

**ORDINARY COUNCIL MEETING
24 MARCH 2015**

**CCL 24/03/15
NEWCASTLE EYE HOSPITAL – ADOPTION OF AMENDMENT TO
NEWCASTLE LEP 2012**

Attachment A: Planning Proposal – Newcastle Eye Hospital, Waratah
(corner of Griffith, Lambton and Christo Roads, Waratah)

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Newcastle Eye Hospital, Waratah

(corner of Griffith, Lambton and Christo Roads, Waratah)

March 2015

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CORNER OF GRIFFITH, LAMBTON AND CHRISTO ROADS, WARATAH (Newcastle Eye Hospital)

Summary of Proposal

Proposal	Corner of Griffith, Lambton and Christo Roads, Waratah (Newcastle Eye Hospital)	
Property Details	Corner of Griffith, Lambton and Christo Roads, Waratah	Lots 1 & 2 DP 1114442 Lots 100 & 101 DP 569322 Lots 2, 3 & 4 DP 21366 Lot 7 DP 660745 Lot 8 DP 660746
Applicant Details	ADW Johnson on behalf of Newcastle Eye Hospital	

Background

Council has received a request to amend Newcastle LEP 2012 in order to allow a 'health services facility' on the subject site to facilitate expansion to the existing Newcastle Eye Hospital facility. The amendment will enable the applicant to prepare a development application for improvements to the existing hospital facility and incorporation of adjoining land.

Newcastle Eye Hospital has been established on Lot 100 DP 569322 and Lot 1 DP 1114442 since approximately 2009. The building was approved by Council in 1986. The Newcastle Eye Hospital has performed over 6000 operations in the last financial year including daily Retinal Emergency surgeries for the Hunter Community. The facility has established the Newcastle Eye Hospital Research Foundation that performs research projects to improve eye health and also provides support to Newcastle University Undergraduate Medical Students.

The Eye Hospital has now exhausted its capacity within its existing premises and is seeking to expand to accommodate demand for improved health services. Currently the facility, which is defined as a "health services facility", operates on the basis of existing use rights. Health services facility is a prohibited land use within the R2 Low Density Residential Zone. Thus the Newcastle LEP 2012 needs to be amended to facilitate its expansion.

Site

The proposal consists of land at Lots 2, 3 & 4 DP 21366, Lot 7 DP 660745, Lot 8 DP 660746, Lots 1 & 2 DP 1114442, and Lots 100 & 101 DP 569322, with a street address of 174-182 Christo Road, Waratah and 114-116 Griffiths Road, Lambton. The site has a total area of approximately 3,888.32m², with a frontage to Christo Road to the north of approximately 70.09m, a frontage to Griffiths Road to the south of approximately 73.02m and a frontage to Lambton Road to the west of 53.17m. Residential development surrounds the site to the east and west.

The site is in close proximity to the nearby centres of Waratah and Lambton and the specialised centres of the John Hunter Hospital and University of Newcastle. The Calvary Mater Hospital and Maroba Aged Care Facility are located approximately 1km north of the site along the Edith Street extension of Lambton Road.

The proposed expansion of the Newcastle Eye Hospital health services facility is compatible with the surrounding area and is a suitable development at this location. The site is well located within the regional road network, has excellent access to major transport routes, good public transport access and good access for emergency vehicles.

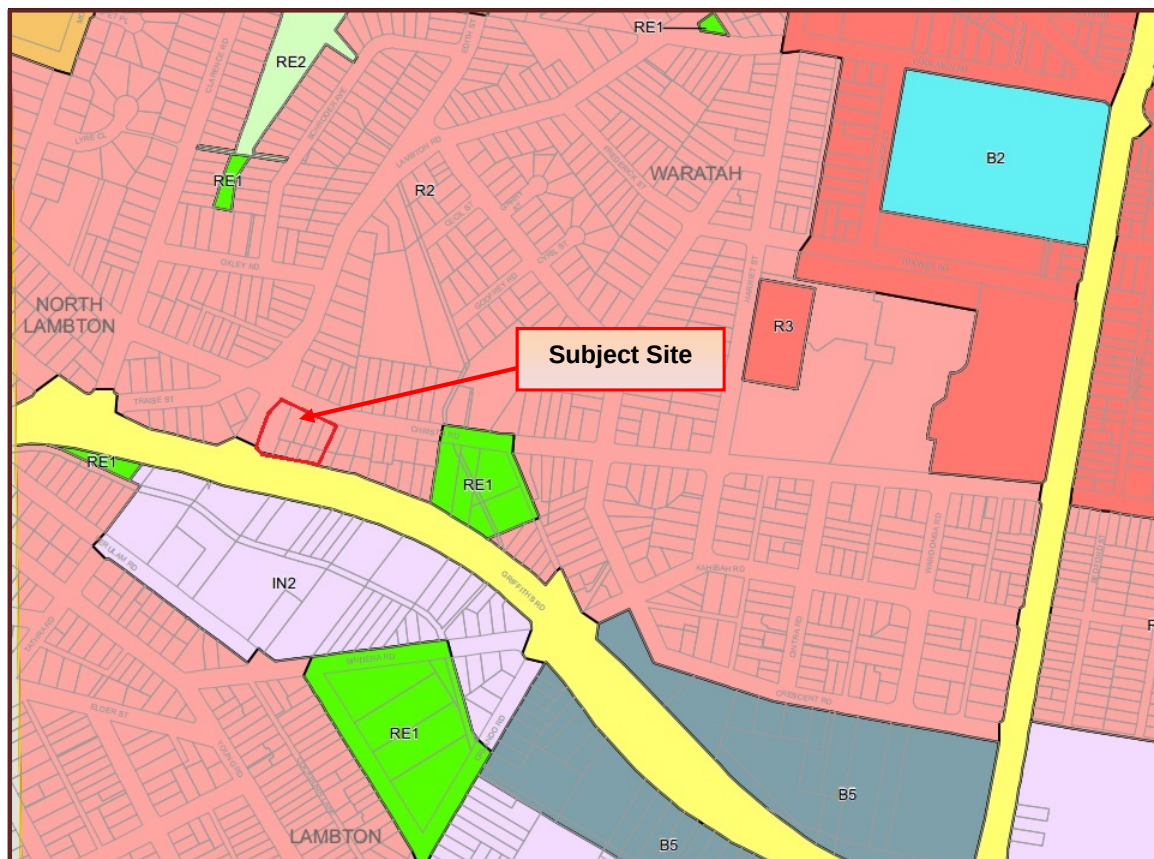


Figure 1 – Locality plan of the site within the local context of Lambton and Waratah.



Figure 2: Local Context of Site

The site is currently zoned R2 Low Density Residential under Newcastle Local Environmental Plan 2012 (NLEP 2012). The objectives of this zone are:

- To provide for the housing needs of the community within a low density residential environment
- To enable other land uses that provide facilities or services to meet the day to day needs of residents
- To accommodate a diversity of housing forms that respects the amenity, heritage and character of surrounding development and the quality of the environment.

The applicable land use definition for the proposed development based on definitions in NLEP 2012 is “health services facility”.

“health services facility” means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:

- (a) A medical centre,
- (b) Community health service facilities,
- (c) Health consulting rooms,
- (d) Patient transport facilities, including helipads and ambulance facilities,
- (e) hospital”.

Health services facility is not a permissible land use under the current R2 Low Density Residential zoning.

Part 1 - Objectives or Intended Outcomes

The objective of the Planning Proposal is to enable the expansion of a health services facility (Newcastle Eye Hospital) on R2 Low Density Residential zoned land bounded by Christo Road and Lambton Road, Waratah to the north and west, and Griffiths Road, Lambton to the south in order to accommodate increasing demand for relevant health services.

Part 2 - Explanation of Provisions

In order to achieve the intended outcome, it is proposed that Newcastle LEP 2012 be amended to:

- Include 'health services facility' as an additional permitted use in Schedule 1 for the subject site; and
- Amend the Height of Buildings Map Sheet HOB_004B to reflect a change in the maximum height of buildings permissible on the land from 8.5m to 10.0m on part of the subject land.

Part 3 – Justification

Section A - Need for the planning proposal

1. *Is the planning proposal a result of any strategic study or report?*

Whilst the Planning Proposal is driven by the need to expand medical services within the area, it is consistent with specific strategic goals for Newcastle and the region generally. The Planning Proposal is consistent with a number of strategic plans including the Lower Hunter Regional Strategy (LHRS), the Newcastle 2030 Community Strategic Plan, the Newcastle Urban Strategy 2012, the NSW State Health Plan and the NSW 2021 Plan.

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes. Use of Schedule 1 – Additional Permitted Uses, to enable 'health services facility' to be permitted on the site is considered the most suitable way of achieving the objectives and expanding the facility.

The amendment to the height of building map is justified for the following reasons:

- The increase in height is required to support the necessary floor to ceiling heights for a health services facility and to ensure consistency of floor levels with the existing building.
- The requested height increase has been kept to a minimum required and is only 1.5m greater than the current permitted height of 8.5m.
- The requested height can be contained to the Griffiths Road frontage of the site, generally away from the adjoining residential area behind.
- Where the site adjoins the neighbouring residential property it is proposed to adopt an appropriate setback consistent with typical residential building height envelopes.

Other options that were considered include:

- Rezone the subject land from R2 Low Density Residential to B4 Mixed Use. This is not considered suitable, as the B4 zoning has generally been applied to land within the city centre, along the urban renewal corridors and adjacent to existing commercial centres.
- Rezone the subject land from R2 Low Density Residential to R3 Medium Density Residential. This is not considered suitable due to the proximity to existing centres.
- Include 'health services facility' as a permissible use within the R2 Low Density Residential zone. This is considered unsuitable as enabling health services facilities in residential areas would have greater city wide implications.
- Relocation of the facility. Relocation of the facility is not considered feasible given the significant investment in the existing building and equipment. The site has been used as a health services facility for some 28 years.
- Lodge a DA for a Hospital. Hospital is now a permissible use in the zone. Councils Development and Building Services Division has previously formed the opinion that the proposed development is not defined as a hospital.

hospital means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following:

- (a) day surgery, day procedures or health consulting rooms,
- (b) accommodation for nurses or other health care workers,

- (c) accommodation for persons receiving health care or for their visitors,*
- (d) shops, kiosks, restaurants or cafes or take away food and drink premises,*
- (e) patient transport facilities, including helipads, ambulance facilities and car parking,*
- (f) educational purposes or any other health-related use,*
- (g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),*
- (h) chapels,*
- (i) hospices,*
- (j) mortuaries.*

Whilst it is clear that the proposed use of the site satisfies nearly all components of this definition, including operating theatres and a recovery ward, a key element of the definition is that people must be admitted as in-patients (whether or not out-patients are also cared for). This issue has been considered by the Land and Environment Court in *Hosking Munro Pty Ltd v Botany Bay Council* NSWLEC 255 (2001). In this case, the judge decided that “in-patients” in the context of the definition of a hospital under the Model Provisions (which is very similar to the definition of hospital under the NLEP 2012) stay overnight.

The Newcastle Eye Hospital has many of the features of a hospital, however, as it does not provide overnight accommodation and does not admit people as in-patients, the use cannot be considered as a “hospital” for the purpose of a Development Application. For this reason, use of Schedule 1 – Additional Permitted Uses, to enable ‘health services facility’ to be permitted on the site is considered the best means of achieving the objectives and intended outcomes of the Planning Proposal.

Section B - Relationship to strategic planning framework

- 3. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?***

State Planning Controls

NSW State Health Plan

The Planning Proposal is consistent with the NSW State Health Plan. The NSW State Health Plan provides the strategic framework which brings together NSW Health's existing plans, programs and policies and sets priorities across the system for the delivery of 'the right care, in the right place, at the right time' for everyone. This Plan acknowledges a growing and ageing population as being a major factor in driving up health costs, which continues to place increasing demands on health services and other human services. Further, the Plan recognises the rise in community expectations of health services, with people expecting ready access to treatment for more health conditions. The Planning Proposal seeks to facilitate the provision of increased health services to the community to help meet the growing demand and increasing expectations for such health services to be readily accessible.

NSW 2021 Plan

The Planning Proposal is consistent with the NSW 2021 Plan, which lists one of its five key strategies as being to return quality services, including providing world class clinical services with timely access and effective infrastructure. The Planning Proposal allows Newcastle Eye Hospital to provide improved medical facilities.

Regional Planning Controls

Lower Hunter Regional Strategy (2006)

The Lower Hunter Regional Strategy (LHRS) applies to the Newcastle LGA. The primary purpose of the Strategy is to ensure that adequate land is available and appropriately located to accommodate the projected housing and employment needs of the Region's population in a sustainable manner over the next 25 years. The Strategy also aims to strengthen the viability of centres that support the role of Newcastle City Centre as the regional city. The LHRS vision for the future Lower Hunter is sustainable, affordable, prosperous and liveable, where there is access to quality infrastructure and services, including education and health. Although this proposal is small in scale it will contribute to generating employment opportunities and is therefore considered consistent with this aim.

The Planning Proposal is consistent with the LHRS, particularly the requirement for quality and equity in health services. The LHRS recognises that the Lower Hunter area is characterised by a population which is older than and continuing to age at a rate faster than the NSW average. Despite strong population growth, a high level of out-migration by young people continues, projections suggest that a much greater proportion of the population will be aged 65 and over in the future. This has implications for social diversity and future infrastructure and servicing needs in the region, including health.

Part of the criteria for determining sustainability is whether adequate services exist and if there is any capacity available. Newcastle Eye Hospital has reached capacity at their existing health services facility and is seeking to expand due to the demand for additional health services. The proposal will provide for improved access to health, community and personal services to support the ageing population of Newcastle and the Lower Hunter.

4. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Newcastle 2030 Community Strategic Plan

Council adopted the Newcastle 2030 Community Strategic Plan in February 2011 and it was revised in 2013. Newcastle 2030 is a shared community vision developed as a guide to inform policies and actions throughout the city for the next twenty years. This vision sets the direction for the growth of the city. The Planning Proposal is consistent with the objectives, vision and strategic directions of the Plan as the aim of the Planning Proposal is to facilitate the provision of increased health services to the community where the growing demand for such services is generated by the growing and ageing population.

The Newcastle 2030 Community Strategic Plan also highlights the growing and ageing population within Newcastle. One of the key objectives of the Plan is active, healthy communities with physical, mental and spiritual health and well-being. The strategy identified by the Plan to achieve this objective is to ensure the community has access to needed services and facilities. The vision of the Plan is for Newcastle to be a Smart, Liveable and Sustainable City in 2030.

The planning proposal primarily aligns to the strategic direction 'Open and Collaborative Leadership' identified within the Newcastle 2030 Community Strategic Plan. Compliance with the LEP amendment process, in particular section 57 – community consultation of the *Environmental Planning and Assessment (EP&A) Act 1979*, will assist in achieving the strategic objective; "Consider decision-making based on collaborative, transparent and accountable leadership" and the identified strategy 7.2b, which states: "Provide opportunities for genuine and representative community engagement in local decision making".

The seven strategic directions identified by the Plan to guide Newcastle towards this vision are outlined and addressed below.

A Connected City

Transport networks and services will be well connected and convenient. Walking, cycling, and public transport will be viable options for the majority of our trips. The proposal will not hinder the desired connectedness and convenience of transport networks and services within Newcastle, nor the desired viability of public transport options. The subject site is located on two main roads and a local connector road, with existing bus stops being available directly in front of the site. The site is also easily accessed via pedestrian footpaths.

A Protected and Enhanced Environment

Our unique environment will be understood, maintained and protected. The proposal, which will facilitate a re-development of an existing site, will not result in adverse impacts on the natural, social, cultural and built environment. The redevelopment of the site is an efficient utilisation of an existing land resource. Furthermore, the proposal will contribute to an improvement in the social environment through the provision of much-needed health services.

Vibrant and Activated Public Places

A city of great public places and neighbourhoods promoting people's health, happiness and wellbeing. The proposal will not hinder the aim to create safe and activated public places used by people during the day and night, providing for diverse activity and strengthened social connections and placing value on culture, heritage and place.

A Caring and Inclusive Community

A thriving community where diversity is embraced, everyone is valued and has the opportunity to contribute and belong. The proposal will allow for all members of the community to access and utilise a much-needed health care service, contributing to the overall health and wellbeing of the community.

A Liveable and Distinctive Built Environment

An attractive city that is built around people and reflects our sense of identity. The health services facility proposed is a direct result of the needs of the people within the community. The proposal will incorporate best practice energy and water efficient buildings and infrastructure.

A Smart and Innovative City

The proposed health services facility will contribute to Newcastle continuing to be a thriving city, attracting people to live, work, invest and visit.

Open and Collaborative Leadership

The proposal does not hinder local democracy, active engagement of the community or effective partnerships. The Newcastle 2030 Community Strategic Plan recognises that there is a growing and ageing population within Newcastle and as identified above, one of the key objectives of the Plan is active, healthy communities with physical, mental and spiritual health and wellbeing. The strategy identified by the Plan to achieve this objective is to ensure the community has access to needed services and facilities. The aim of the Planning Proposal is to enable the provision of increased health services to the community in an effort to help meet the growing demand for such services generated by the growing and ageing population.

Newcastle Urban Strategy (NUS)

The Newcastle Urban Strategy recognises the value of enhancing the quality of life for all citizens and identifies the importance of accessible and appropriate services and infrastructure in achieving this. The Strategy also identifies commercial viability and marketing as one of the key city-wide strategies, and seeks the inclusion of health care facilities within urban centres as a highly desirable element.

The proposal is consistent with these elements of the Newcastle Urban Strategy. The proposal will provide an accessible and appropriate health service facility to contribute to the enhancement of the quality of life for all citizens of Newcastle, and will contribute to the commercial viability of Newcastle with the expansion of the Newcastle Eye Hospital.

The Newcastle Urban Strategy has been adopted by Newcastle City Council as a means of providing direction to future development patterns throughout the City of Newcastle. The Strategy is designed to analyse, influence and determine:

- land use, transport and development practices
- corresponding social, economic and ecological impacts
- social and economic trends and their implications for city growth
- the role each neighbourhood and district plays, eg. residential, industrial or commercial area
- the roles Newcastle plays locally, regionally and globally.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Consistency (of the planning proposal) with State Environmental Planning Policies is outlined in the table below.

Table 1 - Consideration of State Environmental Planning Policies

Name of SEPP	Applicable	Consistency
State Environmental Planning Policy No 1 (Development Standards)	No	
State Environmental Planning Policy No 14 (Coastal Wetlands)	No	
State Environmental Planning Policy No 15 (Rural Landsharing Communities)	No	
State Environmental Planning Policy No 19 (Bushland in Urban Areas)	No	
State Environmental Planning Policy No 21 (Caravan Parks)	No	
State Environmental Planning Policy No 26 (Littoral Rainforests)	No	
State Environmental Planning Policy No 29 (Western Sydney Recreation Area)	No	
State Environmental Planning Policy No 30 (Intensive Agriculture)	No	
State Environmental Planning Policy No 32 (Urban Consolidation)	No	
State Environmental Planning Policy No 33 (Hazardous and Offensive Development)	No	
State Environmental Planning Policy No 36 (Manufactured Home Estates)	No	
State Environmental Planning Policy No 39 (Spit Island Bird Habitat)	No	
State Environmental Planning Policy No 44 (Koala Habitat Protection)	Yes	Yes, there are no known records of koalas on site.
State Environmental Planning Policy No 47 (Moore Park Showground)	No	
State Environmental Planning Policy No 50 (Canal Estate Development)	No	
State Environmental Planning Policy No 52 (Farm Dams and Other Works in Land and Water Management Plan Areas)	No	
State Environmental Planning Policy No 55 (Remediation of Land)	No	
State Environmental Planning Policy No 59 (Central Western Sydney Economic and Employment Area)	No	
State Environmental Planning Policy No 62 (Sustainable Aquaculture)	No	
State Environmental Planning Policy No 64 (Advertising and Signage)	Yes	Yes, future signage on the site will be compatible with the desired amenity and visual character of the local area.
State Environmental Planning Policy No 65 (Design Quality of Residential Flat Development)	No	
State Environmental Planning Policy No 70 (Affordable Housing (Revised Schemes))	No	
State Environmental Planning Policy No 71 (Coastal Protection)	No	
State Environmental Planning Policy (Affordable Rental Housing) 2009	No	

Name of SEPP	Applicable	Consistency
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	No	
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	No	
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	No	
State Environmental Planning Policy (Infrastructure) 2007	No	
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	No	
State Environmental Planning Policy (Major Development) 2005	No	
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	No	
State Environmental Planning Policy (Rural Lands) 2008	No	
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	No	
State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007	No	
State Environmental Planning Policy (Western Sydney Parklands) 2009	No	
SEPP (State and Regional Development) 2011	No	
SEPP (Infrastructure) 2007	Yes	Clause 101 refers to development with frontage to a classified road. The subject site has frontages to Griffiths Road and Lambton Road which are both identified as classified roads. This clause will be addressed as part of any future development application.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Consistency (of the planning proposal) with State Environmental Planning Policies is outlined in the table below.

Table 2 - Consideration of Section 117 Directions

S117 Direction	Applicable	Consistent
1. Employment and Resources		
1.1 Business and Industrial Zones	No	
1.2 Rural Zones	No	
1.3 Mining, Petroleum Production and Extractive Industries	No	
1.4 Oyster Aquaculture	No	
1.5 Rural Lands	No	

S117 Direction	Applicable	Consistent
2. Environment and Heritage		
2.1 Environment Protection Zones	Yes	Consistent: The proposed rezoning does not impact on environmentally sensitive land.
2.2 Coastal Protection	No	
2.3 Heritage Conservation	Yes	Consistent: The proposed LEP amendment is consistent with this principle. The subject site is not located within a heritage conservation area nor does it contain any items of European or natural heritage significance. The subject site is not known to contain any items of Aboriginal archaeological significance.
2.4 Recreation Vehicle Areas	Yes	Consistent: The draft LEP does not propose a recreation vehicle area, and is consistent with this direction.
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Yes	Consistent: The proposed LEP amendment will not alter the choice of housing provided for within the existing LEP.
3.2 Caravan Parks and Manufactured Home Estates	Yes	Consistent: The draft LEP will not affect provisions relating to this direction, and will retain the provisions of the principal LEP in this regard.
3.3 Home Occupations	Yes	Consistent: The amendment will not affect provisions relating to this, and will retain the provisions of the principal LEP in this regard.
3.4 Integrating Land Use and Transport	Yes	Consistent: The proposed amendments will be consistent with this direction. The site is already well developed and a portion of the site contains the existing Newcastle Eye Hospital health services facility. The site is identified as being an existing urban area under the Lower Hunter Regional Strategy and is positioned within close proximity to two specialised centres. The site is located at the intersection of two main roads and a local collector road and is well serviced by the local public bus service.
3.5 Development Near Licensed Aerodromes	No	
3.6 Shooting Ranges	No	

S117 Direction	Applicable	Consistent
4. Hazard and Risk		
4.1 Acid Sulfate Soils	Yes	Consistent: The draft LEP will be consistent with this Ministerial Direction. The site is identified on Council's Acid Sulfate Soils Map as containing Class 5 Acid Sulfate Soils, however is not located within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m AHD and nor will the proposal lower the watertable. The NLEP 2012 contains an existing clause adequate to address acid sulphate soils.
4.2 Mine Subsidence and Unstable Land	No	
4.3 Flood Prone Land	No	
4.4 Planning for Bushfire Protection	No	
5. Regional Planning		
5.1 Implementation of Regional Strategies	Yes	Consistent: The draft LEP will be consistent with the strategic direction set by the Lower Hunter Regional Strategy in increasing access to quality health services.
5.2 Sydney Drinking Water Catchments	No	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	No	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	No	
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	No	
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	No	
5.8 Second Sydney Airport: Badgerys Creek	No	
6. Local Plan Making		
6.1 Approval and Referral Requirements	No	Consistent: The draft LEP will be consistent with this requirement.
6.2 Reserving Land for Public Purposes	Yes/No	Consistent: Public land will not be impacted.

S117 Direction	Applicable	Consistent
6.3 Site Specific Provisions	Yes/No	Consistent: The draft LEP will be consistent with this requirement, seeking to retain the existing zoning of the site already applying in the Newcastle LEP 2012. The proposed amendment to Schedule 1 of NLEP 2012 will allow the proposed land use without imposing any development standards or requirements in addition to those already contained in the zone.

Section C - Environmental, social, and economic impact

7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The site is currently developed for urban purposes and the planning proposal has no potential for critical habitat or threatened species, populations or ecological communities, or their habitats, to be adversely affected.

8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

No significant environmental impacts are likely.

Mine Subsidence

The site is not located within a Mine Subsidence District.

Hydrology and Water Management

The site is not located in a flood prone area.

Bushfire

According to Newcastle Bush Fire Hazard Map (2009) the land is not affected by bushfire risk or in the vicinity of such a risk.

Heritage

There are no listed items of environmental heritage on site or in the vicinity of the site.

Contamination

There is no known contamination of the land and the current and former uses of the land are unlikely to have caused risk of contamination.

Traffic Impacts and Vehicular and Pedestrian Access

The site is located at the intersections of Lambton Road and Christo, Road, Waratah and Griffiths Road, Lambton. The proposal may result in an increase in traffic generation, due to the expansion of the existing facility. However, such details will be assessed should a development proposal result from this proposal.

Traffic movements associated with the use can be accommodated within the existing road system without significant impact.

- Christo Road is considered to be a minor local collector road and its main function is to collect and convey traffic from the residential properties in Christo Road and adjoining streets to the other local collector roads such as Lambton Road and the arterial / sub-arterial road network at Griffiths Road or Turton Road further east.
- Lambton Road is a classified main road (MR188) and is considered to be a major collector road connecting inner city Newcastle to Waratah.
- Griffiths Road is a classified main road (MR82) and is considered to be a sub-arterial road, connecting the Newcastle CBD to the western parts of the city to Minmi.

The site has good access to public transport services with bus stops located directly in front of the site on Christo Road and bus stops also located on Griffiths Road within convenient walking distance to the site. Bus services are regular and provide access to inner city Newcastle and the western suburbs. Increased car parking will be required and will be addressed by Councils Development Control Plan.

9. *Has the planning proposal adequately addressed any social and economic effects?*

The site does not contain any items of European or Aboriginal cultural heritage. The proposal is expected to deliver significant net social and economic benefits. The proposal will contribute to an increase in health care services for the community, an increase in generation of employment resulting from the expansion of the facility. The existing and proposed health services facility is not a noise generating use, and as such, there will be no adverse acoustic impacts on neighbouring premises.

The amendment to the height of building map is justified for the following reasons:

- The increase in height is required to support the necessary floor to ceiling heights for a health services facility and to ensure consistency of floor levels with the existing building.
- The requested height increase has been kept to a minimum required and is only 1.5m greater than the current permitted height of 8.5m.
- The requested height can be contained to the Griffiths Road frontage of the site, generally away from the adjoining residential area behind.
- Where the site adjoins the neighbouring residential property it is proposed to adopt an appropriate setback consistent with typical residential building height envelopes.

Section D - State and Commonwealth interests

10. *Is there adequate public infrastructure for the planning proposal?*

The site is already serviced by all essential infrastructure including electricity, water and sewer. The anticipated development of the site is not expected to require any significant upgrade to existing public infrastructure.

11. *What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?*

The proposed agency consultation will be confirmed with the Gateway determination issued by the Department of Planning and Environment under s56(2)(d) of the *Environmental Planning and Assessment Act 1979*.

Part 4 – Mapping

The planning proposal seeks to amend Height of Buildings Map (004B) within Newcastle LEP 2012 as follows:

Figure 1: Existing Height of Buildings Map

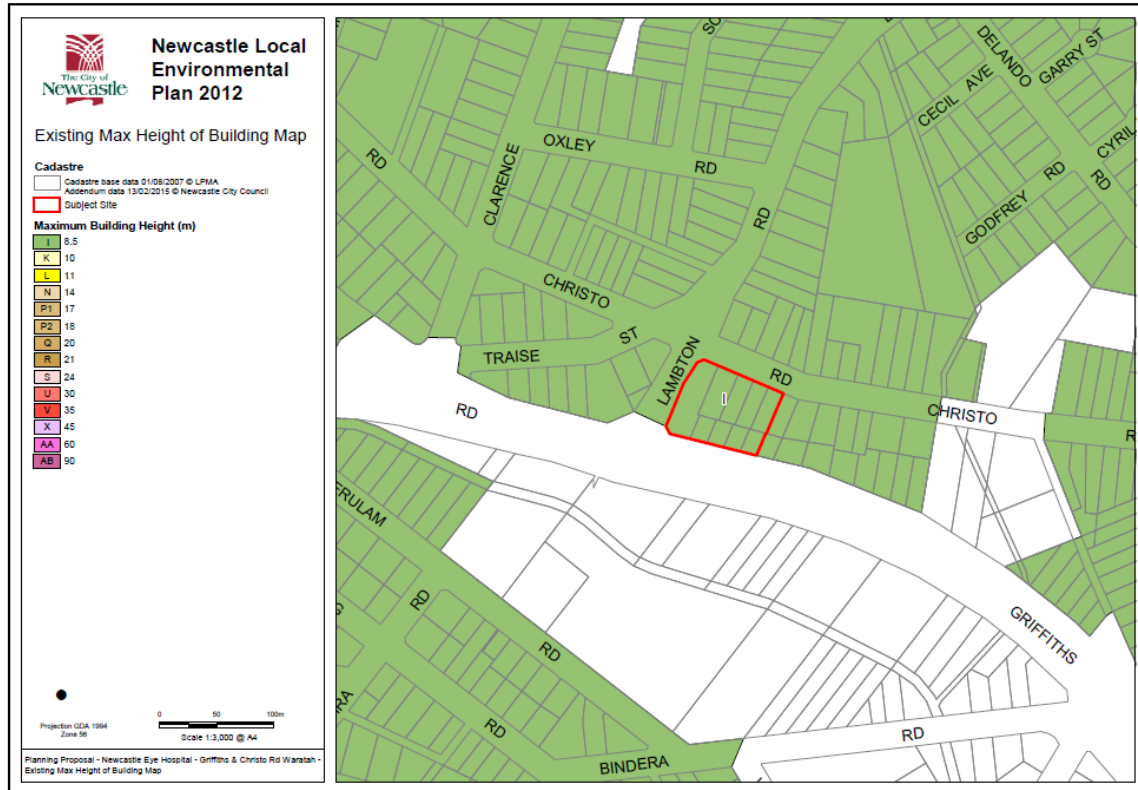
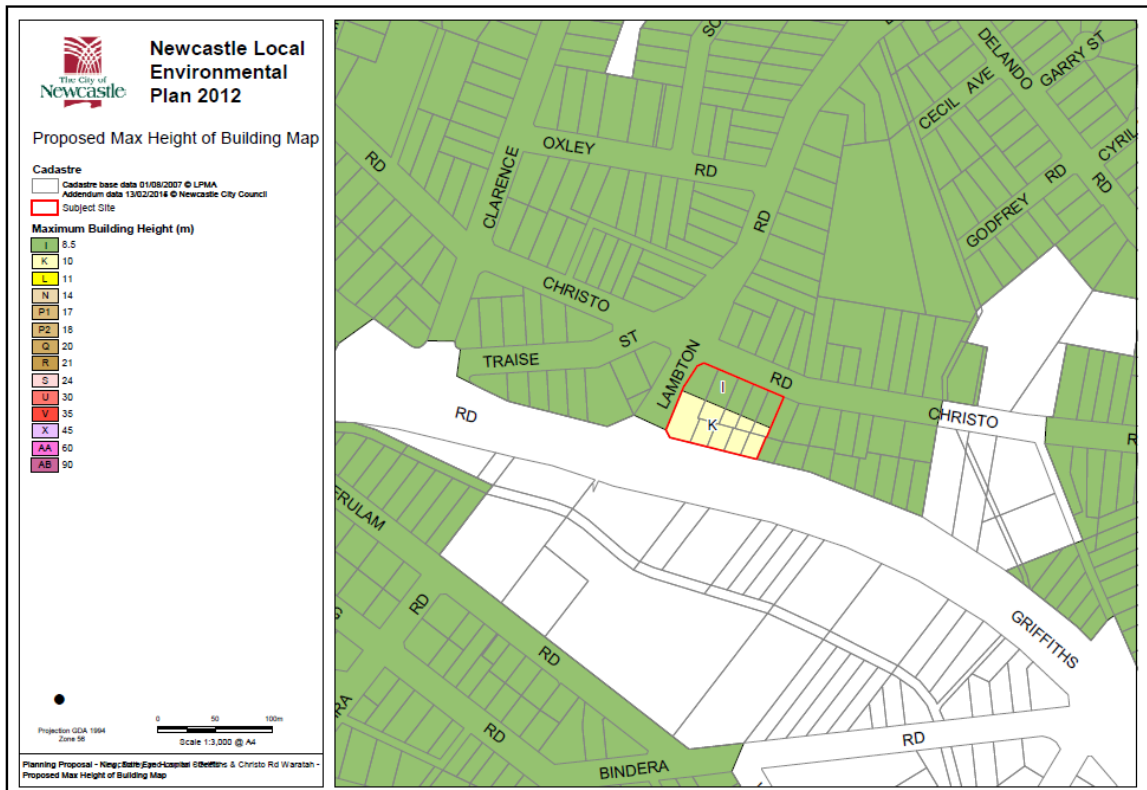


Figure 2: Proposed Height of Buildings Map



Part 5 – Community Consultation

The planning proposal is considered as low impact in accordance with the Department of Planning and Environment's guidelines, 'A guide to preparing local environmental plans'. Hence it is proposed that the planning proposal will be publicly exhibited for a minimum 14 days.

Part 6 – Project Timeline

The project is expected to be completed within seven (7) months of Gateway Determination. The following timetable is proposed:

Task	Planning Proposal Timeline											
	Jan 14	Feb 14	Mar 14	Apr 14	May 14	Jun 14	Jul 14	Aug 14	Sep 14	Oct 14	Nov 14	Dec 14
Issue of Gateway Determination												
Prepare any outstanding studies												
Consult with required State Agencies												
Exhibition of planning proposal and technical studies												
Review of submissions and preparation of report to Council												
Report to Council following exhibition												
Planning Proposal sent back to Department requesting that the draft LEP be prepared												