVATIONS AND CONDITIONS IN CROWN GRANT
- (C) - LAND EXCLUDES MINERALS - SEC 171 CROWN LANDS ACT 1989
- (A1) - RIGHT OF CARRIAGEWAY 7 WIDE & VARIABLE (DP1074080)
- (B1) - EASEMENT FOR OVERHANG 0.1 WIDE (DP1092997)

NOTES:
 * NO BOUNDARY SURVEY HAS BEEN UNDERTAKEN. BEARINGS AND DIMENSIONS ARE FROM TITLE ONLY AND ARE SUBJECT TO CONFIRMATION BY BOUNDARY SURVEY.
 * SERVICES SHOWN ARE INDICATIVE ONLY. POSITIONS ARE BASED ON SURFACE INDICATORS LOCATED DURING FIELD SURVEY. CONFIRMATION OF THE EXACT POSITION SHOULD BE MADE TO THE RELEVANT AUTHORITIES PRIOR TO ANY EXCAVATION WORK. OTHER SERVICES MAY EXIST WHICH ARE NOT SHOWN.
 * LEVELS ARE BASED ON AUSTRALIAN HEIGHT DATUM (AHD), PM.57555, RL.1.729
 * CONTOUR INTERVAL 0.2m.



Palmer Bruyn
 89 Selwyn Street, EAST MAYFIELD (PO Box 174 NEWCASTLE NSW 2300)
 Email: surveys@palmerbruy.com.au
 Website: www.palmerbruy.com.au
 Phone (02) 4926 2044 Facsimile (02) 4926 1533

TITLE:
 Plan Showing Levels & Detail Over
 Lot 110 in DP1018454 &
 Lot 11 in DP1106378
 Railway Lane
 WICKHAM

CLIENT: 22 PARK AVENUE Pty Ltd		
SCALE: HOR: 1:200 @A1	DATE: 27.10.2015	DATE OF PLAN: 27.10.2015
DRAWN: JN	CHECKED: JN	DATE OF SURVEY: 26.09.2015
SURVEY: JL/7M	FILE: 4535-CON2.dwg	CAD REF: 4535-CON2.dwg
CHECKED: JL/7M	REV: A3 @ 1:400	
JOB REF: S4535		
A1		
SHEET 1 OF 1 SHEETS		

No.	DATE	REVISION DETAILS



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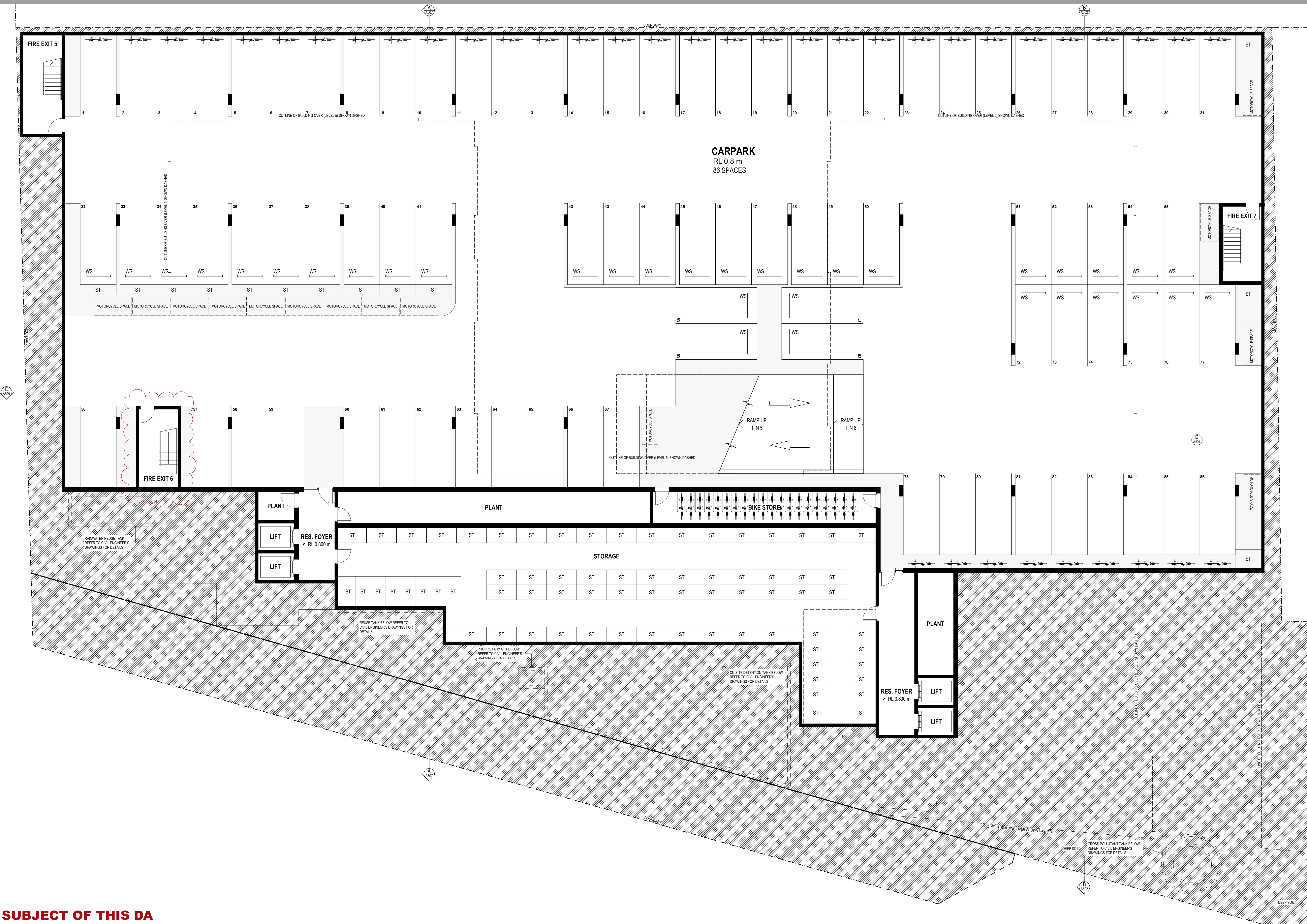


LEGEND

- AL ALUMINUM LOUVRE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BG BOX CUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOL BOLLARD
- COL COLUMN - REFER TO STRUCTURAL DOCUMENTATION
- CONF CONFIRM ON SITE
- CPT CARPET - No. DENOTES TYPE AS SCHEDULED
- CT CERAMIC TILE - No. DENOTES TYPE AS SCHEDULED
- DF DISABLED FACILITY
- DP COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
- EQ EAVES CUTTER
- EL ELECTRICAL SERVICES
- ENS ENBSITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
- GC GARBAGE CHUTE
- HB HAND BASIN AS SCHEDULED
- HLS HIGH LEVEL STORAGE
- HYDR HYDRAULIC SERVICES
- LVD LAUNDRY
- MECH MECHANICAL SERVICES
- MRS METAL ROOF SHEET
- OPW OPERABLE WALL - (DORMA HSW-G OR SIMILAR)
- R RADIATOR
- RES RESIDENTIAL
- RF REFRIGERATOR
- RWH RAIN WATER HEAD
- ST STORE
- THE TO MATCH EXISTING
- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WHEELSTOP

BUILDING & APARTMENT KEY

ST.	1 BED 2 BED 3 BED			L
	ROOF / PLANT			
-	4	6	1	L13
-	4	6	1	L12
-	4	6	1	L11
-	4	6	1	L10
-	4	7	-	L9
1	4	12	-	L8
1	4	12	-	L7
1	4	12	-	L6
1	4	12	-	L5
1	3	12	-	L4
3	2	16	-	L3
3	2	16	-	L2
1	-	8	CARPARK	L1
COMMERCIAL RETAIL			CARPARK	GF
			CARPARK	B1



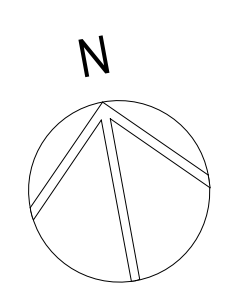
SUBJECT OF THIS DA

1 BASEMENT LEVEL 1
1:100

EJE ARCHITECTURE
ACN 002 312 543 | ABN 62 046 949 949
Notified Architect - Bernard Collins
NSW Architects Registration No. 4438
A 412 KING STREET, NEWCASTLE, NSW 2300
P +61 2 4929 2353 | F +61 2 4929 3069 | E mail@eje.com.au | W www.eje.com.au

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P	2018.02.23	ISSUE TO CLIENT FOR REVIEW - 45M CONCEPT
Q	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
R	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
S	2019.08.20	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRW	CHKD	VRFD	PROJECT
PHB	BC	BC	NEW MIXED USE RESIDENTIAL DEVELOPMENT
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	

CLIENT: PETER BLAKE
F1, LEVEL 1, 683-689 GEORGE STREET
SYDNEY NSW

SITE: 73-79 RAILWAY LANE
WICKHAM 2293

DRAWING: BASEMENT LEVEL 1 FLOOR PLAN

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK, REPORT ALL ERRORS AND OMISSIONS.

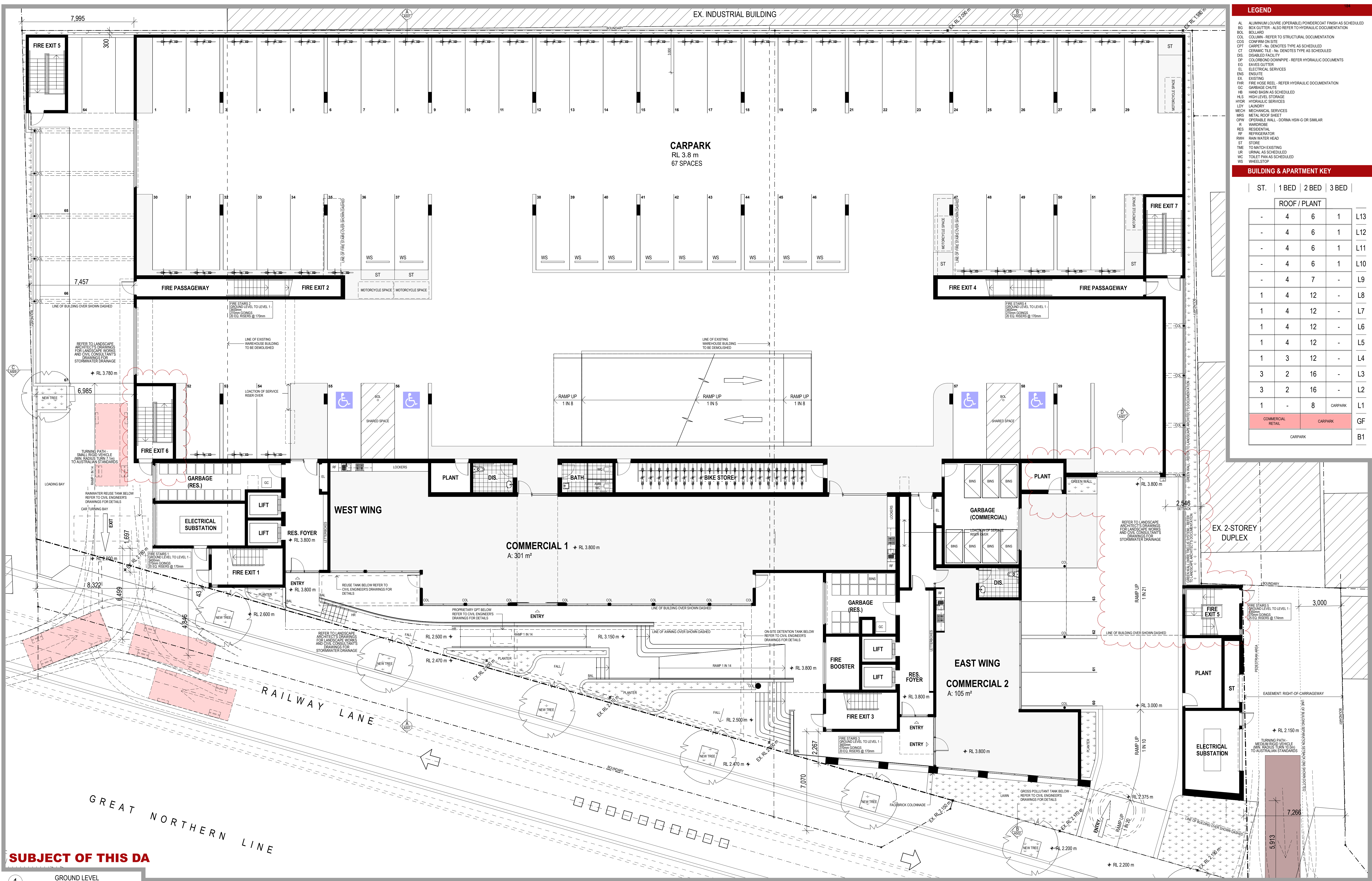
FILENAME: 10670-DA 190801.ppt DATE PRINTED: 20/08/2019

DRAWN: PHB DATE: FEB '16 SCALES: 1:200@B1

PROJECT No: 10670 PHASE: SK DRAWING No: A101 REV: S

NOT FOR CONSTRUCTION





LEGEND

- AL ALUMINUM LOUVRE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BG BOX CUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOLLARD
- COL COLUMNS - REFER TO STRUCTURAL DOCUMENTATION
- CONFIRM ON SITE
- CPT CARPET - NO. DENOTES TYPE AS SCHEDULED
- CT CERAMIC TILE - NO. DENOTES TYPE AS SCHEDULED
- DF DISABLED FACILITY
- DP COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
- EQ EAVES CUTTER
- EL ELECTRICAL SERVICES
- ENS ENBSITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
- GC GARBAGE CHUTE
- HB HAND BASIN AS SCHEDULED
- HLS HIGH LEVEL STORAGE
- HYDR HYDRAULIC SERVICES
- LDV LAUNDRY
- MECH MECHANICAL SERVICES
- MRS METAL ROOF SHEET
- OPW OPERABLE WALL - DORMA HSW-G OR SIMILAR
- R WARDROBE
- RES RESIDENTIAL
- REF REFRIGERATOR
- RWH RAIN WATER HEAD
- ST STORE
- THE TO MATCH EXISTING
- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WHEELSTOP

BUILDING & APARTMENT KEY

	ST.	1 BED	2 BED	3 BED	
					ROOF / PLANT
	-	4	6	1	L13
	-	4	6	1	L12
	-	4	6	1	L11
	-	4	6	1	L10
	-	4	7	-	L9
	1	4	12	-	L8
	1	4	12	-	L7
	1	4	12	-	L6
	1	4	12	-	L5
	1	3	12	-	L4
	3	2	16	-	L3
	3	2	16	-	L2
	1	-	8	-	L1
					GF
					B1

SUBJECT OF THIS DA

EJE ARCHITECTURE
 ACN 002 312 543 | ABN 62 04 949 949
 Notarized Architect - Bernard Collins
 NSW Architects Registration No. 4438
 4/12 KING STREET, NEWCASTLE, NSW 2300
 P +61 2 4929 2353 | F +61 2 4929 3069 | E mail@eje.com.au | W www.eje.com.au

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REV	DATE	COMMENTS
T	2017.03.08	ISSUE FOR COORDINATION - OPTION GROUND LEVEL CARPARKING
U	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
V	2017.05.05	ISSUE TO COUNCIL - SETBACKS
X	2018.02.23	ISSUE TO CLIENT FOR REVIEW - 4SM CONCEPT
W	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
Y	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
Z	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
AA	2019.08.20	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
AB	2019.10.04	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRW	CHKD	VRFD	PROJECT	SITE
PHB	BC	BC	NEW MIXED USE RESIDENTIAL DEVELOPMENT	73-79 RAILWAY LANE WICKHAM 2293
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: GROUND LEVEL FLOOR PLAN

NOT FOR CONSTRUCTION

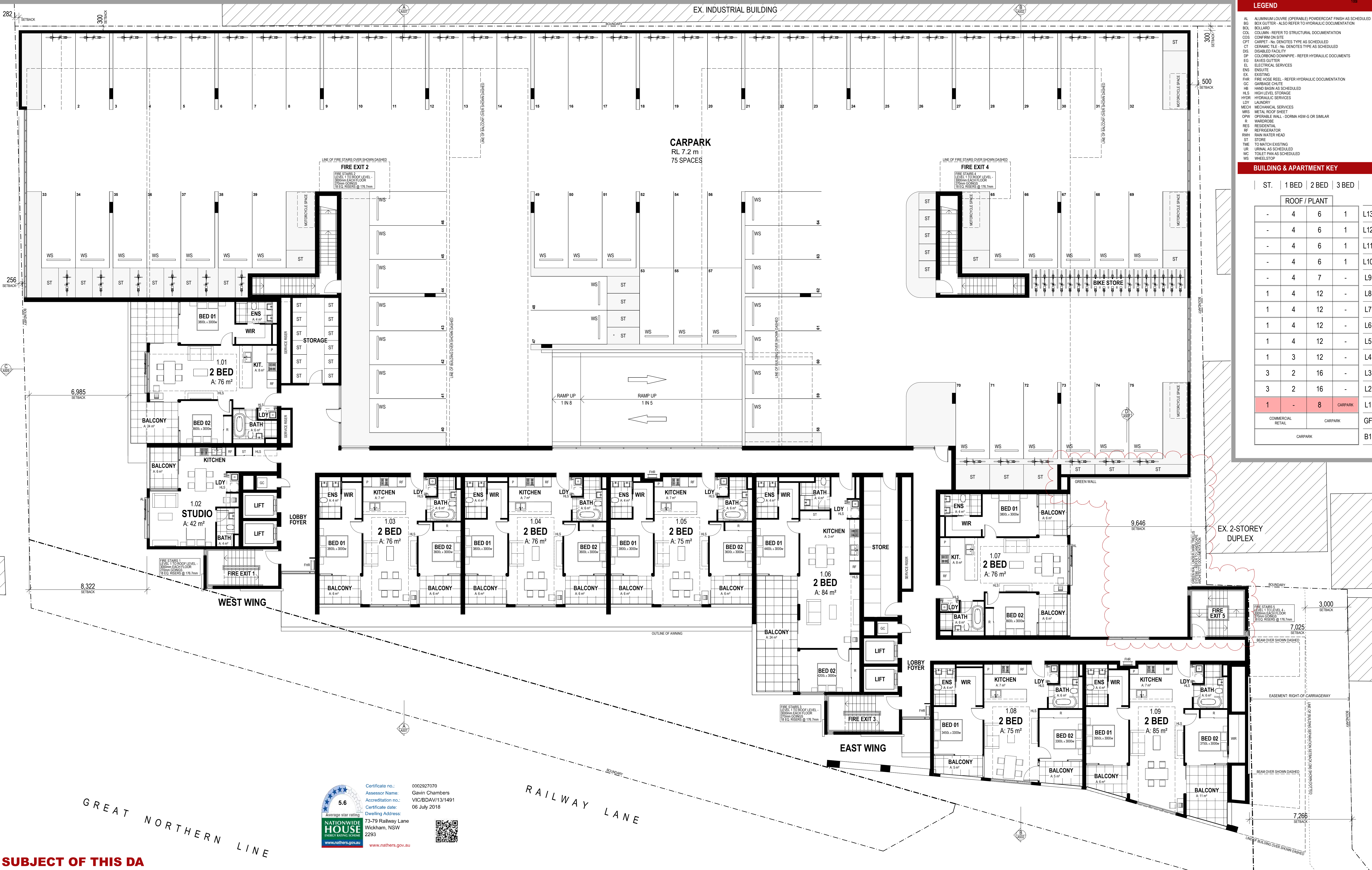
WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-DA 190801.dwg | DATE PRINTED: 17/10/2019

DRAWN: PHB | DATE: FEB '16 | SCALES: 1:100@B1

PROJECT No: 10670 | PHASE: SK | DRAWING No: A102 | REV: AB

EJE architecture



LEGEND

- AL ALUMINUM LOUVER (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BG BOX CUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOL BOLLARD
- COL COLUMN - REFER TO STRUCTURAL DOCUMENTATION
- C25 CONCRETE
- CPT CARPET - No. DENOTES TYPE AS SCHEDULED
- CT CERAMIC TILE - No. DENOTES TYPE AS SCHEDULED
- DIS DISABLED FACILITY
- DP COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
- EQ EAVES CUTTER
- EL ELECTRICAL SERVICES
- ENS ENSUITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
- GC GARBAGE CHUTE
- HB HAND BASIN AS SCHEDULED
- HLS HIGH LEVEL STORAGE
- HYDR HYDRAULIC SERVICES
- LDY LAUNDRY
- MECH MECHANICAL SERVICES
- MRS METAL ROOF SHEET
- OPW OPERABLE WALL - DORMA HSW-G OR SIMILAR
- R RADIATOR
- RES RESIDENTIAL
- RF REFRIGERATOR
- RWH RAIN WATER HEAD
- ST STORE
- THE TO MATCH EXISTING
- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WHEELSTOP

BUILDING & APARTMENT KEY

ST.	1 BED	2 BED	3 BED	
ROOF / PLANT				
-	4	6	1	L13
-	4	6	1	L12
-	4	6	1	L11
-	4	6	1	L10
-	4	7	-	L9
1	4	12	-	L8
1	4	12	-	L7
1	4	12	-	L6
1	4	12	-	L5
1	3	12	-	L4
3	2	16	-	L3
3	2	16	-	L2
1	-	8		L1
COMMERCIAL		CARPARK		GF
RESTAURANT		CARPARK		B1

SUBJECT OF THIS DA

EJE ARCHITECTURE
 ACN 002312343 | ABN 62 046 949 949
 Notarised Architect - Bernard Collins
 NSW Architects Registration No. 44328
 A-412 KING STREET, NEWCASTLE, NSW 2300
 P +61 2 4929 2333 | F +61 2 4929 3069 | E mail@eje.com.au | W www.eje.com.au

NATIONWIDE HOUSE
 ENERGY RATING SCHEME
 5.6 Average star rating
 www.nathers.gov.au

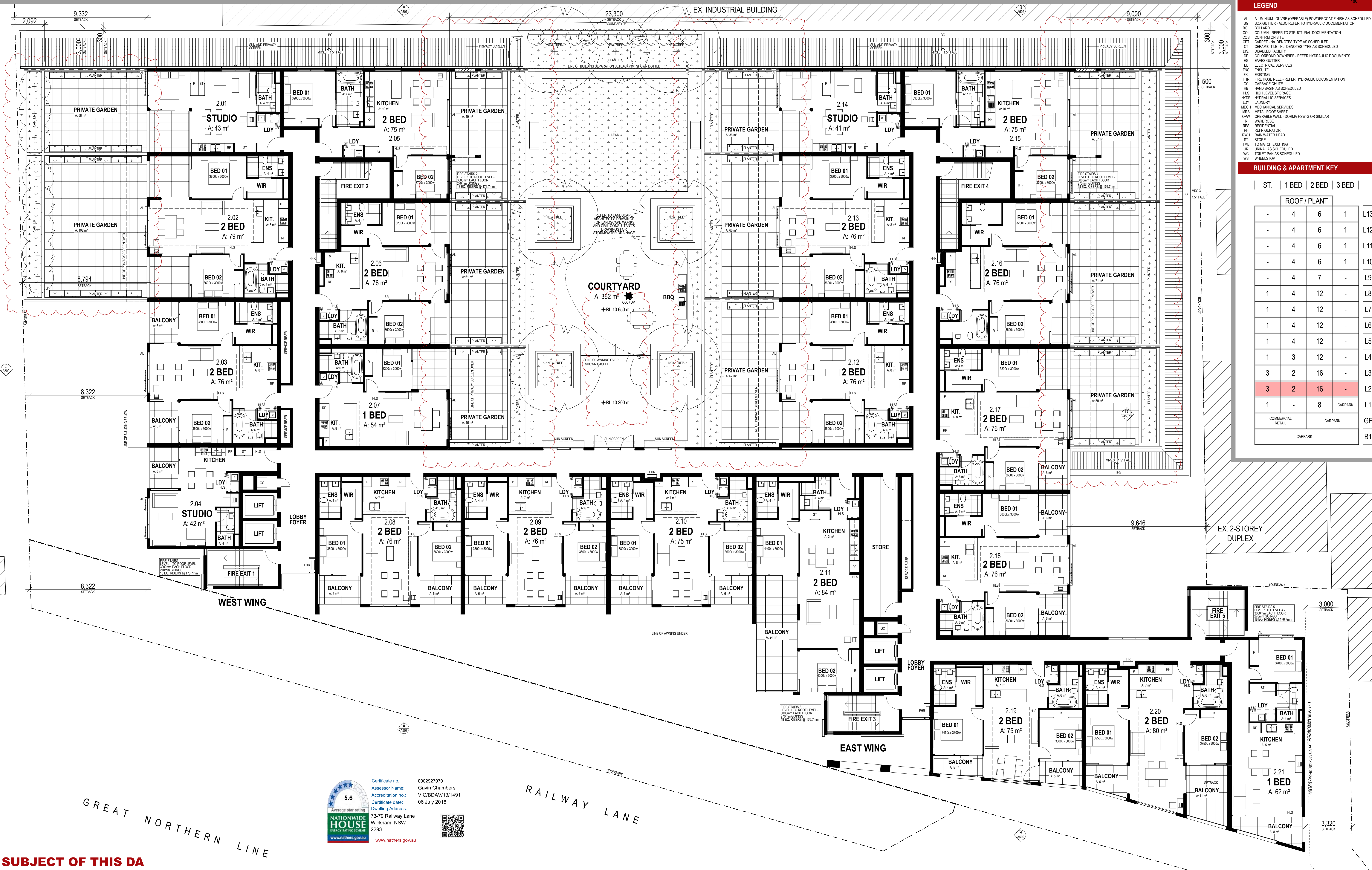
Certificate no.: 0002927070
 Assessor Name: Gavin Chambers
 Accreditation no.: VIC/BDVA/131491
 Certificate date: 06 July 2018
 Dwelling Address: 73-79 Railway Lane, Wickham, NSW 2293

REV	DATE	COMMENTS
N	2016.12.06	REVISED ISSUE FOR DEVELOPMENT APPLICATION
P	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
Q	2017.03.08	ISSUE FOR COORDINATION - OPTION GROUND LEVEL CARPARKING
R	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
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V	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
W	2018.10.04	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN | CHD | VRFD | PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT
 SITE: 73-79 RAILWAY LANE WICKHAM 2293
 CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: LEVEL 1 FLOOR PLAN
 PHB FEB '16 1:100@B1
 SCALE: 1:100

NOT FOR CONSTRUCTION
 WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOPS. DRAWINGS, IF IN DOUBT, ASK. REPORT ALL ERRORS AND OMISSIONS.
 FILENAME: 10670-DA 190801.ppt DATE PRINTED: 17/10/2019
 DRAWN: PHB DATE: FEB '16 SCALES: 1:100@B1
 PROJECT No.: 10670 PHASE: SK DRAWING No.: A103 REV: W



LEGEND

- AL ALUMINUM LOUVER (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BG BOX GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOL BOLLARD
- COL COLUMN - REFER TO STRUCTURAL DOCUMENTATION
- COS CONCRETE ON SITE
- CPT CARPET - NO DENOTES TYPE AS SCHEDULED
- CSM CERAMIC TILE - NO DENOTES TYPE AS SCHEDULED
- DIS DISABLED FACILITY
- CO COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
- EQ EGRESS OUTER
- EL ELECTRICAL SERVICES
- ENS ENSUITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
- GC GARBAGE CHUTE
- HB HAND BASIN AS SCHEDULED
- HLS HIGH LEVEL STORAGE
- HYDR HYDRAULIC SERVICES
- LDY LAUNDRY
- MECH MECHANICAL SERVICES
- MRS METAL ROOF SHEET
- OPW OPERABLE WALL - DORMA HSW-G OR SIMILAR
- VAR VARDROBE
- RES RESIDENTIAL
- REF REFRIGERATOR
- RWR RAIN WATER HEAD
- ST STORE
- THE TO MATCH EXISTING
- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WINE/STOOP

BUILDING & APARTMENT KEY

ST.	1 BED	2 BED	3 BED	
				ROOF / PLANT
	4	6	1	L13
	4	6	1	L12
	4	6	1	L11
	4	6	1	L10
	4	7	-	L9
1	4	12	-	L8
1	4	12	-	L7
1	4	12	-	L6
1	4	12	-	L5
1	3	12	-	L4
3	2	16	-	L3
3	2	16	-	L2
1	-	8	-	L1
				GF
				B1

SUBJECT OF THIS DA

GREAT NORTHERN LINE

5.6
Average star rating

NATIONWIDE HOUSE
ENERGY RATING SCHEME

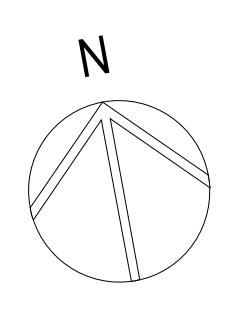
Certificate no.: 0002927070
Assessor Name: Gavin Chambers
Accreditation no.: VIC/DAV/13/1491
Certificate date: 06 July 2018
Dwelling Address: 73-79 Railway Lane, Wickham, NSW 2293

www.nathers.gov.au

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PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT

SITE: 73-79 RAILWAY LANE WICKHAM 2293

CLIENT: PETER BLAKE
F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: LEVEL 2 FLOOR PLAN

NOT FOR CONSTRUCTION

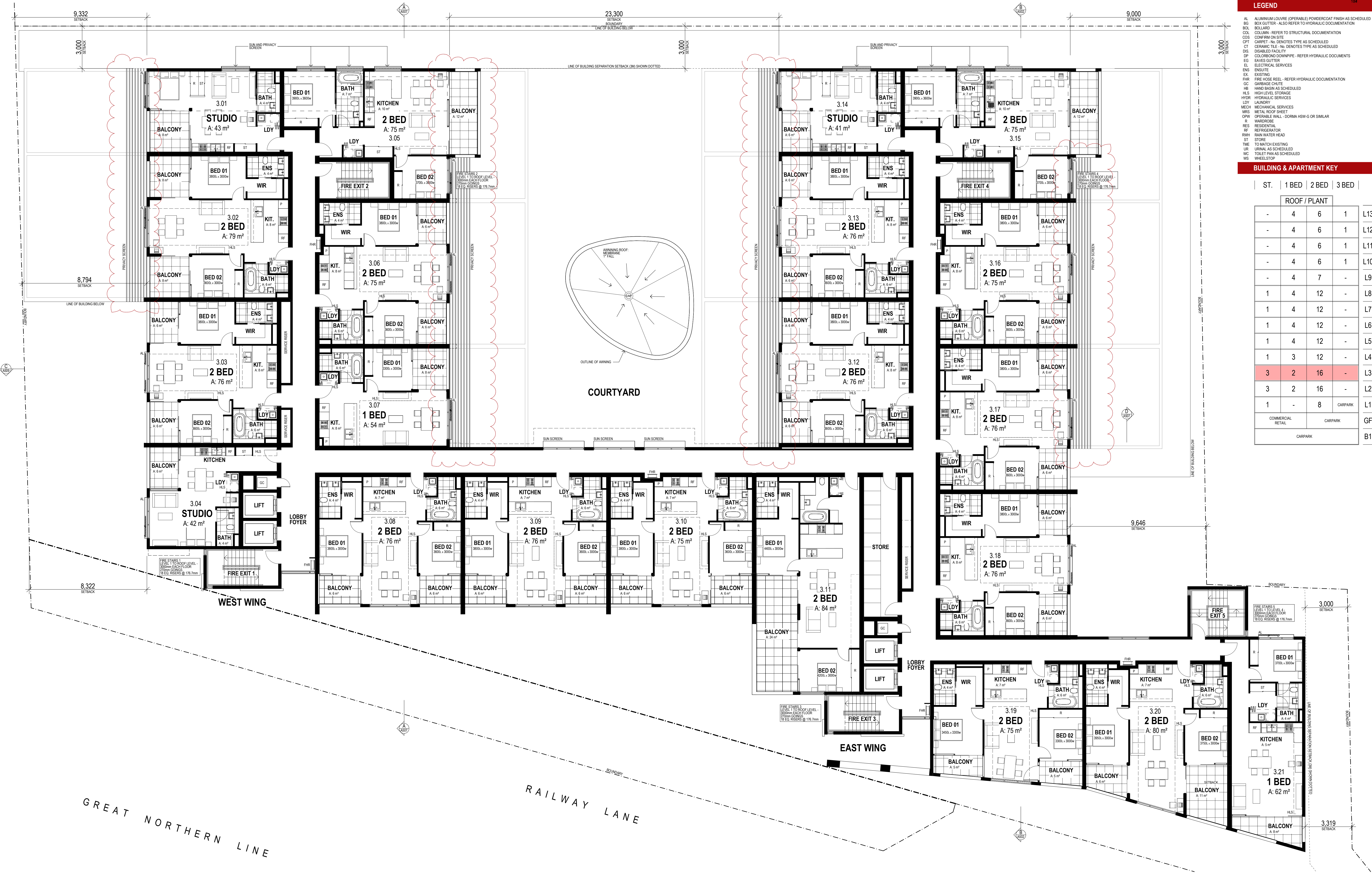
WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMMENCEMENT OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-DA-190801.ppt DATE PRINTED: 22/08/2019

DRAWN: PHB DATE: FEB '16 SCALES: 1:100@B1

PROJECT No.: 10670 PHASE: SK DRAWING No.: A104 REV: S

EJE architecture



LEGEND

- AL ALUMINUM LOUVER (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BO BOX CUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOL BOLLARD
- COL COLUMN - REFER TO STRUCTURAL DOCUMENTATION
- COS CONCREM ON SITE
- CPT CARPET - No. DENOTES TYPE AS SCHEDULED
- CT CERAMIC TILE - No. DENOTES TYPE AS SCHEDULED
- DIS DISABLED FACILITY
- DP COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
- EQ EAVES GUTTER
- EL ELECTRICAL SERVICES
- ENS ENSUITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
- GC GARBAGE CHUTE
- HB HAND BASIN AS SCHEDULED
- HLS HIGH LEVEL STORAGE
- HYDR HYDRAULIC SERVICES
- LDY LAUNDRY
- MECH MECHANICAL SERVICES
- MRS METAL ROOF SHEET
- OPW OPERABLE WALL - DORMA HSW-G OR SIMILAR
- R RADIATOR
- RES RESIDENTIAL REFRIGERATOR
- RF RAIN WATER HEAD
- RWR RAIN WATER REED
- ST STORE
- THE TO MATCH EXISTING
- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WHEELSTOP

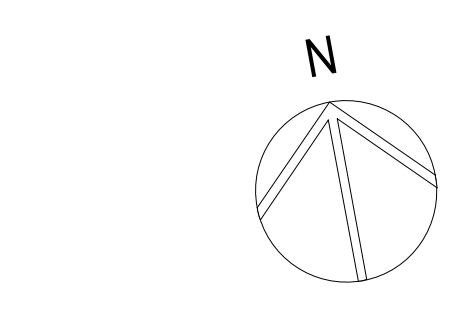
BUILDING & APARTMENT KEY

ST.	1 BED			2 BED			3 BED			L13
	1	2	3	4	5	6	7	8	9	
	-	4	6	1	-	-	-	-	-	L13
	-	4	6	1	-	-	-	-	-	L12
	-	4	6	1	-	-	-	-	-	L11
	-	4	6	1	-	-	-	-	-	L10
	-	4	7	-	-	-	-	-	-	L9
	1	4	12	-	-	-	-	-	-	L8
	1	4	12	-	-	-	-	-	-	L7
	1	4	12	-	-	-	-	-	-	L6
	1	4	12	-	-	-	-	-	-	L5
	1	3	12	-	-	-	-	-	-	L4
	3	2	16	-	-	-	-	-	-	L3
	3	2	16	-	-	-	-	-	-	L2
	1	-	8							L1
										GF
										B1

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DRN | CHD | VRFD | PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT | SITE: 73-79 RAILWAY LANE WICKHAM 2293

CLIENT: PETER BLAKE F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: LEVEL 3 FLOOR PLAN

NOT FOR CONSTRUCTION

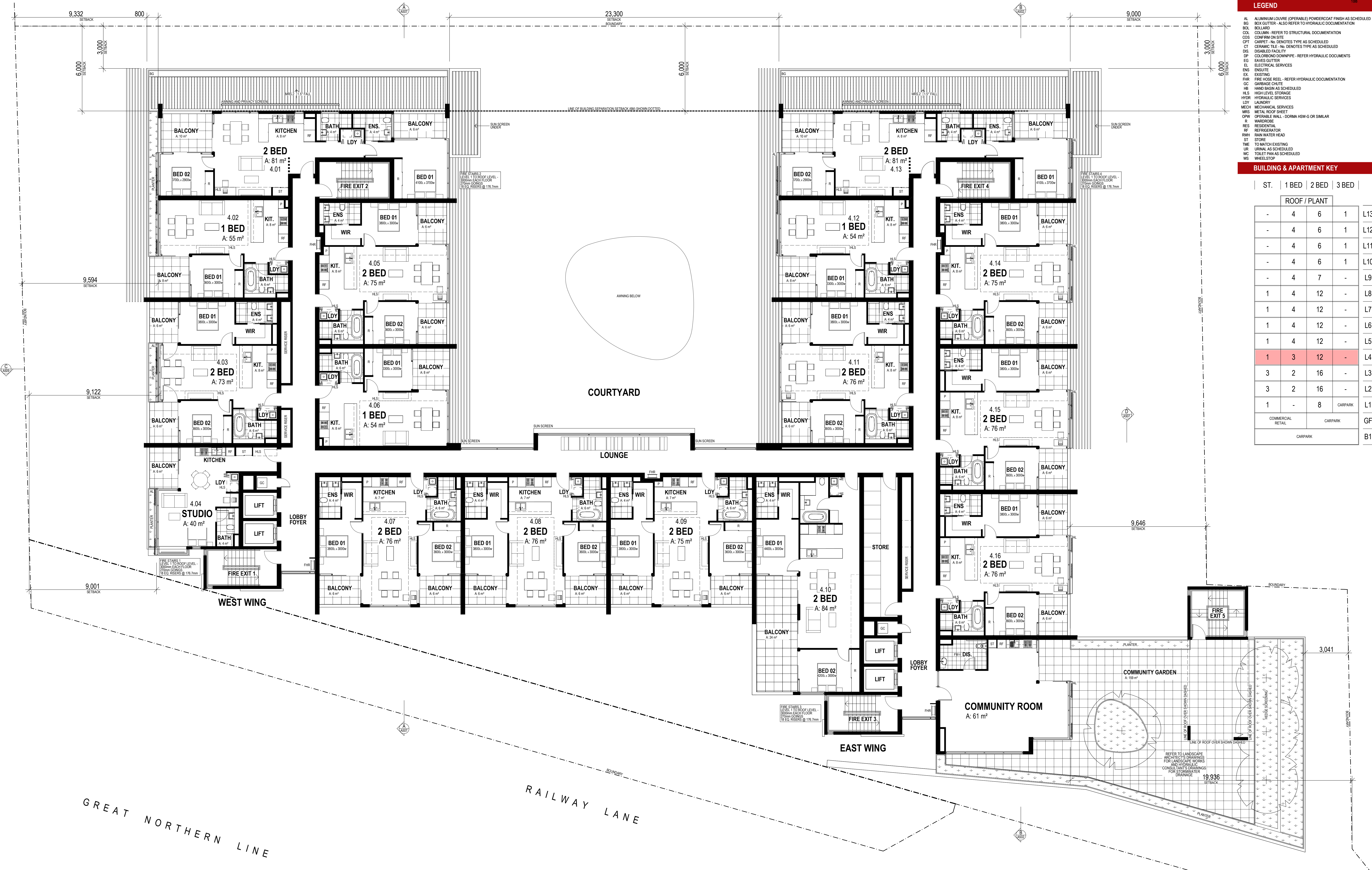
WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-DA 190801.ppt | DATE PRINTED: 22/08/2019

DRAWN: PHB | DATE: FEB '16 | SCALES: 1:100@B1

PROJECT No: 10670 | PHASE: SK | DRAWING No: A105 | REV: S

EJE architecture



LEGEND

- AL ALUMINUM LOUVER (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BG BOX GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOLLARD
- COL COLUMN - REFER TO STRUCTURAL DOCUMENTATION
- COS CONCRETE ON SITE
- CPT CARPET - No. DENOTES TYPE AS SCHEDULED
- CT CERAMIC TILE - No. DENOTES TYPE AS SCHEDULED
- DIS DISABLED FACILITY
- DP COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
- EQ EAVES GUTTER
- EL ELECTRICAL SERVICES
- ENS ENSUITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
- GC GARBAGE CHUTE
- HB HAND BASIN AS SCHEDULED
- HLS HIGH LEVEL STORAGE
- HYDR HYDRAULIC SERVICES
- LDY LAUNDRY
- MECH MECHANICAL SERVICES
- MRS METAL ROOF SHEET
- OPW OPERABLE WALL - DORMA HSW-G OR SIMILAR
- WDR WARDROBE
- RES RESIDENTIAL
- RRF REFRIGERATOR
- RWB RAIN WATER HEAD
- ST STORE
- THE TO MATCH EXISTING
- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WHEELSTOP

BUILDING & APARTMENT KEY

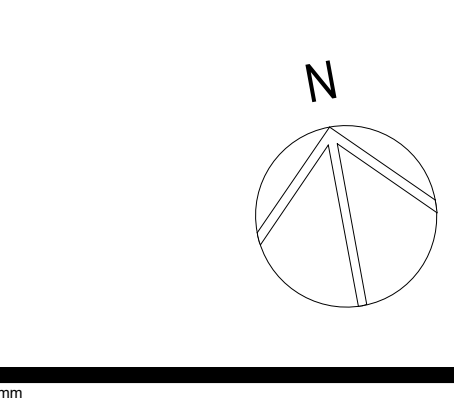
ST.	1 BED			2 BED			3 BED			ROOF / PLANT
	1	2	3	1	2	3	1	2	3	
L13	-	4	6	1	-	-	-	-	-	L13
L12	-	4	6	1	-	-	-	-	-	L12
L11	-	4	6	1	-	-	-	-	-	L11
L10	-	4	6	1	-	-	-	-	-	L10
L9	-	4	7	-	-	-	-	-	-	L9
L8	1	4	12	-	-	-	-	-	-	L8
L7	1	4	12	-	-	-	-	-	-	L7
L6	1	4	12	-	-	-	-	-	-	L6
L5	1	4	12	-	-	-	-	-	-	L5
L4	1	3	12	-	-	-	-	-	-	L4
L3	3	2	16	-	-	-	-	-	-	L3
L2	3	2	16	-	-	-	-	-	-	L2
L1	1	-	8	-	-	-	-	-	-	L1
GF	COMMERCIAL RETAIL			CARPARK						GF
B1	CARPARK									B1

1 LEVEL 4
1:100

EJE ARCHITECTURE
 ACN 002 312 543 | ABN 62 04 949 949
 Notified Architect - Bernard Collins
 NSW Architects Registration No. 4438
 A-412 KING STREET, NEWCASTLE, NSW 2300
 P +61 2 4929 2353 | F +61 2 4929 3069 | E mail@eje.com.au | W www.eje.com.au

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W	2018.10.04	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN | CHD | VRFD | PROJECT | NEW MIXED USE RESIDENTIAL DEVELOPMENT | SITE: 73-79 RAILWAY LANE WICKHAM 2293

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: LEVEL 4 FLOOR PLAN

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-DA 190801.ppt | DATE PRINTED: 15/10/2019

DRAWN: PHB | DATE: FEB '16 | SCALES: 1:100@B1

PROJECT No: 10670 | PHASE: SK | DRAWING No: A106 | REV: W

NOT FOR CONSTRUCTION





LEGEND

- AL ALUMINIUM LOUVERE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BC BOX CUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOL BOLLARD
- COL COLUMN - REFER TO STRUCTURAL DOCUMENTATION
- CON CONCREM ON SITE
- CPT CARPET - No. DENOTES TYPE AS SCHEDULED
- CT CERAMIC TILE - No. DENOTES TYPE AS SCHEDULED
- DIS DISABLED FACILITY
- DP COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
- EG EGRESS CUTTER
- EL ELECTRICAL SERVICES
- ENS ENSUITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
- GC GARBAGE CHUTE
- HB HAND BASIN AS SCHEDULED
- HLS HIGH LEVEL STORAGE
- HYDR HYDRAULIC SERVICES
- LDY LAUNDRY
- MECH MECHANICAL SERVICES
- MRS METAL ROOF SHEET
- OPW OPERABLE WALL - DORMA HSW-G OR SIMILAR
- R RADIATORS
- RES RESIDENTIAL
- REF REFRIGERATOR
- RWH ROOF WATER HEAD
- ST STORE
- THE TO MATCH EXISTING
- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WHEELSTOP

BUILDING & APARTMENT KEY

	ST.	1 BED	2 BED	3 BED	
					ROOF / PLANT
	-	4	6	1	L13
	-	4	6	1	L12
	-	4	6	1	L11
	-	4	6	1	L10
	-	4	7	-	L9
	1	4	12	-	L8
	1	4	12	-	L7
	1	4	12	-	L6
	1	4	12	-	L5
	1	3	12	-	L4
	3	2	16	-	L3
	3	2	16	-	L2
	1	-	8		L1
					GF
					B1

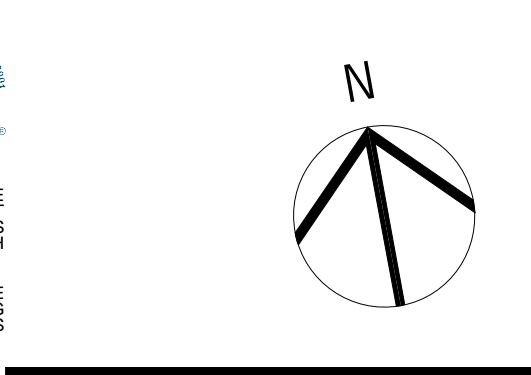
SUBJECT OF APPROVED DA - NO. 2016/384

LEVEL 5
1:100

EJE ARCHITECTURE
 ACN 002 312 543 | ABN 62 046 949 949
 Notified Architect - Bernard Collins
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COMPLETION OF THE QUALITY ASSURANCE CHECKS IS VERIFICATION THAT THE DOCUMENT CONFORMS WITH THE REQUIREMENTS OF THE QUALITY PROJECT PLAN. FOR THE QUALITY ASSURANCE CHECKS TO BE INCOMPLETE, THIS DOCUMENT IS PRELIMINARY FOR INFORMATION PURPOSES ONLY, OR SUCH PURPOSES AS STATED IN THE REVISION COLUMN.

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REV	DATE	COMMENTS
F	2016.10.05	ISSUE TO COUNCIL - ENGINEERING REQUIREMENTS
G	2016.11.22	REVISED ISSUE FOR DEVELOPMENT APPLICATION
H	2016.12.06	REVISED ISSUE FOR DEVELOPMENT APPLICATION
J	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
K	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
L	2017.05.05	ISSUE TO COUNCIL - SETBACKS
M	2018.02.23	ISSUE TO CLIENT FOR REVIEW - 45M CONCEPT
N	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
P	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT
 CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

SITE: 73-79 RAILWAY LANE WICKHAM 2293
 DRAWING: LEVEL 5 FLOOR PLAN

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS ON THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT, REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-SK 180118_45M OPTION.pln DATE PRINTED: 30/05/2018
 DRAWN: PHB DATE: FEB '16 SCALES: 1:100@B1
 PROJECT No: 10670 PHASE: SK DRAWING No: A107 REV: P

NOT FOR CONSTRUCTION

EJE architecture



LEGEND

- AL ALUMINIUM LOUVRE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BC BOX CUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOLLARD
- COL COLUMN - REFER TO STRUCTURAL DOCUMENTATION
- COS CONCRETE ON SITE
- CPT CARPET - NO DENOTES TYPE AS SCHEDULED
- CT CERAMIC TILE - NO DENOTES TYPE AS SCHEDULED
- DIS DISABLED FACILITY
- DP COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
- EG EWING CUTTER
- EL ELECTRICAL SERVICES
- ENS ENSUITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
- GC GARBAGE CHUTE
- HB HAND BASIN AS SCHEDULED
- HLS HIGH LEVEL STORAGE
- HYDR HYDRAULIC SERVICES
- LDY LAUNDRY
- MECH MECHANICAL SERVICES
- MRS METAL ROOF SHEET
- OPW OPERABLE WALL - DORMA HSW-G OR SIMILAR
- RR RADIATOR
- RES RESIDENTIAL
- REF REFRIGERATOR
- RWH RAW WATER HEAD
- ST STORE
- THE TO MATCH EXISTING
- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WHEELSTOP

BUILDING & APARTMENT KEY

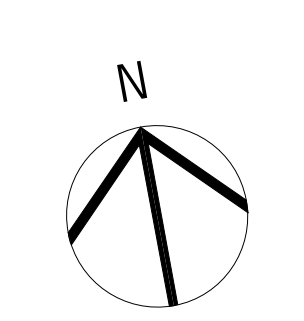
	ST.	1 BED	2 BED	3 BED	
		ROOF / PLANT			
		4	6	1	L13
		4	6	1	L12
		4	6	1	L11
		4	6	1	L10
		4	7	-	L9
		4	12	-	L8
		4	12	-	L7
		4	12	-	L6
		4	12	-	L5
		3	12	-	L4
		3	16	-	L3
		3	16	-	L2
		1	8	CARPARK	L1
				CARPARK	GF
				CARPARK	B1

LEVEL 6
1:100

EJE ARCHITECTURE
 ACN 002 312 543 | ABN 62 046 949 949
 Notified Architect - Bernard Collins
 NSW Architects Registration No. 4438
 A-112 KING STREET, NEWCASTLE, NSW 2300
 P +61 2 4929 2583 | F +61 2 4929 3069 | E mail@eje.com.au | W www.eje.com.au

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REV	DATE	COMMENTS
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J	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
K	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
L	2017.05.05	ISSUE TO COUNCIL - SETBACKS
M	2018.02.23	ISSUE TO CLIENT FOR REVIEW - 4SM CONCEPT
N	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
P	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT
 SITE: 73-79 RAILWAY LANE WICKHAM 2293

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: LEVEL 6 FLOOR PLAN

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS ON THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT, ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-SK-180118_4SM_OPTION.pln DATE PRINTED: 30/05/2018
 DRAWN: DATE: SCALES:
 PHB FEB '16 1:100@B1
 PROJECT No: PHASE: DRAWING No: REV:
 10670 SK A108 P

EJE architecture

NOT FOR CONSTRUCTION



LEGEND

- AL ALUMINIUM LOUVERE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BC BOX CUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOL BOLLARD
- COL COLUMN - REFER TO STRUCTURAL DOCUMENTATION
- COS CONCREM ON SITE
- CPT CARPET - No. DENOTES TYPE AS SCHEDULED
- CT CERAMIC TILE - No. DENOTES TYPE AS SCHEDULED
- DIS DISABLED FACILITY
- DP COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
- EG EGRESS CUTTER
- EL ELECTRICAL SERVICES
- ENS ENSUITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
- GC GARBAGE CHUTE
- HB HAND BASIN AS SCHEDULED
- HLS HIGH LEVEL STORAGE
- HYDR HYDRAULIC SERVICES
- LDY LAUNDRY
- MRS MECHANICAL SERVICES
- METAL ROOF SHEET
- OPW OPERABLE WALL - DORMA HSW-G OR SIMILAR
- WARDROBE
- RES RESIDENTIAL
- REF REFRIGERATOR
- RWH RAIN WATER HEAD
- ST STORE
- THE TO MATCH EXISTING
- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WHEELSTOP

BUILDING & APARTMENT KEY

	ST.	1 BED	2 BED	3 BED	
		ROOF / PLANT			
		4	6	1	L13
		4	6	1	L12
		4	6	1	L11
		4	6	1	L10
		4	7	-	L9
	1	4	12	-	L8
	1	4	12	-	L7
	1	4	12	-	L6
	1	4	12	-	L5
	1	3	12	-	L4
	3	2	16	-	L3
	3	2	16	-	L2
	1	-	8	CARPARK	L1
	COMMERCIAL RETAIL			CARPARK	GF
				CARPARK	B1

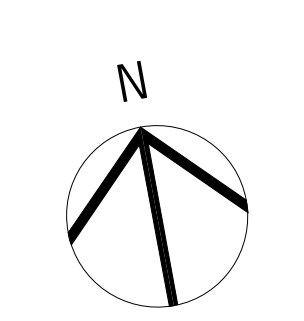
SUBJECT OF APPROVED DA - NO. 2016/384

LEVEL 7
1:100

EJE ARCHITECTURE
 ACN 002 312 843 | ABN 62 044 949 849
 Notarised Architect - Bernard Collins
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COMPLETION OF THE QUALITY ASSURANCE CHECKS IS VERIFICATION THAT THE DOCUMENT CONFORMS WITH THE REQUIREMENTS OF THE QUALITY PROJECT PLAN. FOR THE QUALITY ASSURANCE CHECKS TO BE INCOMPLETE, THIS DOCUMENT IS PRELIMINARY FOR INFORMATION PURPOSES ONLY, OR SUCH PURPOSES AS STATED IN THE REVISION COLUMN.

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REV	DATE	COMMENTS
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H	2016.12.06	REVISED ISSUE FOR DEVELOPMENT APPLICATION
J	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
K	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
L	2017.05.05	ISSUE TO COUNCIL - SETBACKS
M	2018.02.23	ISSUE TO CLIENT FOR REVIEW - 45M CONCEPT
N	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
P	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DWG | CHD | VRFD | PROJECT | NEW MIXED USE RESIDENTIAL DEVELOPMENT | SITE: 73-79 RAILWAY LANE WICKHAM 2293

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

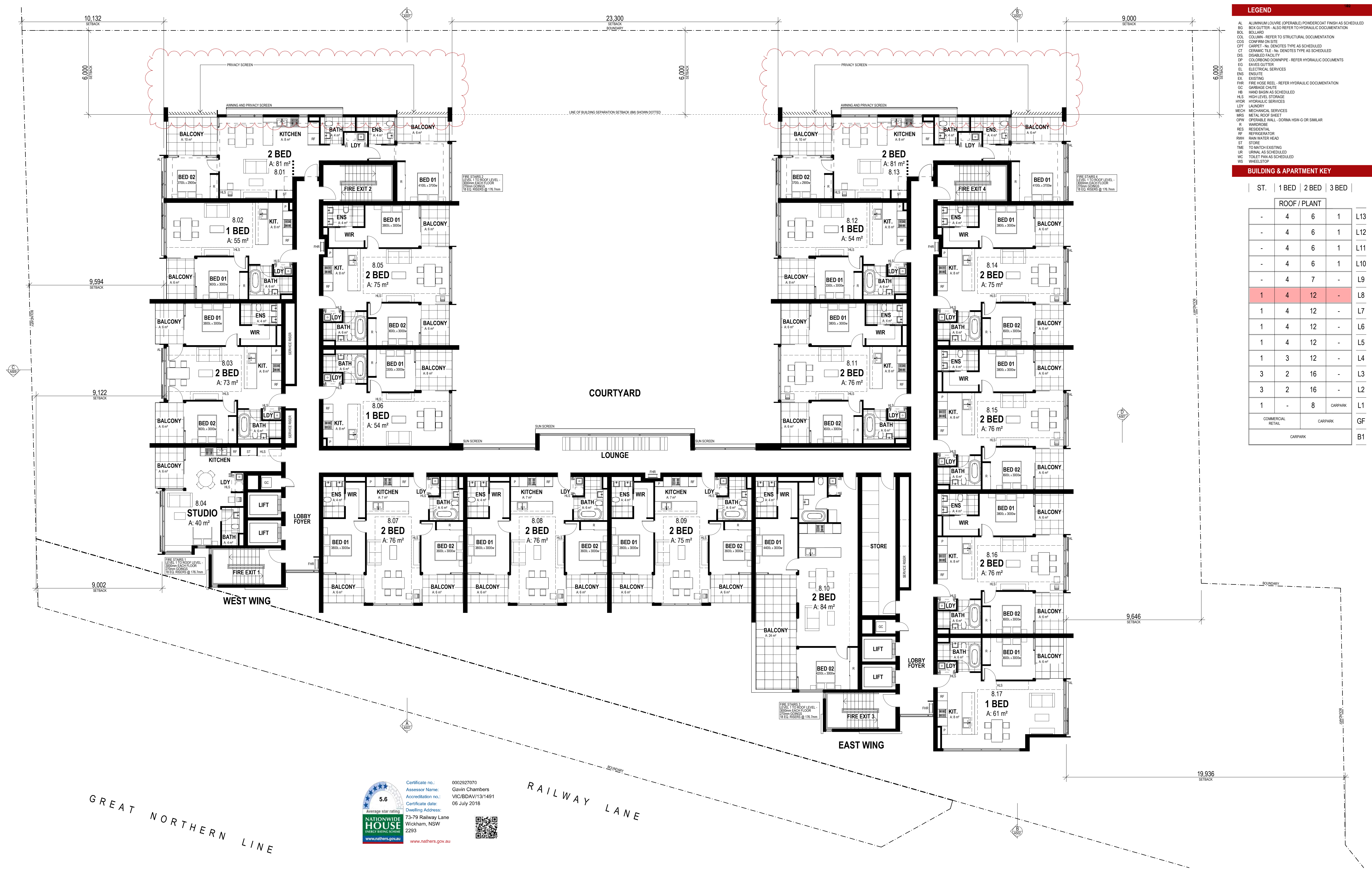
DRAWING: LEVEL 7 FLOOR PLAN

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS ON THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK, REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-SK-180118_45M-OPTION.pln DATE PRINTED: 30/05/2018
 DRAWN: PHB DATE: FEB '16 SCALES: 1:100@B1
 PROJECT NO: 10670 PHASE: SK DRAWING NO: A109 REV: P

EJE architecture

NOT FOR CONSTRUCTION



LEGEND

- AL ALUMINUM LOUVRE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BG BOX GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOLL BOLLARD
- COL COLUMN - REFER TO STRUCTURAL DOCUMENTATION
- C25 CONCREM ON SITE
- CPT CARPET - No. DENOTES TYPE AS SCHEDULED
- CT CERAMIC TILE - No. DENOTES TYPE AS SCHEDULED
- DIS DISABLED FACILITY
- DP COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
- EG ENHVS GUTTER
- EL ELECTRICAL SERVICES
- ENS ENSUITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
- GC GARBAGE CHUTE
- HB HAND BASIN AS SCHEDULED
- HLS HIGH LEVEL STORAGE
- HYDR HYDRAULIC SERVICES
- LDY LAUNDRY
- MECH MECHANICAL SERVICES
- MRS METAL ROOF SHEET
- OPW OPERABLE WALL - DORMA HSW-G OR SIMILAR
- WARD WARDROBE
- RES RESIDENTIAL REFRIGERATOR
- RF RAIN WATER HEAD
- ST STORE
- THE TO MATCH EXISTING
- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WHEELSTOP

BUILDING & APARTMENT KEY

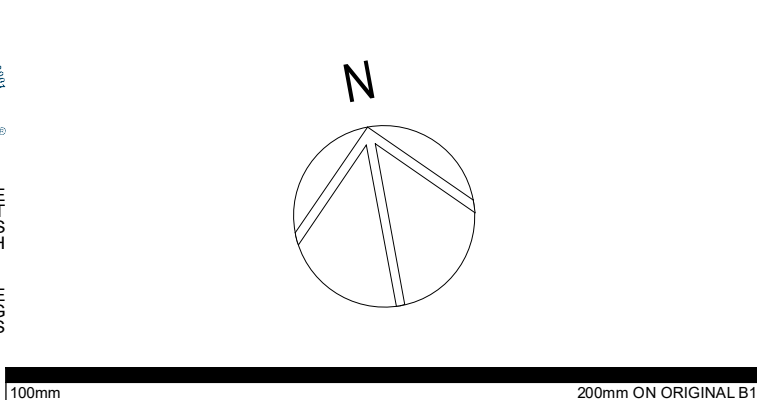
ST.	1 BED	2 BED	3 BED	
				ROOF / PLANT
-	4	6	1	L13
-	4	6	1	L12
-	4	6	1	L11
-	4	6	1	L10
-	4	7	-	L9
1	4	12	-	L8
1	4	12	-	L7
1	4	12	-	L6
1	4	12	-	L5
1	3	12	-	L4
3	2	16	-	L3
3	2	16	-	L2
1	-	8		L1
				GF
				B1

1 LEVEL 8
1:100

EJE ARCHITECTURE
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5.6
Average star rating
NATIONWIDE HOUSE
ENERGY RATING SCHEME
www.nathers.gov.au

Certificate no.: 0002927070
Assessor Name: Gavin Chambers
Accreditation no.: VIC/DAV/13/1491
Certificate date: 05 July 2018
Dwelling Address: 73-79 Railway Lane, Wickham, NSW 2293

RAILWAY LANE

REV	DATE	COMMENTS
M	2016.12.06	REVISED ISSUE FOR DEVELOPMENT APPLICATION
N	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
P	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
Q	2017.05.05	ISSUE TO COUNCIL - SETBACKS
R	2018.02.23	ISSUE TO CLIENT FOR REVIEW - 4SM CONCEPT
S	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
T	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
U	2018.08.16	ISSUE FOR COORDINATION
V	2019.08.20	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHKD	VRFD	PROJECT	SITE
PHB	BC		NEW MIXED USE RESIDENTIAL DEVELOPMENT	73-79 RAILWAY LANE WICKHAM 2293
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			

CLIENT: PETER BLAKE
F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: LEVEL 8 FLOOR PLAN

NOT FOR CONSTRUCTION

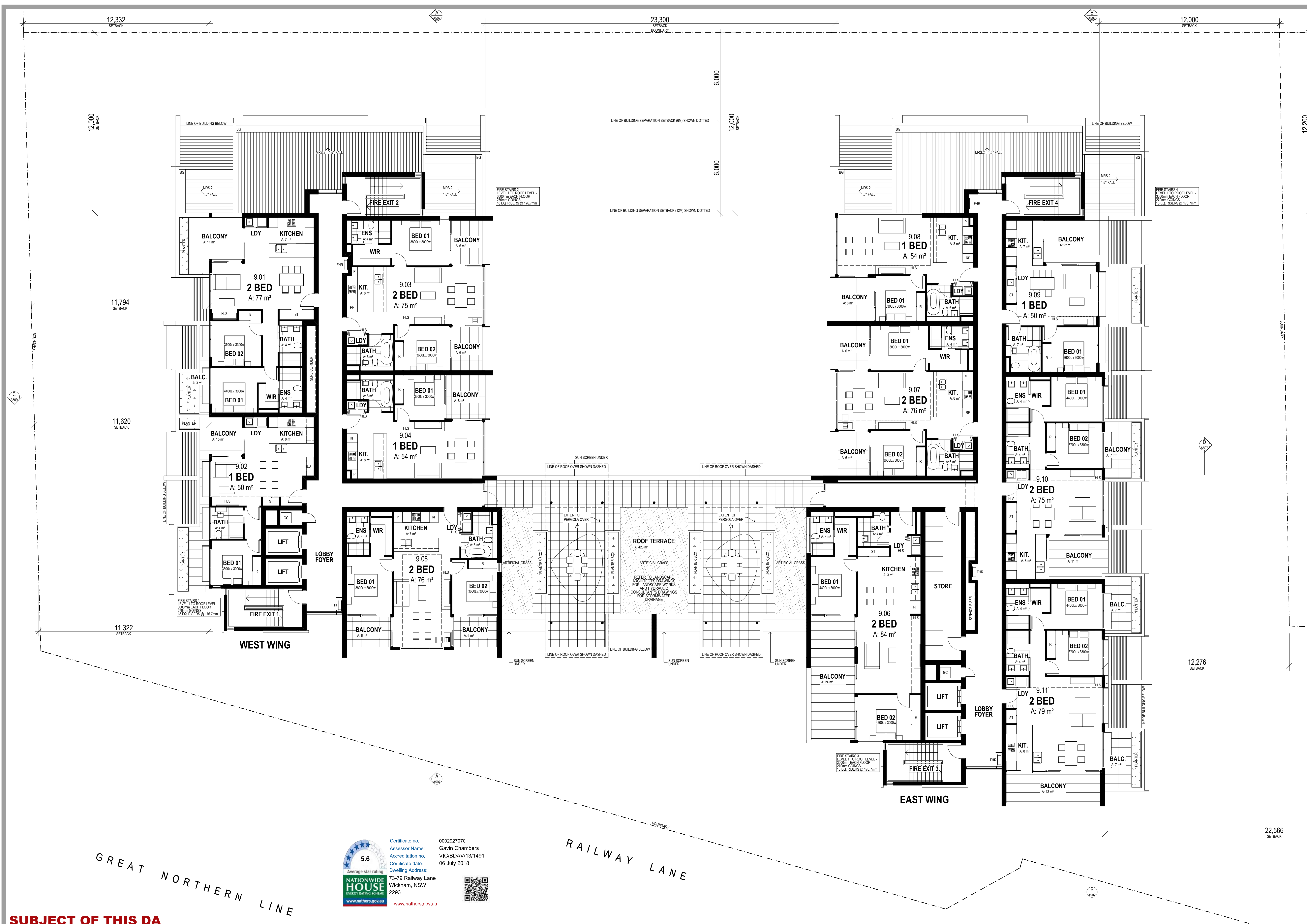
WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-DA 190801.pdf DATE PRINTED: 12/11/2019

DRAWN: PHB DATE: FEB '16 SCALES: 1:100@B1

PROJECT No: 10670 PHASE: SK DRAWING No: A110 REV: V

EJE architecture



LEGEND

- AL ALUMINUM LOUVRE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BG BOX GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOL BOLLARD
- COL COLUMN - REFER TO STRUCTURAL DOCUMENTATION
- CONF CONFIRM ON SITE
- CPT CARPET - No. DENOTES TYPE AS SCHEDULED
- CT CERAMIC TILE - No. DENOTES TYPE AS SCHEDULED
- DIS DISABLED FACILITY
- DP COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
- EQ EAVES GUTTER
- EL ELECTRICAL SERVICES
- ENS ENSUITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
- GC GARBAGE CHUTE
- HB HAND BASIN AS SCHEDULED
- HLS HIGH LEVEL STORAGE
- HYDR HYDRAULIC SERVICES
- LDY LAUNDRY
- MECH MECHANICAL SERVICES
- MRS METAL ROOF SHEET
- OPW OPERABLE WALL - DORMA HSW-G OR SIMILAR
- RES RESIDENTIAL
- RRR REFRIGERATOR
- RWB RAIN WATER HEAD
- ST STORE
- THE TO MATCH EXISTING
- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WHEELSTOP

BUILDING & APARTMENT KEY

	ST.	1 BED	2 BED	3 BED	
					ROOF / PLANT
	-	4	6	1	L13
	-	4	6	1	L12
	-	4	6	1	L11
	-	4	6	1	L10
	-	4	7	-	L9
	1	4	12	-	L8
	1	4	12	-	L7
	1	4	12	-	L6
	1	4	12	-	L5
	1	3	12	-	L4
	3	2	16	-	L3
	3	2	16	-	L2
	1	-	8	-	L1
	COMMERCIAL				GF
	RESTAURANT				B1
					CARPARK

SUBJECT OF THIS DA

EJE ARCHITECTURE
 ACN 002312343 | ABN 62 04 949 949
 Notarised Architect - Bernard Collins
 NSW Architects Registration No. 4638
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 P +61 2 4929 2353 | F +61 2 4929 3069 | E mail@eje.com.au | W www.eje.com.au

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RAILWAY LANE

REV	DATE	COMMENTS
J	2016.10.05	ISSUE TO COUNCIL - ENGINEERING REQUIREMENTS
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Q	2018.02.23	ISSUE TO CLIENT FOR REVIEW - 4SM CONCEPT
R	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
S	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHKD	VRFD	PROJECT	SITE
PHB	BC	BC	NEW MIXED USE RESIDENTIAL DEVELOPMENT	73-79 RAILWAY LANE WICKHAM 2293
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: LEVEL 9 FLOOR PLAN

NOT FOR CONSTRUCTION

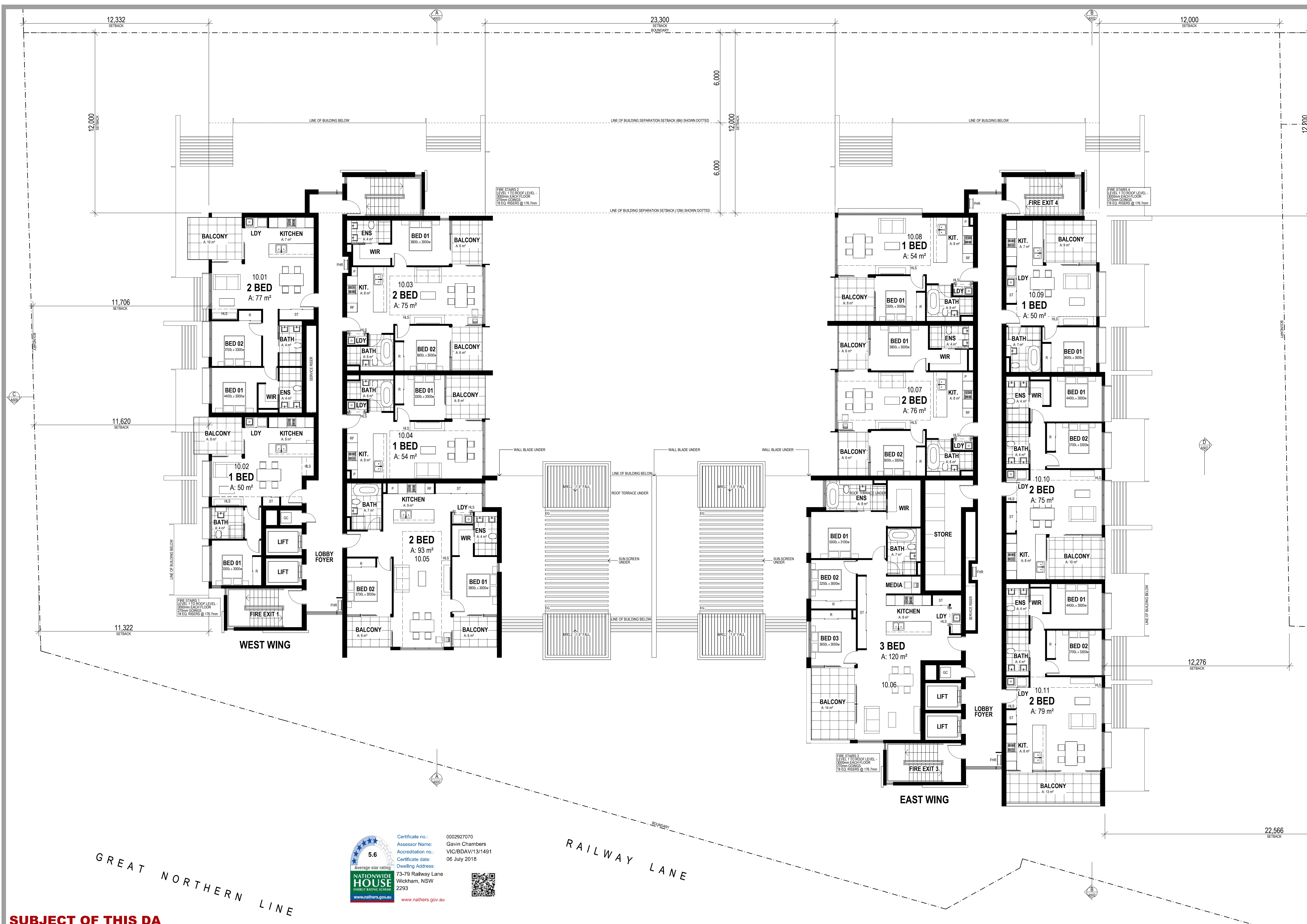
WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-SK-180118_4SM_OPTION_01.dwg DATE PRINTED: 18/07/2018

DRAWN: PHB DATE: FEB '16 SCALES: 1:100@B1

PROJECT NO: 10670 PHASE: SK DRAWING NO: A111 REV: S

EJE architecture



LEGEND

- AL ALUMINUM LOUVRE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BG BOX GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOL BOLLARD
- COL COLUMN - REFER TO STRUCTURAL DOCUMENTATION
- CONFIRM ON SITE
- CPT CARPET - No. DENOTES TYPE AS SCHEDULED
- CT CERAMIC TILE - No. DENOTES TYPE AS SCHEDULED
- DIS DISABLED FACILITY
- DP COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
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- EL ELECTRICAL SERVICES
- ENS ENSUITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
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- HYDR HYDRAULIC SERVICES
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- MECH MECHANICAL SERVICES
- MRS METAL ROOF SHEET
- OPW OPERABLE WALL - DORMA HSW-G OR SIMILAR
- R WARDROBE
- RES RESIDENTIAL
- RF REFRIGERATOR
- RWH RAIN WATER HEAD
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- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WHEELSTOP

BUILDING & APARTMENT KEY

	ST.	1 BED	2 BED	3 BED	
					ROOF / PLANT
	-	4	6	1	L13
	-	4	6	1	L12
	-	4	6	1	L11
	-	4	6	1	L10
	-	4	7	-	L9
	1	4	12	-	L8
	1	4	12	-	L7
	1	4	12	-	L6
	1	4	12	-	L5
	1	3	12	-	L4
	3	2	16	-	L3
	3	2	16	-	L2
	1	-	8	CARPARK	L1
	COMMERCIAL				GF
	RESTAURANT				GF
				CARPARK	B1

SUBJECT OF THIS DA

EJE ARCHITECTURE
 ACN 002312343 | ABN 62 04 949 949
 Notarized Architect - Bernard Collins
 NSW Architects Registration No. 4638
 A-112 KING STREET, NEWCASTLE, NSW 2300
 P +61 2 4929 2353 | F +61 2 4929 3069 | E mail@eje.com.au | W www.eje.com.au

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NATIONWIDE HOUSE
 5.6 Average star rating
 www.nathers.gov.au

Certificate no.: 0002927070
 Assessor Name: Gavin Chambers
 Accreditation no.: VIC/BAVA/13/1491
 Certificate date: 06 July 2018

Dwelling Address:
 73-79 Railway Lane
 Wickham, NSW
 2293

REV	DATE	COMMENTS
H	2016.11.22	REVISED ISSUE FOR DEVELOPMENT APPLICATION
J	2016.12.06	REVISED ISSUE FOR DEVELOPMENT APPLICATION
K	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
L	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
M	2017.05.05	ISSUE TO COUNCIL - SETBACKS
N	2018.02.23	ISSUE TO CLIENT FOR REVIEW - 45M CONCEPT
P	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
Q	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
R	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERNATIONS & ADDITIONS

DRN	CHKD	VRFD	PROJECT	SITE
PHB	BC		NEW MIXED USE RESIDENTIAL DEVELOPMENT	73-79 RAILWAY LANE WICKHAM 2293
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: LEVEL 10 FLOOR PLAN

NOT FOR CONSTRUCTION

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-SK 180118_45M OPTION_01.dwg DATE PRINTED: 18/07/2018

DRAWN: PHB DATE: FEB '16 SCALES: 1:100@B1

PROJECT NO: 10670 PHASE: SK DRAWING NO: A112 REV: R

EJE architecture



LEGEND

- AL ALUMINUM LOUVRE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BG BOX GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOL BOLLARD
- COL COLUMN - REFER TO STRUCTURAL DOCUMENTATION
- CONF CONFIRM ON SITE
- CPT CARPET - No. DENOTES TYPE AS SCHEDULED
- CT CERAMIC TILE - No. DENOTES TYPE AS SCHEDULED
- DIS DISABLED FACILITY
- DP COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
- EQ EAVES GUTTER
- EL ELECTRICAL SERVICES
- ENS ENSUITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
- GC GARBAGE CHUTE
- HB HAND BASIN AS SCHEDULED
- HLS HIGH LEVEL STORAGE
- HYDR HYDRAULIC SERVICES
- LDY LAUNDRY
- MECH MECHANICAL SERVICES
- MRS METAL ROOF SHEET
- OPW OPERABLE WALL - DORMA HSW-G OR SIMILAR
- WARD WARDROBE
- RES RESIDENTIAL
- RF REFRIGERATOR
- RWH RAIN WATER HEAD
- ST STORE
- THE TO MATCH EXISTING
- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WHEELSTOP

BUILDING & APARTMENT KEY

ST.	1 BED			2 BED			3 BED			L
	1	2	3	1	2	3	1	2	3	
L13	-	4	6	1	-	-	-	-	-	ROOF / PLANT
L12	-	4	6	1	-	-	-	-	-	
L11	-	4	6	1	-	-	-	-	-	
L10	-	4	6	1	-	-	-	-	-	
L9	-	4	7	-	-	-	-	-	-	
L8	1	4	12	-	-	-	-	-	-	
L7	1	4	12	-	-	-	-	-	-	
L6	1	4	12	-	-	-	-	-	-	
L5	1	4	12	-	-	-	-	-	-	
L4	1	3	12	-	-	-	-	-	-	
L3	3	2	16	-	-	-	-	-	-	
L2	3	2	16	-	-	-	-	-	-	
L1	1	-	8	CARPARK	-	-	-	-	-	
GF	COMMERCIAL RETAIL			CARPARK						
B1	CARPARK									

SUBJECT OF THIS DA

EJE ARCHITECTURE
 ACN 002312343 | ABN 62 046 949 949
 Notarised Architect - Bernard Collins
 NSW Architects Registration No. 4438
 A-112 KING STREET, NEWCASTLE, NSW 2300
 P +61 2 4929 2353 | F +61 2 4929 3069 | E mail@eje.com.au | W www.eje.com.au

COMPLETION OF THE QUALITY ASSURANCE CHECKS IS VERIFICATION THAT THE DOCUMENT CONFORMS WITH THE REQUIREMENTS OF THE QUALITY PROJECT PLAN. THE QUALITY ASSURANCE CHECKS DO NOT GUARANTEE THE ACCURACY OF THE DOCUMENT AND PASSING IT ONTO OTHERS WITHOUT THE EXPRESS PERMISSION OF EJE ARCHITECTURE IS AN INFRINGEMENT OF COPYRIGHT. ©

NATIONWIDE HOUSE
 Average star rating 5.6
 www.nathers.gov.au

Certificate no.: 0002927070
 Assessor Name: Gavin Chambers
 Accreditation no.: VIC/BDV/13/1491
 Certificate date: 06 July 2018
 Dwelling Address: 73-79 Railway Lane, Wickham, NSW 2293
 www.nathers.gov.au

REV	DATE	COMMENTS
A	2016.03.24	FINAL CONSULTANT ISSUE FOR COORDINATION
B	2016.04.05	ISSUE FOR DEVELOPMENT APPLICATION
C	2018.02.23	ISSUE TO CLIENT FOR REVIEW - 45M CONCEPT
D	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
E	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
F	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN | CHKD | VRFD | PROJECT | NEW MIXED USE RESIDENTIAL DEVELOPMENT | SITE: 73-79 RAILWAY LANE WICKHAM 2293

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: LEVEL 11 FLOOR PLAN

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

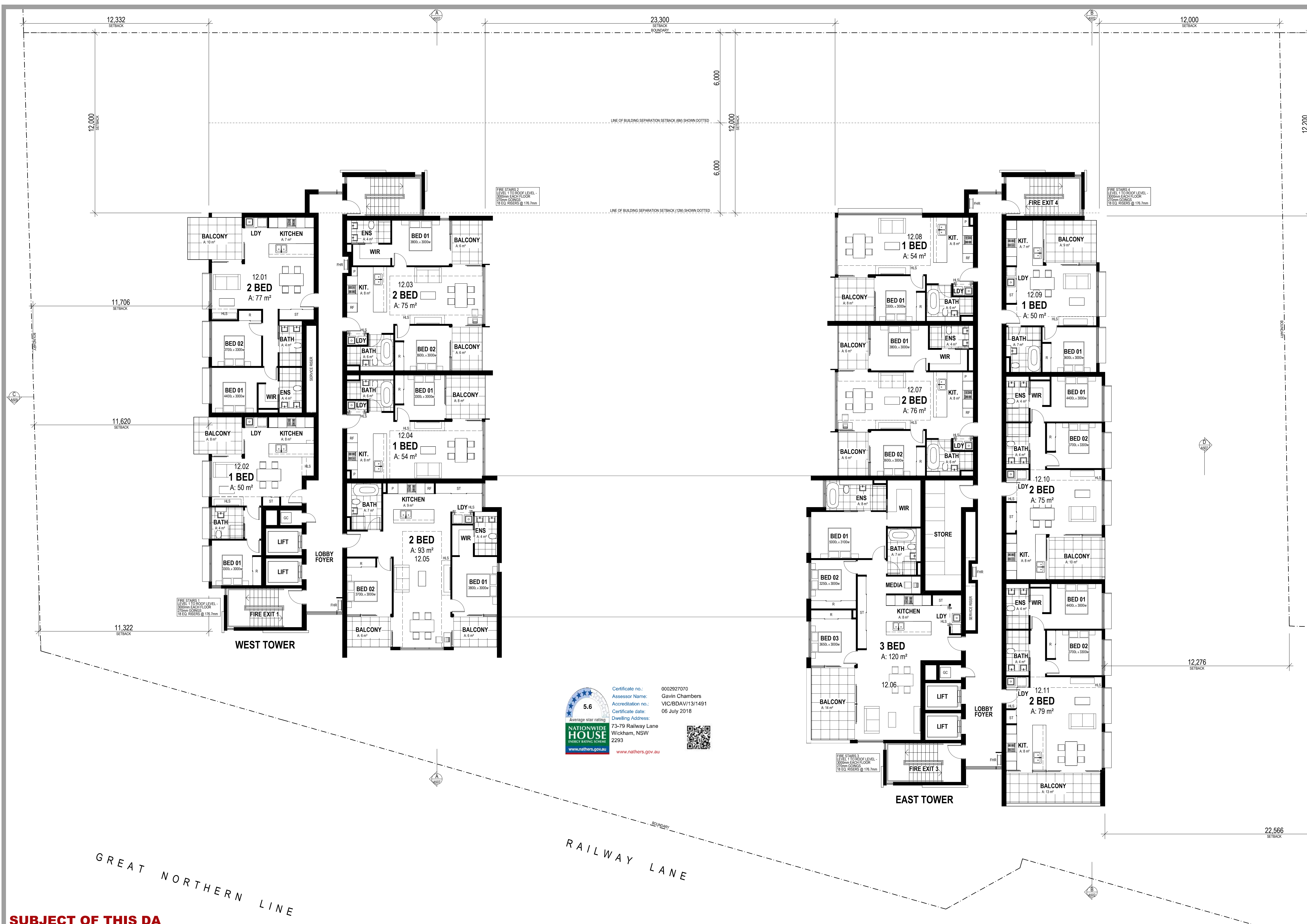
FILENAME: 10670-SK 180118_45M OPTION_01.dwg DATE PRINTED: 18/07/2018

DRAWN: PHB DATE: FEB '16 SCALES: 1:100@B1

PROJECT NO: 10670 PHASE: SK DRAWING NO: A113 REV: F

EJE architecture

NOT FOR CONSTRUCTION



LEGEND

- AL ALUMINIUM LOUVRE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BG BOX CUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOL BOLLARD
- COL COLUMN - REFER TO STRUCTURAL DOCUMENTATION
- COS CONCREM ON SITE
- CPT CARPET - No. DENOTES TYPE AS SCHEDULED
- CT CERAMIC TILE - No. DENOTES TYPE AS SCHEDULED
- DIS DISABLED FACILITY
- DP COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
- EQ EAVES GUTTER
- EL ELECTRICAL SERVICES
- ENS ENSUITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
- GC GARBAGE CHUTE
- HB HAND BASIN AS SCHEDULED
- HLS HIGH LEVEL STORAGE
- HYDR HYDRAULIC SERVICES
- LDY LAUNDRY
- MECH MECHANICAL SERVICES
- MRS METAL ROOF SHEET
- OPW OPERABLE WALL - DORMA HSW-G OR SIMILAR
- WARD WARDROBE
- RES RESIDENTIAL
- RF REFRIGERATOR
- RWH RAIN WATER HEAD
- ST STORE
- THE TO MATCH EXISTING
- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WHEELSTOP

BUILDING & APARTMENT KEY

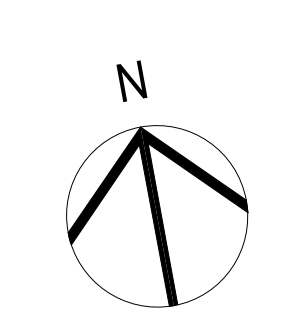
ST.	1 BED			2 BED			3 BED			L
	1	2	3	1	2	3	1	2	3	
L13	-	4	6	1	-	-	-	-	-	L13
L12	-	4	6	1	-	-	-	-	-	L12
L11	-	4	6	1	-	-	-	-	-	L11
L10	-	4	6	1	-	-	-	-	-	L10
L9	-	4	7	-	-	-	-	-	-	L9
L8	1	4	12	-	-	-	-	-	-	L8
L7	1	4	12	-	-	-	-	-	-	L7
L6	1	4	12	-	-	-	-	-	-	L6
L5	1	4	12	-	-	-	-	-	-	L5
L4	1	3	12	-	-	-	-	-	-	L4
L3	3	2	16	-	-	-	-	-	-	L3
L2	3	2	16	-	-	-	-	-	-	L2
L1	1	-	8	CARPARK	-	-	-	-	-	L1
GF	COMMERCIAL RETAIL			CARPARK						GF
B1	CARPARK									B1

Certificate no.: 0002927070
 Assessor Name: Gavin Chambers
 Accreditation no.: VIC/BDV/13/1491
 Certificate date: 06 July 2018
 Dwelling Address: 73-79 Railway Lane, Wickham, NSW 2293
www.nathers.gov.au

SUBJECT OF THIS DA

LEVEL 12
1:100

EJE ARCHITECTURE
 ACN 002312343 | ABN 62 046 949 949
 Notarised Architect - Bernard Collins
 NSW Architects Registration No. 4438
 A-112 KING STREET, NEWCASTLE, NSW 2300
 P +61 2 4929 2353 | F +61 2 4929 3069 | E mail@eje.com.au | W www.eje.com.au



REV	DATE	COMMENTS
A	2016.03.24	FINAL CONSULTANT ISSUE FOR COORDINATION
B	2016.04.05	ISSUE FOR DEVELOPMENT APPLICATION
C	2018.02.23	ISSUE TO CLIENT FOR REVIEW - 4SM CONCEPT
D	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
E	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
F	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

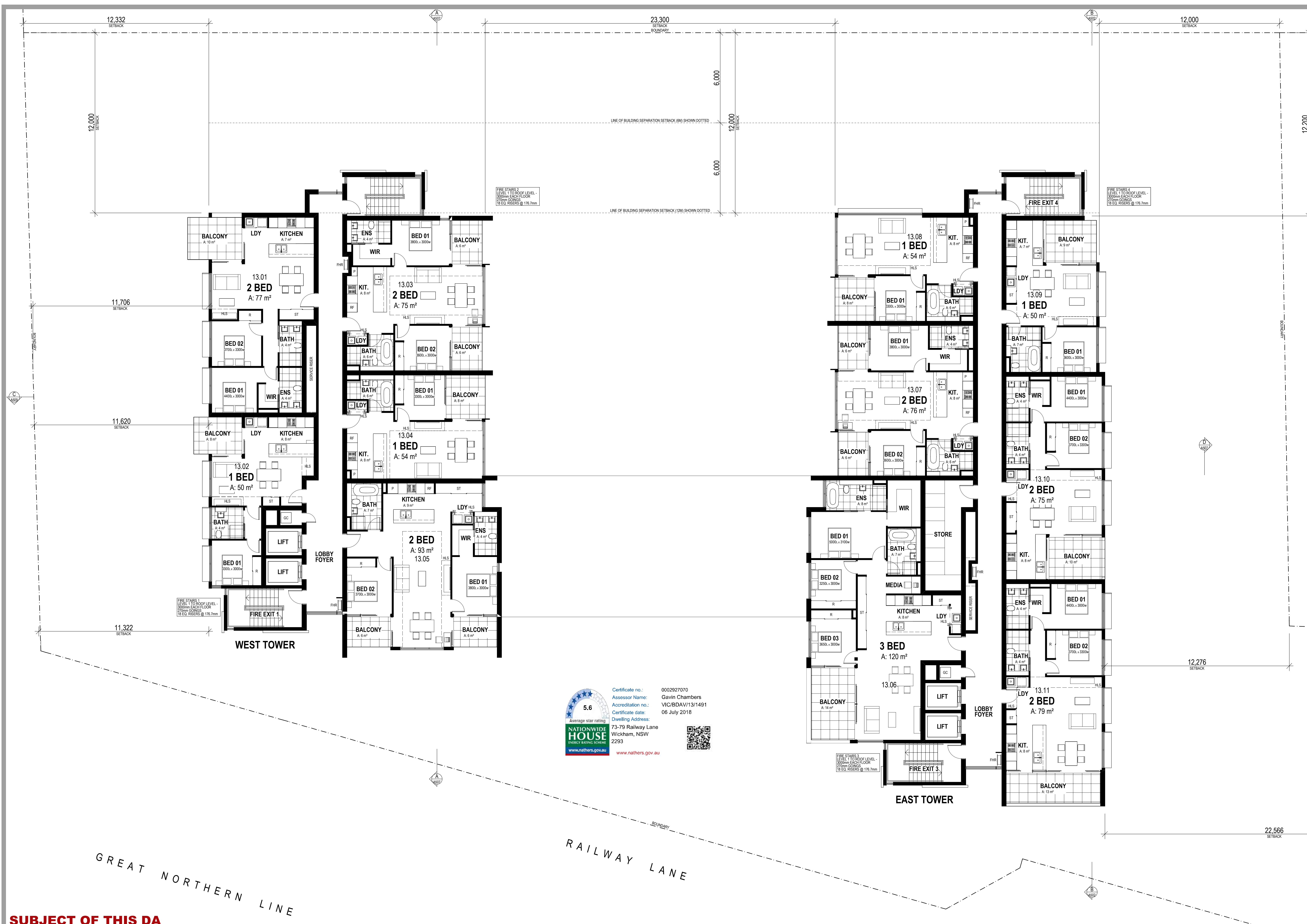
PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT
 SITE: 73-79 RAILWAY LANE WICKHAM 2293
 CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: LEVEL 12 FLOOR PLAN
 DATE: FEB '16
 SCALE: 1:100@B1

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT, ASK. REPORT ALL ERRORS AND OMISSIONS.
 FILENAME: 10670-SK 180118_4SM OPTION_01.dwg DATE PRINTED: 18/07/2018
 DRAWN: PHB DATE: FEB '16 SCALE: 1:100@B1
 PROJECT NO: 10670 PHASE: SK DRAWING NO: A114 REV: F

NOT FOR CONSTRUCTION





LEGEND

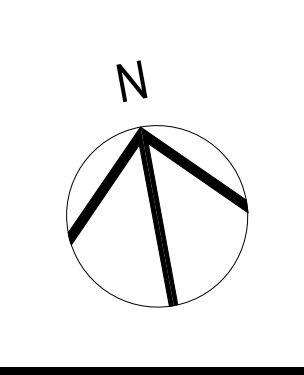
- AL ALUMINIUM LOUVRE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BG BOX CUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOL BOLLARD
- COL COLUMN - REFER TO STRUCTURAL DOCUMENTATION
- CONF CONFIRM ON SITE
- CPT CARPET - No. DENOTES TYPE AS SCHEDULED
- CT CERAMIC TILE - No. DENOTES TYPE AS SCHEDULED
- DIS DISABLED FACILITY
- DP COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
- EQ EAVES GUTTER
- EL ELECTRICAL SERVICES
- ENS ENSUITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
- GC GARBAGE CHUTE
- HB HAND BASIN AS SCHEDULED
- HLS HIGH LEVEL STORAGE
- HYDR HYDRAULIC SERVICES
- LDY LAUNDRY
- MECH MECHANICAL SERVICES
- MRS METAL ROOF SHEET
- OPW OPERABLE WALL - DORMA HSW-G OR SIMILAR
- WARD WARDROBE
- RES RESIDENTIAL
- RF REFRIGERATOR
- RWH RAIN WATER HEAD
- ST STORE
- THE TO MATCH EXISTING
- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WHEELSTOP

BUILDING & APARTMENT KEY

	ST.	1 BED	2 BED	3 BED	
					ROOF / PLANT
	-	4	6	1	L13
	-	4	6	1	L12
	-	4	6	1	L11
	-	4	6	1	L10
	-	4	7	-	L9
	1	4	12	-	L8
	1	4	12	-	L7
	1	4	12	-	L6
	1	4	12	-	L5
	1	3	12	-	L4
	3	2	16	-	L3
	3	2	16	-	L2
	1	-	8		L1
					CARPARK
					GF
					B1

SUBJECT OF THIS DA

EJE ARCHITECTURE
 ACN 002312343 | ABN 62 046 949 949
 Notarised Architect - Bernard Collins
 NSW Architects Registration No. 4438
 A-112 KING STREET, NEWCASTLE, NSW 2300
 P +61 2 4929 2353 | F +61 2 4929 3069 | E mail@eje.com.au | W www.eje.com.au



Certificate no.: 0002927070
 Assessor Name: Gavin Chambers
 Accreditation no.: VIC/DAV/13/1491
 Certificate date: 06 July 2018
 Dwelling Address: 73-79 Railway Lane, Wickham, NSW 2293
www.nathers.gov.au

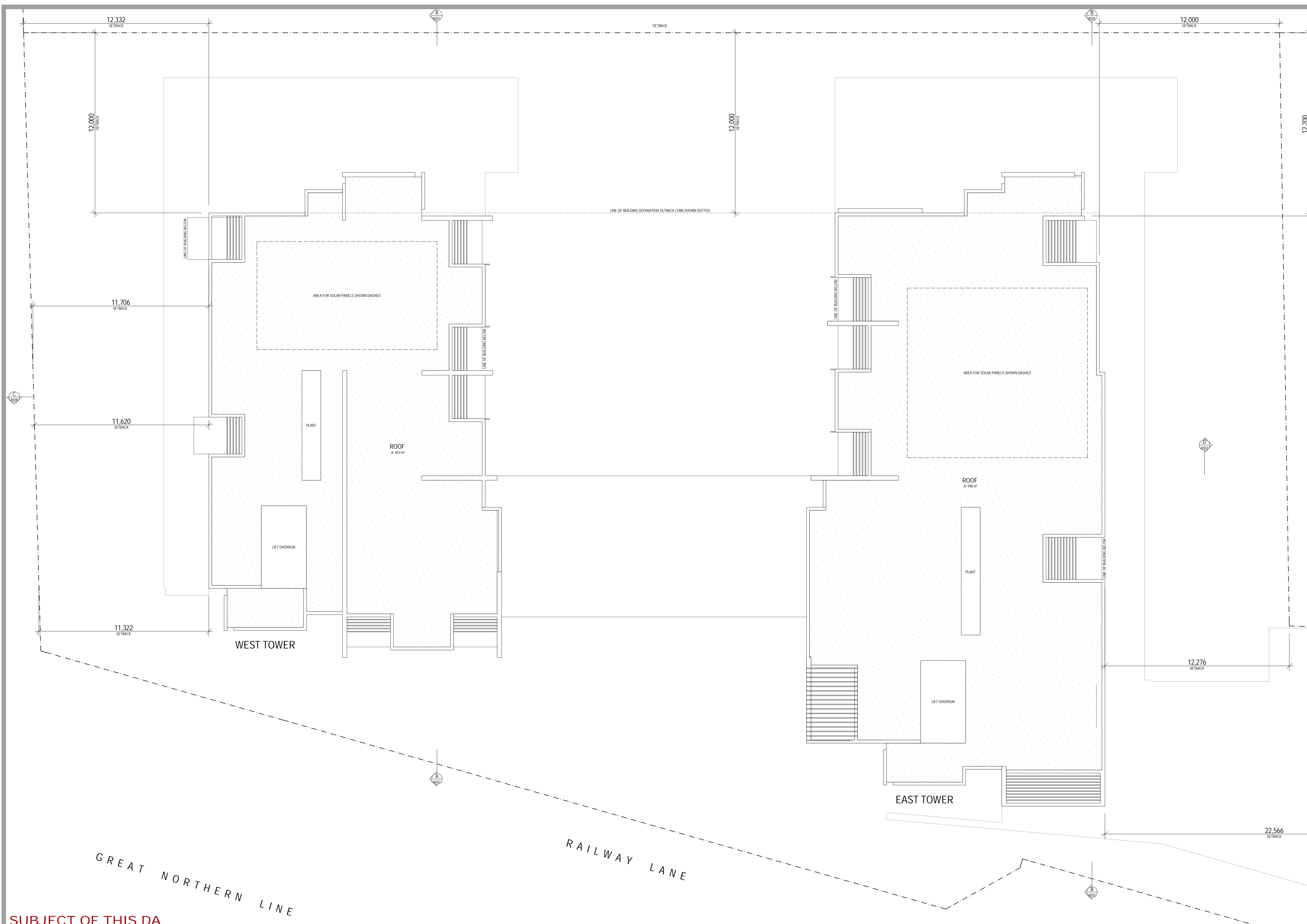
REV	DATE	COMMENTS
A	2016.03.24	FINAL CONSULTANT ISSUE FOR COORDINATION
B	2016.04.05	ISSUE FOR DEVELOPMENT APPLICATION
C	2018.02.23	ISSUE TO CLIENT FOR REVIEW - 4SM CONCEPT
D	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
E	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
F	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT
 SITE: 73-79 RAILWAY LANE WICKHAM 2293
 CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: LEVEL 13 FLOOR PLAN
 PHASE: FEB '16
 SCALE: 1:100@B1

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT, ASK. REPORT ALL ERRORS AND OMISSIONS.
 FILENAME: 10670-SK 180118_4SM OPTION_01.dwg DATE PRINTED: 9/07/2018
 DRAWN: PHB DATE: FEB '16 SCALE: 1:100@B1
 PROJECT NO: 10670 PHASE: SK DRAWING NO: A115 REV: F





LEGEND

- AL ALUMINIUM LOUVRE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BG BOX CUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BOL BOLLARD
- COL COLUMN - REFER TO STRUCTURAL DOCUMENTATION
- COS CONCREM ON SITE
- CPT CARPET - No DENOTES TYPE AS SCHEDULED
- CT CERAMIC TILE - No DENOTES TYPE AS SCHEDULED
- DIS DISABLED FACILITY
- DP COLORBOND DOWNPIPE - REFER HYDRAULIC DOCUMENTS
- EG EAVES CUTTER
- EL ELECTRICAL SERVICES
- ENS ENSITE
- EX EXISTING
- FHR FIRE HOSE REEL - REFER HYDRAULIC DOCUMENTATION
- GC GARBAGE CHUTE
- HB HAND BASIN AS SCHEDULED
- HLS HIGH LEVEL STORAGE
- HYDR HYDRAULIC SERVICES
- LDV LAUNDRY
- MECH MECHANICAL SERVICES
- MRS METAL ROOF SHEET
- OPW OPERABLE WALL - DOORMA HSW-G OR SIMILAR
- R WARDROBE
- RES RESIDENTIAL REFRIGERATOR
- RWH RAIN WATER HEAD
- ST STORE
- THE TO MATCH EXISTING
- UR URINAL AS SCHEDULED
- WC TOILET PAN AS SCHEDULED
- WS WRESTLETOP

BUILDING & APARTMENT KEY

	ST.	1 BED	2 BED	3 BED	
ROOF / PLANT					
	-	4	6	1	L13
	-	4	6	1	L12
	-	4	6	1	L11
	-	4	6	1	L10
	-	4	7	-	L9
	1	4	12	-	L8
	1	4	12	-	L7
	1	4	12	-	L6
	1	4	12	-	L5
	1	3	12	-	L4
	3	2	16	-	L3
	3	2	16	-	L2
	1	-	8	CARRPARK	L1
	COMMERCIAL RETAIL		CARRPARK		GF
			CARRPARK		B1

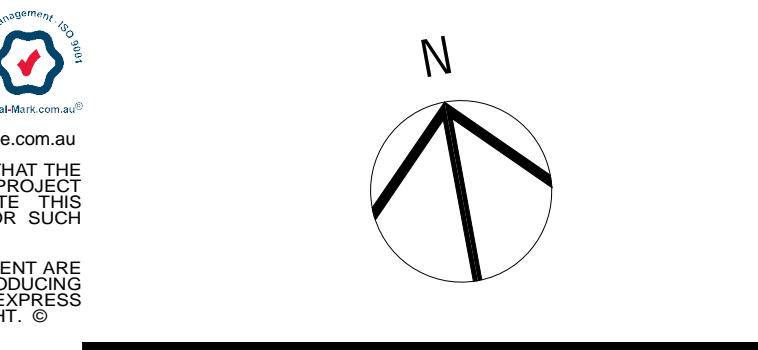
SUBJECT OF THIS DA

LEVEL 14
1:100

EJE ARCHITECTURE
 ACN 002312343 | ABN 62 094 949 949
 Notarised Architect - Bernard Collins
 NSW Architects Registration No. 4438
 A-412 KING STREET, NEWCASTLE, NSW 2300
 P: 411 2 4929 2383 | F: 411 2 4929 3069 | E: mail@eje.com.au | W: www.eje.com.au

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REV	DATE	COMMENTS
A	2016.03.24	FINAL CONSULTANT ISSUE FOR COORDINATION
B	2016.04.05	ISSUE FOR DEVELOPMENT APPLICATION
C	2018.02.23	ISSUE TO CLIENT FOR REVIEW - 45M CONCEPT
D	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
E	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT
 SITE: 73-79 RAILWAY LANE WICKHAM 2293
 CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: ROOF LEVEL 14 FLOOR PLAN

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS ON THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK, REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-SK 180118_45M OPTION.pln DATE PRINTED: 4/05/2018
 DRAWN: PHB DATE: FEB '16 SCALE: 1:100@B1
 PROJECT No: 10670 PHASE: SK DRAWING No: A116 REV: E

NOT FOR CONSTRUCTION

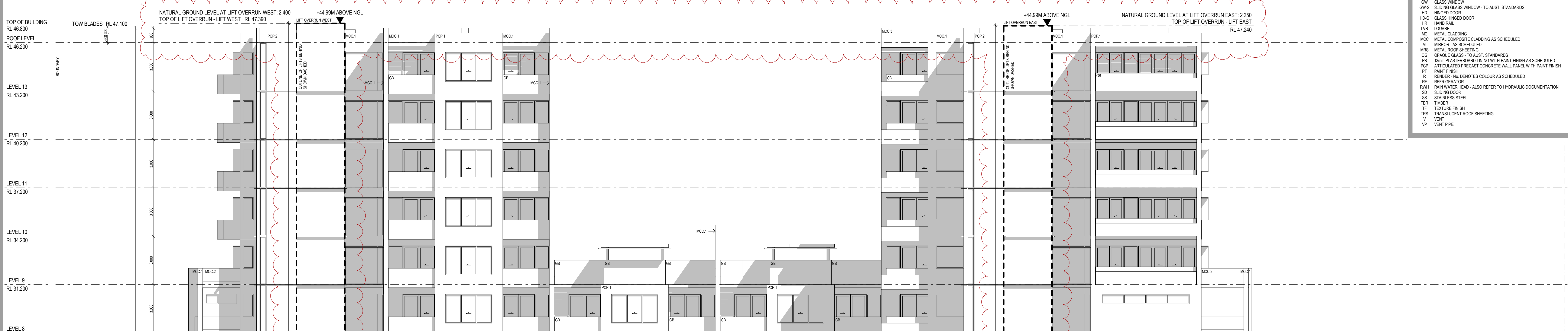


SUBJECT OF THIS DA

LEGEND


 Certificate no.: 0002927070
 Assessor Name: Gavin Chambers
 Accreditation no.: VIC/BDV/13/1491
 Certificate date: 06 July 2018
 Dwelling Address: 73-79 Railway Lane, Wickham, NSW 2293
 www.nathers.gov.au

- AL ALUMINIUM LOUVERE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BAL BALUSTRADE
- BD BOLD DOOR
- BG BOX GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BW BROWWORK
- CF COLORBOND FLASHING
- CFC COMP. FIBRE CEMENT PANELS WITH PAINT FINISH AS SCHEDULED
- CL COVERED LIGHTING
- COL COLUMN - ALSO REFER TO STRUCTURAL DOCUMENTATION
- CR CEMENT RENDER
- DP DOWNPIPE - ALSO REFER TO HYDRAULIC DOCUMENTATION
- EG EAVES GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- FB FACE BROWWORK
- FG FIXED GLASS - TO AUSTR. STANDARDS
- GB GLASS BALUSTRADE
- GD GLASS DOOR - TO AUSTR. STANDARDS
- GD-S SLIDING GLASS DOOR - TO AUSTR. STANDARDS
- GL GLASS LOUVERE - TO AUSTR. STANDARDS
- GW GLASS WINDOW
- GW-S SLIDING GLASS WINDOW - TO AUSTR. STANDARDS
- HD HINGED DOOR
- HD-S GLASS HINGED DOOR
- HR HAND RAIL
- LVS LOUVERE
- MC METAL CLADDING
- MCC METAL COMPOSITE CLADDING AS SCHEDULED
- MI MIRROR - AS SCHEDULED
- MRS METAL ROOF SHEETING
- OS OPERABLE GLASS - TO AUSTR. STANDARDS
- PB 15mm PLASTERBOARD LINING WITH PAINT FINISH AS SCHEDULED
- PCF ARTICULATED PRECAST CONCRETE WALL PANEL WITH PAINT FINISH
- PT PAINT FINISH
- R RENDER - No. DENOTES COLOUR AS SCHEDULED
- RF REFRIGERATOR
- RWH RAIN WATER HEAD - ALSO REFER TO HYDRAULIC DOCUMENTATION
- SD SLIDING DOOR
- SS STAINLESS STEEL
- TBR TIMBER
- TF TEXTURE FINISH
- TRS TRANSLUCENT ROOF SHEETING
- V VENT
- VP VENT PIPE



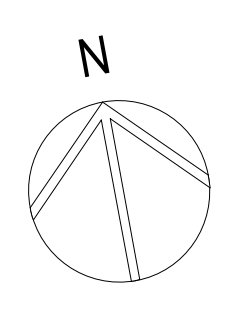
SUBJECT OF APPROVED DA - NO. 2016/384



SUBJECT OF THIS DA

1 SOUTH ELEVATION
1:100

EJE ARCHITECTURE
 ACN 002 312 543 | ABN 62 048 949 949
 Notarised Architect - Bernard Collins
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 A 412 KING STREET, NEWCASTLE, NSW 2300
 P +61 2 4929 2353 | F +61 2 4929 3069 | E mail@eje.com.au | W www.eje.com.au
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REV	DATE	COMMENTS
G	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
H	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
J	2017.05.05	ISSUE TO COUNCIL - SETBACKS
K	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
L	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
M	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
N	2019.08.06	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
P	2019.08.20	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
Q	2019.10.04	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRW	CHKD	VRFD	PROJECT	SITE
PHB	BC	BC	NEW MIXED USE RESIDENTIAL DEVELOPMENT	73-79 RAILWAY LANE WICKHAM 2293
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
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PHB	BC	BC		

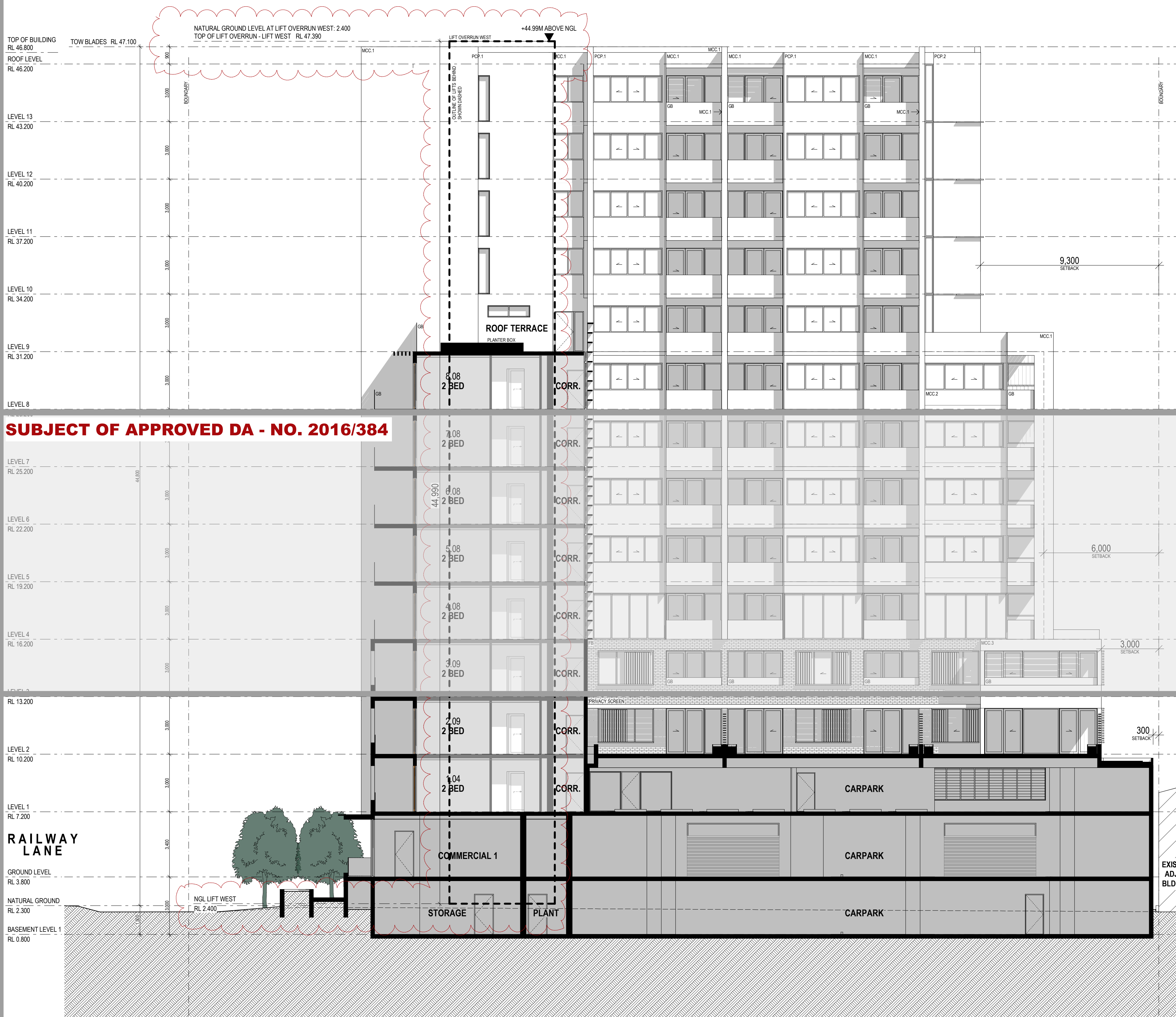
CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW
 DRAWING: SOUTH ELEVATION

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.
 FILENAME: 10670-DA 190801.pptx | DATE PRINTED: 17/10/2019
 DRAWN: PHB | DATE: MAR '16 | SCALES: 1:100@B1
 PROJECT No.: 10670 | PHASE: SK | DRAWING No.: A501 | REV: Q

NOT FOR CONSTRUCTION



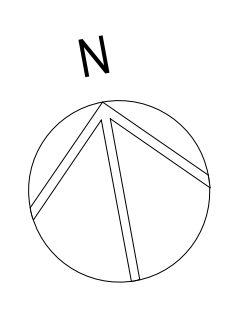
SUBJECT OF THIS DA



SUBJECT OF THIS DA

1 EAST ELEVATION WEST TOWER
1:100

EJE ARCHITECTURE
 ACN 002 312 343 | ABN 62 04 989 949
 Notified Architect - Bernard Collins
 NSW Architects Registration No. 4458
 A 412 KING STREET, NEWCASTLE, NSW 2300
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DRW	CHKD	VRFD	PROJECT
PHB	BC		NEW MIXED USE RESIDENTIAL DEVELOPMENT
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		

SITE: 73-79 RAILWAY LANE WICKHAM 2293
 CLIENT: PETER BLAKE F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW
 DRAWING: EAST ELEVATION - WEST TOWER

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.
 FILENAME: 10670-DA 190801.ppt DATE PRINTED: 17/10/2019
 DRAWN: PHB DATE: MAR '16 SCALES: 1:100@B1
 PROJECT No: 10670 PHASE: SK DRAWING No: A502 REV: Q

NOT FOR CONSTRUCTION



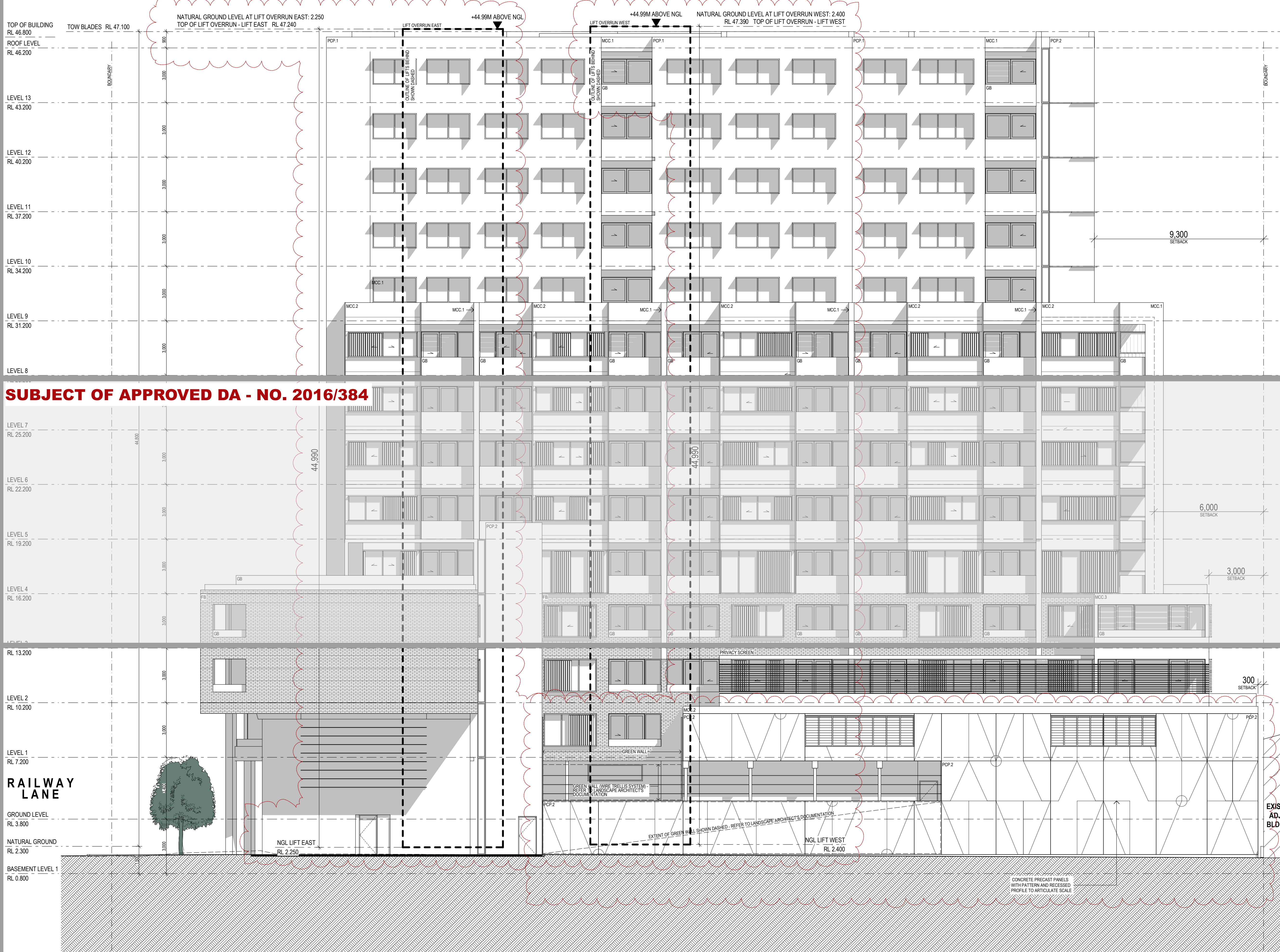
5.6 Average star rating
NATIONWIDE ENERGY RATING SCHEME
 www.nathers.gov.au

Certificate no.: 0002927070
 Assessor Name: Gavin Chambers
 Accreditation no.: VIC/BDV/13/1491
 Certificate date: 06 July 2018
 Dwelling Address: 73-79 Railway Lane Wickham, NSW 2293

LEGEND

AL	ALUMINIUM LOUVRE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
BAI	BALUSTRADE
BD	B/FOLD DOOR
BG	BOX GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
BLW	BLOCKWORK
BOL	BOLLARD
CF	COLORBOND FLASHING
CFC	COMP. FIBRE CEMENT PANELS WITH PAINT FINISH AS SCHEDULED
CL	COVERED LIGHTING
COL	COLUMN - ALSO REFER TO STRUCTURAL DOCUMENTATION
CR	CEMENT RENDER
DP	COLORBOND DOWNPIPE - ALSO REFER TO HYDRAULIC DOCUMENTATION
EX	EXISTING
EG	EAVES GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
FB	FACE BRICKWORK
FG	FIXED GLASS - TO AJUST. STANDARDS
GB	GLASS BALUSTRADE
GD	GLASS DOOR - TO AJUST. STANDARDS
GD-S	SLIDING GLASS DOOR - TO AJUST. STANDARDS
QL	GLASS LOUVRES - TO AJUST. STANDARDS
GW	GLASS WINDOW
GW-S	SLIDING GLASS WINDOW - TO AJUST. STANDARDS
HD	HINGED DOOR
HD-G	GLASS HINGED DOOR
HR	HAND RAIL
LVR	LOUVRE
MC	METAL CLADDING
MCC	METAL COMPOSITE CLADDING AS SCHEDULED
M	MIRROR - AS SCHEDULED
MRS	METAL ROOF SHEETING
OC	ORANGE GLASS - TO AJUST. STANDARDS
PB	13mm PLASTERBOARD LINING WITH PAINT FINISH AS SCHEDULED
POP	ARTICULATED PRECAST CONCRETE WALL PANEL WITH PAINT FINISH
PT	PANT FINISH
R	RENDER - No. DENOTES COLOUR AS SCHEDULED
RF	REFRIGERATOR
RWH	RAIN WATER HEAD - ALSO REFER TO HYDRAULIC DOCUMENTATION
SD	SLIDING DOOR
SS	STAINLESS STEEL
TBR	TIMBER
TF	TEXTURE FINISH
TRS	TRANSLUCENT ROOF SHEETING
V	VENT
VP	VENT PIPE

SUBJECT OF THIS DA



SUBJECT OF APPROVED DA - NO. 2016/384

SUBJECT OF THIS DA

1 EAST ELEVATION EAST TOWER
1:100

LEGEND

- AL ALUMINIUM LOUVRE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BAI BALUSTRADE
- BD B/FOLD DOOR
- BG BOX GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- B/W BLOCKWORK
- BOL BOLLARD
- CF COLORBOND FLASHING
- CFC COMP. FIBRE CEMENT PANELS WITH PAINT FINISH AS SCHEDULED
- CL COVERED LIGHTING
- COL COLUMN - ALSO REFER TO STRUCTURAL DOCUMENTATION
- CR CEMENT RENDER
- DP DOWNPIPE - ALSO REFER TO HYDRAULIC DOCUMENTATION
- EG EXISTING
- EG EAVER'S GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- FB FACE BROWWORK
- FG FIXED GLASS - TO AUSTR. STANDARDS
- GB GLASS BALUSTRADE
- GD GLASS DOOR - TO AUSTR. STANDARDS
- GD-S SLIDING GLASS DOOR - TO AUSTR. STANDARDS
- GL GLASS LOUVRES - TO AUSTR. STANDARDS
- GW GLASS WINDOW
- GW-S SLIDING GLASS WINDOW - TO AUSTR. STANDARDS
- HD HINGED DOOR
- HD-G GLASS HINGED DOOR
- HR HAND RAIL
- LVR LOUVRE
- MC METAL CLADDING
- MCC METAL COMPOSITE CLADDING AS SCHEDULED
- MI MIRROR - AS SCHEDULED
- MRS METAL ROOF SHEETING
- OC OPERABLE GLASS - TO AUSTR. STANDARDS
- PB 15mm PLASTERBOARD LINING WITH PAINT FINISH AS SCHEDULED
- POP ARTICULATED PRECAST CONCRETE WALL PANEL WITH PAINT FINISH
- PT PAINT FINISH
- R RENDER - No. DENOTES COLOUR AS SCHEDULED
- RF REFRIGERATOR
- RWH RAIN WATER HEAD - ALSO REFER TO HYDRAULIC DOCUMENTATION
- SD SLIDING DOOR
- SS STAINLESS STEEL
- TBR TIMBER
- TF TEXTURE FINISH
- TRS TRANSLUCENT ROOF SHEETING
- V VENT
- VP VENT PIPE

EJE ARCHITECTURE
ACN 002 912 543 | ABN 62 048 949 949
Notified Architect - Bernard Collins
NSW Architects Registration No. 4828
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R	2019.11.01	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRW | CHD | VRFD | PROJECT | NEW MIXED USE RESIDENTIAL DEVELOPMENT | SITE: 73-79 RAILWAY LANE WICKHAM 2293

CLIENT: PETER BLAKE
F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: EAST ELEVATION - EAST TOWER

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-DA 190801.pdf DATE PRINTED: 12/11/2019

DRAWN: PHB DATE: MAR '16 SCALES: 1:100@B1

PROJECT No: 10670 PHASE: SK DRAWING No: A503 REV: R

NATIONWIDE HOUSE
ENERGY RATING SCHEME
Average star rating: 5.6
www.nathers.gov.au

Certificate no.: 0002927070
Assessor Name: Gavin Chambers
Accreditation no.: VIC/BD/AV/13/1491
Certificate date: 06 July 2018
Dwelling Address: 73-79 Railway Lane Wickham, NSW 2293

NOT FOR CONSTRUCTION

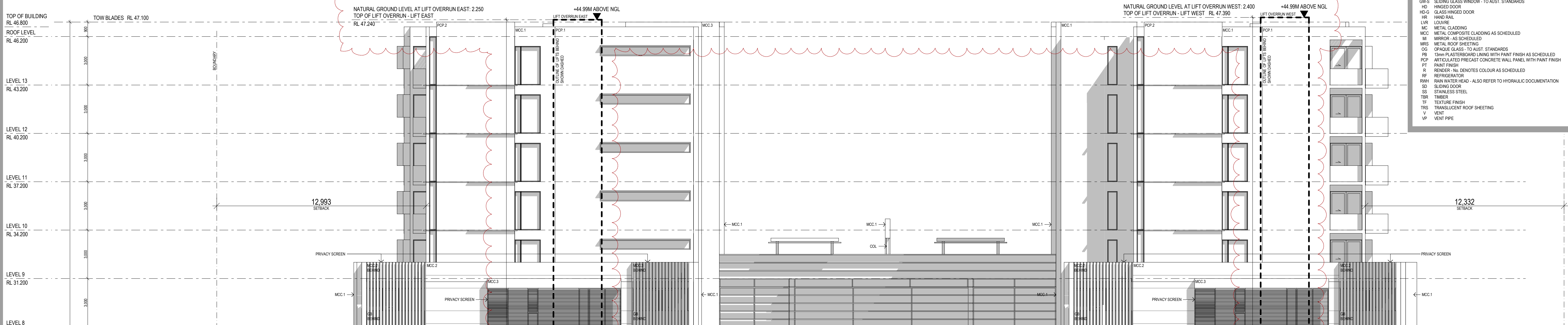
EJE architecture

SUBJECT OF THIS DA

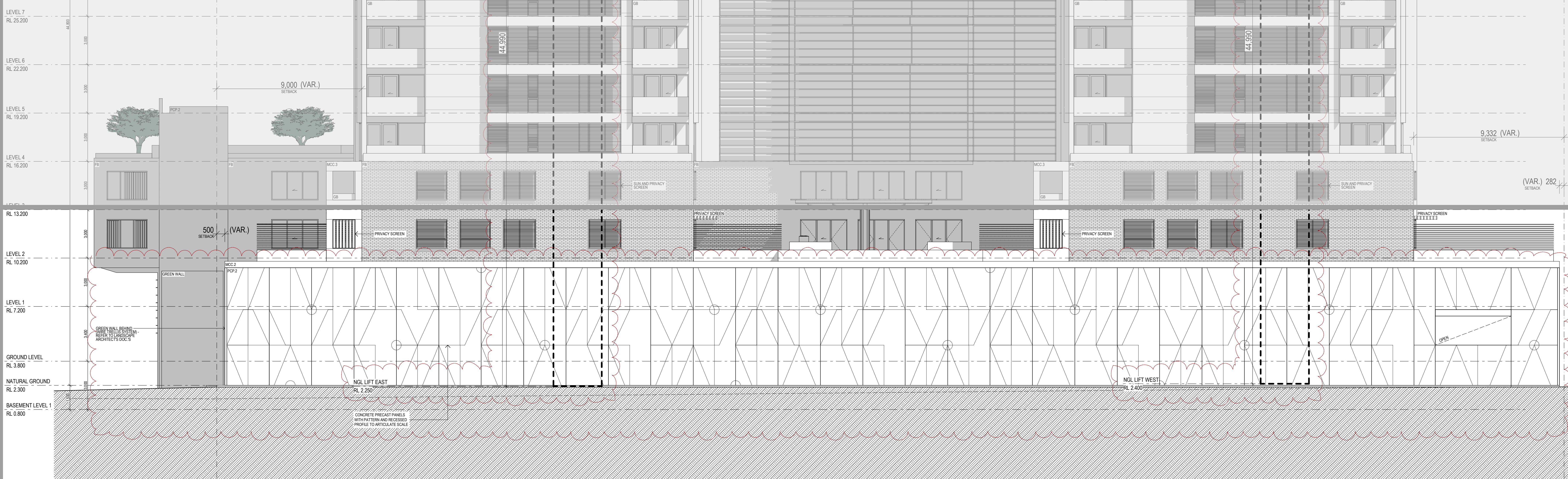
LEGEND

Certificate no.: 0002927070
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 Accreditation no.: VIC/BD/AV/13/1491
 Certificate date: 06 July 2018
 Dwelling Address: 73-79 Railway Lane
 Wickham, NSW
 2293
 www.nathers.gov.au

- AL ALUMINIUM LOUVER (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BAL BALUSTRADE
- BD Bifold DOOR
- BG BOX GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BW BROWWORK
- BOL BOLLARD
- CF COLORBOND FLASHING
- CFC COMP. FIBRE CEMENT PANELS WITH PAINT FINISH AS SCHEDULED
- CL COVERED LIGHTING
- COL COLUMN - ALSO REFER TO STRUCTURAL DOCUMENTATION
- CR CEMENT RENDER
- DP COLORBOND DOWNPIPE - ALSO REFER TO HYDRAULIC DOCUMENTATION
- EG EXISTING
- EG EAVES GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- FB FACE BROWWORK
- FG FIXED GLASS - TO AUSTR. STANDARDS
- GB GLASS BALUSTRADE
- GD GLASS DOOR - TO AUSTR. STANDARDS
- GD-S SLIDING GLASS DOOR - TO AUSTR. STANDARDS
- GL GLASS LOUVER - TO AUSTR. STANDARDS
- GW GLASS WINDOW
- GW-S SLIDING GLASS WINDOW - TO AUSTR. STANDARDS
- HD HINGED DOOR
- HD-S GLASS HINGED DOOR
- HR HAND RAIL
- LVR LOUVER
- MC METAL CLADDING
- MCC METAL COMPOSITE CLADDING AS SCHEDULED
- MI MIRROR - AS SCHEDULED
- MRS METAL ROOF SHEETING
- OC OPERABLE GLASS - TO AUSTR. STANDARDS
- PB 13mm PLASTERBOARD LINING WITH PAINT FINISH AS SCHEDULED
- POP ARTICULATED PRECAST CONCRETE WALL PANEL WITH PAINT FINISH
- PT PAINT FINISH
- R RENDER - No. DENOTES COLOUR AS SCHEDULED
- RF REFRIGERATOR
- RWH RAIN WATER HEAD - ALSO REFER TO HYDRAULIC DOCUMENTATION
- SD SLIDING DOOR
- SS STAINLESS STEEL
- TBR TIMBER
- TF TEXTURE FINISH
- TRS TRANSLUCENT ROOF SHEETING
- V VENT
- V VENT PIPE



SUBJECT OF APPROVED DA - NO. 2016/384

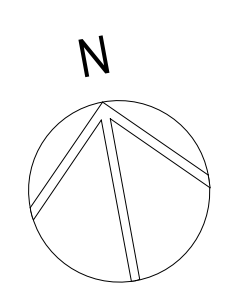


SUBJECT OF THIS DA

1 NORTH ELEVATION 1:100

EJE ARCHITECTURE
 ACN 002 312 543 | ABN 62 014 949 849
 Notarised Architect - Bernard Collins
 NSW Architects Registration No. 4428
 A 412 KING STREET, NEWCASTLE, NSW 2300
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DRW	CHKD	VRFD	PROJECT	SITE
PHB	BC	BC	NEW MIXED USE RESIDENTIAL DEVELOPMENT	73-79 RAILWAY LANE WICKHAM 2293
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		
PHB	BC	BC		

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: NORTH ELEVATION

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.
 FILENAME: 10670-DA 190801.dwg DATE PRINTED: 12/11/2019
 DRAWN: PHB DATE: MAR '16 SCALES: 1:100@B1
 PROJECT No.: 10670 PHASE: SK DRAWING No.: A504 REV: R

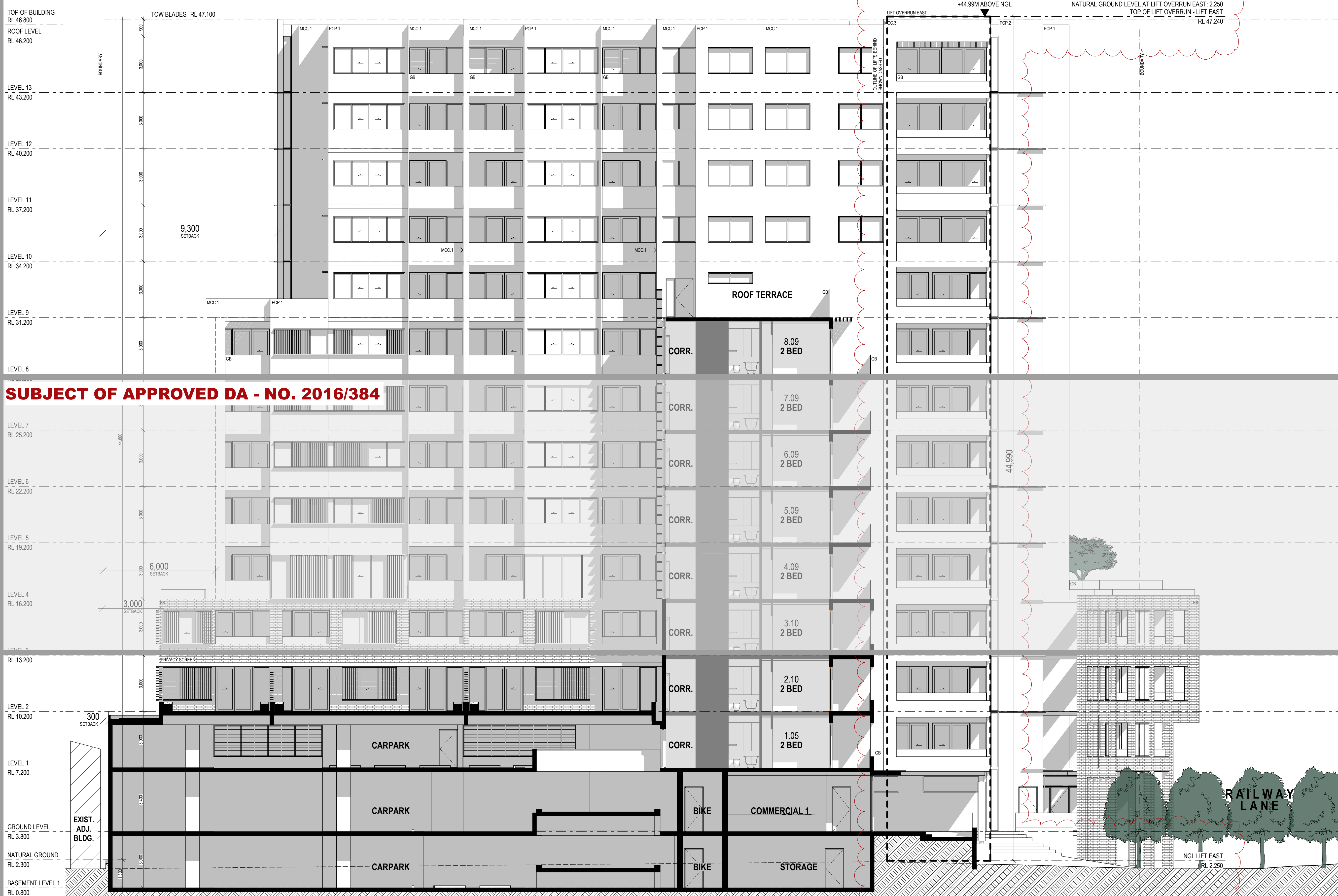
NOT FOR CONSTRUCTION

SUBJECT OF THIS DA


 Certificate no.: 0002927070
 Assessor Name: Gavin Chambers
 Accreditation no.: VIC/BDV/13/1491
 Certificate date: 06 July 2018
 Dwelling Address: 73-79 Railway Lane, Wickham, NSW 2293
 www.nathers.gov.au

LEGEND

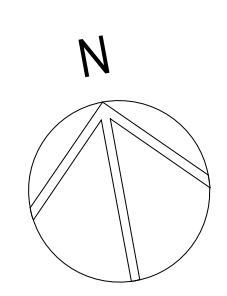
- AL ALUMINIUM LOUVRE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BA BALUSTRADE
- BD B/FOLD DOOR
- BG BOX GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BW BOLLWORK
- BOL BOLLARD
- CF COLORBOND FLASHING
- CFC COMP. FIBRE CEMENT PANELS WITH PAINT FINISH AS SCHEDULED
- CL COVERED LIGHTING
- COL COLUMN - ALSO REFER TO STRUCTURAL DOCUMENTATION
- CR CEMENT RENDER
- IE1 EXISTING
- EG EAVES GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- FB FACE BRICKWORK
- FG FIXED GLASS - TO AJUST. STANDARDS
- GB GLASS BALUSTRADE
- GD GLASS DOOR - TO AJUST. STANDARDS
- GS SLIDING GLASS DOOR - TO AJUST. STANDARDS
- QL GLASS LOUVRES - TO AJUST. STANDARDS
- GW GLASS WINDOW
- GW-S SLIDING GLASS WINDOW - TO AJUST. STANDARDS
- HD HINGED DOOR
- HD-S GLASS HINGED DOOR
- HR HAND RAIL
- LVR LOUVRE
- MC METAL CLADDING
- MCC METAL COMPOSITE CLADDING AS SCHEDULED
- MI MIRROR - AS SCHEDULED
- MRS METAL ROOF SHEETING
- OC ORANGE GLASS - TO AJUST. STANDARDS
- PB 13mm PLASTERBOARD LINING WITH PAINT FINISH AS SCHEDULED
- POP ARTICULATED PRECAST CONCRETE WALL PANEL WITH PAINT FINISH
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- R RENDER - No. DENOTES COLOUR AS SCHEDULED
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- SD SLIDING DOOR
- SS STAINLESS STEEL
- TBR TIMBER
- TF TEXTURE FINISH
- TRS TRANSLUCENT ROOF SHEETING
- V VENT
- VP VENT PIPE



SUBJECT OF THIS DA

1 WEST ELEVATION EAST TOWER 1:100

EJE ARCHITECTURE
 ACN 002 312 543 | ABN 62 04 949 949
 Notified Architect - Bernard Collins
 NSW Architects Registration No. 4458
 A 412 KING STREET, NEWCASTLE, NSW 2300
 P +61 2 4929 2353 | F +61 2 4929 3069 | E mail@eje.com.au | W www.eje.com.au
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DRW	CHKD	VRFD	PROJECT	SITE
PHB	BC		NEW MIXED USE RESIDENTIAL DEVELOPMENT	73-79 RAILWAY LANE WICKHAM 2293
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
PHB	BC			
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PHB	BC			
PHB	BC			
PHB	BC			

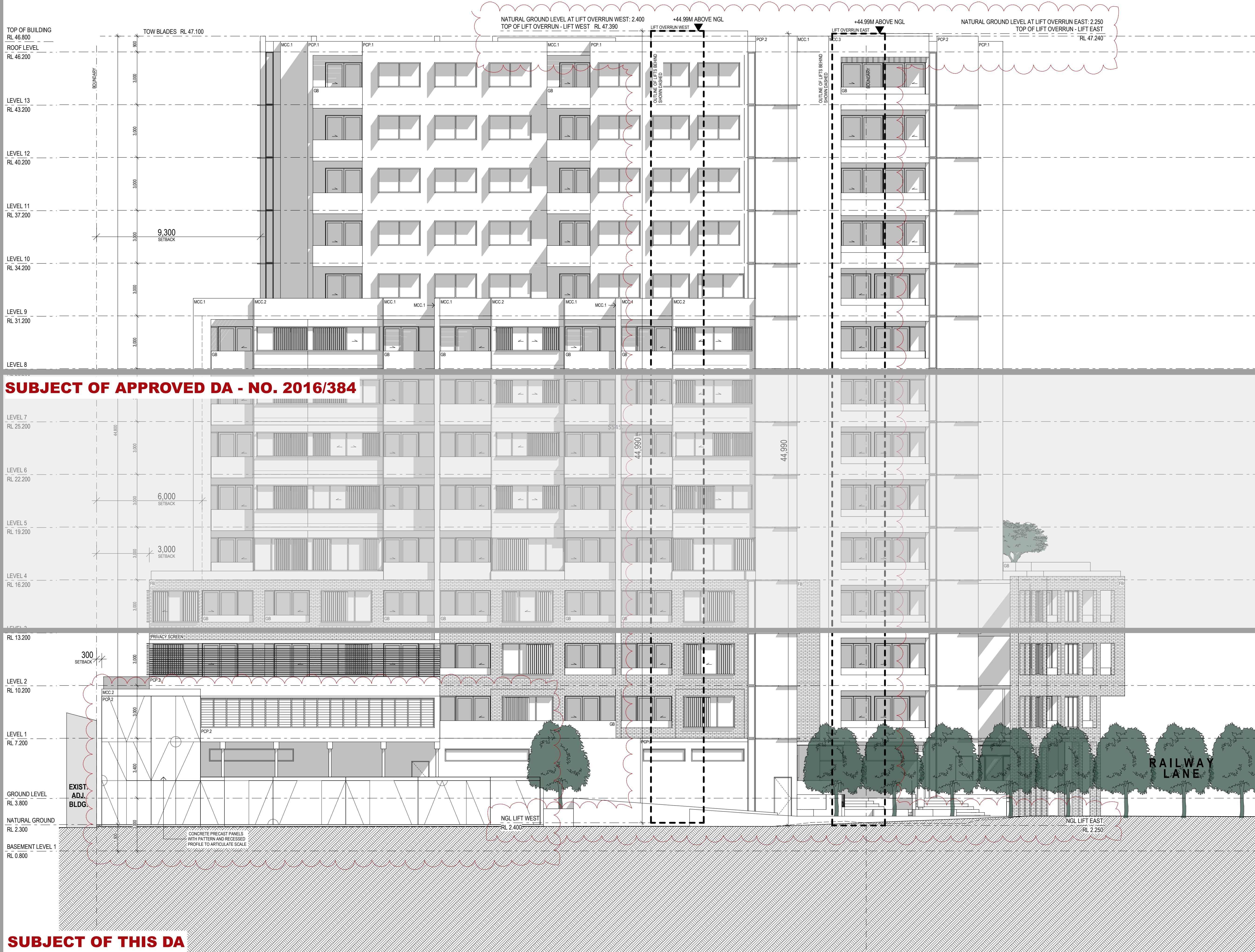
CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW
 DRAWING: WEST ELEVATION - EAST TOWER

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.
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 PROJECT No.: 10670 PHASE: SK DRAWING No.: A505 REV: Q

NOT FOR CONSTRUCTION



SUBJECT OF THIS DA



SUBJECT OF APPROVED DA - NO. 2016/384

SUBJECT OF THIS DA

LEGEND

- AL ALUMINIUM LOUVRE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BA BALUSTRADE
- BD BIFOLD DOOR
- BG BOX GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BW BROWWORK
- BOL BOLLARD
- CF COLORBOND FLASHING
- CFC COMP. FIBRE CEMENT PANELS WITH PAINT FINISH AS SCHEDULED
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- HD-G GLASS HINGED DOOR
- HR HAND RAIL
- LVR LOUVRE
- MC METAL CLADDING
- MCC METAL COMPOSITE CLADDING AS SCHEDULED
- MI MIRROR - AS SCHEDULED
- MRS METAL ROOF SHEETING
- OC OPAL GLASS - TO AUSTR. STANDARDS
- PB 12mm PLASTERBOARD LINING WITH PAINT FINISH AS SCHEDULED
- POP ARTICULATED PRECAST CONCRETE WALL PANEL WITH PAINT FINISH
- PT PAINT FINISH
- R RENDER - No. DENOTES COLOUR AS SCHEDULED
- RF REFRIGERATOR
- RWH RAIN WATER HEAD - ALSO REFER TO HYDRAULIC DOCUMENTATION
- SD SLIDING DOOR
- SS STAINLESS STEEL
- TBR TIMBER
- TF TEXTURE FINISH
- TRS TRANSLUCENT ROOF SHEETING
- V VENT
- VP VENT PIPE



Certificate no.: 0002927070
 Assessor Name: Gavin Chambers
 Accreditation no.: VIC/BDV/13/1491
 Certificate date: 06 July 2018
 Dwelling Address: 73-79 Railway Lane
 Wickham, NSW 2293
 www.nathers.gov.au

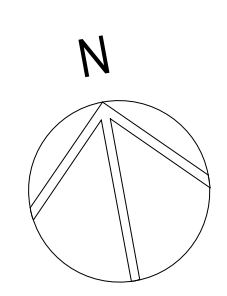


1 WEST ELEVATION WEST TOWER 1:100

EJE ARCHITECTURE
 ACN 002 312 543 | ABN 62 004 949 949
 Notarised Architect - Bernard Collins
 NSW Architects Registration No. 4428
 A 412 KING STREET, NEWCASTLE, NSW 2300
 P +61 2 4929 2353 | F +61 2 4929 3969 | E mail@eje.com.au | W www.eje.com.au

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REV	DATE	COMMENTS
H	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
J	2017.05.05	ISSUE TO COUNCIL - SETBACKS
K	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
L	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
M	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
N	2019.08.06	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
P	2019.08.20	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
Q	2019.10.04	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
R	2019.11.01	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRW | CHD | VRFD | PROJECT | NEW MIXED USE RESIDENTIAL DEVELOPMENT | SITE: | 73-79 RAILWAY LANE WICKHAM 2293

CLIENT: PETER BLAKE F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: WEST ELEVATION - WEST TOWER

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS ON THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-DA 190801.dwg | DATE PRINTED: 12/11/2019

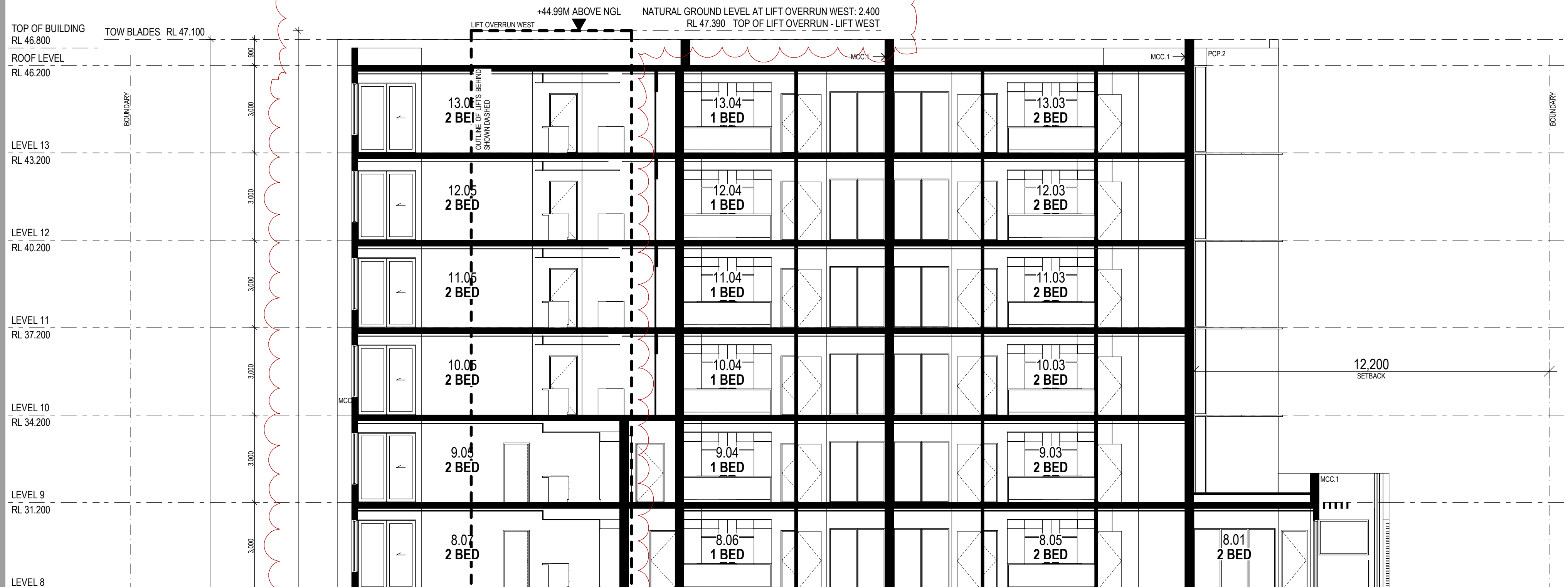
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PROJECT No.: 10670 | PHASE: SK | DRAWING No.: A506 | REV: R

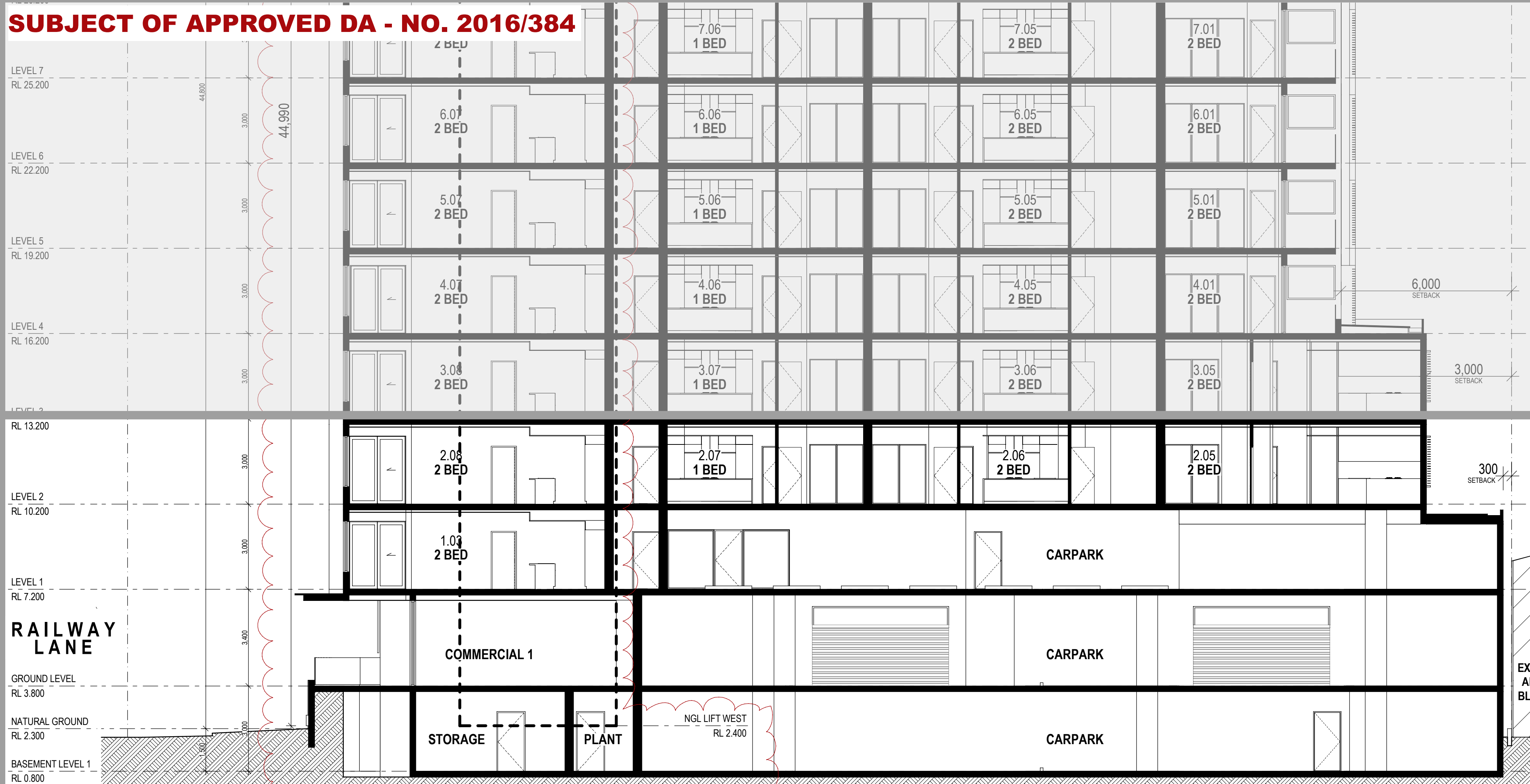
NOT FOR CONSTRUCTION

EJE architecture

SUBJECT OF THIS DA



SUBJECT OF APPROVED DA - NO. 2016/384



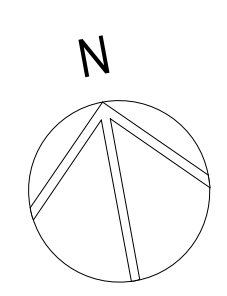
SUBJECT OF THIS DA

SECTION A-A 1:100

EJE ARCHITECTURE
 ACN 002 912 543 | ABN 62 004 949 949
 Notified Architect - Bernard Collins
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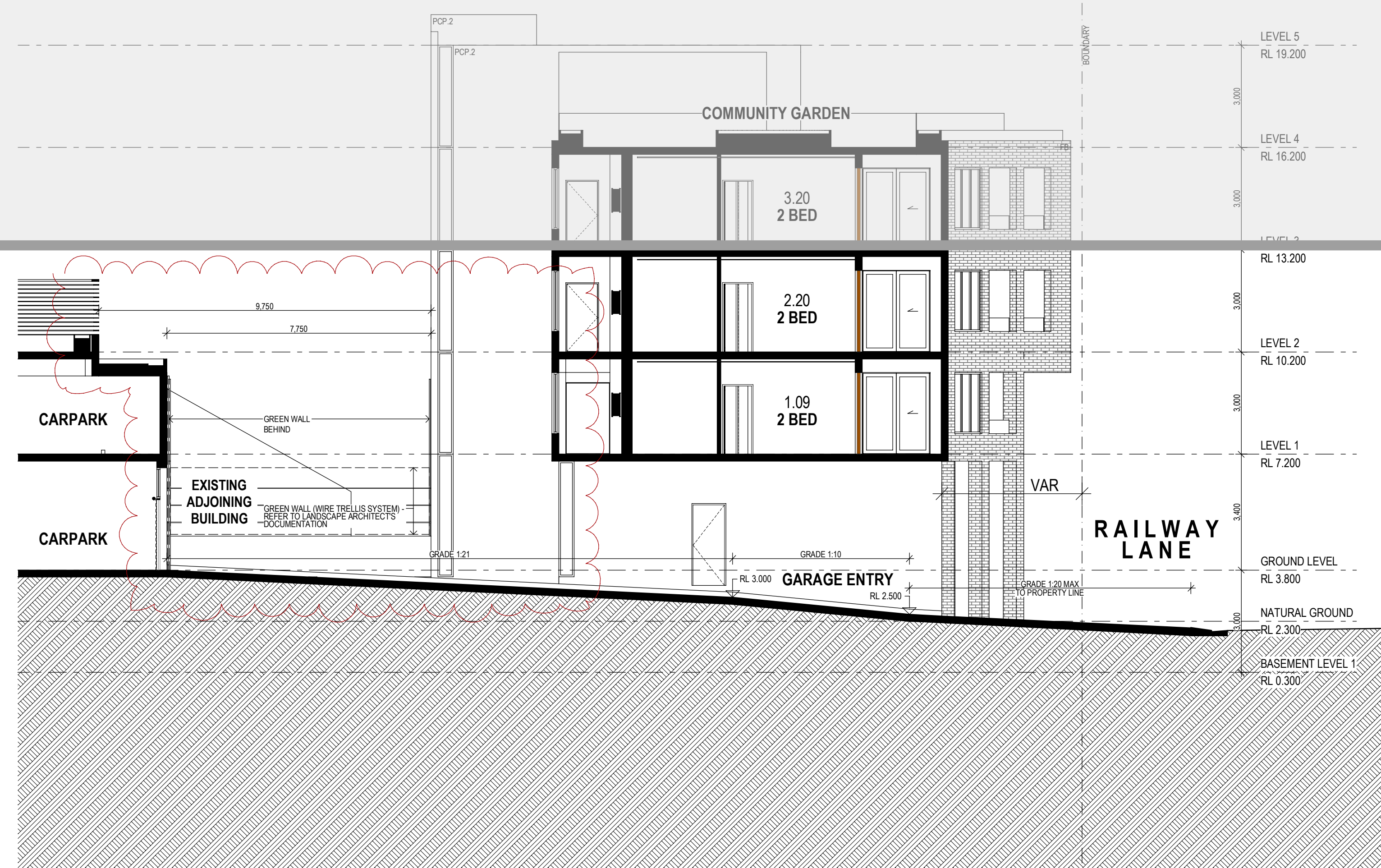
REV	DATE	COMMENTS
F	2016.12.06	REVISED ISSUE FOR DEVELOPMENT APPLICATION
G	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
H	2017.04.24	ISSUE TO COUNCIL - CARPARK ABOVE GROUND
J	2017.05.05	ISSUE TO COUNCIL - SETBACKS
K	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
L	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
M	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
N	2018.08.06	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
P	2018.10.04	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

LEGEND

- AL ALUMINIUM LOUVRE (OPERABLE) POWDERCOAT FINISH AS SCHEDULED
- BAL BALUSTRADE
- BD BOX DOOR - ALSO REFER TO HYDRAULIC DOCUMENTATION
- BW BROWWORK
- BOL BOLLARD
- CF COLORBOND FLASHING
- CFC COMP. FIBRE CEMENT PANELS WITH PAINT FINISH AS SCHEDULED
- CL COVER LIGHTING
- COL COLUMN - ALSO REFER TO STRUCTURAL DOCUMENTATION
- CR CEMENT RENDER
- DP EXISTING
- EG EAVES GUTTER - ALSO REFER TO HYDRAULIC DOCUMENTATION
- FB FACE BROWWORK
- FG FIXED GLASS - TO AUSTR. STANDARDS
- GB GLASS BALUSTRADE
- GD GLASS DOOR - TO AUSTR. STANDARDS
- GD-S SLIDING GLASS DOOR - TO AUSTR. STANDARDS
- QL GLASS LOUVRES - TO AUSTR. STANDARDS
- GW GLASS WINDOW
- GW-S SLIDING GLASS WINDOW - TO AUSTR. STANDARDS
- HD HINGED DOOR
- HD-G GLASS HINGED DOOR
- HR HAND RAIL
- LVR LOUVRE
- MC METAL CLADDING
- MCC METAL COMPOSITE CLADDING AS SCHEDULED
- MI MIRROR - AS SCHEDULED
- MRS METAL ROOF SHEETING
- OC ORANGE GLASS - TO AUSTR. STANDARDS
- PB 13mm PLASTERBOARD LINING WITH PAINT FINISH AS SCHEDULED
- POP ARTICULATED PRECAST CONCRETE WALL PANEL WITH PAINT FINISH
- PT PAINT FINISH
- R RENDER - No. DENOTES COLOUR AS SCHEDULED
- RF REFRIGERATOR
- RWH RAIN WATER HEAD - ALSO REFER TO HYDRAULIC DOCUMENTATION
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- SS STAINLESS STEEL
- TBR TIMBER
- TF TEXTURE FINISH
- TRS TRANSLUCENT ROOF SHEETING
- V VENT
- VP VENT PIPE

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 Average star rating 5.6
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Certificate no.: 0002927070
 Assessor Name: Gavin Chambers
 Accreditation no.: VIC/DAV/13/1491
 Certificate date: 06 July 2018
 Dwelling Address: 73-79 Railway Lane, Wickham, NSW 2293
 www.nathers.gov.au



SECTION D-D 1:100

PROJECT NEW MIXED USE RESIDENTIAL DEVELOPMENT

SITE: 73-79 RAILWAY LANE WICKHAM 2293

CLIENT: PETER BLAKE F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: SECTION A-A & SECTION D-D

NOT FOR CONSTRUCTION

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DRAWN: PHB DATE: MAR '16 SCALES: 1:100@B1

PROJECT No.: 10670 PHASE: SK DRAWING No.: A507 REV: P

EJE architecture

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GREAT NORTHERN LINE

RAILWAY LANE

CROFT STREET

RAILWAY STREET

BISHOP'SGATE STREET

STATION STREET

HUNTER STREET

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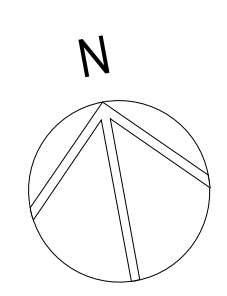
4A SOLAR AND DAYLIGHT ACCESS
76% OF APARTMENTS (144 OUT OF 190 UNITS)
RECEIVE A MINIMUM OF 2 HOURS DIRECT SUNLIGHT
BETWEEN 9 AM AND 3 PM AT MID WINTER

1 SHADOW DIAGRAM 21ST JUNE 9AM 1:250

EJE ARCHITECTURE
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REV	DATE	COMMENTS
D	2016.08.30	REVISED ISSUE FOR DEVELOPMENT APPLICATION
E	2016.11.22	REVISED ISSUE FOR DEVELOPMENT APPLICATION
F	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
G	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
H	2017.05.05	ISSUE TO COUNCIL - FULL EXTENT
J	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
K	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
L	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
M	2019.08.06	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHKD	VRFD	PROJECT
PHB	BC		NEW MIXED USE RESIDENTIAL DEVELOPMENT
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		

CLIENT: PETER BLAKE
F1, LEVEL 1, 683-689 GEORGE STREET
SYDNEY NSW

SITE: 73-79 RAILWAY LANE
WICKHAM 2293

DRAWING: SHADOW DIAGRAMS - SHEET 1
21ST JUNE - 9 AM

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT, ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-DA 190801.pdf DATE PRINTED: 6/8/2019

DRAWN: DATE: SCALES:

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PROJECT No: 10670 PHASE: SK DRAWING No: A991 REV: M

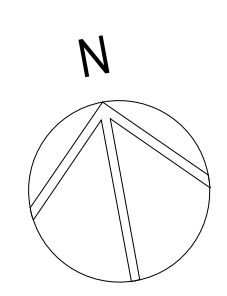


SUBJECT OF THIS DA



4A SOLAR AND DAYLIGHT ACCESS
 76% OF APARTMENTS (144 OUT OF 190 UNITS)
 RECEIVE A MINIMUM OF 2 HOURS DIRECT SUNLIGHT
 BETWEEN 9 AM AND 3 PM AT MID WINTER

1 SHADOW DIAGRAM 21ST JUNE 12 NOON 1:250



REV	DATE	COMMENTS
D	2016.08.30	REVISED ISSUE FOR DEVELOPMENT APPLICATION
E	2016.11.22	REVISED ISSUE FOR DEVELOPMENT APPLICATION
F	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
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H	2017.05.05	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
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K	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
L	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
M	2018.08.06	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHKD	VRFD	PROJECT
PHB	BC		NEW MIXED USE RESIDENTIAL DEVELOPMENT
PHB	BC		
PHB	BC		
PHB	BC		
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PHB	BC		

SITE: 73-79 RAILWAY LANE WICKHAM 2293
CLIENT: PETER BLAKE F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW
DRAWING: SHADOW DIAGRAMS - SHEET 2 21ST JUNE - 12 NOON

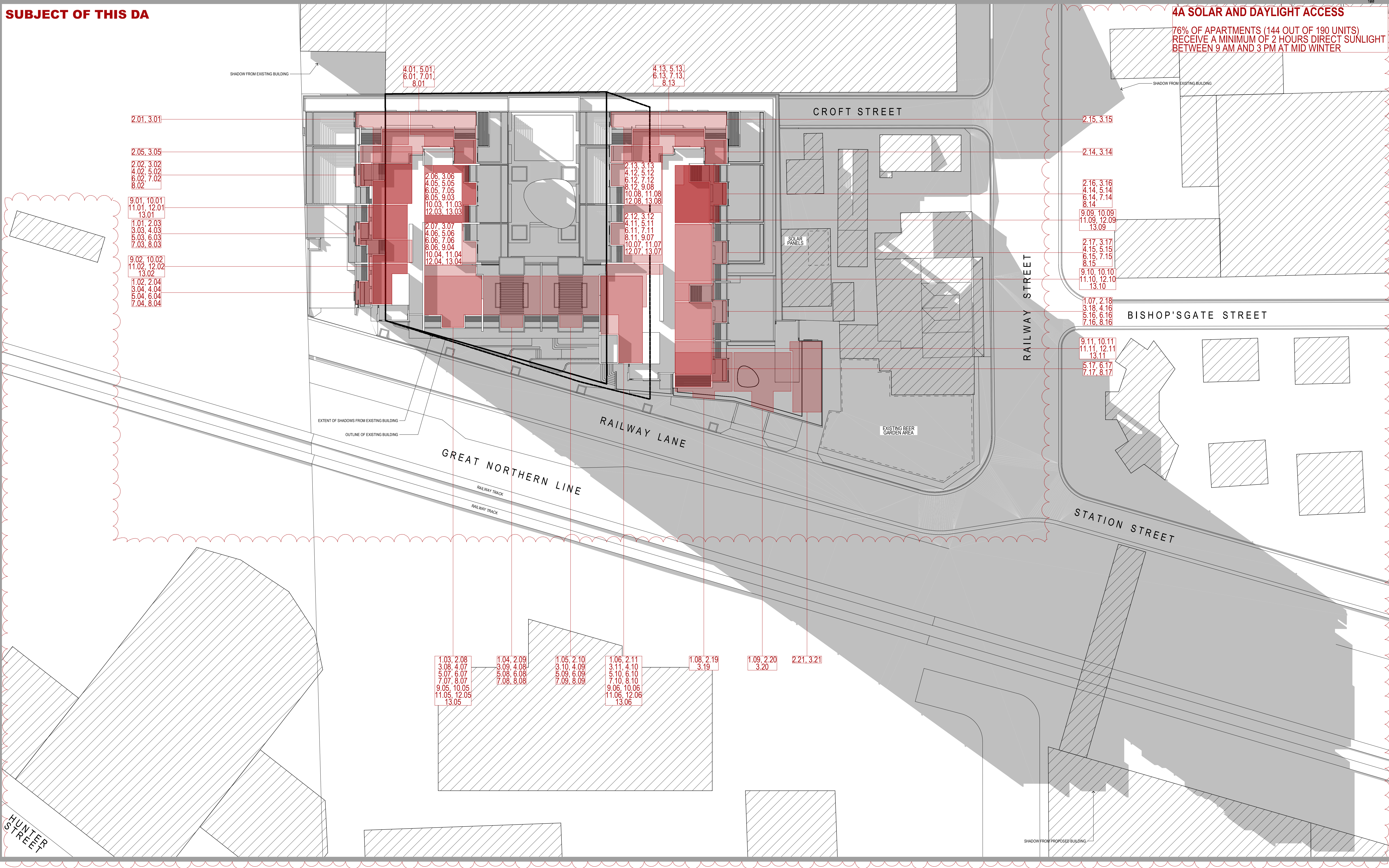
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10670 SK A992 M



SUBJECT OF THIS DA

4A SOLAR AND DAYLIGHT ACCESS

76% OF APARTMENTS (144 OUT OF 190 UNITS) RECEIVE A MINIMUM OF 2 HOURS DIRECT SUNLIGHT BETWEEN 9 AM AND 3 PM AT MID WINTER

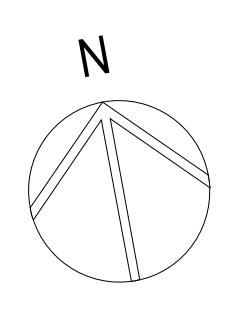


1 SHADOW DIAGRAM 21ST JUNE 3PM 1:250

EJE ARCHITECTURE
 ACN 002 912 543 | ABN 42 04 949 949
 Notified Architect - Bernard Collins
 NSW Architects Registration No. 4438
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H	2017.05.05	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
J	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
K	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
L	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
M	2019.08.06	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHKD	VRFD	PROJECT
PHB	BC		NEW MIXED USE RESIDENTIAL DEVELOPMENT
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		CLIENT: PETER BLAKE F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

SITE: 73-79 RAILWAY LANE WICKHAM 2293

DRAWING: SHADOW DIAGRAMS - SHEET 3
21ST JUNE - 3 PM

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FILENAME: 10670-DA 190801.plt DATE PRINTED: 6/08/2019

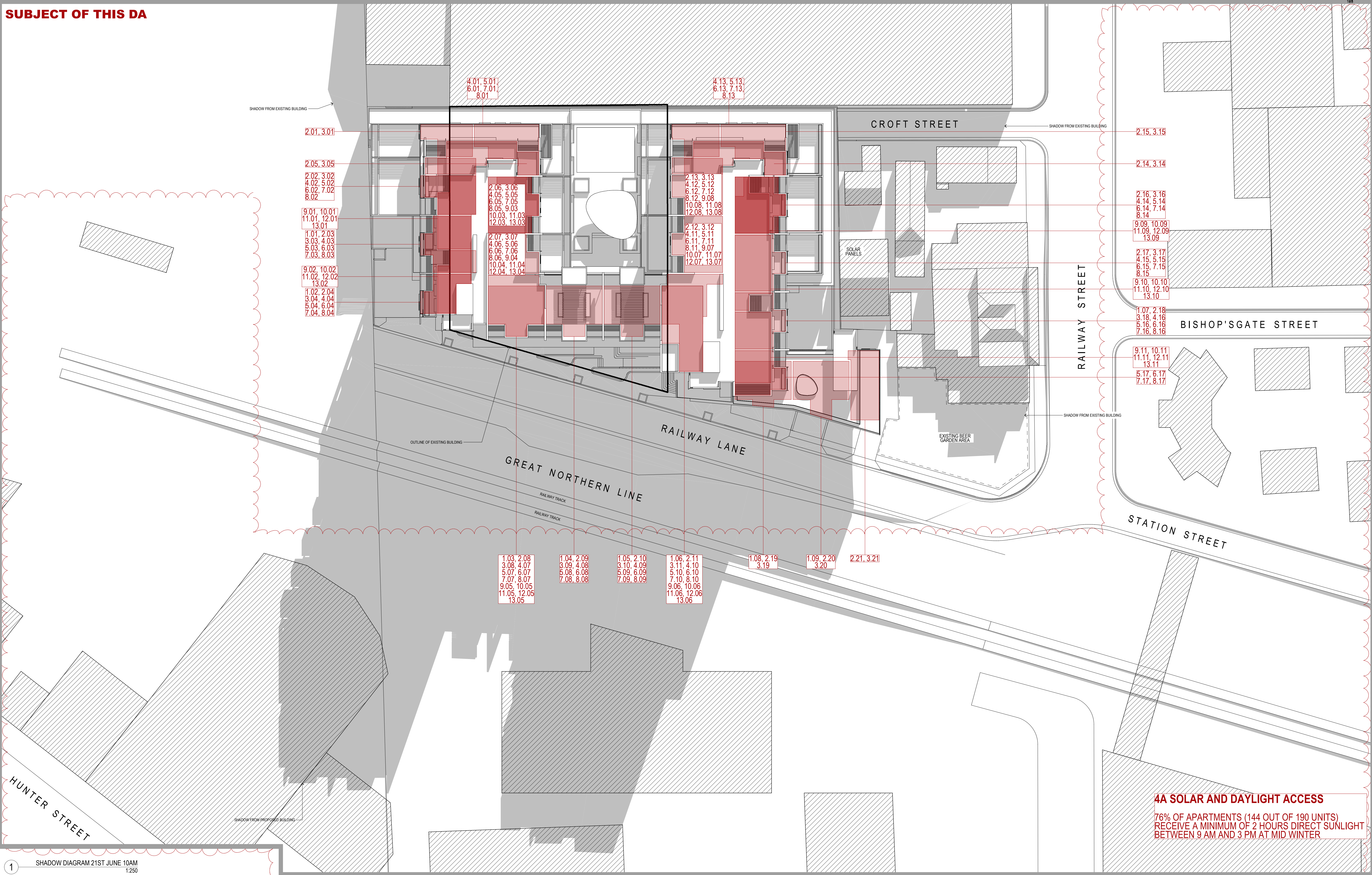
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PROJECT No: 10670 PHASE: SK DRAWING No: A993 REV: M

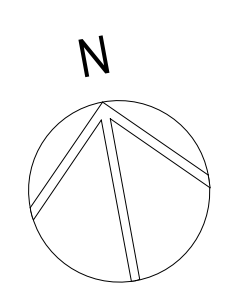


SUBJECT OF THIS DA



4A SOLAR AND DAYLIGHT ACCESS
 76% OF APARTMENTS (144 OUT OF 190 UNITS)
 RECEIVE A MINIMUM OF 2 HOURS DIRECT SUNLIGHT
 BETWEEN 9 AM AND 3 PM AT MID WINTER

1 SHADOW DIAGRAM 21ST JUNE 10AM
 1:250



REV	DATE	COMMENTS
A	2017.05.01	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
B	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
C	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
D	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
E	2019.08.06	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHD	VTRD	PROJECT
PHB	BC	BC	NEW MIXED USE RESIDENTIAL DEVELOPMENT
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET
 SYDNEY NSW

SITE: 73-79 RAILWAY LANE
 WICKHAM 2293

DRAWING: SHADOW DIAGRAMS - SHEET 4
 21ST JUNE - 10 AM

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

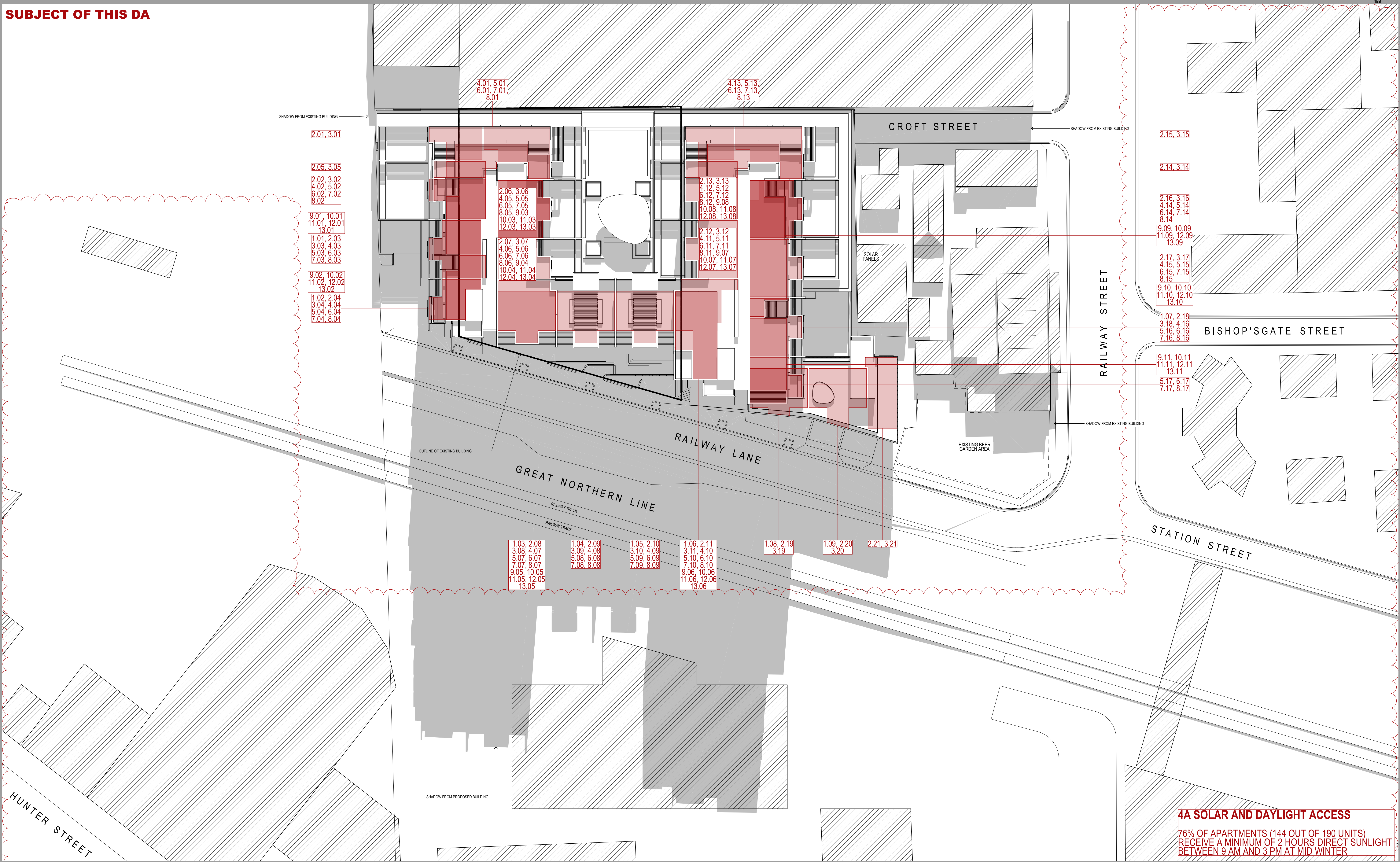
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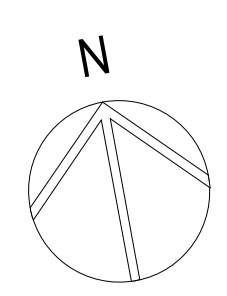
PROJECT No: PHASE: DRAWING No: REV:
10670 SK A994 E



SUBJECT OF THIS DA



1 SHADOW DIAGRAM 21ST JUNE 11AM 1:250



REV	DATE	COMMENTS
A	2017.05.01	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
B	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
C	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
D	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
E	2019.08.06	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHWD	VTRD	PROJECT
PHB	BC	BC	NEW MIXED USE RESIDENTIAL DEVELOPMENT
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET
 SYDNEY NSW

SITE: 73-79 RAILWAY LANE
 WICKHAM 2293

DRAWING: SHADOW DIAGRAMS - SHEET 5
 21ST JUNE - 11 AM

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

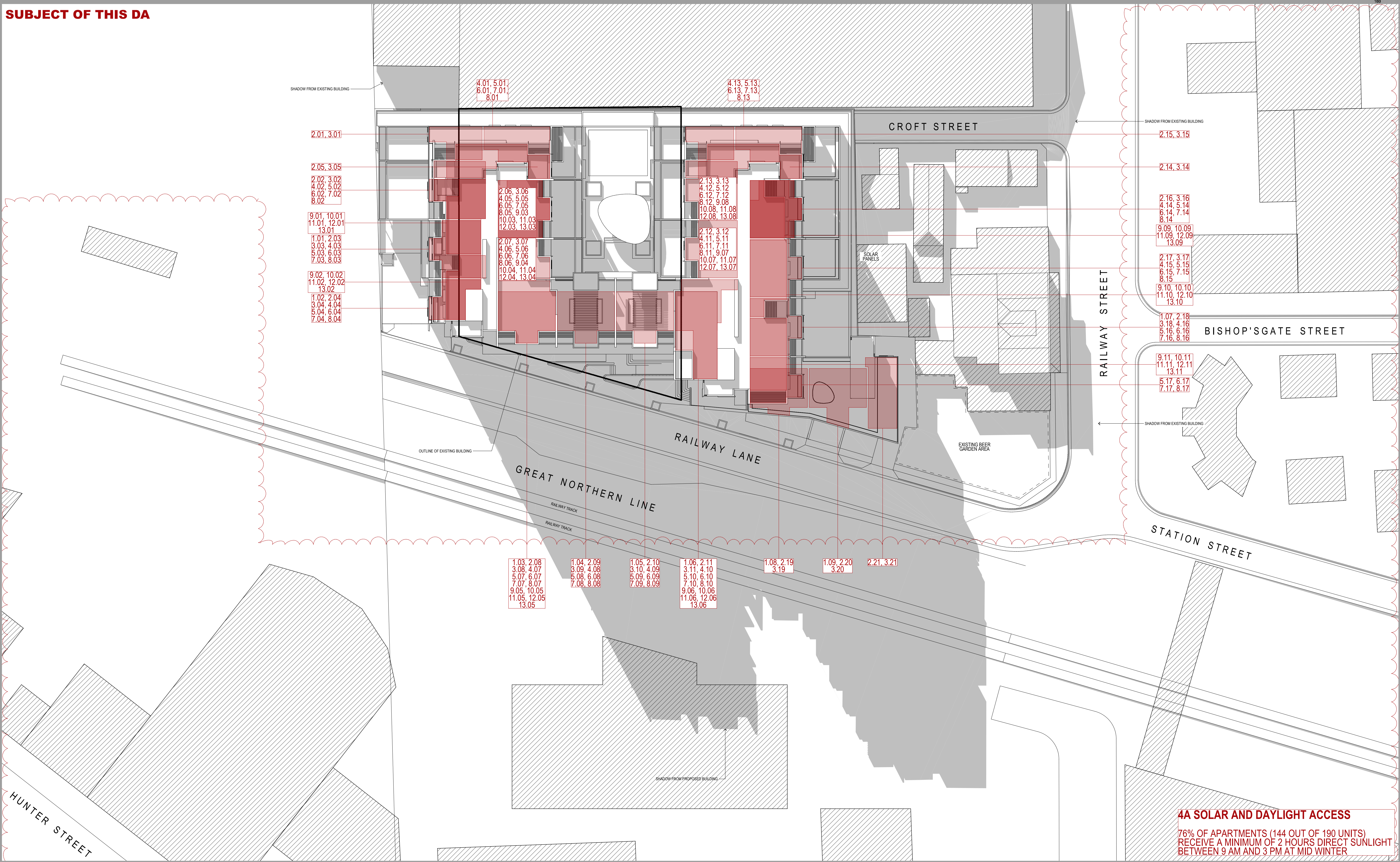
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DRAWN: DATE: SCALES:
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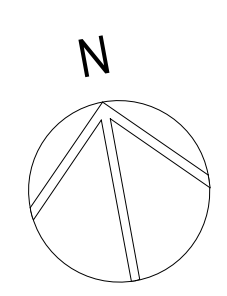
PROJECT No: PHASE: DRAWING No: REV:
10670 SK A995 E



SUBJECT OF THIS DA



1 SHADOW DIAGRAM 21ST JUNE 1PM
1:250



REV	DATE	COMMENTS
A	2017.05.01	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
B	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
C	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
D	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
E	2019.08.06	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHKD	VRFD	PROJECT
PHB	BC	BC	NEW MIXED USE RESIDENTIAL DEVELOPMENT
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	

CLIENT: PETER BLAKE
F1, LEVEL 1, 683-689 GEORGE STREET
SYDNEY NSW

SITE: 73-79 RAILWAY LANE
WICKHAM 2293

DRAWING: SHADOW DIAGRAMS - SHEET 6
21ST JUNE - 1 PM

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-DA-190801.pdf DATE PRINTED: 6/08/2019

DRAWN: DATE: SCALES:

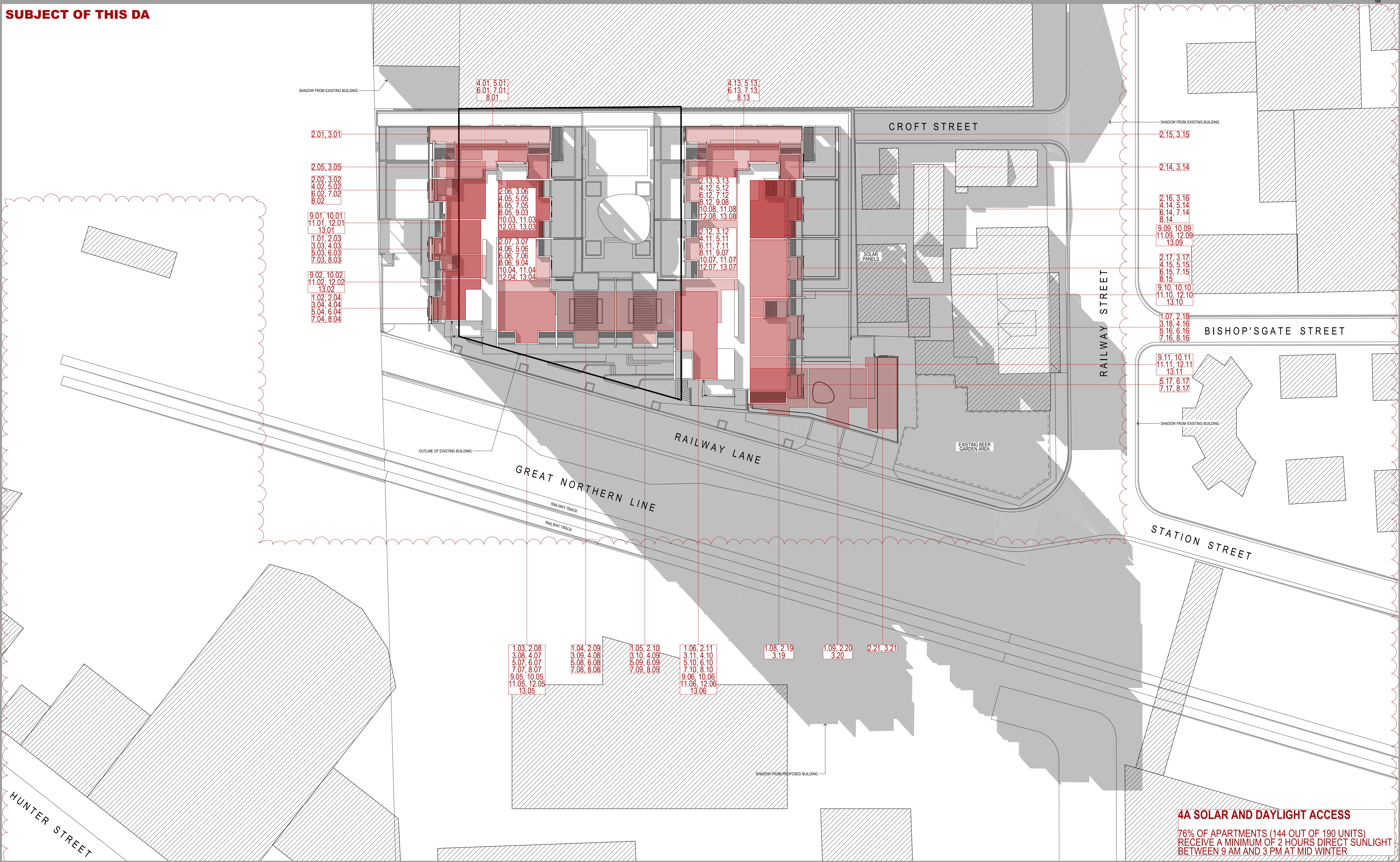
SJB FEB '16 1:200@B1

PROJECT No: PHASE: DRAWING No: REV:

10670 SK A996 E



SUBJECT OF THIS DA

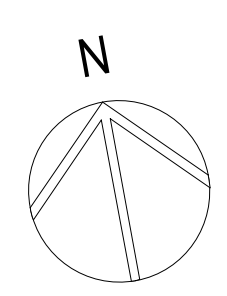


4A SOLAR AND DAYLIGHT ACCESS
 76% OF APARTMENTS (144 OUT OF 190 UNITS)
 RECEIVE A MINIMUM OF 2 HOURS DIRECT SUNLIGHT
 BETWEEN 9 AM AND 3 PM AT MID WINTER

1 SHADOW DIAGRAM 21ST JUNE 2PM
 1:250

EJE ARCHITECTURE
 ACN 002312343 | ABN 62 08 989 849
 Notarised Architect - Bernard Collins
 NSW Architects Registration No. 4828
 A-412 KING STREET, NEWCASTLE, NSW 2300
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REV	DATE	COMMENTS
A	2017.05.01	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
B	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
C	2018.03.20	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
D	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS
E	2019.08.06	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRW	CHKD	VRFD	PROJECT
PHB	BC	BC	NEW MIXED USE RESIDENTIAL DEVELOPMENT
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	
PHB	BC	BC	

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET
 SYDNEY NSW

SITE: 73-79 RAILWAY LANE
 WICKHAM 2293

DRAWING: SHADOW DIAGRAMS - SHEET 7
 21ST JUNE - 2 PM

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-DA 190801.dwg DATE PRINTED: 6/08/2019

DRAWN: DATE: SCALES:

SJB FEB '16 1:200@B1

PROJECT No: PHASE: DRAWING No: REV:

10670 SK A997 E





PERSPECTIVE FROM SOUTH-EAST

EJE ARCHITECTURE
 ACN 002 912 843 | ABN 82 644 649 849
 Nominated Architect - Bernard Collins
 NSW Architects Registration No: 4438
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REV	DATE	COMMENTS
D	2016.04.05	ISSUE FOR DEVELOPMENT APPLICATION
E	2016.08.26	REV. DA ISSUE TO CLIENT FOR REVIEW
F	2016.08.30	REVISED ISSUE FOR DEVELOPMENT APPLICATION
G	2016.10.05	ISSUE TO COUNCIL - ENGINEERING REQUIREMENTS
H	2016.11.22	REVISED ISSUE FOR DEVELOPMENT APPLICATION
J	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
K	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
L	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
M	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHKD	VRFD
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	

PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT

SITE: 73-79 RAILWAY LANE WICKHAM 2293

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: PERSPECTIVES - SHEET 1

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-SK-180118_4SM OPTION.pln DATE PRINTED: 3/05/2018

DRAWN: PHB DATE: FEB 2016 SCALES: NTS

PROJECT No: 10670 PHASE: SK DRAWING No: A1001 REV: M



PERSPECTIVE FROM SOUTH-WEST

EJE ARCHITECTURE
 ACN 002 912 843 | ABN 82 644 649 549
 Nominated Architect - Bernard Collins
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REV	DATE	COMMENTS
C	2016.03.24	FINAL CONSULTANT ISSUE FOR COORDINATION
D	2016.04.05	ISSUE FOR DEVELOPMENT APPLICATION
E	2016.08.26	REV. DA ISSUE TO CLIENT FOR REVIEW
F	2016.08.30	REVISED ISSUE FOR DEVELOPMENT APPLICATION
G	2016.10.05	ISSUE TO COUNCIL - ENGINEERING REQUIREMENTS
H	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
J	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
K	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
L	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHKD	VRFD
PHB	BC	BC
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	

PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT
 CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

SITE: 73-79 RAILWAY LANE WICKHAM 2293
 DRAWING: PERSPECTIVES - SHEET 2

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-SK-180118_4SM_OPTION.pln DATE PRINTED: 3/05/2018
 DRAWN: PHB DATE: FEB 2016 SCALES: NTS
 PROJECT No: 10670 PHASE: SK DRAWING No: A1002 REV: L





PERSPECTIVE FROM NORTH

EJE ARCHITECTURE
 ACN 002 912 843 | ABN 82 644 649 849
 Nominated Architect - Bernard Collins
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REV	DATE	COMMENTS
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G	2016.10.05	ISSUE TO COUNCIL - ENGINEERING REQUIREMENTS
H	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
J	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
K	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
L	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHKD	VRFD
PHB	BC	BC
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	

PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET
 SYDNEY NSW

SITE: 73-79 RAILWAY LANE
 WICKHAM 2293

DRAWING: PERSPECTIVES - SHEET 3

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-SK-180118_4SM_OPTION.pln DATE PRINTED: 3/05/2018

DRAWN: PHB DATE: FEB 2016 SCALES: NTS

PROJECT No: 10670 PHASE: SK DRAWING No: A1003 REV: L





PERSPECTIVE FROM SOUTH - STREET LEVEL

EJE ARCHITECTURE
 ACN 002 912 843 | ABN 82 644 649 849
 Nominated Architect - Bernard Collins
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REV	DATE	COMMENTS
C	2016.03.24	FINAL CONSULTANT ISSUE FOR COORDINATION
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F	2016.08.30	REVISED ISSUE FOR DEVELOPMENT APPLICATION
G	2016.10.05	ISSUE TO COUNCIL - ENGINEERING REQUIREMENTS
H	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
J	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
K	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
L	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHKD	VRFD
PHB	BC	BC
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	

PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT

SITE: 73-79 RAILWAY LANE WICKHAM 2293

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: PERSPECTIVES - SHEET 4

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-SK-180118_4SM_OPTION.pln DATE PRINTED: 3/05/2018

DRAWN: PHB DATE: FEB 2016 SCALES: NTS

PROJECT No: 10670 PHASE: SK DRAWING No: A1004 REV: L



PERSPECTIVE FROM SOUTH-EAST - COURTYRAD

EJE ARCHITECTURE
 ACN 002 912 843 | ABN 82 644 649 849
 Nominated Architect - Bernard Collins
 NSW Architects Registration No: 4438
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REV	DATE	COMMENTS
C	2016.03.24	FINAL CONSULTANT ISSUE FOR COORDINATION
D	2016.04.05	ISSUE FOR DEVELOPMENT APPLICATION
E	2016.08.26	REV. DA ISSUE TO CLIENT FOR REVIEW
F	2016.08.30	REVISED ISSUE FOR DEVELOPMENT APPLICATION
G	2016.10.05	ISSUE TO COUNCIL - ENGINEERING REQUIREMENTS
H	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
J	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
K	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
L	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHKD	VRFD
PHB	BC	BC
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	

PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT
 CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

SITE: 73-79 RAILWAY LANE WICKHAM 2293
 DRAWING: PERSPECTIVES - SHEET 5

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK, REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-SK-180118_4SM OPTION.pln DATE PRINTED: 3/05/2018
 DRAWN: PHB DATE: FEB 2016 SCALES: NTS

PROJECT No: 10670 PHASE: SK DRAWING No: A1005 REV: L





PERSPECTIVE FROM SOUTH-WEST - WICKHAM PARK

EJE ARCHITECTURE
 ACN 002 912 843 | ABN 82 644 649 549
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 P +61 2 4929 2353 | F +61 2 4929 3099 | E mail@eje.com.au | W www.eje.com.au

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REV	DATE	COMMENTS
A	2016.03.24	FINAL CONSULTANT ISSUE FOR COORDINATION
B	2016.04.05	ISSUE FOR DEVELOPMENT APPLICATION
C	2016.08.26	REV. DA ISSUE TO CLIENT FOR REVIEW
D	2016.08.30	REVISED ISSUE FOR DEVELOPMENT APPLICATION
E	2016.10.05	ISSUE TO COUNCIL - ENGINEERING REQUIREMENTS
F	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
G	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
H	2018.03.16	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION
J	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHKD	VRFD
PHB	BC	BC
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	
PHB	BC	

PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET
 SYDNEY NSW

SITE: 73-79 RAILWAY LANE
 WICKHAM 2293

DRAWING: PERSPECTIVES - SHEET 6

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-SK-180118_4SM_OPTION.pln DATE PRINTED: 3/05/2018
 DRAWN: PHB DATE: MARCH 2016 SCALES: NTS

PROJECT No: 10670 PHASE: SK DRAWING No: A1006 REV: J





PERSPECTIVE FROM UNIT 7.01 TOWARDS EAST

EJE ARCHITECTURE
 ACN 002 912 843 | ABN 52 644 649 849
 Nominated Architect - Bernard Collins
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 A 412 KING STREET, NEWCASTLE NSW 2300
 P +61 2 4929 2353 | F +61 2 4929 3099 | E mail@eje.com.au | W www.eje.com.au

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REV	DATE	COMMENTS
A	2019.10.04	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHKD	VRFD	PROJECT
PHB	BC		NEW MIXED USE RESIDENTIAL DEVELOPMENT

SITE: 73-79 RAILWAY LANE
 WICKHAM 2293

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET
 SYDNEY NSW

DRAWING: PERSPECTIVES - VIEW UNIT 7.01

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK, REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-DA-190801.ph DATE PRINTED: 17/10/2019

DRAWN	DATE	SCALES
PHB	OCT 2019	NTS

PROJECT No: 10670 PHASE: SK DRAWING No: A1011 REV: A





PERSPECTIVE VIEW FROM EAST

EJE ARCHITECTURE
 ACN 002 912 843 | ABN 62 644 649 549
 Nominated Architect - Bernard Collins
 NSW Architects Registration No: 4438
 A 412 KING STREET, NEWCASTLE NSW 2300
 P +61 2 4929 2353 | F +61 2 4929 3099 | E mail@eje.com.au | W www.eje.com.au

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REV	DATE	COMMENTS
A	2019.11.12	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN | CHKD | VRFD | PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT
 PHB BC

SITE: 73-79 RAILWAY LANE WICKHAM 2293

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: PERSPECTIVES - VIEW FROM EAST - SHEET 01

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK, REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-DA-190801.ph DATE PRINTED: 12/11/2019

DRAWN: PHB DATE: OCT 2019 SCALES: NTS

PROJECT No: 10670 PHASE: SK DRAWING No: A1012.1 A REV: 1





PERSPECTIVE VIEW FROM EAST

EJE ARCHITECTURE
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 P +61 2 4929 2353 | F +61 2 4929 2099 | E mail@eje.com.au | W www.eje.com.au

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REV	DATE	COMMENTS
A	2019.11.12	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHKD	VRFD	PROJECT
PHB	BC		NEW MIXED USE RESIDENTIAL DEVELOPMENT

SITE: 73-79 RAILWAY LANE
 WICKHAM 2293

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET
 SYDNEY NSW

DRAWING: PERSPECTIVES - VIEW FROM EAST - SHEET 02

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-DA-190801.pht DATE PRINTED: 12/11/2019

DRAWN	DATE	SCALES
PHB	OCT 2019	NTS

PROJECT No: 10670 PHASE: SK DRAWING No: A1012.2 A REV: 2





PERSPECTIVE VIEW FROM WEST

EJE ARCHITECTURE
 ACN 002 912 843 | ABN 62 644 649 549
 Nominated Architect - Bernard Collins
 NSW Architects Registration No: 4438
 A 412 KING STREET, NEWCASTLE, NSW 2300
 P +61 2 4929 2353 | F +61 2 4929 3099 | E mail@eje.com.au | W www.eje.com.au

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REV	DATE	COMMENTS
A	2019.11.12	REV. ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN | CHKD | VRFD | PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT
 PHB BC /

SITE: 73-79 RAILWAY LANE WICKHAM 2293

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: PERSPECTIVES - VIEW FROM WEST - SHEET 01

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK, REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-DA-190801.ph DATE PRINTED: 12/11/2019

DRAWN: PHB DATE: OCT 2019 SCALES: NTS

PROJECT No: 10670 PHASE: SK DRAWING No: A1013.1 A REV: 1





PERSPECTIVE VIEW FROM WEST

EJE ARCHITECTURE
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REV	DATE	COMMENTS
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DRN	CHKD	VRFD	PROJECT
PHB	BC		NEW MIXED USE RESIDENTIAL DEVELOPMENT

SITE: 73-79 RAILWAY LANE
 WICKHAM 2293

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET
 SYDNEY NSW

DRAWING: PERSPECTIVES - VIEW FROM WEST - SHEET 02

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-DA-190801.ph DATE PRINTED: 12/11/2019

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PHB	OCT 2019	NTS

PROJECT No: 10670 PHASE: SK DRAWING No: A1013.2 A REV: NTS





PERSPECTIVE VIEW FROM NORTH

EJE ARCHITECTURE
 ACN 002 912 843 | ABN 52 644 649 549
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REV	DATE	COMMENTS
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DRN | CHKD | VRFD | PROJECT: NEW MIXED USE RESIDENTIAL DEVELOPMENT
 PHB BC /

SITE: 73-79 RAILWAY LANE WICKHAM 2293

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

DRAWING: PERSPECTIVES - VIEW FROM NORTH

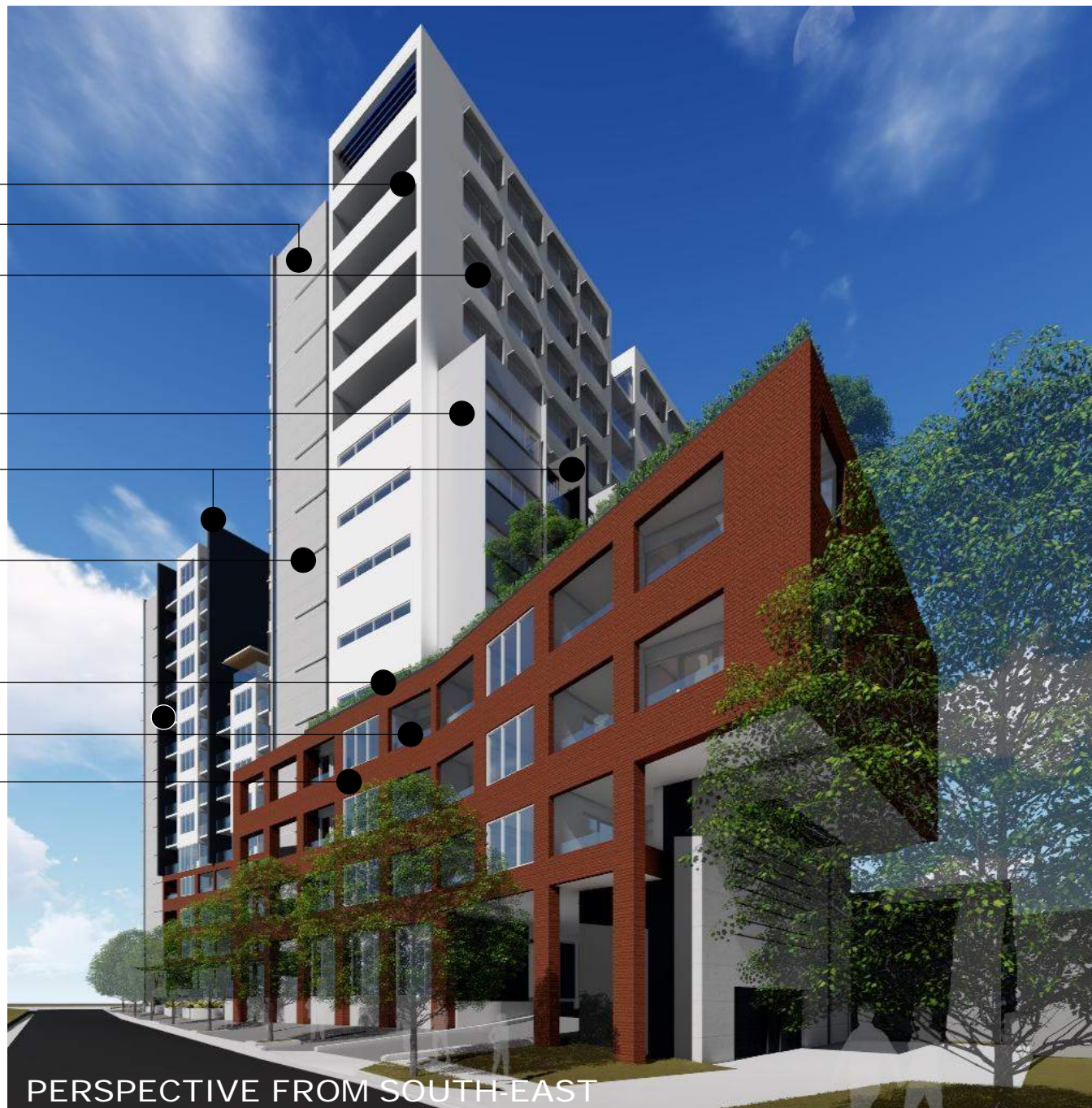
WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK, REPORT ALL ERRORS AND OMISSIONS.

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DRAWN: PHB DATE: OCT 2019 SCALES: NTS

PROJECT No: 10670 PHASE: SK DRAWING No: A1014 REV: A



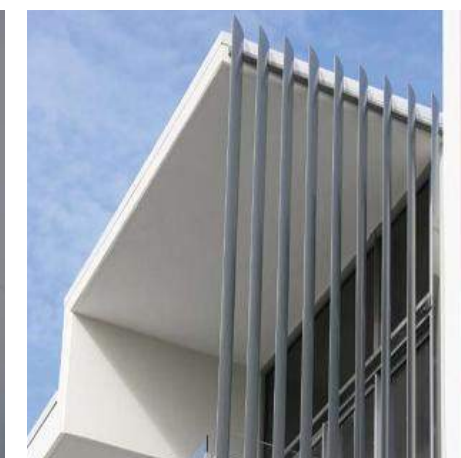


PERSPECTIVE FROM SOUTHEAST

- ARTICULATED PRECAST CONC. WALL PANEL WITH PAINT FINISH (PCP.1)
- ARTICULATED PRECAST CONC. WALL PANEL WITH NATURAL FINISH (PCP.2)
- CLEAR GLASS TO WINDOWS AND DOORS
- METAL COMPOSITE CLADDING (MCC.2) AS SCHEDULED
- METAL COMPOSITE CLADDING (MCC.1) AS SCHEDULED
- EXPRESSED JOINT WITH METALL BLADE
- PLANTER BOX, METAL, PAINT FINISH AS SCHEDULED
- GLASS BALUSTRADE
- FACE BRICKWORK



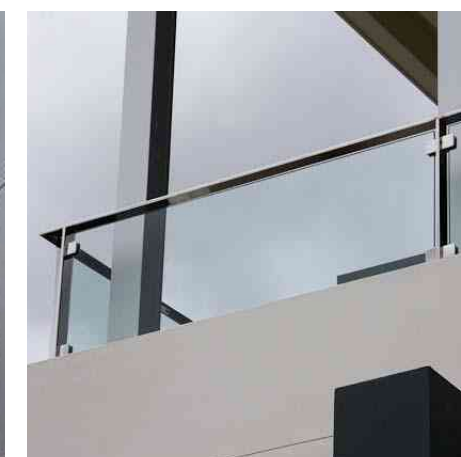
PRECAST CONCRETE WALL PANEL EXAMPLE (WHITE PAINT FINISH)



ALUMINIUM LOUVRE EXAMPLE (POWDERCOAT FINISH)



METAL COMPOSITE CLADDING EXAMPLE



GLASS BALUSTRADE EXAMPLE



FACE BRICKWORK EXAMPLE



PLANTER BOX EXAMPLE

REV	DATE	COMMENTS
A	2016.03.24	FINAL CONSULTANT ISSUE FOR COORDINATION
B	2016.04.05	ISSUE FOR DEVELOPMENT APPLICATION
C	2016.08.30	REVISED ISSUE FOR DEVELOPMENT APPLICATION
D	2016.12.06	REVISED ISSUE FOR DEVELOPMENT APPLICATION
E	2016.12.23	REVISED ISSUE FOR DEVELOPMENT APPLICATION
F	2017.04.24	ISSUE TO COUNCIL - CARPARKING ABOVE GROUND
G	2018.05.04	ISSUE FOR DEVELOPMENT APPLICATION - ALTERATIONS & ADDITIONS

DRN	CHKD	VRFD	PROJECT
PHB	BC	BC	NEW MIXED USE RESIDENTIAL DEVELOPMENT
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		
PHB	BC		

CLIENT: PETER BLAKE
 F1, LEVEL 1, 683-689 GEORGE STREET SYDNEY NSW

SITE: 73-79 RAILWAY LANE WICKHAM 2293

DRAWING: SCHEDULE OF EXTERNAL FINISHES

WORK IN FIGURED DIMENSIONS IN PREFERENCE TO SCALE. CHECK DIMENSIONS AND LEVELS ON SITE PRIOR TO THE ORDERING OF MATERIALS OR THE COMPLETION OF WORKSHOP DRAWINGS. IF IN DOUBT ASK. REPORT ALL ERRORS AND OMISSIONS.

FILENAME: 10670-SK-180118_4SM_OPTION.pln DATE PRINTED: 3/05/2018
 DRAWN: PHB DATE: MARCH 2016
 SCALES: NTS

PROJECT No: 10670 PHASE: SK DRAWING No: A1015 REV: G





PCP.2
 PRECAST CONCRETE WALL PANEL EXAMPLE
 SMOOTH FINISH WITH WHITE NAWKAW STAIN

1 2 3
 4 5
 6 7 8

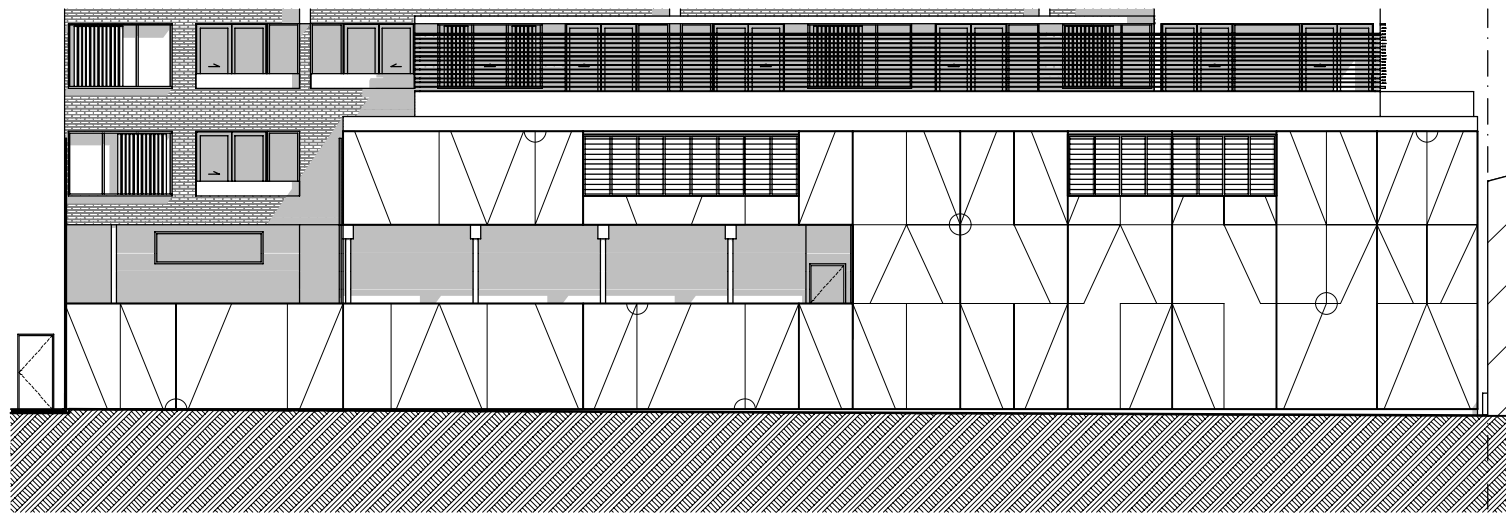
**PLATE 32:
 PAVING BRICKS.**
 1. Adamstown Steam Brick Co.
 2. Edge-impressed Bowtell. 3. Hughes (Newcastle). 4. T. Field (Sydney). The "T" is missing.
 5. Goodlet and Smith (Sydney).
 6. Gulson (Goulburn). 7. H. Downton, Excelsior Brickworks (Croydon). 8. Gulson (Goulburn).



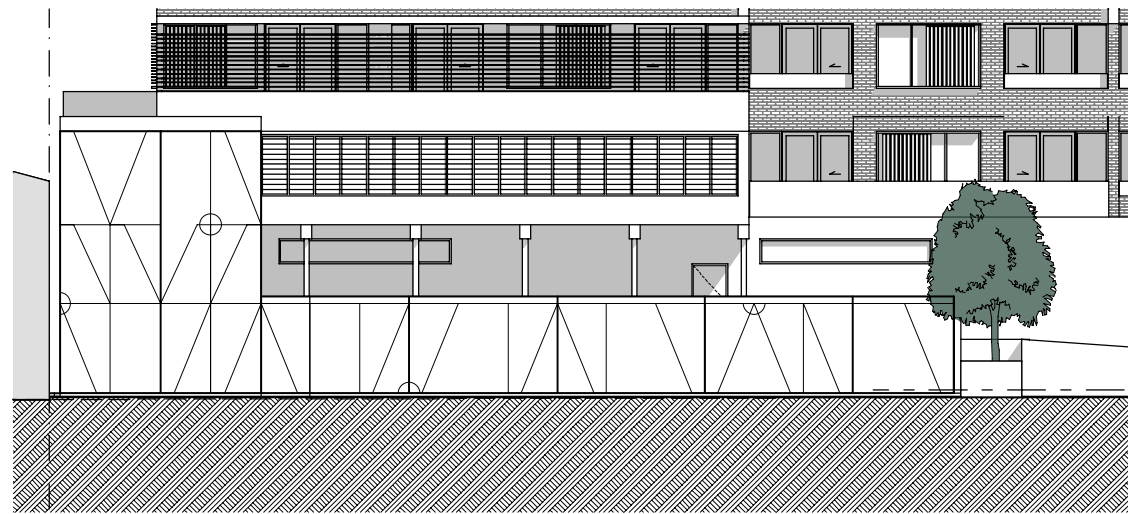
EXAMPLES OF PAVING BRICKS USED IN NEWCASTLE AND PARTICULARLY IN WICKHAM
 BRICK 1 & 3 WITH ITS DIAMOND PATTERNS SERVED AS INSPIRATION FOR THE DESIGN OF PRECAST CONCRETE WALL PATTERN
 (BOOK SOURCE: "AND SO WE GRAFT FROM SIX TO SIX, THE BRICKMAKERS OF NEW SOUTH WALES" BYWARWICK GEMMELL)



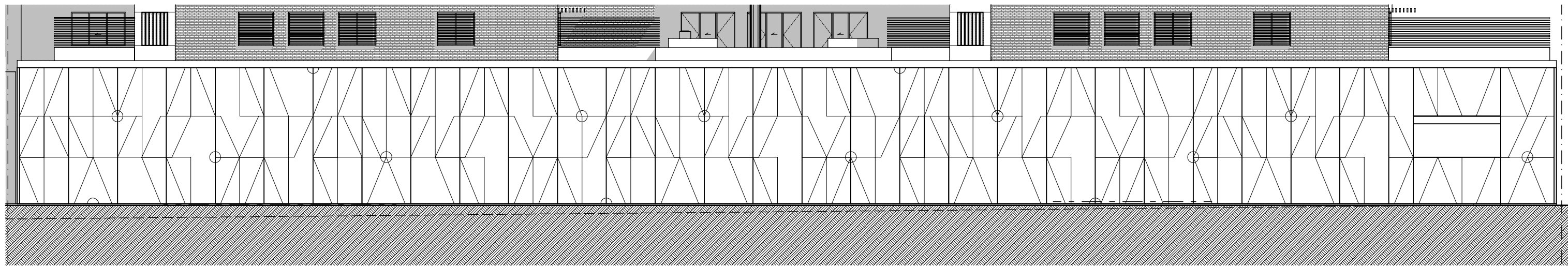
EXAMPLE OF PAVING BRICKS USED IN NEWCASTLE AND PARTICULARLY IN WICKHAM
 (SOURCE: GOOGLE STREET VIEW)



EAST ELEVATION (CARPARK LEVELS)
 PRECAST CONCRETE WALL PANEL LAYOUT
 WITH ARTISTIC INTERPRETATION OF DIAMOND PATTERN



WEST ELEVATION (CARPARK LEVELS)
 PRECAST CONCRETE WALL PANEL LAYOUT
 WITH ARTISTIC INTERPRETATION OF DIAMOND PATTERN



NORTH ELEVATION (CARPARK LEVELS)
 PRECAST CONCRETE WALL PANEL LAYOUT
 WITH ARTISTIC INTERPRETATION OF DIAMOND PATTERN

landscape development application

Railway Lane Mixed Use Residential Development

sheet index

DRAWING NUMBER	SHEET NAME	REV. No.	REV. DATE
10670.5 DA L00	cover page	1	17/10/19
10670.5 DA L01	landscape design report	1	17/10/19
10670.5 DA L02	site context plan	1	17/10/19
10670.5 DA L03	ground level landscape plan	1	17/10/19
10670.5 DA L04	level two landscape plan	1	17/10/19
10670.5 DA L05	level four landscape plan	1	17/10/19
10670.5 DA L06	level nine landscape plan	1	17/10/19
10670.5 DA L07	planting palette	1	17/10/19

landscape design report L01

Railway Lane Mixed Use Residential Development



View looking west along Railway Lane



View looking east towards Railway Street



site highlighted, approximately 300m east from Maitland Road overhead bridge



aerial view of the subject site and immediate surroundings

site - general description

The following Landscape Design Report has been prepared in accordance with the requirements of Newcastle Local Environment Plan 2012 and Newcastle Development Control Plan 2012.

The site falls within the 'West End Precinct' of Newcastle City Council's *City Centre Public Domain Technical Manual 2014* and the *Wickham Master Plan (WMP) November 2017*.

The subject site is located at 73-79 Railway Lane, Wickham. It consists of 2 lots (Lot 110 — DP 1018454 Lot 11 — DP 1106378) with a total site area of 4556sqm. A single large industrial building currently exists onsite. Access to the site is via Railway Lane which runs along the southern boundary. The roadway width is currently less than 4m from the existing kerb and gutter to the rail corridor boundary. Railway Lane terminates on the western side of the site.

landscape character and visual amenity

Land use in the immediate area is primarily split between residential and light industrial with the street layout in a fine grid with narrow road reserves. Front setbacks are small to zero to the terraces and semi detached townhouses resulting in a landscape character dominated by the built form. Street tree plantings of *Lophostemon confertus* and *Cupaniopsis anacardioides* exist on Station and Railway Streets respectively.

The closest cross street, Railway Street, previously a major connecting road, has recently been cut at the Railway Lane intersection.

Immediately west of the site is the former Morro Park Bowling Club site, which is currently unoccupied with the exception of a utilities box recently installed following completion of the Newcastle Interchange works. Wickham Park adjoins this area further west, however currently no public thoroughfare exists to the west from Railway Lane. The Great Northern Line rail corridor runs along the south side of railway lane. East of the site consists generally of one and 2 storey residential buildings, plus The Lass O'Gowrie Hotel on the north-western corner of the Railway Lane intersection with Railway Street. Adjoining the northern boundary is a large industrial building, currently occupied by Fuchs Lubricants.

The site is zoned B4 Mixed Use Development.

The topography of the local area is generally flat. The levels across the site fall approximately 1.5m west to east.

Soils of the area are characterised by coarse loamy sand, consisting of low organic matter and low water retention. (*NCC Street Tree Masterplan 2011*)

A shift in the landscape character and streetscape generally, is currently underway with recent residential development in the area, this will continue to evolve toward the dramatic shift outlined in *The Wickham Masterplan (2017)*.

visual access

The site is currently afforded very little visual access due to its location at the point Railway Lane terminates, and due to there now being no access north across the rail corridor, along Railway Street. Buildings to the south of the rail corridor do not open out to the north, therefore not facilitating views of the site. View from the rail services traveling along the corridor adjacent will be primary point of visual access on a local scale.

The site can also be viewed, looking east from the Maitland Road overhead bridge, around 300m along the rail corridor. The development will contribute to, and integrate with the evolving built form of the Wickham area from a range of more distant vantage points. Tree planting on level two and level four will bestow softening from some view points with further fringes of vegetation on the west of level nine and level four also enhancing the building facade.

The proposed inclusion of street trees along the railway lane frontage will enhance amenity at street level while adding to the existing pattern of street trees in the immediate area. The addition of tree planting locations on level four of the development, to the south, east and north will work with the level two tree plantings to the west, to vegetate and soften the building at a local level.

Street tree planting associated with a proposed road immediately to the west (*Wickham Master Plan (WMP) November 2017*) will improve street level amenity of this elevation when viewer access increases with the road construction.

Proposed Development

The proposed development is to be mixed use, consisting of 'U' shaped building of 14 storeys plus 1 carpark level underground.

A large internal courtyard between the two wings provides a semi-private community space including a large lawn area, covered BBQ with covered and open paved seating areas. Tree plantings throughout this space filter the views both from and to the apartments surrounding, while along with the large lawn area, add significant greening to the space. The BBQ shelter roof is to include an extensive decorative treatment to provide strong interest from above, with colourful succulent plantings/coloured glass mulch appearing as a visual focus in this green space. The entry forecourt off Railway Lane features a number of raised planters which take advantage of the level change from the street and provide significant greening at a human scale.

A number of community areas are also provided on level four and level nine. The proposed layout of these spaces retains flexibility for larger gatherings while offering a mix of smaller spaces to attract a range of user groups.

The larger private residential courtyards that open out on to the second floor, provide a mix of useable space and mass planting and include good soil volume to allow substantial plantings, to balance screening and privacy with maintaining good solar access.

The use of *Pavement type 4*, full width bluestone, is proposed for the public domain areas. This is a variation from the Public Domain Technical Manual Specification as this better reflects the scale and quality of the proposed development, without being a significant departure visually, from the asphalt nominated for this street type/location.



side wall of adjacent industrial building to be screened from courtyard



existing building to be demolished

I	17/10/19	REV. DA ISSUE
H	10/10/19	DRAFT REV. DA
G	8/5/18	REVISIONS
F	3/5/18	REVISIONS
E	3/5/18	REV. DA
D	28/6/17	REV. DA
C	11/5/17	REV. DA
B	6/9/16	REV. DA
A	4/4/16	DA ISSUE

PROJECT:
Railway Lane Mixed Use Residential Development

SITE:
73-79 Railway Lane WICKHAM 2293

CLIENT:
Peter Blake

10670.5 Railway Lane DA 17-10-2019.vwx 17/10/19

DRAWN: os / pw DATE: 22-03-2016 SCALE: @A3
JOB NUMBER: 10670.5 DA L01 PHASE: DWG No: REV: I



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site context plan L02

Railway Lane Mixed Use Residential Development



- I 17/10/19 REV. DA ISSUE
- H 10/10/19 DRAFT REV. DA
- G 8/5/18 REVISIONS
- F 3/5/18 REVISIONS
- E 3/5/18 REV. DA
- D 28/6/17 REV. DA
- C 11/5/17 REV. DA
- B 6/9/16 REV. DA
- A 4/4/16 DA ISSUE

PROJECT:
Railway Lane Mixed Use Residential Development

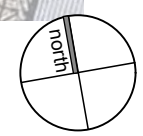
SITE:
73-79 Railway Lane WICKHAM 2293

CLIENT:
Peter Blake

10670.5 Railway Lane DA 17-10-2019.vwx 17/10/19

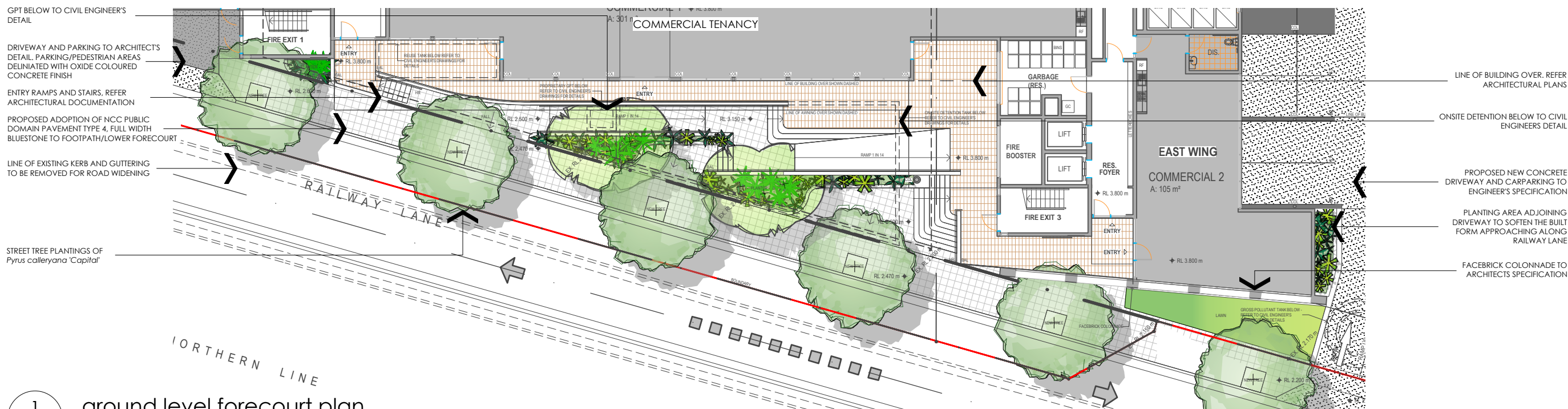
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 JOB NUMBER: 10670.5 DA L02 PHASE: DWG No: REV: I

1 site plan
 L02 Scale: 1:500

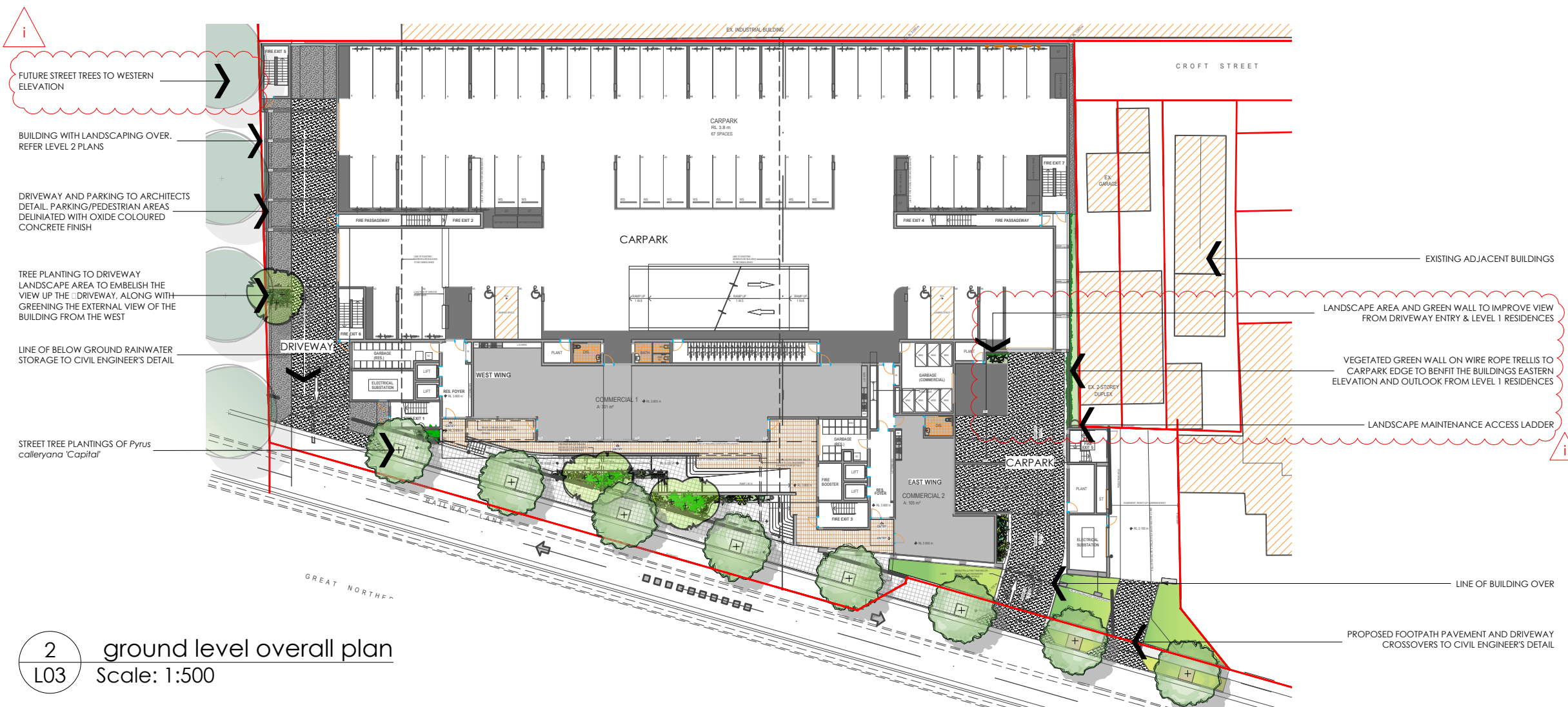


ground level landscape plan L03

Railway Lane Mixed Use Residential Development



1 ground level forecourt plan
L03 Scale: 1:250



2 ground level overall plan
L03 Scale: 1:500

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F	3/5/18	REVISIONS
E	3/5/18	REV. DA
D	28/6/17	REV. DA
C	11/5/17	REV. DA
B	6/9/16	REV. DA
A	4/4/16	DA ISSUE

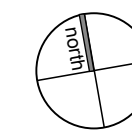
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SITE:
73-79 Railway Lane WICKHAM 2293

CLIENT:
Peter Blake

10670.5 Railway Lane DA 17-10-2019.vwx 17/10/19

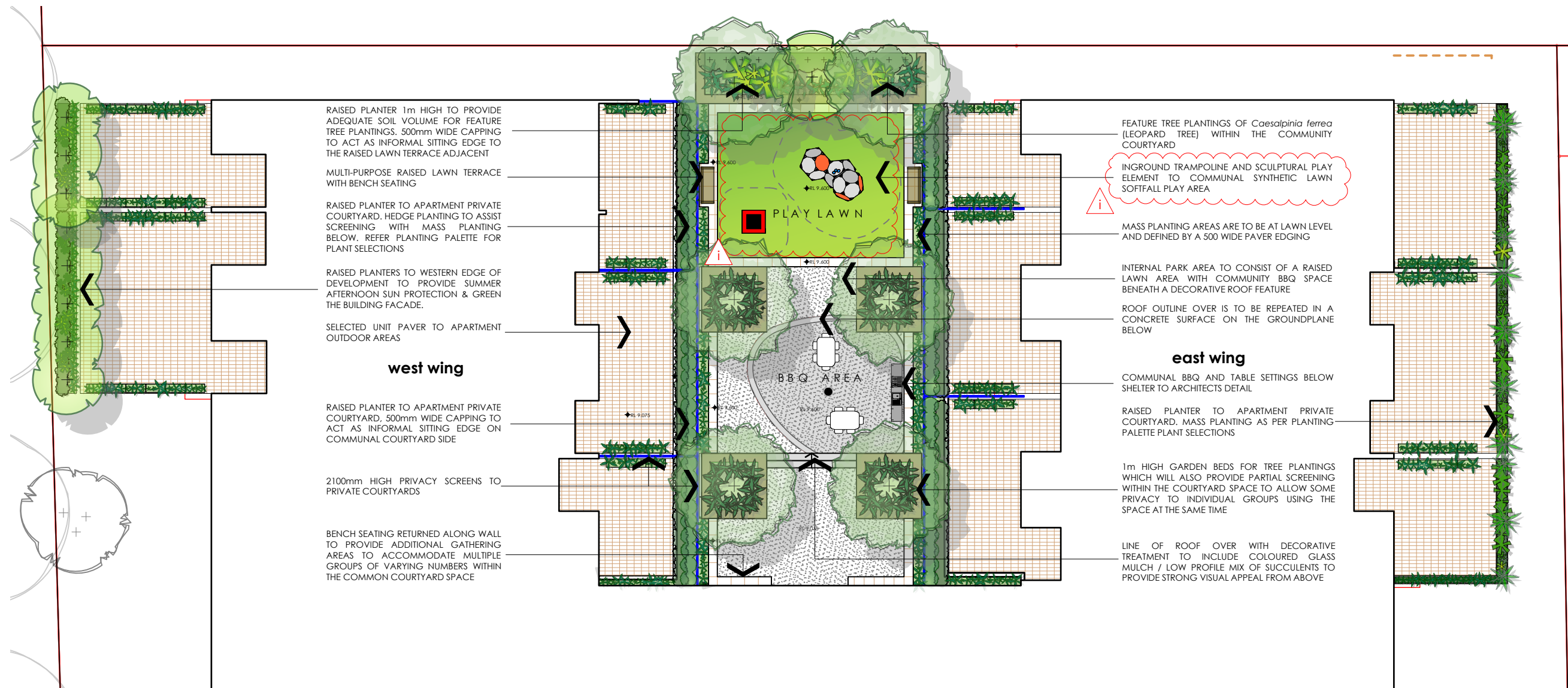
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level two landscape plan L04

Railway Lane Mixed Use Residential Development



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C	11/5/17	REV. DA
B	6/9/16	REV. DA
A	4/4/16	DA ISSUE

PROJECT:
Railway Lane Mixed Use Residential Development

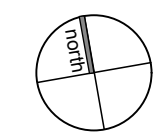
SITE:
73-79 Railway Lane WICKHAM 2293

CLIENT:
Peter Blake

10670.5 Railway Lane DA 17-10-2019.vwx 17/10/19

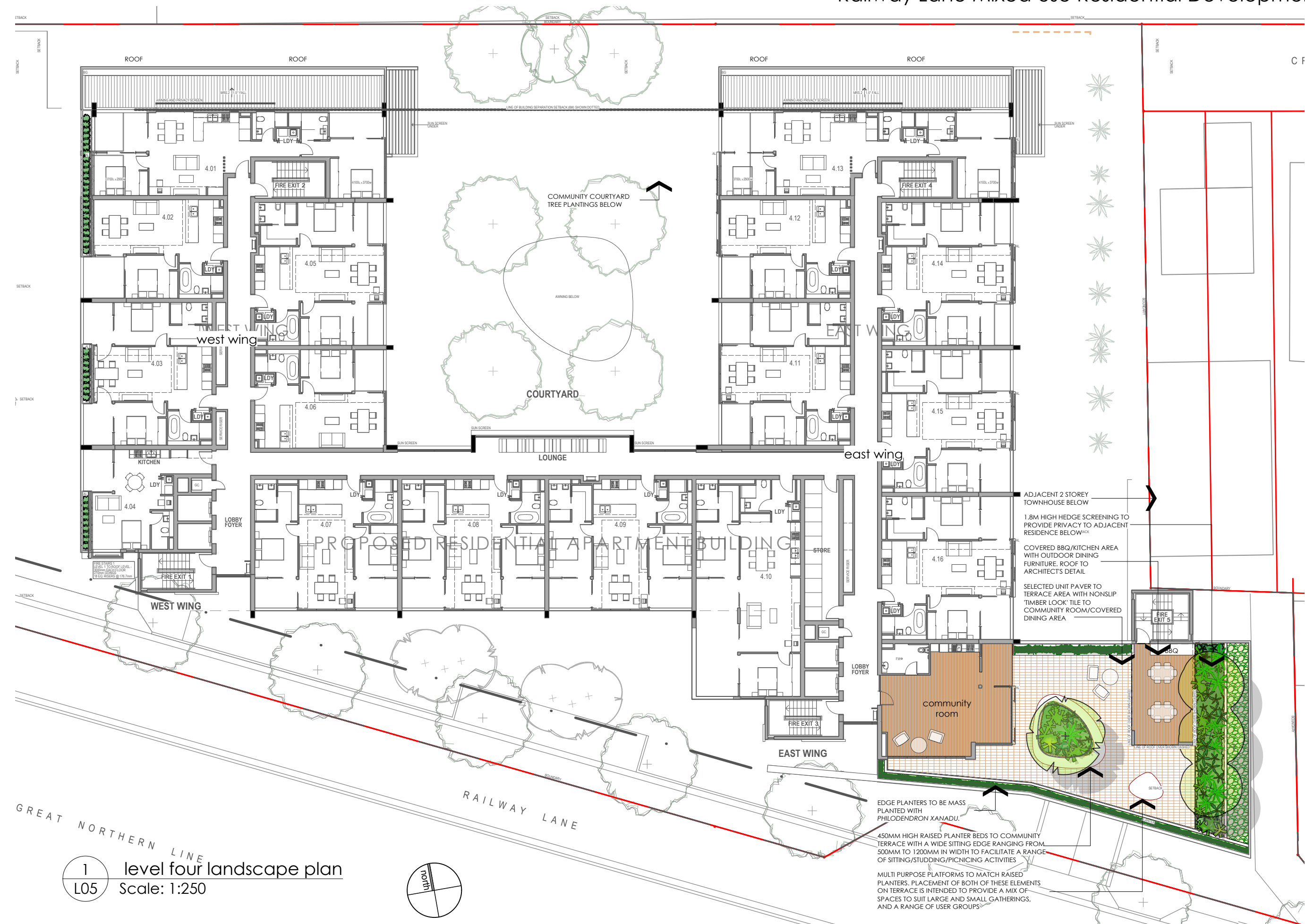
DRAWN: os / pw DATE: 22-03-2016 SCALE: @A3
 JOB NUMBER: 10670.5 DA L04 PHASE: DWG No: I REV: I

1 level 2 courtyards
 L04 Scale: 1:250



level four landscape plan L05

Railway Lane Mixed Use Residential Development



- I 17/10/19 REV. DA ISSUE
- H 10/10/19 DRAFT REV. DA
- G 8/5/18 REVISIONS
- F 3/5/18 REVISIONS
- E 3/5/18 REV. DA
- D 28/6/17 REV. DA
- C 11/5/17 REV. DA
- B 6/9/16 REV. DA
- A 4/4/16 DA ISSUE

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SITE:
73-79 Railway Lane WICKHAM 2293

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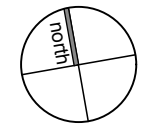
10670.5 Railway Lane DA 17-10-2019.vwx 17/10/19

DRAWN: os / pw DATE: 22-03-2016 SCALE: @A3
 JOB NUMBER: 10670.5 DA L05 PHASE: DWG No: REV: I

ADJACENT 2 STOREY TOWNHOUSE BELOW
 1.8M HIGH HEDGE SCREENING TO PROVIDE PRIVACY TO ADJACENT RESIDENCE BELOW
 COVERED BBQ/KITCHEN AREA WITH OUTDOOR DINING FURNITURE. ROOF TO ARCHITECT'S DETAIL
 SELECTED UNIT PAVER TO TERRACE AREA WITH NONSLIP TIMBER LOOK TILE TO COMMUNITY ROOM/COVERED DINING AREA

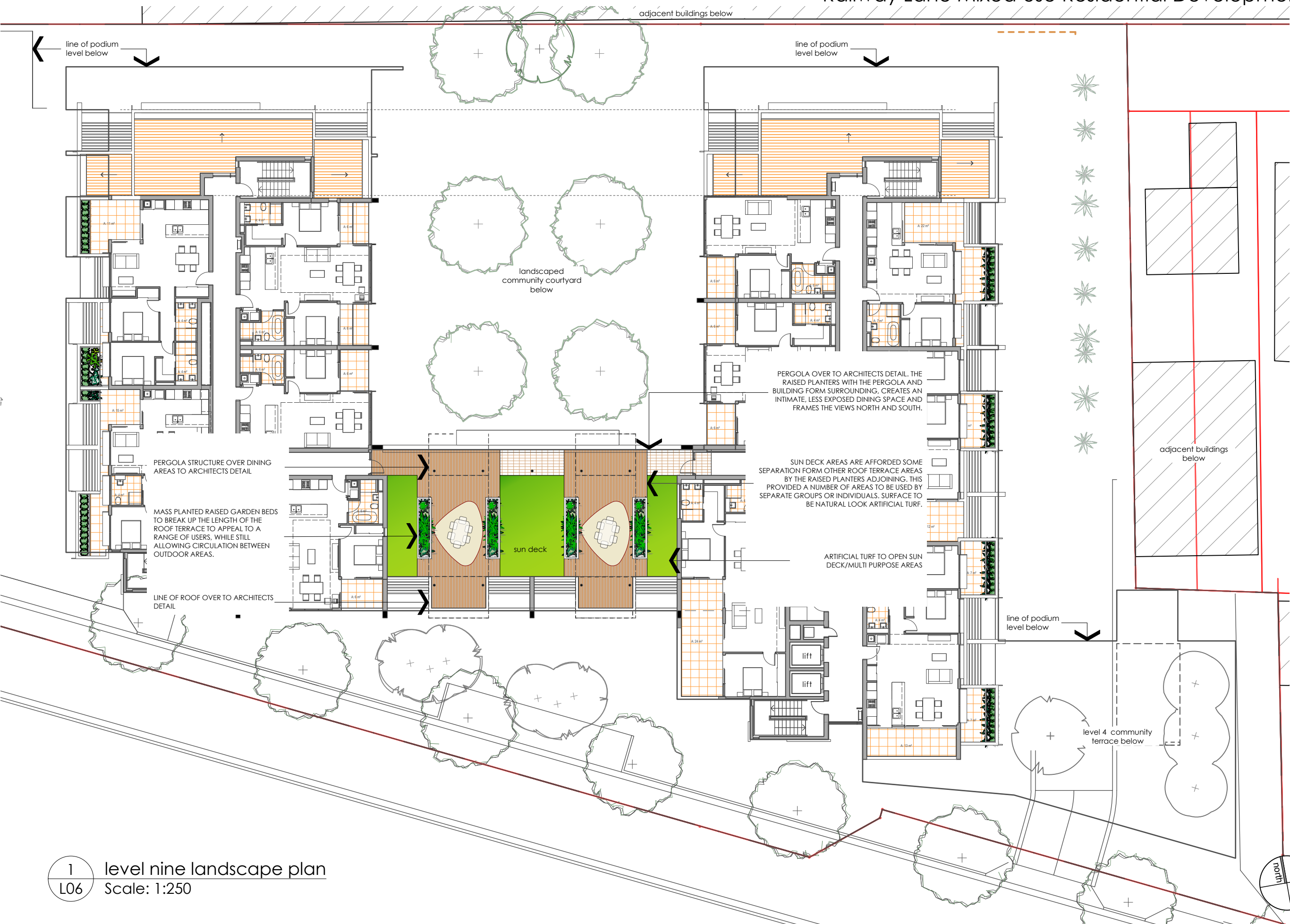
EDGE PLANTERS TO BE MASS PLANTED WITH *PHILODENDRON XANADU*.
 450MM HIGH RAISED PLANTER BEDS TO COMMUNITY TERRACE WITH A WIDE SITTING EDGE RANGING FROM 500MM TO 1200MM IN WIDTH TO FACILITATE A RANGE OF SITTING/STUDDING/PICNICING ACTIVITIES
 MULTI PURPOSE PLATFORMS TO MATCH RAISED PLANTERS. PLACEMENT OF BOTH OF THESE ELEMENTS ON TERRACE IS INTENDED TO PROVIDE A MIX OF SPACES TO SUIT LARGE AND SMALL GATHERINGS, AND A RANGE OF USER GROUPS

1 level four landscape plan L05 Scale: 1:250



level nine landscape plan L06

Railway Lane Mixed Use Residential Development



line of podium level below

line of podium level below

line of podium level below

landscaped community courtyard below

adjacent buildings below

level 4 community terrace below

PERGOLA STRUCTURE OVER DINING AREAS TO ARCHITECTS DETAIL

MASS PLANTED RAISED GARDEN BEDS TO BREAK UP THE LENGTH OF THE ROOF TERRACE TO APPEAL TO A RANGE OF USERS, WHILE STILL ALLOWING CIRCULATION BETWEEN OUTDOOR AREAS.

LINE OF ROOF OVER TO ARCHITECTS DETAIL

PERGOLA OVER TO ARCHITECTS DETAIL. THE RAISED PLANTERS WITH THE PERGOLA AND BUILDING FORM SURROUNDING, CREATES AN INTIMATE, LESS EXPOSED DINING SPACE AND FRAMES THE VIEWS NORTH AND SOUTH.

SUN DECK AREAS ARE AFFORDED SOME SEPARATION FROM OTHER ROOF TERRACE AREAS BY THE RAISED PLANTERS ADJOINING. THIS PROVIDED A NUMBER OF AREAS TO BE USED BY SEPARATE GROUPS OR INDIVIDUALS. SURFACE TO BE NATURAL LOOK ARTIFICIAL TURF.

ARTIFICIAL TURF TO OPEN SUN DECK/MULTI PURPOSE AREAS

I	17/10/19	REV. DA	ISSUE
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G	8/5/18	REVISIONS	
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PROJECT:
Railway Lane Mixed Use Residential Development

SITE:
73-79 Railway Lane WICKHAM 2293

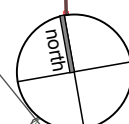
CLIENT:
Peter Blake

10670.5 Railway Lane DA 17-10-2019.vwx 17/10/19

DRAWN: os / pw DATE: 22-03-2016 SCALE: @A3

JOB NUMBER: 10670.5 DA L06 PHASE: REV: I

1 level nine landscape plan L06 Scale: 1:250



planting palette L07

Railway Lane Mixed Use Residential Development



plant list

- | | |
|---|-----------------------|
| 1. <i>Caesalpinia ferrea</i> | Leopard Tree |
| 2. <i>Viburnum odoratissimum</i> 'Emerald Lustre' | Viburnum |
| 3. <i>Molinera capitulata</i> | Palm grass |
| 4. <i>Dietes bicolor</i> | Fortnight lily |
| 5. <i>Hymenocallis littoralis</i> | Spider Lilly |
| 6. <i>Zamia furfuracea</i> | Cardboard Palm |
| 7. <i>Trachelospermum asiaticum</i> | Japanese Star Jasmine |
| 8. <i>Hibbertia scandens</i> | Snake Vine |
| 9. <i>Lomandra tanika</i> | Tanika |
| 10. <i>Pyrus calleryana</i> 'Capital' | Pyrus 'Capital' |
| 11. <i>Plumeria acutifolia</i> | Frangipani |
| 12. <i>Banksia integrifolia</i> | Coastal Banksia |
| 13. <i>Syzygium australe</i> 'Resilience' | LillyPilly |
| 14. <i>Asplenium australasicum</i> | Birds Nest Fern |
| 15. <i>Alpinia zerumbet</i> | Shell Ginger |
| 16. <i>Alocasia brisbanensis</i> | Cunjevoi |
| 17. <i>Viola hederacea</i> | Native Violet |
| 18. <i>Cycas revoluta</i> | Sago Palm |

I 17/10/19 REV. DA ISSUE
 H 10/10/19 DRAFT REV. DA
 G 8/5/18 REVISIONS
 F 3/5/18 REVISIONS
 E 3/5/18 REV. DA
 D 28/6/17 REV. DA
 C 11/5/17 REV. DA
 B 6/9/16 REV. DA
 A 4/4/16 DA ISSUE

PROJECT:
Railway Lane Mixed Use Residential Development

SITE:
73-79 Railway Lane WICKHAM 2293

CLIENT:
Peter Blake

10670.5 Railway Lane DA 17-10-2019.vwx 17/10/19

DRAWN: os / pw DATE: 22-03-2016 SCALE: @A3
 JOB NUMBER: 10670.5 DA L07 PHASE: DWG No: REV: I

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 01/12/20 – DA2018/00773 - 73-79 RAILWAY LANE, WICKHAM -
ALTERATIONS AND ADDITIONS TO A MIXED-USE DEVELOPMENT**

ITEM-43 Attachment C: Draft Schedule of Conditions

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DRAFT SCHEDULE OF CONDITIONS

Application No:	DA2018/00773
Land:	Lot 110 DP 1018454 Lot 11 DP 1106378
Property Address:	73 Railway Lane Wickham NSW 2293 79 Railway Lane Wickham NSW 2293
Proposed Development:	Alterations and additions to approved mixed-use development (DA2016/00384), comprising an additional four storeys and 40 residential apartments.

SCHEDULE 1 - DEFERRED COMMENCEMENT CONDITIONS

The following deferred commencement conditions must be satisfied prior to the consent becoming operative:

PART A – DEFERRED COMMENCEMENT CONDITIONS (CONDITIONS TO BE SATISFIED PRIOR TO CONSENT OPERATING)

The consent is not to operate until the following conditions are satisfied, within **24 months**, of the date of this determination:

1. VOLUNTARY PLANNING AGREEMENT

- a. That a Voluntary Planning Agreement (VPA) in accordance with the public benefit offer made by 22 Park Avenue Pty Ltd is to be executed and submitted to Council,
- b. The payment of monetary contribution must be provided to Council in accordance with the VPA,
- c. The VPA, as executed, must be registered on the Title of the land in accordance with the VPA.

2. SYDNEY TRAINS AND TRANSPORT FOR NSW

The Applicant shall prepare and provide to Sydney Trains and Transport for NSW for approval/certification the following final version items:

- a. Geotechnical and Structural report/drawings, including a hydrogeological engineering assessment, that meet Sydney Trains requirements. The Geotechnical Report must be based on a minimum of three actual borehole testing conducted on the site closest to the rail corridor. Consideration to potential risks to the rail corridor and assets must be included.
- b. Construction methodology with construction details pertaining to structural support (including any potential dewatering) during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.

- c. Cross sectional drawings to Sydney Trains requirements showing the rail corridor (including up to the nearest track within the corridor), sub soil profile, proposed basement excavation including horizontal and vertical measurements, and structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.
- d. Detailed Survey Plan showing the relationship of the proposed developed with respect to Sydney Trains easement (including, but not limited to, any Right of Carriageways) and rail corridor land, as well as the Wickham Transport Interchange Project to Sydney Trains requirements.
- e. If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.

Any conditions issued as part of Sydney Trains approval/certification of the above documents will also form part of the consent conditions that the Applicant is required to comply with.

- Evidence that will sufficiently enable Council to be satisfied as to those matters identified in the deferred commencement conditions, as indicated above, must be submitted to Council within **24 months** of the date of this deferred commencement consent, failing which, this deferred commencement consent will lapse,
- The consent will not operate until such time that the Council notifies the applicant in writing that deferred commencement conditions, as indicated above, have been satisfied, and
- Upon Council giving written notification to the applicant that the deferred commencement conditions have been satisfied, the consent will become operation from the date of that written notification, subject to conditions of consent as shown in Part B (Operational Conditions of Consent).

PART B – OPERATIONAL CONDITIONS OF CONSENT

Upon written confirmation from Council that the deferred commencement condition has been satisfied, the consent will become operational from the date of that written confirmation, subject to the conditions of consent outlined below, and any other additional conditions reasonably arising from consideration of the deferred commencement conditions.

RELATIONSHIP WITH EXISTING CONSENT DA2016/00384

1. This application is approved in conjunction with the DA2016/00384 approval (which covers levels 3-7) and conditions of both consents are applicable to the total overall development.
2. The conditions and advisory matters contained within Development Consent No. DA2016/00384 (as modified) are incorporated in their entirety within this consent. Accordingly, Development Consent No. DA2016/00384 and this approval must be read as one document.
3. In the event of any inconsistency between Development Consent No. DA2016/00384 and this approval, in particular between the approved plans and documentation, this approval shall take precedence to the extent of any inconsistency.

APPROVED DOCUMENTATION AND CONTRIBUTIONS

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

conditions of this consent.

Plan No / Supporting Document	Reference / Version	Prepared by	Dated
Site Plan	Project 10670 Dwg A001 Rev G	EJE Architecture	04/05/18
Basement Lvl 1	Project 10670 Dwg A101 Rev S	EJE Architecture	20/8/19
Ground Level	Project 10670 Dwg A102 Rev AB	EJE Architecture	4/10/19
Lvl 1	Project 10670 Dwg A103 Rev W	EJE Architecture	4/10/19
Lvl 2	Project 10670 Dwg A104 Rev S	EJE Architecture	20/8/19
Lvl 3	Project 10670 Dwg A105 Rev S	EJE Architecture	20/8/19
Lvl 4	Project 10670 Dwg A106 Rev W	EJE Architecture	04/10/19
Lvl 5	Project 10670 Dwg A107 Rev P	EJE Architecture	04/05/18
Lvl 6	Project 10670 Dwg A108 Rev P	EJE Architecture	04/05/18
Lvl 7	Project 10670 Dwg A109 Rev P	EJE Architecture	04/05/18
Lvl 8	Project 10670 Dwg A110 Rev V	EJE Architecture	20/08/19
Lvl 9	Project 10670 Dwg A111 Rev S	EJE Architecture	04/05/18
Lvl 10	Project 10670 Dwg A112 Rev R	EJE Architecture	04/05/18
Lvl 11	Project 10670 Dwg A113 Rev F	EJE Architecture	04/05/18
Lvl 12	Project 10670 Dwg A114 Rev F	EJE Architecture	04/05/18
Lvl 13	Project 10670 Dwg A115 Rev F	EJE Architecture	04/05/18
Lv 14 Roof	Project 10670 Dwg A116 Rev E	EJE Architecture	04/05/18
South Elevation	Project 10670 Dwg A501 Rev Q	EJE Architecture	04/10/19
East Elevation - West Tower	Project 10670 Dwg A502 Rev Q	EJE Architecture	04/10/19
East Elevation - East Tower	Project 10670 Dwg A503 Rev R	EJE Architecture	01/11/19
North Elevation	Project 10670 Dwg A504 Rev R	EJE Architecture	01/11/19
West Elevation - East Tower	Project 10670 Dwg A505 Rev Q	EJE Architecture	04/10/19
West Elevation - West Tower	Project 10670 Dwg A506 Rev R	EJE Architecture	01/11/19
Section A-A & D-D	Project 10670 Dwg A507 Rev P	EJE Architecture	04/10/19
Section B-B	Project 10670 Dwg A508 Rev N	EJE Architecture	06/08/19
Section C-C	Project 10670 Dwg A509 Rev P	EJE Architecture	20/08/19
Schedule of External Finishes	Project 10670 Dwg A1015 Rev G	EJE Architecture	04/05/18

Schedule of External Finishes (Precast Concrete)	Project 10670 Dwg A1016 Rev A	EJE Architecture	01/11/19
Landscape Plans	Proj 10670.5 Dwg No L02-L07	Terras	17/10/19
Acid Sulphate Soil Management Plan		RCA Australia	April 2018
Concept Stormwater Management Strategy	Job No. 161497 NL161497_B01 (C)	Northrop Consulting Engineers	10/05/18
Stormwater Plans	Job No. 161497 Dwg No:- C50 DA Rev A C51 DA Rev B C52 DA Rev B C53 DA Rev B C54 DA Rev B	Northrop Consulting Engineers	08/05/18

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

5. A total monetary contribution of \$825,966.00 is to be paid to the City of Newcastle, pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979*, such contribution to be payable prior to the issue of the first occupation certificate in respect of the proposed development.

The payment deferral arrangements enabling payment prior to the issue of the first occupation certificate applies from the 8th July 2020 to the 25 September 2020, when the COVID-19 prescribed period ends. The payment deferral arrangements cease to apply if a construction certificate has not been issued for the development by 25 September 2022.

Note:

- i) This condition is imposed in accordance with the provisions of the City of Newcastle's *Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019*.
- ii) The City of Newcastle's *Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019* permits deferred or periodic payment of levies in certain circumstances. A formal modification of this condition will be required to enter into a deferred or periodic payment arrangement.
- iii) Certifiers are required to obtain documentation from City of Newcastle confirming the payment of infrastructure contributions prior to the issuing of an occupation certificate.
- iv) The amount of contribution payable under this condition has been calculated on the basis of the current rate as at the date of consent and is based on the most recent quarterly Consumer Price Index (CPI) release made available by the Australian Bureau of Statistics (ABS). The CPI index rate is expected to rise at regular intervals and therefore the actual contribution payable is indexed and recalculated at the CPI rate applicable on the day of payment.

CPI quarterly figures are released by the ABS on a date after the indexation quarter and, as a guide, these approximate dates are as follows:

Indexation quarters	Approximate release date
September	Late October
December	Late January
March	Late April
June	Late July

Any party intending to act on this consent should contact City of Newcastle's Customer Enquiry Centre for determination of the indexed amount of contribution on the date of payment.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

6. On-site parking accommodation is to be provided for a minimum of 205 car spaces (159 for residents, 39 for resident visitors (including 4 disabled spaces), 7 spaces for retail, 11 motorbikes and 192 secured bicycle spaces (Class 2) and 19 bicycle spaces (Class 3) and such be set out generally in accordance with the minimum parking layout standards indicated in Element 7.03 'Traffic, Parking and Access' of Council's adopted Newcastle DCP 2012. Full details are to be included in documentation for a Construction Certificate application.
7. Roof water from the proposed building is to be directed to the proposed underground water tank (minimum size 30,000L) and be reticulated there from to toilet cisterns and cold water washing machine taps, with a mains water top-up being installed to maintain between 10% and 15% of the tank capacity. Alternatively, an electronically activated mechanical valve device is to be installed to switch toilet cisterns and laundry taps to mains water when the tank falls below 10% capacity. The water tank and plumbing is to be installed in accordance with the Plumbing Code of Australia. Full details are to be included in documentation for a Construction Certificate application.
8. Overflows from the roof water tank and any additional discharge controls (if required) are to be directed to City of Newcastle's drainage system by means of an interallotment drainage line or underground pipe directly to the street gutter. Details are to be included in documentation for a Construction Certificate application.
9. All new impervious surfaces, including driveways and paved areas are to be drained to the nominated discharge controls. Details are to be included in documentation for a Construction Certificate application.
10. A flood emergency response plan is to be prepared by a professional engineer, who is experienced in flood management, and the plan is to be put in place prior to occupation of the site for the intended use. The plan is to include an education and awareness component for the workforce, detailed evacuation procedures to interface with the Bureau of Meteorology's flood warning system and the local State Emergency Services plan and provisions for any third parties likely to be involved.

A flood emergency response plan is to describe the following components:

- a) Likely flood behaviour
- b) Flood warning systems
- c) Education awareness program
- d) Evacuation and evasion procedures
- e) Evacuation routes and flood refuges and
- f) Flood preparedness and awareness procedures for residents and visitors

Considerations are to include the full range of flood risks, the proposed use of the site, site access constraints and local area evacuation routes to high ground. The plan is to be aimed at self-directed evacuation or evasion to minimise the draw on limited State

Emergency Services resources. Details are to be included in documentation for a Construction Certificate application.

11. Facilities are to be provided in a screened location within the premises for the storage of garbage, discarded or returnable packaging or other forms of trade wastes and arrangements are to be made for regular removal and disposal of same. The required garbage facility is to be suitable for the accommodation of City of Newcastle approved wheel type bins or bulk waste containers. Full details are to be included in documentation for a Construction Certificate application.
12. Erosion and sediment control measures are to be implemented prior to the commencement of works and be maintained during the period of construction in accordance with the details set out on an Erosion and Sediment Control Plan that is to be submitted for approval with the Construction Certificate application. Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover.
13. An electronic copy of a dilapidation report, prepared by a suitability qualified person, is to be submitted to the Certifying Authority prior to the issue of a Construction Certificate. The dilapidation report is to document and contain a photographic record of the condition of the adjoining buildings, infrastructure and roads.
14. A statement from a qualified designer, verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles of *State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development*, is to be submitted to the Certifier prior to the issue of a Construction Certificate.

Note: 'Qualified Designer' means a person registered as an architect in accordance with the *Architects Act 2003*.

15. The external cladding material shall be detailed in the application for a Construction Certificate and have thermal qualities which do not pose a fire safety threat to inhabitants of the building.
16. The developer designing and constructing the following Public Domain Plan Works within Railway Lane to the intersection of Railway Street and Station Street at no cost to Council and in accordance with Council's City Centre Public Domain Manual, Wickham Masterplan, City guidelines, design specifications and Australian Standards.

Detailed design is to be prepared generally as per the architectural plans prepared by EJE Architecture Project No. 10670 Dwg No. A001 and Northrop Consulting Engineers Dwg No. C53 DA for the works in Railway Lane / Railway St / Station St generally as follows:

- i. New road and pavement, kerb and gutter on both sides of the laneway and associated streetscape and treatment at the end of Railway Lane.
- ii. Design of new drainage, connection to existing drainage and private property drainage connections.
- iii. Driveways (including removal of redundant driveways), turning areas and loading bay design (note: garbage will need to be collected from loading bays only and not from kerbside).
- iv. Design of ramps and pedestrian crossings at the intersection of Railway St, Railway Lane and Station St including lighting design.

- vi. Install new street trees in accordance with Council requirements (as necessary) and adjust service pit levels to match new footpath levels/roadway.
- ix. Install the required parking and mandatory signage.
- xi. Street lighting upgrade within the vicinity of the development to Ausgrid Standards including any lighting required at the intersection of Railway St and Station St for new ramps and pedestrian crossings. Lighting to be P2 lighting category as per City Centre Public Domain Technical Manual.
- xii. Dedication of land along Railway Lane between existing Council and State Road reserve and proposed new property boundary as road reserve.

Engineering design plans and specifications for the works being undertaken within the public road reserve are required to be prepared by a suitably qualified practising civil engineer and landscape architect with experience and competence in the related field and submitted to Council for approval pursuant to Section 138 of the Roads Act 1993 (NSW). The consent must be obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of any Construction Certificate (except for demolition and bulk excavation works).

Note:

The Public Domain works are to be implemented and construction works are to be completed prior to the issue of any Occupation Certificate including the Land dedication as road reserve.

- 17. Traffic management devices in the form of a safety mirrors, Stop and Give Way to Pedestrians signs and Line marking is to be installed at the entry of the proposed basement driveway within the property. Such devices are to be constructed in accordance with AS/NZS 2890.1:2004: Parking facilities - Off-street car parking. Full details are to be included in documentation for a Construction Certificate application.
- 18. A structural engineer is to determine the appropriate location and depth of the proposed underground tank and the On-site Detention tank (70 KL) and certify that the tanks will not adversely affect the performance of any building foundation footings or slabs when the tank is empty. Full details are to be included in documentation for a Construction Certificate application.
- 19. The ground floor level of the proposed buildings or building additions is to be not below 2.70m Australian Height Datum and being indicated on plans for a Construction Certificate application. The finished floor levels are to be certified by a registered Surveyor prior to the placement of the floor material and a copy of the Surveyor's Certificate is to be forwarded to the Principal Certifying Authority
- 20. Kerbing or dwarf walls having a minimum height of 100mm are to be constructed along the edge of all garden or lawn areas adjacent to driveways and parking bays, sufficient to discourage the encroachment of vehicles thereon. Details are to be included in documentation for a Construction Certificate application.
- 21. All stormwater runoff from the proposed development being managed in accordance with the requirements of Section 7.06 'Stormwater' of Newcastle Development Control Plan 2012, as indicated on the stormwater management concept plans and stormwater management report prepared by Northrop Consulting Engineers Job No. NL161497, Drawings numbers C50 DA - C54 DA Rev A dated 08/05/2018. Full details are to be included in documentation for any Construction Certificate application
- 22. All proposed planting and landscape elements indicated on the submitted landscape concept plan or otherwise required by the conditions of this consent are to

be detailed on a comprehensive landscape plan and specification. The plan and specification are to be prepared in accordance with the provisions of Newcastle Development Control Plan 2012 and is to include details of the following:

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

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

23. The car park is to be designed to comply with AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and AS/NZS 2890.6:2009 - Parking facilities - Off-street parking for people with disabilities. Details are to be included in documentation for a Construction Certificate application.
24. The applicant is to comply with all requirements of the Hunter Water Corporation regarding the connection of water supply and sewerage services, including the payment of any required cash contribution towards necessary amplification of service mains in the locality as a result of the increased intensity of land use proposed. A copy of the Corporation's compliance certificate (refer Section 50 *Hunter Water Act 1991*) is to be included in documentation for a Construction Certificate application.
25. A group type mailbox is to be provided at the street frontage in accordance with the requirements of Australia Post, clearly displaying individual unit numbers and the required house number. Full details are to be included in the documentation for a Construction Certificate application.
26. A separate application is to be lodged and consent obtained from the City of Newcastle for all works within the road reserve pursuant to Section 138 of the Roads Act 1993. The consent is to be obtained, or other satisfactory arrangements confirmed in writing from the City of Newcastle, before the issue of a Construction Certificate.
27. The visitor parking bays are to be constructed in paving bricks or in an alternative paving material that contrasts in colour and texture with that used in the construction of the driveway. Details are to be included in documentation for a Construction Certificate application.
28. All proposed driveways, parking bays, loading bays and vehicular turning areas are to be constructed with a basecourse of a depth to suit design traffic and be sealed with either bitumen seal, asphaltic concrete, concrete or interlocking pavers. Details are to be included in documentation for a Construction Certificate application.

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 01/12/20 – DA2018/00773 - 73-79 RAILWAY LANE, WICKHAM -
ALTERATIONS AND ADDITIONS TO A MIXED-USE DEVELOPMENT**

ITEM-43 **Attachment D:** Processing Chronology

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DA2018/00773 – 73-79 Railway Lane Wickham

23 July 2018	Application Lodged
9 August 2018	Request for further information
10 December 2018	Further information received
16 Jan- 21 Feb 2019	Public Notification
12 June 019	Request for further information
11 February 2020	Further information received
29 April 2020	Deemed refusal Appeal lodged Land & Environment Court

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**DAC 01/12/20 – DA2018/00773 - 73-79 RAILWAY LANE, WICKHAM -
ALTERATIONS AND ADDITIONS TO A MIXED-USE DEVELOPMENT**

ITEM-40 **Attachment E:** General Terms of Approval - Subsidence Advisory NSW

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Newcastle City Council
ATTN: Damian Jaeger
Via Email: mail@ncc.nsw.gov.au

Our ref: TBA18-02261

Dear Damian

**RE: PROPOSED alterations and additions to a mixed-use development AT 73 & 79
RAILWAY LANE WICKHAM;
LOT 11 DP 1106378 AND LOT 110 DP 1018454 – TBA18-02261 - DA 2018-00773
GENERAL TERMS OF APPROVAL**

I refer to the above integrated development referred on 26 July 2018. Attached, please find Subsidence Advisory NSW General Terms of Approval (GTA) for the development of land as detailed above. Please note conditions are detailed under Schedule 2. The stamped approved plans are attached.

Once relevant documentation to meet the conditions in Schedule 2 is available, please submit via email to SA-Risk@finance.nsw.gov.au quoting reference **TBA18-02261**.

This satisfies the approval of Subsidence Advisory NSW under *section 22 of the Coal Mine Subsidence Compensation Act 2017*.

Should you have any questions about the attached general terms of approval, I can be contacted by phone on 4908 4300 or via email at sa-riskeng@finance.nsw.gov.au.

Yours faithfully,



Melanie Fityus
Senior Risk Engineer
1 July 2019

GENERAL TERMS OF APPROVAL

Issued in accordance with Section 4.46 of the *Environmental Planning & Assessment Act 1979* for the subdivision / development of land.

As delegate for Subsidence Advisory NSW under delegation executed 1 July 2019, general terms of approval are granted for the development described in Schedule 1, subject to the conditions attached in Schedule 2.

SCHEDULE 1

Ref:	TBA18-02261
DA:	2018-00773
Site Address:	73 & 79 RAILWAY LANE WICKHAM
Lot and DP:	LOT 11 DP 1106378 AND LOT 110 DP 1018454
Proposal:	Alterations and additions to a mixed-use development
Mine Subsidence District:	NEWCASTLE

SCHEDULE 2

GENERAL TERMS OF APPROVAL

GENERAL	
Plans, Standards and Guidelines	
1.	<p>These General Terms of Approval (GTAs) only apply to the development described in the plans and associated documentation relating to DA2018/00773 and provided to Subsidence Advisory NSW.</p> <p>Any amendments or subsequent modifications to the development may render these GTAs invalid.</p> <p>If the proposed development is amended or the development consent modified, Subsidence Advisory NSW must be notified to determine if any variations to these GTAs are required.</p>
2.	<p>This approval expires 5 years after the date the approval was granted if construction work has not physically commenced.</p>
PRIOR TO COMMENCEMENT OF CONSTRUCTION	
3.	<p>Demonstrate, by undertaking a sub-surface geotechnical investigation, that the site is not undermined (particular attention should be given to the North West corner of the site). The geotechnical investigation shall confirm the depth of the coal seam, the height of the seam (or mine workings if intersected) and thickness of competent rock (if identified).</p> <p>Submit a geotechnical report for review and acceptance by Subsidence Advisory NSW that details the results of the sub-surface investigation and includes predicted subsidence deformation parameters if workings are deemed to be under the lot or if the proposed structure is within the angle of influence of mapped workings. Parameters should be based on the worst-case scenario where all of the pillars in the nearby abandoned workings fail and must include predicted tilt, strain and radius of curvature and vertical subsidence parameters.</p>
4.	<p>Submit an "Engineering Impact Statement" prior to commencement of detailed design for acceptance by SA NSW, which shall identify the:</p> <ol style="list-style-type: none"> a. Mine subsidence parameters used for the design. b. Main building elements and materials. c. Risk of damage due to mine subsidence d. Design measures proposed to control the risks. e. Comment on the: <ul style="list-style-type: none"> • likely building damage in the event of mine subsidence. • sensitivity of the design to greater levels of mine subsidence.
5.	<p>Submit a final design incorporating the design methodology contained in the "<i>Engineering Impact Statement</i>", for acceptance by Subsidence Advisory NSW prior to commencement of construction. It shall include certification by a qualified structural engineer to the effect that the improvements will remain "<i>safe, serviceable and any damage from mine subsidence shall be limited to 'very slight' damage in accordance with AS2870 (Damage Classification), and readily repairable</i>" taking into consideration the mine subsidence parameters outlined above.</p>

6.	<p>The final design submitted for acceptance by Subsidence Advisory NSW prior to the commencement of any construction work shall:</p> <ol style="list-style-type: none"> a) Be developed from the design accompanying the DA, dated 4 May 2018. b) Include sufficient drawing plans, long-sections, elevations and details, to fully describe the work and proposed mine subsidence mitigation measures. c) Include design mitigation measures to reduce the transfer of horizontal strain into building structures. d) Include design mitigation measures to relieve excessive strains into building structures. e) Include an additional grade for tilt due to mine subsidence, in excess of the minimum Code requirements for structures including pipes, gutters and wet areas. f) For underground pipes or conduits allow for flexible joints, flexible bedding surround and flexible building connections and penetrations. g) Ensure there is sufficient capacity in any storage structure for tilt due to mine subsidence. h) Locate underground structures to facilitate ease of repair and replacement. i) Ensure internal finishes are installed in accordance with relevant codes and standards and industry best practice guidelines with additional provision for mine subsidence. j) Ensure there is suitable provision for articulation jointing in building elements. All control joints including articulation for mine subsidence are to be shown on the design plans and elevations, k) Ensure there is provision for isolation joints between adjoining structures. For example, between a building and adjacent paving. l) All roads, driveways and pavement areas are to be designed as flexible structures with an asphalt surface. Where a concrete surface course is required it shall be designed to include expansion and crack control joints or sacrificial sections, to minimise the risk of damage from mine subsidence.
POST CONSTRUCTION	
7.	<p>Establish 4 survey monitoring reference marks on and around the perimeter of the building so that structure movement can be monitored should mine subsidence occur.</p> <p>At least 2 of the following PMs or SSMS should be used as a benchmark:</p> <ul style="list-style-type: none"> • PM33181D • PM57555 • SS4146D • SS82742 • SS77177 <p>A plan with the position of each monitoring reference mark including Easting & Northing and original RL is to be forwarded to SA NSW.</p>
8.	<p>Upon completion of construction, work-as-executed certification by a qualified engineer will be required by Subsidence Advisory NSW confirming that construction was in accordance with the plans accepted by Subsidence Advisory NSW.</p>

Dispute Resolution

If you are dissatisfied with the determination of this application, an appeal may be formally submitted with the Chief Executive Officer for an independent internal review. The application must be made in writing and must provide reasons why the determination should be changed.

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 01/12/20 – DA2018/00773 - 73-79 RAILWAY LANE, WICKHAM -
ALTERATIONS AND ADDITIONS TO A MIXED-USE DEVELOPMENT**

ITEM-43 **Attachment F** Sydney Trains Advice

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Jeremy Bath
Chief Executive Officer
Newcastle Council
PO Box 489
Newcastle NSW 2300

ATTENTION: Damian Jaeger

Dear Mr Bath,

**STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007
DEVELOPMENT APPLICATION – DA2018/00773
73 & 79 Railway Lane, Wickham
Lot 110 DP 1018454
Lot 11 DP 1106378**

I refer to Council's letter requesting RailCorp's concurrence for the above development application in accordance with clause 86(1) of the above SEPP.

As of 1 July 2018 the concurrence function for rail corridors now rests with Transport for NSW.

The proposed development has been assessed in accordance with the heads of consideration as outlined in Clause 86(4) being:

- a) the potential effects of the development (whether alone or cumulatively with other development or proposed development) on:
 - i) the safety or structural integrity of existing or proposed rail infrastructure facilities in the rail corridor, and
 - ii) the safe and effective operation of existing or proposed rail infrastructure facilities in the rail corridor, and
- b) what measures are proposed, or could reasonably be taken, to avoid or minimise those potential effects.

The above matters have been taken into consideration and concurrence is hereby granted to the development proposed in development application **DA2018/00773** subject to Council imposing the deferred commencement condition provided in **Attachment A** and operational conditions listed in **Attachment B** that will need to be complied with upon satisfaction of the Deferred Commencement Condition.

Should Council choose not to impose the deferred commencement condition in Attachment A and the operational conditions provided in Attachment B (as written), then concurrence from Transport for NSW has not been granted to the proposed development.

In the event that this development proposal is the subject of a Land and Environment Court appeal, Council's attention is drawn to Section 8.12 of the Environmental Planning and Assessment Act 1979 which requires Council to give notice of that appeal to a concurrence authority. Transport for NSW therefore requests that Council comply with this requirement should such an event occur.

In addition to the above, under Clause 252A (5) of the *Environmental Planning and Assessment Regulation 2000*, a concurrence fee of \$320 is payable to the concurrence authority for a development application, which in this case is TfNSW. Under Clause 252A (3) (b), TfNSW is waiving this fee for the subject DA.

If Council approves the development, a copy of the Notice of Determination and conditions of consent is requested to be forwarded to Sydney Trains and Transport for NSW.

For further information or clarification of any matters raised in this letter, please contact Mr Jim Tsirimiagos on 8575 0780.

Yours sincerely



Rodd Staples
Secretary
Transport for NSW

27 September 2018

Transport for NSW requests that the following information required in Attachment A and B is submitted to Sydney Trains and Transport for NSW.

Attachment A

Deferred Commencement Condition

This consent is not to operate until the Applicant satisfies the Council, within 12 months of the date of this consent, that it has obtained approval/certification from Sydney Trains as to the following matters and the approval/certification has been forwarded to the Council:

- A1.** *The Applicant shall prepare and provide to Sydney Trains and Transport for NSW for approval/certification the following final version items:*
- 1. Geotechnical and Structural report/drawings, including a hydrogeological engineering assessment, that meet Sydney Trains requirements. The Geotechnical Report must be based on a minimum of three actual borehole testing conducted on the site closest to the rail corridor. Consideration to potential risks to the rail corridor and assets must be included.*
 - 2. Construction methodology with construction details pertaining to structural support (including any potential dewatering) during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.*
 - 3. Cross sectional drawings to Sydney Trains requirements showing the rail corridor (including up to the nearest track within the corridor), sub soil profile, proposed basement excavation including horizontal and vertical measurements, and structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.*
 - 4. Detailed Survey Plan showing the relationship of the proposed developed with respect to Sydney Trains easement (including, but not limited to, any Right of Carriageways) and rail corridor land, as well as the Wickham Transport Interchange Project to Sydney Trains requirements.*
 - 5. If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.*

Any conditions issued as part of Sydney Trains approval/certification of the above documents will also form part of the consent conditions that the Applicant is required to comply with.

Attachment B

- *If required by Sydney Trains, prior to the commencement of works, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.*
- *Prior to the issue of a Construction Certificate, the Applicant shall undertake a services search to establish the existence and location of any rail services. Persons performing the service search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within or near to the subject development site, the Applicant must discuss with Sydney Trains as to whether these services are to be relocated or incorporated within the development site.*
- *Given the possible likelihood of objects being dropped, thrown or blown onto the rail corridor from balconies, windows and other external features (e.g. roof terraces and external fire escapes) that face the rail corridor, the Applicant is required to install measures (e.g. awning windows, louvres, enclosed balconies etc.) which prevent the throwing of objects onto the rail corridor. The Principal Certifying Authority shall not issue the Construction Certificate until it has confirmed that these measures are to be installed and have been indicated on the Construction Drawings.*
- *A risk analysis, which shall determine the required level of derailment protection (if any), shall be carried out in consultation with Sydney Trains. This risk analysis will determine the redundancy requirements or the minimum collision loads specified in Australian Standard AS5100 that needs to be complied with. The risk assessment is to be prepared in accordance with the Sydney Trains Safety Management System. The Principal Certifying Authority shall not issue the Construction Certificate until it has received written confirmation from Sydney Trains that the risk analysis has been prepared and the Principal Certifying Authority has also confirmed that the measures recommended in this risk analysis have been indicated on the Construction Drawings.*
- *During all stages of the development extreme care shall be taken to prevent environmental harm within the railway corridor. Any form of environmental harm to areas within the railway corridor or legislative non-compliance that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.*

- *During all stages of the development, environmental legislation and regulations will be complied with.*
- *During all stages of the development, extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.*
- *Given the development site's location next to the rail corridor, drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains.*
- *No work is permitted within the rail corridor, or its easements, at any time unless prior approval or an Agreement has been entered into with Sydney Trains. Where the Applicant proposes to enter the rail corridor, the Principal Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from Sydney Trains confirming that its approval has been granted.*
- *Prior to the commencement of works appropriate fencing is to be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.*
- *The development shall have appropriate fencing fit for the future usage of the development site to prevent unauthorised access to the rail corridor by future occupants of the development. Prior to the issuing of an Occupation Certificate the Applicant shall liaise with Sydney Trains regarding the adequacy of any existing fencing along the rail corridor boundary. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.*
- *The applicant shall not at any stage block the corridor access gate on Railway Lane, and should make provision for easy and ongoing 24/7 access by rail vehicles, plant and equipment to support maintenance and emergency activities.*
- *No scaffolding or hoarding is to be used facing the rail corridor unless prior written approval has been obtained from Sydney Trains. To obtain approval the proponent will be required to submit details of the scaffolding and hoarding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor. Unless agreed to by Sydney Trains in writing, scaffolding shall not be erected without isolation and protection panels.*
- *An acoustic assessment is to be submitted to Council prior to the issue of a construction certificate demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines".*

- *Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.*
- *The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of Sydney Trains. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.*
- *Prior to the issue of a Construction Certificate a Risk Assessment/Management Plan regarding any potential risks to the rail corridor, infrastructure and assets, and a detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.*
- *No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and 1500V catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.*
- *If required by Sydney Trains, a track monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate. The Principal Certifying Authority is not to issue a Construction Certificate until written confirmation has been received from Sydney Trains advising of the need to undertake the track monitoring plan, and if required, that it has been endorsed.*
- *Unless advised by Sydney Trains in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects.*
- *No rock anchors/bolts are to be installed into Sydney Trains property or easements.*
- *Prior to the issuing of an Occupation Certificate the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into Sydney Trains property or easements, unless agreed to be these authorities. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied*

- *If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Engineering & Maintenance Interface to determine the need for public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The Applicant is to contact Sydney Trains Rail Corridor Management Group to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.*
- *If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Engineering & Maintenance Interface to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.*
- *Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, are entitled to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.*
- *Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.*
- *Sydney Trains advises they have an 11kV H/V aerial transmission line near to this site and any works, scaffolding and crane movements within 6 metres of the nearest transmission line conductor must be discussed and approved by Sydney Trains beforehand.*
- *In addition, all works within 6 metres of the nearest transmission line conductor must comply with:*
 - *ISSC 20 – Guideline for the Management of Activities within Electricity Easements and Close to Electricity Infrastructure.*
 - *The Safe Approach Distances (SADs) in the Sydney Trains Document titled “SMS-06-GD-0268 – Working Around Electrical Equipment”.*

- *Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains or Transport for NSW (TfNSW) must be submitted to Council for its records prior to the issuing of a Construction Certificate.*
- *Any conditions issued as part of Sydney Trains or Transport for NSW approval/certification of any documentation for compliance with the Transport for NSW conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.*

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ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**DAC 08/12/20 – DA2018/00773 – 73-79 RAILWAY LANE, WICKHAM -
ALTERATIONS AND ADDITIONS TO A MIXED-USE DEVELOPMENT**

ITEM-45 Attachment B: Draft Schedule of Conditions

DISTRIBUTED UNDER SEPARATE COVER

Extraordinary Development
Applications Committee Meeting
8 December 2020

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DISTRIBUTED UNDER SEPARATE COVER

Application No:	DA2018/00773
Land:	Lot 110 DP 1018454 Lot 11 DP 1106378
Property Address:	73 Railway Lane Wickham NSW 2293 79 Railway Lane Wickham NSW 2293
Proposed Development:	Alterations and additions to approved mixed-use development (DA2016/00384), comprising an additional four storeys and 40 residential apartments.

SCHEDULE 1 - DEFERRED COMMENCEMENT CONDITIONS

The following deferred commencement conditions must be satisfied prior to the consent becoming operative:

PART A – DEFERRED COMMENCEMENT CONDITIONS (CONDITIONS TO BE SATISFIED PRIOR TO CONSENT OPERATING)

The consent is not to operate until the following conditions are satisfied, within **24 months**, of the date of this determination:

1. VOLUNTARY PLANNING AGREEMENT

- a. That a Voluntary Planning Agreement (VPA) in accordance with the public benefit offer made by 22 Park Avenue Pty Ltd is to be executed and submitted to Council,
- b. The payment of monetary contribution must be provided to Council in accordance with the VPA,
- c. The VPA, as executed, must be registered on the Title of the land in accordance with the VPA.

2. SYDNEY TRAINS AND TRANSPORT FOR NSW

The Applicant shall prepare and provide to Sydney Trains and Transport for NSW for approval/certification the following final version items:

- a. Geotechnical and Structural report/drawings, including a hydrogeological engineering assessment, that meet Sydney Trains requirements. The Geotechnical Report must be based on a minimum of three actual borehole testing conducted on the site closest to the rail corridor. Consideration to potential risks to the rail corridor and assets must be included.
- b. Construction methodology with construction details pertaining to structural support (including any potential dewatering) during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.

- c. Cross sectional drawings to Sydney Trains requirements showing the rail corridor (including up to the nearest track within the corridor), sub soil profile, proposed basement excavation including horizontal and vertical measurements, and structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.
- d. Detailed Survey Plan showing the relationship of the proposed developed with respect to Sydney Trains easement (including, but not limited to, any Right of Carriageways) and rail corridor land, as well as the Wickham Transport Interchange Project to Sydney Trains requirements.
- e. If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.

Any conditions issued as part of Sydney Trains approval/certification of the above documents will also form part of the consent conditions that the Applicant is required to comply with.

- Evidence that will sufficiently enable Council to be satisfied as to those matters identified in the deferred commencement conditions, as indicated above, must be submitted to Council within **24 months** of the date of this deferred commencement consent, failing which, this deferred commencement consent will lapse,
- The consent will not operate until such time that the Council notifies the applicant in writing that deferred commencement conditions, as indicated above, have been satisfied, and
- Upon Council giving written notification to the applicant that the deferred commencement conditions have been satisfied, the consent will become operation from the date of that written notification, subject to conditions of consent as shown in Part B (Operational Conditions of Consent).

PART B – OPERATIONAL CONDITIONS OF CONSENT

Upon written confirmation from Council that the deferred commencement condition has been satisfied, the consent will become operational from the date of that written confirmation, subject to the conditions of consent outlined below, and any other additional conditions reasonably arising from consideration of the deferred commencement conditions.

RELATIONSHIP WITH EXISTING CONSENT DA2016/00384

1. This application is approved in conjunction with the DA2016/00384 approval (which covers levels 3-7) and conditions of both consents are applicable to the total overall development.
2. The conditions and advisory matters contained within Development Consent No. DA2016/00384 (as modified) are incorporated in their entirety within this consent. Accordingly, Development Consent No. DA2016/00384 and this approval must be read as one document.
3. In the event of any inconsistency between Development Consent No. DA2016/00384 and this approval, in particular between the approved plans and documentation, this approval shall take precedence to the extent of any inconsistency.

APPROVED DOCUMENTATION AND CONTRIBUTIONS

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

this consent.

Plan No / Supporting Document	Reference / Version	Prepared by	Dated
Site Plan	Project 10670 Dwg A001 Rev G	EJE Architecture	04/05/18
Basement Lvl 1	Project 10670 Dwg A101 Rev S	EJE Architecture	20/8/19
Ground Level	Project 10670 Dwg A102 Rev AB	EJE Architecture	4/10/19
Lvl 1	Project 10670 Dwg A103 Rev W	EJE Architecture	4/10/19
Lvl 2	Project 10670 Dwg A104 Rev S	EJE Architecture	20/8/19
Lvl 3	Project 10670 Dwg A105 Rev S	EJE Architecture	20/8/19
Lvl 4	Project 10670 Dwg A106 Rev W	EJE Architecture	04/10/19
Lvl 5	Project 10670 Dwg A107 Rev P	EJE Architecture	04/05/18
Lvl 6	Project 10670 Dwg A108 Rev P	EJE Architecture	04/05/18
Lvl 7	Project 10670 Dwg A109 Rev P	EJE Architecture	04/05/18
Lvl 8	Project 10670 Dwg A110 Rev V	EJE Architecture	20/08/19
Lvl 9	Project 10670 Dwg A111 Rev S	EJE Architecture	04/05/18
Lvl 10	Project 10670 Dwg A112 Rev R	EJE Architecture	04/05/18
Lvl 11	Project 10670 Dwg A113 Rev F	EJE Architecture	04/05/18
Lvl 12	Project 10670 Dwg A114 Rev F	EJE Architecture	04/05/18
Lvl 13	Project 10670 Dwg A115 Rev F	EJE Architecture	04/05/18
Lv 14 Roof	Project 10670 Dwg A116 Rev E	EJE Architecture	04/05/18
South Elevation	Project 10670 Dwg A501 Rev Q	EJE Architecture	04/10/19
East Elevation - West Tower	Project 10670 Dwg A502 Rev Q	EJE Architecture	04/10/19
East Elevation - East Tower	Project 10670 Dwg A503 Rev R	EJE Architecture	01/11/19
North Elevation	Project 10670 Dwg A504 Rev R	EJE Architecture	01/11/19
West Elevation - East Tower	Project 10670 Dwg A505 Rev Q	EJE Architecture	04/10/19
West Elevation - West Tower	Project 10670 Dwg A506 Rev R	EJE Architecture	01/11/19
Section A-A & D-D	Project 10670 Dwg A507 Rev P	EJE Architecture	04/10/19
Section B-B	Project 10670 Dwg A508 Rev N	EJE Architecture	06/08/19
Section C-C	Project 10670 Dwg A509 Rev P	EJE Architecture	20/08/19
Schedule of External Finishes	Project 10670 Dwg A1015 Rev G	EJE Architecture	04/05/18

Schedule of External Finishes (Precast Concrete)	Project 10670 Dwg A1016 Rev A	EJE Architecture	01/11/19
Landscape Plans	Proj 10670.5 Dwg No L02-L07	Terras	17/10/19
Acid Sulphate Soil Management Plan		RCA Australia	April 2018
Concept Stormwater Management Strategy	Job No. 161497 NL161497_B01 (C)	Northrop Consulting Engineers	10/05/18
Stormwater Plans	Job No. 161497 Dwg No:- C50 DA Rev A C51 DA Rev B C52 DA Rev B C53 DA Rev B C54 DA Rev B	Northrop Consulting Engineers	08/05/18

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

5. A total monetary contribution of \$825,966.00 is to be paid to the City of Newcastle, pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979*, such contribution to be payable prior to the issue of the first occupation certificate in respect of the proposed development.

The payment deferral arrangements enabling payment prior to the issue of the first occupation certificate applies from the 8th July 2020 to the 25 September 2020, when the COVID-19 prescribed period ends. The payment deferral arrangements cease to apply if a construction certificate has not been issued for the development by 25 September 2022.

Note:

- i) This condition is imposed in accordance with the provisions of the City of Newcastle's *Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019*.
- ii) The City of Newcastle's *Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019* permits deferred or periodic payment of levies in certain circumstances. A formal modification of this condition will be required to enter into a deferred or periodic payment arrangement.
- iii) Certifiers are required to obtain documentation from City of Newcastle confirming the payment of infrastructure contributions prior to the issuing of an occupation certificate.
- iv) The amount of contribution payable under this condition has been calculated on the basis of the current rate as at the date of consent and is based on the most recent quarterly Consumer Price Index (CPI) release made available by the Australian Bureau of Statistics (ABS). The CPI index rate is expected to rise at regular intervals and therefore the actual contribution payable is indexed and recalculated at the CPI rate applicable on the day of payment.

CPI quarterly figures are released by the ABS on a date after the indexation quarter and, as a guide, these approximate dates are as follows:

Indexation quarters	Approximate release date
September	Late October
December	Late January
March	Late April
June	Late July

Any party intending to act on this consent should contact City of Newcastle's Customer Enquiry Centre for determination of the indexed amount of contribution on the date of payment.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

6. On-site parking accommodation is to be provided for a minimum of 205 car spaces (159 for residents, 39 for resident visitors (including 4 disabled spaces), 7 spaces for retail, 11 motorbikes and 192 secured bicycle spaces (Class 2) and 19 bicycle spaces (Class 3) and such be set out generally in accordance with the minimum parking layout standards indicated in Element 7.03 'Traffic, Parking and Access' of Council's adopted Newcastle DCP 2012. Full details are to be included in documentation for a Construction Certificate application.
7. Roof water from the proposed building is to be directed to the proposed underground water tank (minimum size 30,000L) and be reticulated there from to toilet cisterns and cold water washing machine taps, with a mains water top-up being installed to maintain between 10% and 15% of the tank capacity. Alternatively, an electronically activated mechanical valve device is to be installed to switch toilet cisterns and laundry taps to mains water when the tank falls below 10% capacity. The water tank and plumbing is to be installed in accordance with the Plumbing Code of Australia. Full details are to be included in documentation for a Construction Certificate application.
8. Overflows from the roof water tank and any additional discharge controls (if required) are to be directed to City of Newcastle's drainage system by means of an interallotment drainage line or underground pipe directly to the street gutter. Details are to be included in documentation for a Construction Certificate application.
9. All new impervious surfaces, including driveways and paved areas are to be drained to the nominated discharge controls. Details are to be included in documentation for a Construction Certificate application.
10. A flood emergency response plan is to be prepared by a professional engineer, who is experienced in flood management, and the plan is to be put in place prior to occupation of the site for the intended use. The plan is to include an education and awareness component for the workforce, detailed evacuation procedures to interface with the Bureau of Meteorology's flood warning system and the local State Emergency Services plan and provisions for any third parties likely to be involved.

A flood emergency response plan is to describe the following components:

- a) Likely flood behaviour
- b) Flood warning systems
- c) Education awareness program
- d) Evacuation and evasion procedures
- e) Evacuation routes and flood refuges and
- f) Flood preparedness and awareness procedures for residents and visitors

Considerations are to include the full range of flood risks, the proposed use of the site, site access constraints and local area evacuation routes to high ground. The plan is to be aimed at self-directed evacuation or evasion to minimise the draw on limited State Emergency Services resources. Details are to be included in documentation for a Construction Certificate application.

11. Facilities are to be provided in a screened location within the premises for the storage of garbage, discarded or returnable packaging or other forms of trade wastes and arrangements are to be made for regular removal and disposal of same. The required garbage facility is to be suitable for the accommodation of City of Newcastle approved wheel type bins or bulk waste containers. Full details are to be included in documentation for a Construction Certificate application.
12. Erosion and sediment control measures are to be implemented prior to the commencement of works and be maintained during the period of construction in accordance with the details set out on an Erosion and Sediment Control Plan that is to be submitted for approval with the Construction Certificate application. Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover.
13. An electronic copy of a dilapidation report, prepared by a suitability qualified person, is to be submitted to the Certifying Authority prior to the issue of a Construction Certificate. The dilapidation report is to document and contain a photographic record of the condition of the adjoining buildings, infrastructure and roads.
14. A statement from a qualified designer, verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles of *State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development*, is to be submitted to the Certifier prior to the issue of a Construction Certificate.

Note: 'Qualified Designer' means a person registered as an architect in accordance with the *Architects Act 2003*.

15. The external cladding material shall be detailed in the application for a Construction Certificate and have thermal qualities which do not pose a fire safety threat to inhabitants of the building.
16. The developer designing and constructing the following Public Domain Plan Works within Railway Lane to the intersection of Railway Street and Station Street at no cost to Council and in accordance with Council's City Centre Public Domain Manual, Wickham Masterplan, City guidelines, design specifications and Australian Standards.

Detailed design is to be prepared generally as per the architectural plans prepared by EJE Architecture Project No. 10670 Dwg No. A001 and Northrop Consulting Engineers Dwg No. C53 DA for the works in Railway Lane / Railway St / Station St generally as follows:

- i. New road pavement, kerb and gutter on both sides of the laneway, new footpath along the site frontage to the corner of Railway St and associated streetscape and treatment at the end of Railway Lane.
- ii. Design of new drainage, connection to existing drainage and private property drainage connections.
- iii. Driveways (including removal of redundant driveways), turning areas and loading bay design (note: garbage will need to be collected from loading bays only and not from kerbside).
- iv. Design of ramps and pedestrian crossings at the intersection of Railway St, Railway Lane and Station St including lighting design.
- vi. Install new street trees in accordance with Council requirements (as necessary) and adjust service pit levels to match new footpath levels/roadway.

- ix. Install the required parking and mandatory signage.
- xi. Street lighting upgrade within the vicinity of the development to Ausgrid Standards including any lighting required at the intersection of Railway St and Station St for new ramps and pedestrian crossings. Lighting to be P2 lighting category as per City Centre Public Domain Technical Manual.
- xii. Dedication of land along Railway Lane between existing Council and State Road reserve and proposed new property boundary as road reserve.

Engineering design plans and specifications for the works being undertaken within the public road reserve are required to be prepared by a suitably qualified practising civil engineer and landscape architect with experience and competence in the related field and submitted to Council for approval pursuant to Section 138 of the Roads Act 1993 (NSW). The consent must be obtained, or other satisfactory arrangements confirmed in writing from Council, before the issue of any Construction Certificate (except for demolition and bulk excavation works).

Note:

The Public Domain works are to be implemented and construction works are to be completed prior to the issue of any Occupation Certificate including the Land dedication as road reserve.

- 17. Traffic management devices in the form of a safety mirrors, Stop and Give Way to Pedestrians signs and Line marking is to be installed at the entry of the proposed basement driveway within the property. Such devices are to be constructed in accordance with AS/NZS 2890.1:2004: Parking facilities - Off-street car parking. Full details are to be included in documentation for a Construction Certificate application.
- 18. A structural engineer is to determine the appropriate location and depth of the proposed underground tank and the On-site Detention tank (70 KL) and certify that the tanks will not adversely affect the performance of any building foundation footings or slabs when the tank is empty. Full details are to be included in documentation for a Construction Certificate application.
- 19. The ground floor level of the proposed buildings or building additions is to be not below 2.70m Australian Height Datum and being indicated on plans for a Construction Certificate application. The finished floor levels are to be certified by a registered Surveyor prior to the placement of the floor material and a copy of the Surveyor's Certificate is to be forwarded to the Principal Certifying Authority
- 20. Kerbing or dwarf walls having a minimum height of 100mm are to be constructed along the edge of all garden or lawn areas adjacent to driveways and parking bays, sufficient to discourage the encroachment of vehicles thereon. Details are to be included in documentation for a Construction Certificate application.
- 21. All stormwater runoff from the proposed development being managed in accordance with the requirements of Section 7.06 'Stormwater' of Newcastle Development Control Plan 2012, as indicated on the stormwater management concept plans and stormwater management report prepared by Northrop Consulting Engineers Job No. NL161497, Drawings numbers C50 DA - C54 DA Rev A dated 08/05/2018. Full details are to be included in documentation for any Construction Certificate application
- 22. All proposed planting and landscape elements indicated on the submitted landscape concept plan or otherwise required by the conditions of this consent are to be detailed on a comprehensive landscape plan and specification. The landscape plan being amended to incorporate additional landscape areas north of proposed dwellings 9.01 and 9.08, inclusive of deep planter boxes along the east, west and northern edges of the space of sufficient size to allow for larger vegetation plantings to be achievable. The plan and specification are to be prepared in

accordance with the provisions of Newcastle Development Control Plan 2012 and is to include details of the following:

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

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

23. The car park is to be designed to comply with AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and AS/NZS 2890.6:2009 - Parking facilities - Off-street parking for people with disabilities. Details are to be included in documentation for a Construction Certificate application.
24. The applicant is to comply with all requirements of the Hunter Water Corporation regarding the connection of water supply and sewerage services, including the payment of any required cash contribution towards necessary amplification of service mains in the locality as a result of the increased intensity of land use proposed. A copy of the Corporation's compliance certificate (refer Section 50 *Hunter Water Act 1991*) is to be included in documentation for a Construction Certificate application.
25. A group type mailbox is to be provided at the street frontage in accordance with the requirements of Australia Post, clearly displaying individual unit numbers and the required house number. Full details are to be included in the documentation for a Construction Certificate application.
26. A separate application is to be lodged and consent obtained from the City of Newcastle for all works within the road reserve pursuant to Section 138 of the Roads Act 1993. The consent is to be obtained, or other satisfactory arrangements confirmed in writing from the City of Newcastle, before the issue of a Construction Certificate.
27. The visitor parking bays are to be constructed in paving bricks or in an alternative paving material that contrasts in colour and texture with that used in the construction of the driveway. Details are to be included in documentation for a Construction Certificate application.
28. All proposed driveways, parking bays, loading bays and vehicular turning areas are to be constructed with a basecourse of a depth to suit design traffic and be sealed with either bitumen seal, asphaltic concrete, concrete or interlocking pavers. Details are to be included in documentation for a Construction Certificate application.
29. Prior to the issue of a Construction Certificate, the Applicant shall undertake a services search to establish the existence and location of any rail services. Persons performing

the service search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within or near to the subject development site, the Applicant must discuss with Sydney Trains as to whether these services are to be relocated or incorporated within the development site.

30. Given the possible likelihood of objects being dropped, thrown or blown onto the rail corridor from balconies, windows and other external features (e.g. roof terraces and external fire escapes) that face the rail corridor, the Applicant is required to install measures (e.g. awning windows, louvres, enclosed balconies etc.) which prevent the throwing of objects onto the rail corridor. The Principal Certifying Authority shall not issue the Construction Certificate until it has confirmed that these measures are to be installed and have been indicated on the Construction Drawings.
31. A risk analysis, which shall determine the required level of derailment protection (if any), shall be carried out in consultation with Sydney Trains. This risk analysis will determine the redundancy requirements or the minimum collision loads specified in Australian Standard AS5100 that needs to be complied with. The risk assessment is to be prepared in accordance with the Sydney Trains Safety Management System. The Principal Certifying Authority shall not issue the Construction Certificate until it has received written confirmation from Sydney Trains that the risk analysis has been prepared and the Principal Certifying Authority has also confirmed that the measures recommended in this risk analysis have been indicated on the Construction Drawings.
32. No work is permitted within the rail corridor, or its easements, at any time unless prior approval or an Agreement has been entered into with Sydney Trains. Where the Applicant proposes to enter the rail corridor, the Principal Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from Sydney Trains confirming that its approval has been granted.
33. An acoustic assessment is to be submitted to Council prior to the issue of a construction certificate demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines".
34. Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.
35. The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of Sydney Trains. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
36. Prior to the issue of a Construction Certificate a Risk Assessment/Management Plan regarding any potential risks to the rail corridor, infrastructure and assets, and a detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
37. If required by Sydney Trains, a track monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate. The Principal Certifying Authority is not to issue a Construction Certificate

until written confirmation has been received from Sydney Trains advising of the need to undertake the track monitoring plan, and if required, that it has been endorsed.

38. If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Engineering & Maintenance Interface to determine the need for public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The Applicant is to contact Sydney Trains Rail Corridor Management Group to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.
39. If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Engineering & Maintenance Interface to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.
40. Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
41. Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains or Transport for NSW (TfNSW) must be submitted to Council for its records prior to the issuing of a Construction Certificate.
42. An approval is to be obtained from Subsidence Advisory NSW under the provisions of *Coal Mine Subsidence Compensation Act 2017* in accordance with the attached General Terms of Approval dated 1 July 2019. Full details are to be submitted with the required Construction Certificate.
43. A public art feature shall be designed for the site in consultation with City of Newcastle. The public artwork is to have a minimum value of **1% (\$275,320)** of the capital cost of the development. The final details of all artworks within the site and associated costing are to be submitted to Council's Public Art Reference Group for written approval prior to the issue of a Construction Certificate.

The written approval be obtained prior to commencement of above-ground works/ground level slabs and the approved artwork(s) be installed prior to the use of the first Occupation Certificate. This feature is to provide visual interest for pedestrians and interpret or reflect the local setting, landscape setting and/or cultural setting of the Newcastle area. The feature is to be designed to ensure long-term durability and be resistant to vandalism

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK AND DURING THE CONSTRUCTION PHASE

44. Building demolition is to be planned and carried out in accordance with *Australian Standard 2601:2001 - The Demolition of Structures*.
45. A Hazardous Substances Management Plan is to be prepared by a competent person for the building(s) or parts of the building(s) proposed to be demolished in accordance with *Australian Standard 2601:2001 - The Demolition of Structures*. A copy of the

Hazardous Substances Management Plan is to be provided to the City of Newcastle and to the demolisher prior to commencement of work.

46. Demolition works are to be undertaken in accordance with *Australian Standard 2601:2001 - The Demolition of Structures* and the following requirements:
- a) Demolition works are to be conducted in accordance with the submitted Hazardous Substances Management Plan and a copy of the Hazardous Substances Management Plan is to be kept on site for the duration of the proposed development;
 - b) The removal, handling and disposal of any asbestos material is to be undertaken only by an asbestos removal contractor who holds the required class of Asbestos Licence, issued by SafeWork NSW;
 - c) A copy of all waste disposal receipts are to be kept on site for the duration of the proposed development and made available to authorised City of Newcastle officers upon request;
 - d) Seven working days' notice in writing is to be given to the City of Newcastle and the owners/occupiers of neighbouring premises prior to the commencement of any demolition work. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number(s) and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor. Notification to owners/occupiers of neighbouring premises is also to include City of Newcastle's contact telephone number (4974 2000) and the SafeWork NSW telephone number (4921 2900); and
 - e) On sites where asbestos materials are to be removed, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is to be erected in a prominent position during asbestos removal works.
47. The demolisher is to ensure that all services (ie water, telecommunications, gas, electricity, sewerage etc), are disconnected in accordance with the relevant authority's requirements prior to demolition.
48. Any waste containers used in association with the proposed demolition are to be located on the site where possible.
- Note: Where this is not feasible, an application is to be made for the City of Newcastle's approval to position the container on the adjacent public road in accordance with City of Newcastle's adopted Building Waste Container Policy.
49. All demolition material incapable of being re-used in future redevelopment of the site is to be removed from the site and the site being cleared and levelled.
- Note: Where reusable building materials are to be stored on site for use in future building works, such materials are to be neatly stacked at least 150 mm above the ground.
50. The demolisher is to ensure that all demolition material is kept clear of the public footway and carriageway as well as adjoining premises.
51. Any demolition/waste building materials that are not suitable for recycling are to be disposed of at City of Newcastle's Summerhill Waste Management Facility or other approved site.
52. An assessment of the likelihood of the presence of Aboriginal sites in relation to the

proposed development area is to be undertaken to comply with the requirements of the *National Parks and Wildlife Act 1974* and the significance of any site and requirements for the protection thereof are to be established and documented prior to the commencement of work. Formal verification that the NSW National Parks and Wildlife Service's requirements have been met are to be submitted to the City of Newcastle prior to engineering works commencing. Any submitted archaeological study is to be accompanied by a letter from the relevant Local Aboriginal Land Council, stating that they are satisfied with the study process and that arrangements are in place for continued consultation during development of the site.

Note: It is illegal to knowingly damage, deface or destroy a 'relic' or Aboriginal Place without prior written consent under the *National Parks and Wildlife Act 1974*.

53. Waste management is to be implemented in accordance with the approved Waste Management Plan. At a minimum, the following measures are to be implemented during the construction phase:

- a) A waste container of at least one cubic metre capacity is to be provided, maintained and regularly serviced from the commencement of operations until the completion of the building, for the reception and storage of waste generated by the construction of the building and associated waste;
- b) The waste container is to be, at minimum, constructed with a 'star' picket (corners) and weed control mat (sides), or equivalent. The matting is to be securely tied to the pickets;
- c) Provision is to be made to prevent windblown rubbish leaving the site; and
- d) Footpaths, road reserves and public reserves are to be maintained clear of rubbish, building materials and all other items.

Note: Fines may be issued for pollution/littering offences under the *Protection of the Environment Operations Act 1997*.

54. If construction / demolition work is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the need to enclose a public place, a hoarding or fence is to be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

55. An application is to be made to and approved by the City of Newcastle for the erection of a hoarding or part closure of the footway prior to construction being commenced. Such overhead structure or protective fence is to comply with the *Work Health and Safety Act 2011*, *Work Health and Safety Regulation 2011* and any relevant approved industry code of practice. Notice of intention of commencement is to be given to SafeWork NSW.

56. The work site is to be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

57. All building work is to be carried out in accordance with the provisions of the National Construction Code.

58. Certification is to be prepared by a Registered Surveyor and submitted to the Principal Certifier at the stages of construction indicated:

- a) On completion of ground floor construction, confirming that the floor levels are in accordance with the approved levels.

- b) On completion of each subsequent floor level, confirming that the floor levels are in accordance with the approved levels.
 - c) When the roof/lift overrun has been completed, confirming that the building does not exceed the approved levels of RL47.39 metres.
59. Prior to commencement of site works, the developer is to submit to the City of Newcastle, for approval, a Construction Traffic Management Plan, addressing traffic control measures to be implemented in the public road reserve during the construction phase.
 60. The Construction Traffic Management Plan is to be prepared by a Roads & Maritime Services accredited person with a *Design and Audit Traffic Control Plans Certificate* in accordance with *Australian Standard 1742.3:2009 - Manual of uniform traffic devices - traffic control for works on roads*. The plan is to ensure the provision for safe, continuous movement of traffic and pedestrians within the road reserve.
 61. Any alteration to natural surface levels on the site is to be undertaken in such a manner as to ensure that there is no increase in surface water runoff to adjoining properties or that runoff is impounded on adjoining properties, as a result of the development.
 62. All roof and surface waters are to be conveyed to the street gutter by way of a sealed pipe system, extending through the footway to City of Newcastle requirements, in accordance with Element 7.06 '*Stormwater*' of Newcastle Development Control Plan 2012.
 63. Visitor parking bays for the residential and commercial visitors are to be clearly indicated by means of signs and/or pavement markings.
 64. The vehicular entrance and exit driveways and the direction of traffic movement within the site are to be clearly indicated by means of reflectorised signs and pavement markings.
 65. City of Newcastle's '*Prevent Pollution*' sign is to be erected and maintained in a conspicuous location on or adjacent to the property boundary, so it is clearly visible to the public, or at other locations on the site as otherwise directed by the City of Newcastle, for the duration of demolition and construction work.

The sign can be obtained by presenting your development application receipt at City of Newcastle's Customer Enquiry Centre, Wallsend Library or the Master Builders Association Newcastle.

66. Any excavated material to be removed from the site is to be assessed and classified in accordance with the NSW Environment Protection Authority's '*Waste Classification Guidelines Part 1: Classifying Waste*' and be transported and disposed of in accordance with the provisions of the *Protection Of The Environment Operations Act 1997* and the *Protection Of The Environment (Waste) Regulation 2014*.
67. Any fill material imported into the site is to be Virgin Excavated Natural Material or material subject to a Resource Recovery Order that is permitted to be used as a fill material under the conditions of the associated Resource Recovery Exemption, in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment (Waste) Regulation 2014*.
68. Documentation verifying compliance with the conditions of a relevant Resource Recovery Order and Resource Recovery Exemption are to be maintained for any material received at the site and subsequently applied to land under the conditions of the Resource Recovery Order and Resource Recovery Exemption. This documentation is to be provided to City of Newcastle officers or the Principal Certifier

on request.

69. All necessary measures are to be undertaken to control dust pollution from the site. These measures are to include, but are not limited to:
- a) Restricting topsoil removal;
 - b) Regularly and lightly watering dust prone areas (note: prevent excess watering as it can cause damage and erosion);
 - c) Alter or cease construction work during periods of high wind; and
 - d) Erect green or black shadecloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.
70. All external items of air conditioning plant are to be screened or positioned in such a manner as to not detract from the visual presentation of the building.
71. The development is to be undertaken in accordance with the requirements of Ausgrid as detailed in their letter dated 6 May 2016 as attached to this consent.
72. Free and open access to the existing right of way in favour of the adjoining hotel site (DP Lot 123 DP 1090081 - 14 Railway Street, Wickham) being maintained at all times including during any works associated with the construction of the proposed development.
73. Prior to any site works commencing, the Developer preparing a Construction Management Plan (CMP) such to be designed and implemented to manage all environmental aspects associated with the construction works, including off site impacts such as transport to and from the site. Two copies of the CMP are to be provided to the Principal Certifying Authority and the CMP is to be maintained on site during all site works and be made available to Authorised Officers upon request. The CMP is to include but not be limited to:
- A site management strategy, identifying and addressing issues such as environmental health and safety, site security, and traffic management.
 - A soil and water management strategy, detailing erosion and sediment control, management of soil stockpiles, control and management of surface water and groundwater. Procedures should be included to ensure that all roads adjacent to the site are kept free and clear from mud and sediment.
 - A dust management strategy, detailing procedures to minimise dust generation, with particular reference to control techniques and operational limits under adverse meteorological conditions.
 - A waste minimisation strategy that aims to avoid production of waste and maximise reuse, recycling or reprocessing of potential waste material.
 - A community relations plan that aims to inform local residents and other local stakeholders of the proposed nature and timeframes for construction activities together with contact details for site management.
 - A noise management strategy detailing measures to minimise the impact of the construction phase on the amenity of the locality, in accordance with Australian Standard AS 2436, 1981 'Guide to Noise control on Construction, Maintenance and Demolition Sites'. Noise monitoring during the construction phase should be incorporated into the program.
74. Toilet facilities are to be available or provided at the work site before works begin and

be maintained until the works are completed, at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet is to:

- a) Be a standard flushing toilet connected to a public sewer, or
- b) Have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- c) Be a temporary chemical closet approved under the *Local Government Act 1993*.

75. A rigid and durable sign is to be erected on any site on which building work, subdivision work or demolition work is being carried out, before the commencement of the work:

- a) showing the name, address and telephone number of the Principal Certifier for building work and subdivision work, and
- b) showing the name, address and telephone number of the Principal Contractor for any building work and also including a telephone number on which the Principal Contractor may be contacted at any time for business purposes, and
- c) stating that unauthorised entry to the work site is prohibited, and
- d) being erected in a prominent position that can be read easily by anyone in any public road or other public place adjacent to the site.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out.

76. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force, such a contract of insurance is to be in force before any building work authorised to be carried out by this consent commences.

77. All excavations and backfilling are to be executed safely and excavations are to be properly guarded and protected to prevent them from being dangerous to life and property.

78. If the soil conditions require it, retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil are to be provided.

79. All building materials, plant and equipment is to be placed on the site of the development, to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road reserve. The storage of building materials on City of Newcastle reserves, including the road reserve, is not permitted.

80. Construction/demolition work that generates noise that is audible at residential premises is to be restricted to the following times:

- Monday to Friday, 7:00 am to 6:00 pm and
- Saturday, 8:00 am to 1:00 pm.

No noise from construction/demolition work is to be generated on Sundays or public holidays.

81. Erosion and sediment control measures are to be implemented prior to the commencement of works and maintained during the period of demolition and/or

construction in accordance with the requirements of Managing Urban Stormwater: Soils and Construction 4th Edition - Vol. 1 (the 'Blue Book') published by Landcom, 2004. Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover.

82. Prior to the commencement of work, a 3.0m wide all-weather vehicle access is to be provided from the kerb and gutter to the building under construction, to reduce the potential for soil erosion. Sand or soil is not to be stockpiled on the all-weather vehicle access.
83. Where the proposed development involves the destruction or disturbance of any survey monuments, those monuments affected are to be relocated, at no cost to the City of Newcastle, by a Surveyor registered under the *Surveying and Spatial Information Act 2002*.
84. Prior to the commencement of works appropriate fencing is to be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.
85. No scaffolding or hoarding is to be used facing the rail corridor unless prior written approval has been obtained from Sydney Trains. To obtain approval the proponent will be required to submit details of the scaffolding and hoarding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor. Unless agreed to by Sydney Trains in writing, scaffolding shall not be erected without isolation and protection panels.
86. No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and 1500V catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.
87. Unless advised by Sydney Trains in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects.
88. No rock anchors/bolts are to be installed into Sydney Trains property or easements.
89. Sydney Trains advises they have an 11kV H/V aerial transmission line near to this site and any works, scaffolding and crane movements within 6 metres of the nearest transmission line conductor must be discussed and approved by Sydney Trains beforehand.
90. In addition, all works within 6 metres of the nearest transmission line conductor must comply with:
 - ISSC 20 – Guideline for the Management of Activities within Electricity Easements and Close to Electricity Infrastructure.
 - The Safe Approach Distances (SADs) in the Sydney Trains Document titled "SMS-06-GD-0268 – Working Around Electrical Equipment".

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE, A SUBDIVISION CERTIFICATE OR A STRATA CERTIFICATE

91. The whole of the land Lot 11 DP 1106378 and Lot 110 DP 1018454, 73-79 Railway Lane, Wickham is to be consolidated into a single title and documentary evidence of the lodgement for registration of a survey plan of consolidation with NSW Government Land & Property Information is to be submitted to Council prior to the issuing of an Occupation Certificate for the proposed development.

92. A clear warning notice is to be erected and maintained at all points of entry to the site advising that the premises is subject to flooding and that caution should be observed at times of heavy or prolonged rainfall, being installed prior to issue of an Occupation Certificate. Such notice is to also provide advice regarding the availability of further information sources in respect of possible flooding.
93. Acoustic treatment measurements, including building treatments for walls, insulation, and glazing for doors and windows are to be implemented in accordance with the recommendations set out in the report prepared by RCA Acoustics, dated May 2018. Written final certification verifying that the recommended acoustic treatment has been implemented in accordance with the requirements of the above report is to be submitted to the Principal Certifier and the City of Newcastle prior to the issue of an Occupation Certificate.

Note: The acoustic consultant may need to be involved during the construction process, in order to ensure that final certification is achieved.

94. A post construction dilapidation report prepared by a suitability qualified person is to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate, to ascertain whether any physical damage, caused by the construction work, has occurred to the adjoining buildings, infrastructure and roads. The report is also to be forwarded to the City of Newcastle and will be made available in any private dispute between neighbours regarding damage arising from construction works.
95. An application is to be made for a Subdivision Certificate to address the required road dedication. The application is to be supported by a survey plan of subdivision, the Administration Sheet and a Section 50 Certificate from the Hunter Water Corporation.
96. A statement from a qualified designer, verifying that the development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles of State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development, is to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Note: '*Qualified Designer*' means a person registered as an architect in accordance with the *Architects Act 2003*.

97. The portion of the land required for road widening along Railway Lane between the existing Council road reserve and the proposed new property boundary as indicated in the architectural plan prepared by EJE Architecture Project No. 10670 Dwg No. A102 Rev Z dated 04/05/2018 is to be transferred to Council for dedication as road reserve. A detailed survey plan is to be submitted with an accompanying Subdivision Certificate Application for Council certification and such plan is to be registered with the NSW Government Land & Property Information prior to issue of any Occupation Certificate.

Note: All associated survey and legal work is to be undertaken by the Developer at the Developers expense. The land is to be dedicated to Council as a Road Reserve at no cost to Council.

98. A Maintenance Manual for all water quality devices is to be prepared in accordance with Council's Stormwater and Water Efficiency for Development Technical Manual (Updated July 2017). The Maintenance Manual is to address maintenance issues concerning the water quality devices, including routine monitoring and regular maintenance, and be kept on site at all times. Establishment and maintenance of the water quality devices in accordance with the Maintenance Manual prepared by the applicant is to be completed prior to occupation of this site for the intended use.
99. The Developer preparing a Green Travel Plan (GTP) to encourage the use of alternate

transport to the private vehicle in accordance with Section 7.03.03 Travel Demand Management of Council's adopted Newcastle Development Control Plan 2012 and incorporating end of trip facilities, such being implemented in association with the occupation of the premises and a copy of the GTP is to be provided to the Principal Certifying Authority.

100. The Public Domain works are to be implemented and construction works are to be completed to Council satisfaction prior to the issue of any Occupation Certificate including land dedication as road reserve and right of access being created.
101. All commitments listed in the relevant BASIX certificate for the development are to be satisfactorily completed prior to the issue of an Occupation Certificate. Should there be any changes to the specifications of the dwelling that have implications for compliance with the approved certificate, except where restricted or excluded by any other condition of consent, an amended BASIX Certificate can be relied upon as having complied with this condition. A copy of any amended BASIX Certificate is to be provided to the City of Newcastle with Occupation Certificate documentation.
102. All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a condition that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to City of Newcastle's satisfaction prior to the completion of demolition work or prior to the issue of any Occupation Certificate in respect of development involving building work.
103. All works within the road reserve required by this consent are to be completed prior to the issue of a Occupation Certificate.
104. Any redundant existing vehicular crossing is to be removed at no cost to the City of Newcastle. The road reserve and kerb is to be restored to the City of Newcastle's satisfaction. Works are to be completed prior to the issuing of an Occupation Certificate for the proposed development.
105. A copy of the stormwater drainage design plans approved with the Construction Certificate with 'work as executed' levels indicated, are to be submitted to the Principal Certifier and to the City of Newcastle prior to the issue of an Occupation Certificate. The plans are to be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.
106. A Landscape Practical Completion Report is to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate. The report is to verify that all landscape works have been carried out in accordance with the comprehensive landscape design plan and specifications that were required to be included in documentation for a Construction Certificate application and is to verify that an effective maintenance program has been commenced.
107. The premises are to be identified by the provision of house and street numbers on the building exterior and mailbox, respectively, such that they are clearly visible from the road frontage.

The minimum numeral heights are to be:

- a) Exterior of the building = 75mm and
 - b) Group mailbox - street number = 150mm
- house number = 50mm
108. The development shall have appropriate fencing fit for the future usage of the development site to prevent unauthorised access to the rail corridor by future occupants of the development. Prior to the issuing of an Occupation Certificate the

Applicant shall liaise with Sydney Trains regarding the adequacy of any existing fencing along the rail corridor boundary. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.

109. If required by Sydney Trains, prior to the commencement of works, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.
110. Prior to the issuing of an Occupation Certificate the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into Sydney Trains property or easements, unless agreed to be these authorities. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
111. Details confirming the installation of the public artwork, required as part of this consent shall be submitted to the Principal Certifier and City of Newcastle prior to the issue of the Occupation Certificate.

CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT

112. The hours of operation or trading of the retail premises are to be not more than:

DAY	START	FINISH
Monday	8am	6pm
Tuesday	8am	6pm
Wednesday	8am	6pm
Thursday	8am	6pm
Friday	8am	6pm
Saturday	8am	6pm
Sunday	9am	2pm

unless a separate application to vary the hours of operation or trading has been submitted to and approved by the City of Newcastle.

113. The use and occupation of the premises, including all plant and equipment installed thereon, is not to give rise to any offensive noise, as defined under the *Protection of the Environment Operations Act 1997*.

Should City of Newcastle consider that offensive noise has emanated from the premises, the owner/occupier of the premises will be required to submit an acoustic assessment prepared by a suitably qualified acoustical consultant recommending acoustic measures necessary to ensure future compliance with this condition and will be required to implement such measures within a nominated period. Furthermore, written certification from the said consultant, verifying that the recommended acoustic measures have been satisfactorily implemented, will be required to be submitted to City of Newcastle prior to the expiration of the nominated period.

114. The use and occupation of the premises is not to give rise to the emission of any 'air impurity' as defined under the *Protection of the Environment Operations Act 1997*, that

interferes unreasonably with the amenity of neighbouring premises and/or other sensitive receivers.

Should City of Newcastle consider that unreasonable levels of air impurities have been emitted from the premises, the owner/occupier will be required to engage a suitably qualified consultant to recommend measures to control emission of air impurities to an acceptable level and such measures will be required to be implemented within a nominated time period. Furthermore, written certification from the suitably qualified consultant will be required to be submitted to City of Newcastle, confirming that air impurity emissions from the premises do not interfere unreasonably with the amenity of neighbouring premises and/or other sensitive receptors, before the expiration of the nominated period.

115. The landscaped areas are to be kept free of parked vehicles, stored goods, garbage or waste material and being permanently maintained.
116. Any liquid wastes from the premises, other than stormwater are to be either discharged to the sewers of the Hunter Water Corporation in accordance with an approved Trade Waste Agreement or collected and disposed of by a licensed waste transport contractor in accordance with the Department of Environment and Climate Change 'Waste Classification Guidelines Part 1: Classifying Waste'.
117. The required flood emergency response plan is to be implemented prior to occupation of the proposed building. Such plan is to be effectively updated and maintained by the building owners; to include an education and awareness component for the workforce and detailed evacuation procedures to interface with the Bureau of Meteorology's flood warning system and the local State Emergency Services plan (where appropriate) and to include provisions for any third parties likely to be involved.
118. Waste collection from the proposed development is to be restricted to 7:00am and 6:00pm daily.
119. Remediation being carried out in accordance with the submitted Remedial Action Plan (RAP) prepared by RCA Australia dated April 2018.
120. Following implementation of the RAP, a validation report is to be prepared by a suitably qualified consultant in accordance with the relevant Environment Protection Authority Guidelines and submitted to Council.
121. Any soils found during the validation of the remediation works that do not meet the validation criteria, as specified by the RAP prepared by RCA Australia dated April 2018, are to be removed offsite for suitable disposal. Under no circumstances is onsite management of contamination to be used as a remediation measure.
122. The two ground floor commercial units are to be used as *retail premises*.
123. During all stages of the development extreme care shall be taken to prevent environmental harm within the railway corridor. Any form of environmental harm to areas within the railway corridor or legislative non-compliance that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
124. During all stages of the development, environmental legislation and regulations will be complied with.
125. During all stages of the development, extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.

126. Given the development site's location next to the rail corridor, drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains.
127. The applicant shall not at any stage block the corridor access gate on Railway Lane, and should make provision for easy and ongoing 24/7 access by rail vehicles, plant and equipment to support maintenance and emergency activities.
128. Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, are entitled to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.
129. Any conditions issued as part of Sydney Trains or Transport for NSW approval/certification of any documentation for compliance with the Transport for NSW conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.
130. Waste management (recyclable and non-recyclable) is to be collected from the refuse storage areas, as identified on the approved plans, serviced and returned immediately to the refuse storage areas. Under no circumstances are garbage bins to be presented to the kerb for collection.

ADVISORY MATTERS

- A Construction Certificate application for this project is to include a list of fire safety measures proposed to be installed in the building and/or on the land and include a separate list of any fire safety measures that already exist at the premises. The lists are to describe the extent, capability and basis of design of each of the measures.
- Development applications are not assessed against the provisions of the National Construction Code. An application to modify the application under the *Environmental Planning and Assessment Act 1979* will be required if design amendments that cause the proposal to be inconsistent with the development consent are necessary to comply with the provisions of the Building Code of Australia.
- An annual Fire Safety Statement in the form described in Clause 175 of the *Environmental Planning and Assessment Regulation 2000* is to be submitted to the City of Newcastle and a copy (together with a copy of the current fire safety schedule) is to be given to the Commissioner of New South Wales Fire Brigades. A further copy of the Statement (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.
- Retaining walls not clearly noted on the approved plans or outside of the parameters of 'exempt development', as specified in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, are to be subject to a separate development application. An application in this regard is to be approved prior to any works relating to such a retaining wall taking place.
- It is recommended that, prior to commencement of work, the free national community service 'Dial before you Dig' be contacted on 1100 or by fax on 1200 652 077 regarding the location of underground services in order to prevent injury, personal liability and even death. Inquiries should provide the property details and the nearest cross street/road.
- Any necessary alterations to public utility installations are to be at the

developer/demolisher's expense and to the requirements of the City of Newcastle and any other relevant authorities. City of Newcastle and other service authorities should be contacted for specific requirements prior to the commencement of any works.

- Any approval for fences on side boundaries, common to other private properties, is independent of any consent or agreement which may be required from any adjoining owner under the provisions of the *Dividing Fences Act 1991*.
- Prior to commencing any building works, the following provisions of Part 6 of the *Environmental Planning and Assessment Act 1979* are to be complied with:
 - a) A Construction Certificate is to be obtained; and
 - b) A Principal Certifier is to be appointed for the building works and the City of Newcastle is to be notified of the appointment; and
 - c) The City of Newcastle is to be given at least two days notice of the date intended for commencement of building works.
- Prior to the occupation or use of a new building, or occupation or use of an altered portion of, or an extension to a building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the proposed development. An application for an Occupation Certificate is to contain the information set out in Clause 149 of the *Environmental Planning and Assessment Regulation 2000*.
- It is an offence under the provisions of the *Protection of the Environment Operations Act 1997* to act in a manner causing, or likely to cause, harm to the environment. Anyone allowing material to enter a waterway or leaving material where it can be washed off-site may be subject to a penalty infringement notice (ie 'on-the-spot fine') or prosecution.
- Failure to comply with the conditions of consent constitutes a breach of the *Environmental Planning and Assessment Act 1979*, which may be subject to a penalty infringement notice (ie 'on-the-spot fine') or prosecution.
- The premises are allocated the following street addresses in accordance with Council's House Numbering Policy and the Surveying and Spatial Regulation.

Unit-on-plan	Council-Allocated-Street-Addresses			
	House-Number	Street-Name	Street-Type	Suburb
Commercial-1	2/12	Railway	Lane	Wickham
Commercial-2	1/12	Railway	Lane	Wickham
Unit-1.01	109/14	Railway	Lane	Wickham
Unit-1.02	108/14	Railway	Lane	Wickham
Unit-1.03	107/14	Railway	Lane	Wickham
Unit-1.04	106/14	Railway	Lane	Wickham
Unit-1.05	105/12	Railway	Lane	Wickham
Unit-1.06	104/12	Railway	Lane	Wickham
Unit-1.07	103/12	Railway	Lane	Wickham
Unit-1.08	102/12	Railway	Lane	Wickham
Unit-1.09	101/12	Railway	Lane	Wickham
Unit-2.01	218/14	Railway	Lane	Wickham
Unit-2.02	219/14	Railway	Lane	Wickham
Unit-2.03	220/14	Railway	Lane	Wickham
Unit-2.04	221/14	Railway	Lane	Wickham
Unit-2.05	217/14	Railway	Lane	Wickham

Unit-2.06	216/14	Railway	Lane	Wickham
Unit-2.07	215/14	Railway	Lane	Wickham
Unit-2.08	214/14	Railway	Lane	Wickham
Unit-2.09	213/14	Railway	Lane	Wickham
Unit-2.10	212/12	Railway	Lane	Wickham
Unit-2.11	211/12	Railway	Lane	Wickham
Unit-2.12	210/12	Railway	Lane	Wickham
Unit-2.13	209/12	Railway	Lane	Wickham
Unit-2.14	208/12	Railway	Lane	Wickham
Unit-2.15	207/12	Railway	Lane	Wickham
Unit-2.16	206/12	Railway	Lane	Wickham
Unit-2.17	205/12	Railway	Lane	Wickham
Unit-2.18	204/12	Railway	Lane	Wickham
Unit-2.19	203/12	Railway	Lane	Wickham
Unit-2.20	202/12	Railway	Lane	Wickham
Unit-2.21	201/12	Railway	Lane	Wickham
Unit-3.01	318/14	Railway	Lane	Wickham
Unit-3.02	319/14	Railway	Lane	Wickham
Unit-3.03	320/14	Railway	Lane	Wickham
Unit-3.04	321/14	Railway	Lane	Wickham
Unit-3.05	317/14	Railway	Lane	Wickham
Unit-3.06	316/14	Railway	Lane	Wickham
Unit-3.07	315/14	Railway	Lane	Wickham
Unit-3.08	314/14	Railway	Lane	Wickham
Unit-3.09	313/14	Railway	Lane	Wickham
Unit-3.10	312/12	Railway	Lane	Wickham
Unit-3.11	311/12	Railway	Lane	Wickham
Unit-3.12	310/12	Railway	Lane	Wickham
Unit-3.13	309/12	Railway	Lane	Wickham
Unit-3.14	308/12	Railway	Lane	Wickham
Unit-3.15	307/12	Railway	Lane	Wickham
Unit-3.16	306/12	Railway	Lane	Wickham
Unit-3.17	305/12	Railway	Lane	Wickham
Unit-3.18	304/12	Railway	Lane	Wickham
Unit-3.19	303/12	Railway	Lane	Wickham
Unit-3.20	302/12	Railway	Lane	Wickham
Unit-3.21	301/12	Railway	Lane	Wickham
Unit-4.01	413/14	Railway	Lane	Wickham
Unit-4.02	414/14	Railway	Lane	Wickham
Unit-4.03	415/14	Railway	Lane	Wickham
Unit-4.04	416/14	Railway	Lane	Wickham

Unit-4.05	412/14	Railway	Lane	Wickham	✘
Unit-4.06	411/14	Railway	Lane	Wickham	✘
Unit-4.07	410/14	Railway	Lane	Wickham	✘
Unit-4.08	409/14	Railway	Lane	Wickham	✘
Unit-4.09	408/12	Railway	Lane	Wickham	✘
Unit-4.10	407/12	Railway	Lane	Wickham	✘
Unit-4.11	406/12	Railway	Lane	Wickham	✘
Unit-4.12	405/12	Railway	Lane	Wickham	✘
Unit-4.13	404/12	Railway	Lane	Wickham	✘
Unit-4.14	403/12	Railway	Lane	Wickham	✘
Unit-4.15	402/12	Railway	Lane	Wickham	✘
Unit-4.16	401/12	Railway	Lane	Wickham	✘
Unit-5.01	514/14	Railway	Lane	Wickham	✘
Unit-5.02	515/14	Railway	Lane	Wickham	✘
Unit-5.03	516/14	Railway	Lane	Wickham	✘
Unit-5.04	517/14	Railway	Lane	Wickham	✘
Unit-5.05	513/14	Railway	Lane	Wickham	✘
Unit-5.06	512/14	Railway	Lane	Wickham	✘
Unit-5.07	511/14	Railway	Lane	Wickham	✘
Unit-5.08	510/14	Railway	Lane	Wickham	✘
Unit-5.09	509/12	Railway	Lane	Wickham	✘
Unit-5.10	508/12	Railway	Lane	Wickham	✘
Unit-5.11	507/12	Railway	Lane	Wickham	✘
Unit-5.12	506/12	Railway	Lane	Wickham	✘
Unit-5.13	505/12	Railway	Lane	Wickham	✘
Unit-5.14	504/12	Railway	Lane	Wickham	✘
Unit-5.15	503/12	Railway	Lane	Wickham	✘
Unit-5.16	502/12	Railway	Lane	Wickham	✘
Unit-5.17	501/12	Railway	Lane	Wickham	✘
Unit-6.01	614/14	Railway	Lane	Wickham	✘
Unit-6.02	615/14	Railway	Lane	Wickham	✘
Unit-6.03	616/14	Railway	Lane	Wickham	✘
Unit-6.04	617/14	Railway	Lane	Wickham	✘
Unit-6.05	613/14	Railway	Lane	Wickham	✘
Unit-6.06	612/14	Railway	Lane	Wickham	✘
Unit-6.07	611/14	Railway	Lane	Wickham	✘
Unit-6.08	610/14	Railway	Lane	Wickham	✘
Unit-6.09	609/12	Railway	Lane	Wickham	✘
Unit-6.10	608/12	Railway	Lane	Wickham	✘
Unit-6.11	607/12	Railway	Lane	Wickham	✘
Unit-6.12	606/12	Railway	Lane	Wickham	✘

Unit-6.13	605/12	Railway	Lane	Wickham
Unit-6.14	604/12	Railway	Lane	Wickham
Unit-6.15	603/12	Railway	Lane	Wickham
Unit-6.16	602/12	Railway	Lane	Wickham
Unit-6.17	601/12	Railway	Lane	Wickham
Unit-7.01	714/14	Railway	Lane	Wickham
Unit-7.02	715/14	Railway	Lane	Wickham
Unit-7.03	716/14	Railway	Lane	Wickham
Unit-7.04	717/14	Railway	Lane	Wickham
Unit-7.05	713/14	Railway	Lane	Wickham
Unit-7.06	712/14	Railway	Lane	Wickham
Unit-7.07	711/14	Railway	Lane	Wickham
Unit-7.08	710/14	Railway	Lane	Wickham
Unit-7.09	709/12	Railway	Lane	Wickham
Unit-7.10	708/12	Railway	Lane	Wickham
Unit-7.11	707/12	Railway	Lane	Wickham
Unit-7.12	706/12	Railway	Lane	Wickham
Unit-7.13	705/12	Railway	Lane	Wickham
Unit-7.14	704/12	Railway	Lane	Wickham
Unit-7.15	703/12	Railway	Lane	Wickham
Unit-7.16	702/12	Railway	Lane	Wickham
Unit-7.17	701/12	Railway	Lane	Wickham
Unit-8.01	814/14	Railway	Lane	Wickham
Unit-8.02	815/14	Railway	Lane	Wickham
Unit-8.03	816/14	Railway	Lane	Wickham
Unit-8.04	817/14	Railway	Lane	Wickham
Unit-8.05	813/14	Railway	Lane	Wickham
Unit-8.06	812/14	Railway	Lane	Wickham
Unit-8.07	811/14	Railway	Lane	Wickham
Unit-8.08	810/14	Railway	Lane	Wickham
Unit-8.09	809/12	Railway	Lane	Wickham
Unit-8.10	808/12	Railway	Lane	Wickham
Unit-8.11	807/12	Railway	Lane	Wickham
Unit-8.12	806/12	Railway	Lane	Wickham
Unit-8.13	805/12	Railway	Lane	Wickham
Unit-8.14	804/12	Railway	Lane	Wickham
Unit-8.15	803/12	Railway	Lane	Wickham
Unit-8.16	802/12	Railway	Lane	Wickham
Unit-8.17	801/12	Railway	Lane	Wickham
Unit-9.01	910/14	Railway	Lane	Wickham
Unit-9.02	911/14	Railway	Lane	Wickham

Unit-9.03	909/14	Railway	Lane	Wickham	¤
Unit-9.04	908/14	Railway	Lane	Wickham	¤
Unit-9.05	907/14	Railway	Lane	Wickham	¤
Unit-9.06	906/12	Railway	Lane	Wickham	¤
Unit-9.07	905/12	Railway	Lane	Wickham	¤
Unit-9.08	904/12	Railway	Lane	Wickham	¤
Unit-9.09	903/12	Railway	Lane	Wickham	¤
Unit-9.10	902/12	Railway	Lane	Wickham	¤
Unit-9.11	901/12	Railway	Lane	Wickham	¤
Unit-10.01	1010/14	Railway	Lane	Wickham	¤
Unit-10.02	1011/14	Railway	Lane	Wickham	¤
Unit-10.03	1009/14	Railway	Lane	Wickham	¤
Unit-10.04	1008/14	Railway	Lane	Wickham	¤
Unit-10.05	1007/14	Railway	Lane	Wickham	¤
Unit-10.06	1006/12	Railway	Lane	Wickham	¤
Unit-10.07	1005/12	Railway	Lane	Wickham	¤
Unit-10.08	1004/12	Railway	Lane	Wickham	¤
Unit-10.09	1003/12	Railway	Lane	Wickham	¤
Unit-10.10	1002/12	Railway	Lane	Wickham	¤
Unit-10.11	1001/12	Railway	Lane	Wickham	¤
Unit-11.01	1110/14	Railway	Lane	Wickham	¤
Unit-11.02	1111/14	Railway	Lane	Wickham	¤
Unit-11.03	1109/14	Railway	Lane	Wickham	¤
Unit-11.04	1108/14	Railway	Lane	Wickham	¤
Unit-11.05	1107/14	Railway	Lane	Wickham	¤
Unit-11.06	1106/12	Railway	Lane	Wickham	¤
Unit-11.07	1105/12	Railway	Lane	Wickham	¤
Unit-11.08	1104/12	Railway	Lane	Wickham	¤
Unit-11.09	1103/12	Railway	Lane	Wickham	¤
Unit-11.10	1102/12	Railway	Lane	Wickham	¤
Unit-11.11	1101/12	Railway	Lane	Wickham	¤
Unit-12.01	1210/14	Railway	Lane	Wickham	¤
Unit-12.02	1211/14	Railway	Lane	Wickham	¤
Unit-12.03	1209/14	Railway	Lane	Wickham	¤
Unit-12.04	1208/14	Railway	Lane	Wickham	¤
Unit-12.05	1207/14	Railway	Lane	Wickham	¤
Unit-12.06	1206/12	Railway	Lane	Wickham	¤
Unit-12.07	1205/12	Railway	Lane	Wickham	¤
Unit-12.08	1204/12	Railway	Lane	Wickham	¤
Unit-12.09	1203/12	Railway	Lane	Wickham	¤
Unit-12.10	1202/12	Railway	Lane	Wickham	¤

Unit-12.11	1201/12	Railway	Lane	Wickham	
Unit-13.01	1310/14	Railway	Lane	Wickham	
Unit-13.02	1311/14	Railway	Lane	Wickham	
Unit-13.03	1309/14	Railway	Lane	Wickham	
Unit-13.04	1308/14	Railway	Lane	Wickham	
Unit-13.05	1307/14	Railway	Lane	Wickham	
Unit-13.06	1306/12	Railway	Lane	Wickham	
Unit-13.07	1305/12	Railway	Lane	Wickham	
Unit-13.08	1304/12	Railway	Lane	Wickham	
Unit-13.09	1303/12	Railway	Lane	Wickham	
Unit-13.10	1302/12	Railway	Lane	Wickham	
Unit-13.11	1301/12	Railway	Lane	Wickham	

END OF CONDITIONS

SCHEDULE 2

REASONS FOR THE DETERMINATION & CONSIDERATION OF COMMUNITY VIEWS

The determination decision was reached for the following reasons:

- The submitted clause 4.6 variation request to cl.4.3 LEP building height principle development standard is well founded.
- The proposed development, subject to the recommended conditions, is consistent with the objectives of the applicable environmental planning instruments, being; *Newcastle Local Environmental Plan 2012* (NLEP) and applicable State Environmental Planning Policies.
- The proposed development is, subject to the recommended conditions, consistent with the objectives of the Newcastle Development Control Plan 2012 (NDCP).
- The proposed development is considered to be of an appropriate scale and form for the site and the character of the locality.
- The proposed development has appropriate management and mitigation of impacts through conditions of consent.
- The proposed development, subject to the recommended conditions, will not result in unacceptable adverse impacts upon the natural or built environments.
- The proposed development is a suitable and planned use of the site and its approval is within the public interest.

REASONS WHY THE CONDITIONS HAVE BEEN IMPOSED

The following conditions are applied to:

- Confirm and clarify the terms of Council's determination;
- Identify modifications and additional requirements that will result in improved compliance, development and environmental outcomes;
- Prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts;
- Set standards and measures for acceptable environmental performance; and
- Provide for the ongoing management of the development.