

ALLEN JACK+COTTIER



Environmental Assessment Report

Volume 1 Concept Plan

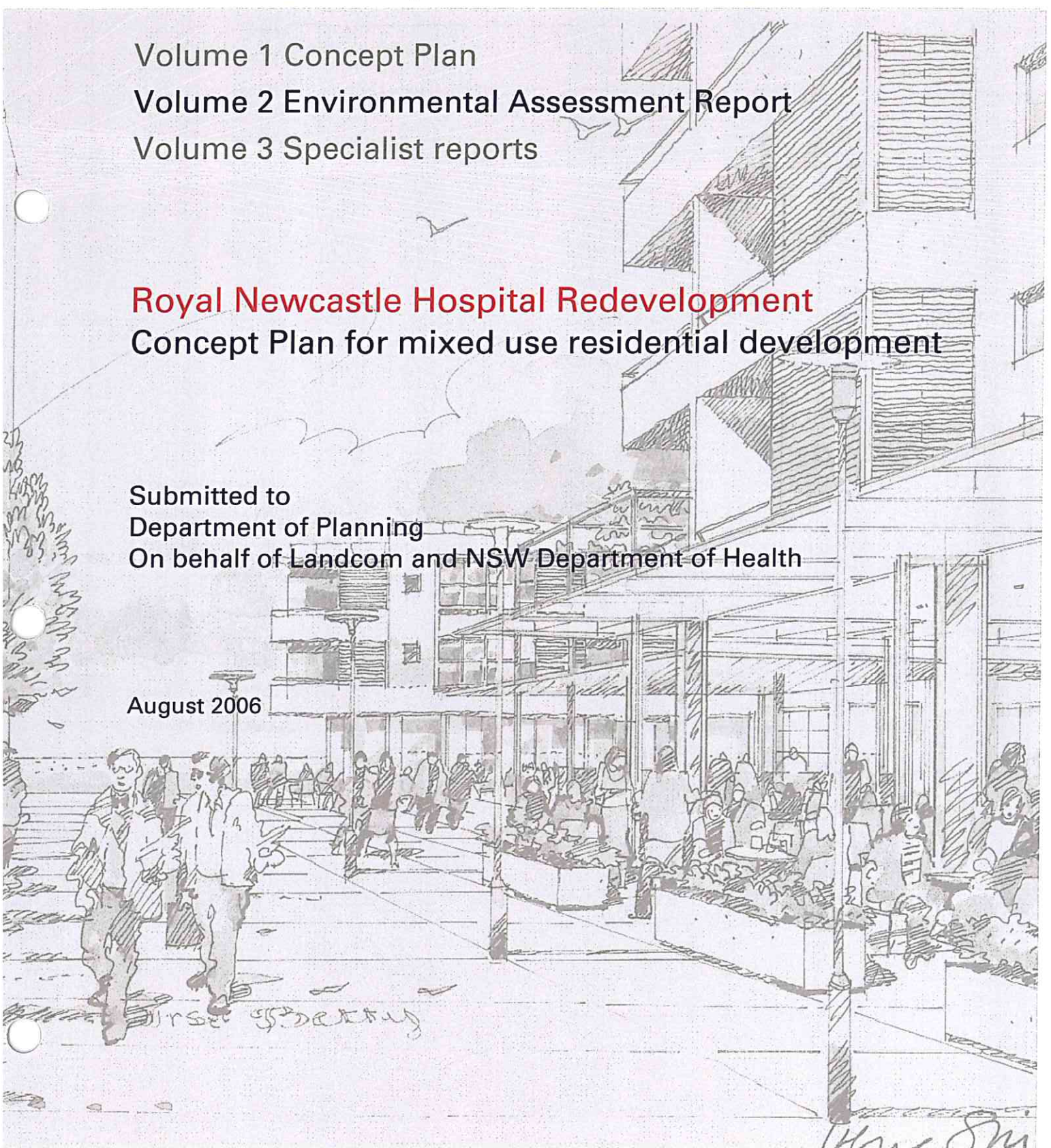
Volume 2 Environmental Assessment Report

Volume 3 Specialist reports

Royal Newcastle Hospital Redevelopment Concept Plan for mixed use residential development

Submitted to
Department of Planning
On behalf of Landcom and NSW Department of Health

August 2006



Statement of Validity

Environmental Assessment prepared by

Name	Bernard Gallagher Associate
Qualifications	BPlan (Hons) MUrbDes (Syd) MPIA
Address	JBA Urban Planning Consultants Level 2, 97 Pacific Highway NORTH SYDNEY NSW 2060
In respect of	The Royal Newcastle Hospital Redevelopment
Concept Plan application	
Applicant name	Landcom, on behalf of the NSW Department of Health (Health Administration Corporation as landowning entity)
Applicant address	PO Box 33, Newcastle, NSW 2300
Land to be developed	Lot 1 & 4 DP 1029006, Lot 11 DP 635003 and Lot 12 DP 635003
Project summary	A mixed use residential development with ancillary retail and commercial uses with a base FSR of 2.8:1 with up to 3.1:1 with bonuses and building heights ranging 3 – 16 storeys with up to 20 storeys with bonuses.
Environmental Assessment	
Certificate	An Environmental Assessment (EA) is attached I certify that I have prepared the content of this Environmental Assessment and to the best of my knowledge: ▪ It is in accordance with the Environmental Planning and Assessment Act and Regulation ▪ It is true in all material particulars and does not, by its presentation or omission of information, materially mislead.
Signature	
Name	Bernard Gallagher
Date	14 August 2006

Contents

Executive Summary	V	5.0 Statutory Planning Context	13
1.0 Introduction	1	5.1 Compliance with planning instruments and controls	16
1.1 Statutory context	1	6.0 Assessment of Environmental Impacts	21
1.2 Project Background	1	6.1 Built environment	21
1.3 Project team	3	6.2 Access, traffic and parking impacts	22
2.0 Site Analysis	4	6.3 Public domain	22
2.1 Landownership and legal description	4	6.4 Visual impact	23
2.2 Location and context	4	6.5 Solar analysis and overshadowing	23
2.3 Existing development	5	6.6 Heritage impacts	24
2.4 Adjacent development	7	6.7 Impacts on adjoining sites	25
3.0 The Concept Plan	8	6.8 Ecologically sustainable design and water management	25
3.1 Land uses	8	6.9 Wind impacts	26
3.2 Floor space ratio	8	6.10 Social impacts	26
3.3 Building envelopes	8	6.11 Economic impacts	27
3.4 Bonus floor space and height	8	6.12 Site contamination and remediation	27
3.5 Building setbacks	9	6.13 Geotechnical conditions	28
3.6 Vehicle access and basement car parking	9	6.14 Site infrastructure and services	28
3.7 Site Design Principles	10	6.15 Site suitability and the public interest	29
3.8 Subsequent approval regime	10		
3.9 Section 94 Contributions	10		
3.10 Demolition and land subdivision	10		
4.0 Consultation and Independent Peer Review	11		
4.1 Community consultation	11		
4.2 Consultation with relevant authorities	11		
4.3 Independent peer review	12		

Contents

7.0 Draft Statement of Commitments	30
7.1 Compliance with applicable planning requirements	30
7.2 Built form and urban design	30
7.3 Bonus building height and floor space	30
7.4 Access, traffic and parking	30
7.5 Public domain	30
7.6 Visual impact	30
7.7 Solar analysis and overshadowing	30
7.8 Heritage matters	30
7.9 Ecologically sustainable design and water management	31
7.10 Wind conditions	31
7.11 Social Plan	31
7.12 Site contamination and remediation	31
7.13 Geotechnical conditions	31
7.14 Site infrastructure and services	31
7.15 Section 94 Contributions	31
8.0 Conclusion	32

Contents

Figures

1	Concept Plan boundary	1
2	Land ownership	4
3	Local context	5
4	The Nickson Wing viewed from the Newcastle Beach	6
5	The McCaffrey Wing	6
6	The David Maddison Building	6
7	The United Services Club	7
8	The existing Wirraway Flats	7
9	Current zoning of site under NLEP 2003	16

Tables

1	Land ownership	4
2	Key planning instruments and development controls	14
3	Areas of departure of Concept Plan from DCP 62	17

Appendices

Volume 1 Concept Plan

1 A	Site Design Principles <i>Allen Jack + Cottier and JBA Urban Planning Consultants</i>
-----	--

Volume 2 Environmental Assessment Report

2 A	Correspondence from NSW Department of Planning relating to Part 3A Major Projects Declaration
2 B	Director-General's Environmental Assessment Requirements
2 C	Table of Compliance for Director General's Environmental Assessment Requirements <i>JBA Urban Planning Consultants</i>
2 D	Table of Compliance for key Environmental Planning Instruments <i>JBA Urban Planning Consultants</i>
2 E	Visual impact analysis <i>Allen Jack + Cottier</i>
2 F	Shadowing analysis <i>Allen Jack + Cottier</i>
2 G	Letter of agreement between Landcom and Wirraway Flats representatives (including drawings illustrating agreed setbacks)
2 H	Locality Plan, Site Survey Plan and Virtual Model (scale 1:500) <i>Allen Jack + Cottier</i>

Contents

Volume 3 Specialist Reports

- 3 A Stakeholder Communication & Consultation Report**
Neatcorp
- 3 B Records of consultation with stakeholders**
- 3 C Information on Landcom's Project Review Panel**
- 3 D Phase 2 Environmental Site Assessment**
HLA Envirosciences (including cover letter)
- 3 E Transport Impact Assessment**
Mark Waugh Transport (including project memo on consultation)
- 3 F Review of Heritage Issues**
Tanner Architects
- 3 G Aboriginal Heritage Issues and Management**
Umwelt (Australia)
- 3 H Background Historical Archaeological Assessment**
ERM Australia
- 3 I United Services Club Heritage Assessment**
Suters Architects
- 3 J Wind Assessment**
University of Sydney
- 3 K Social Plan**
Heather Nesbitt Planning
- 3 L Economic and Employment Impact Report**
University of Newcastle Research Associates
- 3 M Geotechnical Investigation**
Coffey Geosciences (including cover letter)
- 3 N Infrastructure Services Report (Authority Requirements)**
Acentauri

Executive Summary

This Environmental Assessment Report (EAR) is submitted to the Minister for Planning pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to fulfil the Environmental Assessment requirements issued by the Director-General for a mixed use residential development on the Royal Newcastle Hospital (RNH) site, Newcastle.

The RNH site was identified by NSW Health (Health Administration Corporation being the landowning entity) as surplus to needs in 1999. A strategy has been developed by NSW Health to deliver broader and better located health services to the community. Proceeds from the disposal of the RNH site will be reinvested in the community health program for the lower Hunter communities.

The Concept Plan seeks approval for redevelopment of the site based on the 2004 Landcom Masterplan which was submitted to Newcastle City Council and publicly exhibited, but was never formally approved. A site specific DCP was subsequently prepared and adopted by Council in November 2005.

The Concept Plan, for which approval is sought, comprises the following:

- Land uses being predominantly residential with ancillary non-residential uses such as retail and commercial uses.
- A base Floor space Ratio (FSR) of 2.8:1 (48,748m² of gross floor area) with up to 3.1:1 FSR (53,971m² GFA) with bonus Gross Floor Area (GFA);
- Building envelopes (footprints and heights) generally between 3-9 storeys with taller buildings on the western portion of the site with a base height of 16 storeys with up to 20 storeys with bonus height;
- A package of public domain improvement works to be provided to achieve the bonus floor space and height;

- Vehicle access points and basement car parking;
- Site Design Principles that have informed the preparation of the Concept Plan and which can be used in the assessment of future Project Applications on the site; and
- A subsequent approval regime whereby the Minister for Planning is the approval authority for appropriate Project Application(s) under Part 3A of the EP&A Act.
- Section 94 Contributions to be payable by project proponents at the Project Application stage in accordance with applicable Newcastle City Council Section 94 Contribution Plan in addition to any public domain works provided within the site.

In accordance with the Environmental Assessment Requirements issued by the Director-General of Planning (DGs-EAR) for the Concept Plan application, the Environmental Assessment Report provides a detailed assessment of following matters:

- compliance with relevant environmental planning instruments;
- consultation with the community and relevant government authorities;
- the suitability of the site and whether the public interest would be served by the proposal; and
- the potential social, environmental and economic impacts of the proposed development including heritage, urban design and built form, traffic, overshadowing, visual impact, site contamination, etc.

The assessment of the proposal has demonstrated that the development will result in positive social, environmental and economic benefits. The proposal is consistent with relevant planning objectives applying to the site.

Executive Summary

Based on the analysis contained in this report, it is recommended that the Concept Plan be supported on the following basis:

- the site has been identified as surplus to NSW Health requirements since 1999;
- the Concept Plan is based on a comprehensive masterplanning exercise in 2004 and 2005;
- extensive community consultation was undertaken for the project during the preparation of the Landcom Masterplan, and the current Concept Plan has been formulated based on this Masterplan;
- the Concept Plan will provide a development outcome that is sound and well balanced in terms of its social, economic and environmental effects; and
- investigations demonstrate that the Concept Plan will not result in unacceptable or unresolvable adverse environmental impacts.

Consultation

In accordance with the DGs-EAR, consultation has been undertaken with the following public authorities during the preparation of the Concept Plan:

- NSW Department of Environment and Conservation (DEC);
- Roads and Traffic Authority (RTA);
- Mine Subsidence Board;
- Newcastle Urban Design Consultative Group; and
- Newcastle City Council.

Further, Landcom has undertaken extensive community and stakeholder consultation (including community heritage groups, local precincts and community action groups) during the preparation of the Landcom Masterplan. The proposed Concept Plan has been developed incorporating feedback from the community consultation process undertaken for the Masterplan. As such, the consultation process remains relevant to the proposed Concept Plan.

Economic benefits of the project

An economic analysis prepared for the project indicated the following economic benefits impacts to the Newcastle City area:

- it would lift the inner city resident population by between 17% - 21% from the 2001 Census base which would have a local household expenditure effect of \$8 million per annum; multiplied economic impact of between \$10 million to \$20 million per annum;
- the retail/non-commercial component of the development would create 125 full time direct jobs, with a flow-on local household expenditure effect of \$2.9 million per annum; and
- the construction phase will result in a significant injection of employment and funds into the local community. The estimates available indicate that construction on the site will support 817 full-time equivalent jobs (a significant number will be local). The multiplied economic impact of the construction expenditure is \$279 million (\$84 million to \$140 million represents local expenditure).

Executive Summary

Draft Statement of Commitments

A Draft Statement of Commitments sets out the commitments made by Landcom and NSW Heath to deliver the project outcomes, as well as to manage and minimise potential impacts arising from the project. These cover:

- Compliance with applicable planning requirements
- Built form and urban design
- Bonus building height and floor space
- Access, traffic and parking
- Public domain works
- Visual impact
- Solar analysis and overshadowing
- Heritage matters
- Ecologically sustainable design and water management
- Wind conditions
- Social Plan
- Site contamination and remediation
- Geotechnical conditions
- Site infrastructure and services
- Section 94 Contributions

1.0 Introduction

This Environmental Assessment Report (EAR) is submitted to the Minister for Planning pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to fulfil the Environmental Assessment Requirements issued by the Director-General (DGs-EAR) for a mixed use residential development on the Royal Newcastle Hospital (RNH) site, Newcastle. The site boundary of this Concept Plan is illustrated in Figure 1.

It has been prepared by JBA Urban Planning Consultants Pty Ltd for the applicant and proponent, Landcom, on behalf of the NSW Department of Health (Health Administration Corporation being the landowning entity) and is based on the Concept Plan prepared by Allen Jack + Cottier (AJC).

This EAR describes the site, its environs and the proposed development, and includes an assessment of the proposal in accordance with the Director-General's Environmental Assessment Requirements under Part 3A of the EP&A Act. It should be read in conjunction with the supporting information appended to this report (refer to Table of Contents).

1.1 Statutory context

State Environmental Planning Policy (Major Projects) 2005 identifies development to which Part 3A of the EP&A Act applies and which therefore requires approval from the Minister for Planning. Clause 6 of the SEPP states that development, which in the opinion of the Minister is development of a kind referred to in Schedule 1 of the SEPP, is declared to be a project to which Part 3A of the Act applies.

In accordance with Section 75B of the EP&A Act and Clause 6 of the SEPP, Landcom sought confirmation of the Minister as to whether the project is of the kind to which Part 3A of the Act applies by way of an Outline and Preliminary Assessment, submitted to the Department of Planning (DOP) on the 22 December 2005.

This was in response to the Minister for Planning letter of the 21 November which stated that the proposed development is a Major Project under Part 3A of the EP&A Act (refer to **Appendix 2-A**).

DOP also confirmed that the project falls into Schedule 1: Group 5 (Construction Projects).

Subsequently, the Minister authorised, in writing on 25 May 2006, the submission of this Concept Plan application (see **Appendix 2-A**). On 26 May 2006, the Director-General issued the Environmental Assessment Requirements (DGs-EAR) for the project under Part 3A of the Act. A copy of these requirements is included in **Appendix 2-B**.

This EAR addresses the requirements of the Director-General. A Table of Compliance included in **Appendix 2-C** addresses how the Director General's requirements have been addressed.



Figure 1 – Concept Plan boundary

1.2 Project Background

In 1999, the NSW Department of Health (NSW Health) announced the closure of the Royal Newcastle Hospital (RNH) by the end of 2006. Existing health services provided on the site have largely been transferred to new facilities at John Hunter Hospital and Belmont Hospital as part of an expansion of health services in the Hunter Region.

Whilst the closure of the RNH represents the end of an important chapter in the history of Newcastle and the Hunter Region, the value created as a result of the redevelopment will be reinvested to the benefit of health service delivery in the Hunter region.

NSW Heath has formed a strategic alliance with Landcom to oversee the redevelopment of the site. Landcom is a State owned land development corporation. It is one of the largest quality developers of residential land in Australia and is recognised as a leader in urban renewal.

The 2004 Landcom Masterplan

At the beginning of 2004, Landcom initiated a master planning exercise for the site lead by AJC. The exercise included the undertaking of detailed site studies and the evaluation of numerous redevelopment scenarios. The process also included extensive community and stakeholder consultation (see to Section 4.0 for further details).

The Royal Newcastle Hospital Masterplan and supporting documents were formally submitted to Newcastle City Council on 22 December 2004.

The Masterplan presented the vision for the site and included a compendium of the research undertaken with respect to site issues and the environmental, social and economic impacts associated with redevelopment of the site. As the Masterplan had no formal statutory weight, the submission formed the basis of a site-specific draft Development Control Plan (DCP) prepared by the applicant. The purpose of the DCP was to provide a set of controls that would facilitate the design vision for the site, illustrated in the Masterplan, into a statutory document, consistent at the time with Council's existing DCPs.

This Concept Plan is generally consistent with the development proposal envisaged within the 2004 Landcom Masterplan. The extensive community consultation and stakeholder engagement undertaken during the preparation of the Landcom Masterplan remain relevant to this Concept Plan.

Where required, specialist studies undertaken as part of the Masterplan have been revised and updated to address the DGs-EAR.

Newcastle Development Control Plan No. 62 – Royal Newcastle Hospital

During the second half of 2005, Newcastle Council prepared its own Draft DCP for the site (revised draft of the DCP prepared by Landcom). This draft DCP together with the Landcom Masterplan was publicly exhibited in September/October 2005.

Landcom submitted a comprehensive submission on the draft DCP proposing amendments to support the Masterplan and to achieve a more coherent and viable planning instrument for the site. The Masterplan principles were not fully reflected in the draft DCP prepared by Council.

On 29 November 2005, the Council resolved to adopt the draft DCP. The DCP came into force on 19 December 2005. The DCP was adopted by Council after the Minister announced on 21 November 2005 that the proposal was a "major project" under Part 3A of the EP&A Act.

This Concept Plan is generally consistent with the Development Control Plan No. 62 – Royal Newcastle Hospital. Variations between this Concept Plan and the DCP are addressed at Section 5.1 of this report.

1.3 Project team

The project team includes:

Landowner	Health Administration Corporation
Proponent	Landcom
Project management	National Project Consultants
Urban design Architecture	Allen Jack and Cottier Architects
Urban Planning	JBA Urban Planning Consultants
Landscape	Oculus Landscape Architects
Environmental sustainable design	Cundall Johnston & Partners
Water sensitive urban design	Ecological Engineering
Traffic and transport	Mark Waugh Transport
European Heritage	Tanner Architects
Indigenous heritage	Umwelt Australia
Contamination and geotechnical	HLA Envirosciences in association with Coffey Geosciences
Infrastructure	Acentauri
Wind	University of Sydney
Social planning	Heather Nesbitt Planning
Community consultation	Neatcorp and Landcom
Economic assessment	TUNRA

2.0 Site Analysis

The Concept Plan (Volume 1) contains a detailed site and context analysis. The analysis includes:

- Location and context;
- Street pattern and circulation;
- Built environment;
- Landform;
- Open space network;
- Visual analysis;
- Site history and heritage;
- Microclimate; and
- Statutory planning context.

The following is an overview of that analysis.

2.1 Landownership and legal description

Table 1 summarises the ownership and legal description of the land to which this Concept Plan applies (see Figure 2). The site has a total area of 17,245m². It is noted that the Wirraway Flats site and the United Services Club do not form part of the Concept Plan site. A Site Survey Plan is included at Appendix 2-H.

Table 1 – Land ownership

Legal description	Ownership	Existing use
Lot 1 & 4 DP 1029006	Health Administration Corporation	Royal Newcastle Hospital and David Maddison Building
Lot 11 DP 635003	United Services Club	United Services Club car park
Lot 12 DP 635003	Health Administration Corporation	United Services Club car park



Figure 2 – Land ownership

2.2 Location and context

The Royal Newcastle Hospital is located in the inner city suburb of Newcastle East on the eastern edge of the Newcastle CBD, overlooking Newcastle Beach (refer to Figure 3 and Locality Plan at Appendix 2-H).

The site is located within the street block bounded by Shortland Esplanade to the east and south, Watt Street to the west and King Street to the north. It includes the existing Royal Newcastle Hospital buildings, the adjoining David Maddison Building and the adjoining United Services Club car park.

The site provides an interface between Newcastle Beach and the Newcastle CBD. However, there is currently a lack of connection between the CBD and the beach, particularly due to the existing street pattern, land ownership and built form. The site is also an important transitional link between Fletcher Park in the south and Pacific Park in the north.

The site is extremely well located in terms of a broad range of retail, recreational, commercial, community, educational services and facilities. It is within 400 metres (or a 5 minute walk) of the Newcastle Railway Station and is a 10 minute walk to Newcastle's Civic and Cultural precinct. Newcastle CBD provides a wide range of shopping facilities servicing the needs of the

regional population. Together with its specialty stores, business services, personal services and entertainment/tourism venues, the CBD also houses major retail chains. One of the main opportunities for the site is its close proximity to:

- the central commercial and business precinct of Newcastle;
- recreational areas such as the beaches, swimming pools, walking tracks, and parkland;
- educational establishments including schools and universities;
- tourism facilities such as hotels and youth hostels; and
- the established residential areas of The Hill, Cooks Hill and Bar Beach.

The 'gateway' site is well located for activation of the beachside area and the CBD after business hours.

The surrounding built environment comprises a blend of contemporary and historic architecture and ranges from small scale residential buildings, retail and commercial offices to large multi-storey hotels, residential and public buildings.

Building heights in the area immediately adjacent to the site generally range from 4-8 storeys, with building heights of 8 to 12 storeys occurring along Shortland Esplanade.

The heritage significance of the site involves the social and cultural value of the site to the local Aboriginal community and the site's emotional connection to the general community through its long association with the provision of health services. Further, the adjacent United Services Club building (55 Watt Street) is listed as a local Heritage Item under Schedule 6 of Newcastle LEP 2003.



Figure 3 – Local context

2.3 Existing development

Existing development on the site (Figures 4 to 6) comprises:

- the Royal Newcastle Hospital buildings including the Nickson Wing and the McCaffrey Wing;
- the David Maddison Building; and
- a large decked car park structure.

The Nickson Wing

The Nickson Wing, designed by Stephenson & Turner Architects, is 12 storeys in height (RL 53.12 to top of roof) and has been used as a hospital ward since its opening in 1951. The Nickson Wing dominates the beach side of the site and is one of the most recognisable images of the Royal Newcastle Hospital.



Figure 4 – The Nickson Wing viewed from the Newcastle Beach

The McCaffrey Wing

The McCaffrey Wing, designed by Leighton Irwin, is over 12 storeys in height (RL 56.25 to top of roof) and was built in 1967. The McCaffrey Wing has been predominantly used for outpatients and accident and emergency purposes. The entry is from King Street via a landscaped forecourt. The building is a face brick clad reinforced concrete framed structure, having, in its facade, pairs of painted timber double hung windows placed within undecorated masonry openings.



Figure 5 – The McCaffrey Wing

The David Maddison Building

The David Madison Building (DMB) is a large educational/medical establishment fronting Watt Street which spans the western portion of the site. This early 1980s building steps from 3 storeys along the Watt Street frontage to 6 storeys at the rear of the building to the east. The DMB was part of the main hospital between 1978 and 1980 and is currently used for educational and administrative purposes by the University of Newcastle and NSW Health.



Figure 6 – The David Maddison Building

Hospital car park

A large, decked car park is located at the southern edge of the site fronting Shortland Esplanade. The car park has car parking for approximately 100 cars and is jointly used by hospital staff and visitors.

2.4 Adjacent development

The United Services Club

The United Services Club (USC), which is listed in Newcastle LEP 2003 as an heritage item of local significance, comprises two adjoining buildings located at 55 and 57 Watt Street, Newcastle. The original building (55 Watt Street) was built as the Council Chambers for Newcastle Borough Council in 1884, and is presently used by the United Services Club. It is a 2 storey building designed in the Victorian free classical style with rendered brickwork (refer to **Figure 7**). Adjoining this building to the south (57 Watt Street) is a 2 storey brick building erected in 1922-23 to provide additional offices for Council employees.



Figure 7 – The United Services Club

The Wirraway Flats

The Wirraway Flats is located on a 760m² parcel of land on the corner of Watt Street and Shortland Esplanade (see **Figure 8**). This 1960s 7 storey residential building contains 28 units and is currently the subject of a Part 3A Project Application proposal which involves the demolition of the existing structure and erection of 58-unit residential flat building. At the time of writing, an Outline and Preliminary Environmental Assessment for the project had been submitted to the DOP for a 12-storey residential flat building.



Figure 8 – The existing Wirraway Flats

3.0 The Concept Plan

The Concept Plan and associated Site Design Principles are included in **Volume 1**. The following is a summary of the elements for which Concept Approval is sought. These parameters are based on the 2004 Landcom Masterplan. They will form the basis against which future Project Applications will be assessed.

A Virtual Model of the site is included at **Appendix 2-H**.

3.1 Land uses

Concept approval is sought for predominantly residential uses on the site. Non-residential uses (approximately 2,000m² GFA) will comprise a mix of retail, cafes restaurants and commercial office suites.

Active uses (retail shops, cafes and the like) will generally be proposed around public spaces and along King and Watt Streets to activate these spaces.

3.2 Floor space ratio

Concept approval is sought for:

- a base FSR 2.8:1 (48,748m² GFA); and
- a maximum FSR of 3.1:1 (53,971m² GFA) with the provision of public domain benefits to offset the bonus floor space.

The criteria for obtaining the bonus floor space are outlined in Section 3.4 of this report.

Concept approval is sought to demolish all buildings on the site. Separate Project Application(s) will be submitted to the DOP prior to demolition of any building (also see Section 3.10).

3.3 Building envelopes

Concept approval is sought for building envelopes (footprints and heights) of generally 3 – 9 storeys with taller buildings up to 16 storeys (20 storeys with bonuses) on the western side of the site. This is consistent with the 2004 Landcom Masterplan which envisaged additional floor space and height in the western portion of the site subject to the provision of public benefits.

The criteria for obtaining the additional building heights are outlined in Section 3.4 of this report.

3.4 Bonus floor space and height

At Project Application stage, the proponent of future developments may take advantage of the bonus floor space and height if the following criteria can be demonstrated as being achieved:

- 1) acceptable environmental impacts;
- 2) a high quality urban design outcome; and
- 3) the provision of a suitable public benefit package.

The environmental impacts associated with the additional floor space and height (i.e. visual impacts, overshadowing and traffic generation) are assessed within this report. Further detailed assessment of the environmental impacts will be required at the Project Application stage to confirm the proposals acceptability.

With respect to design quality, future developments will be subject to SEPP 65 and the Residential Design Flat Code.

The provision of public benefits in return for bonus floor space is currently part of the planning framework for Newcastle CBD.

To qualify for bonus floor space and height on the Royal Newcastle Hospital site, a public benefit package is to be provided to a value of \$350 per m² of bonus floor space. This approach is similar to that currently used by Sydney City Council in the redevelopment of the Green Square area.

Elements that may be included in a proponents public benefit package include:

- Dedication of land, valued having regard to its potential alternate uses (but recognising that the dedication does not impact upon the maximum permitted floor space for the site), the value to be determined by a Registered Valuer;
- The cost of embellishment and improvements to land dedicated, as determined by a Quantity Surveyor;
- Provision of public art work in the public domain or publicly accessible land, at a cost determined by a Quantity Surveyor;
- Private land accessible to the public such as piazzas, courtyards, through site links or the like, valued (by a Registered Valuer) at 50% of the land value plus the construction and embellishment costs over 100% of the area;
- Road and infrastructure works (other than those generated by the development), at a cost determined by a Quantity Surveyor;
- Community facilities and open space (other than that required under Council's Section 94 Contribution Plan) – monetary contribution or at a cost determined by a Quantity Surveyor;
- Public carparking on- or off-site, at a cost determined by a Quantity Surveyor;
- Affordable housing; and
- Adaptable housing.

The above is not an exhaustive list and other appropriate works or public benefits may be considered.

Newcastle Council's Section 94 Plan will continue to apply to future development and any public benefit is to be in addition to the applicable contribution.

3.5 Building setbacks

The Site Design Principles in **Volume 1** identify the required setbacks for future buildings. Generally, buildings are to align to the street edge to create a consistent and well defined urban form.

Upper level setbacks at street frontages are proposed for the majority of buildings to minimise visual impacts.

A variable setback is proposed along Shortland Esplanade to accommodate public domain treatments for improved pedestrian amenity.

3.6 Vehicle access and basement car parking

Primary vehicular access points to basement car parking are nominated in the Concept Plan. King, Watt and the extended Pacific Streets will provide the main access points to the site, avoiding vehicle access (and potential congestion) from Shortland Esplanade which has poor road alignment and sightlines.

On-site car parking for occupants and tenants will be in below ground basements. Based on the maximum site development capacity of 3.1:1, approximately 748 on-site car spaces will be required. The exact numbers of spaces will be determined in accordance with the relevant rates in Newcastle DCP 2005 at Project Application Stage, as will the location and detailed design of the basement car parks.

3.7 Site Design Principles

A set of Site Design Principles have been prepared by AJC and JBA Urban Planning and are included as part of the Concept Plan in **Volume 1**.

The Principles have informed the preparation of the final Concept Plan and they can be used in the assessment of future Project Applications on the site. The Site Design Principles include:

- Built form;
- Building density (FSR);
- Bonus FSR provisions;
- Building heights;
- Street wall heights and upper storey setbacks;
- Building setbacks;
- Building separation;
- Building character:
 - building articulation and facade treatment;
 - active frontages and pedestrian amenity;
 - vehicular access and car parking;
 - heritage and archaeology;
 - roof and skyline elements;
 - materials and colours;
- Public domain:
 - through-site links;
 - public plaza;
 - Shortland Esplanade;
 - Water Sensitive Urban Design;
 - landscape treatment; and
 - public art and site interpretation.

3.8 Subsequent approval regime

The Proponent requests that the Minister for Planning remain as the approval authority, under Part 3A Major Projects of the EP&A Act, of the following types of subsequent Project Applications:

- Applications to undertake remediation works;
- All Torrens Title subdivision applications; and

- Project Applications with a development cost over \$5 million.

The reasons for this request are:

- the history of the project as detailed in Section 1.2 of this report;
- the significance of the development in achieving the strategic planning objectives for the Newcastle CBD;
- the project involves buildings over 13m within a "sensitive coastal location" which can be identified as a Part 3A projects under Clause 6 and Schedule 2, Class 1 Coastal Areas of SEPP Major Projects; and
- the need for consistent assessment processes.

It should be noted that under HREP 1989, Division 4 Tall Buildings, Clause 58 of the Plan states that a council shall not, without the concurrence of the Director of the Department, consent to any development application for the erection of a building over 14m in height.

3.9 Section 94 Contributions

Section 94 Contributions will be payable by project proponents at the Project Application(s) stage in accordance with the applicable Newcastle City Council Section 94 Contribution Plan, which provide the funding mechanism for the following:

- Community Facilities
- Open Space & Recreation
- Foreshore Promenade
- Traffic Management
- Section 94 Management

3.10 Demolition and land subdivision

Separate Project Applications will be submitted for the demolition of all structures on the site and the subdivision of the site to facilitate its staged redevelopment.

4.0 Consultation and Independent Peer Review

In accordance with the DGs-EAR, consultation has been undertaken with the following public authorities during the preparation of the Concept Plan (refer to Section 4.2 for details):

- NSW Department of Environment and Conservation (DEC);
- Roads and Traffic Authority (RTA);
- Mine Subsidence Board;
- Newcastle Urban Design Consultative Group; and
- Newcastle City Council.

4.1 Community consultation

Landcom has undertaken extensive community and stakeholder consultation (including community heritage groups, local precincts and community action groups) during the preparation of the Landcom Masterplan. The proposed Concept Plan has incorporated feedback from the community consultation process undertaken for the Masterplan. As such, the consultation process remains relevant to the proposed Concept Plan.

The consultation process provided an opportunity for all stakeholders to participate in the master planning for the site. One-on-one meetings with key groups and individuals were undertaken between July and December 2004. These meetings were complemented by three major public briefings sessions which provided broader community participation. These sessions were held on August 16, September 13, and October 14, 2004.

Issues and principles raised during the consultation process have been reviewed and integrated into the proposed development scenarios where appropriate.

On 23 August 2005, Council resolved to place the draft DCP that it had prepared on public exhibition. The draft DCP was exhibited for 42

days from 19 September to 31 October 2005. The Landcom Masterplan was exhibited with the draft DCP. The DCP was adopted by Council on 29 November 2005 (the Minister announced that RNH redevelopment is a "major project" under Part 3A of the EP&A Act) on 21 November 2005.

Documents demonstrating the extent of the community consultation, as summarised in this section, are included in **Appendices 3-A to 3-C**.

4.2 Consultation with relevant authorities

NSW Department of Environment and Conservation (DEC)

The applicant is required to consult DEC on matters relating to Aboriginal heritage. Consultation took place between the applicant and officers at the Coffs Harbour and Newcastle offices of the DEC. The officers have confirmed that the Newcastle office sent a letter to the DOP on 17 January 2006 advising that they do not have any issues with the project and did not wish to provide further comment.

Roads and Traffic Authority (RTA)

The RTA Hunter Region office was consulted in May 2006 and indicated that input had been provided through the planning process to Council and DOP to ensure all matters requiring assessment were included in the DGs-EAR. Given that the site is remote from the State Road network, the only issue that will be considered by the RTA is the installation of traffic signals which would be supported in principle given the benefits afforded to overall traffic movement and pedestrians (refer a project memorandum prepared by Mark Waugh Transport included at **Appendix 3-E**).

Mine Subsidence Board

The applicant met with the Mine Subsidence Board (MSB) on 22 March 2006 (see Geotechnical Investigation prepared by Coffey Geosciences and included at **Appendix 3-M**). The MSB advised that the site is not located within a designated mine subsidence district, and therefore, the MSB are not a development consent authority. The MSB concurred with Coffey's recommendation that further investigation for mine subsidence risk should be undertaken once existing buildings are demolished and that the risk of mine subsidence could be reduced to acceptable levels.

Newcastle Urban Design Consultative Group (NUDCG) and Newcastle City Council (NCC)

Extensive consultation with the NUDCG and NCC was undertaken by Landcom during the preparation of the Landcom Masterplan in 2004 and 2005 (refer to Records of Consultation included in **Appendix 3-B**).

4.3 Independent peer review

The masterplanning process for the redevelopment of the RNH site incorporated a robust review process by Landcom's independent Project Review Panel. The Panel consists of a group of external experts in the fields of urban design, masterplanning, metropolitan and sustainable planning, social and community planning, and commercial development. The Panel members are Peter Dransfield (Chair), Ed Blakely, Susan Young, Richard Johnson, David Chesterman, Roderick Simpson and Joe Hruda. A detailed description of the members' qualifications and extensive experience are included in **Appendix 3-C**.

The Panel reviewed the Landcom Masterplan, (upon which the Concept Plan is based) on 9 August 2004, 18 August 2005 and 24 August 2005 (including Newcastle Council staff and Councillors).

5.0 Statutory Planning Context

The following planning instruments and codes were considered in the design of the Concept Plan:

- Statement Environmental Planning Policy (Major Projects) 2005 (SEPP Major Projects);
- State Environmental Planning Policy No. 11 – Traffic Generating development (SEPP 11);
- State Environmental Planning Policy No. 55 – Contaminated Land (SEPP 55);
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65) and associated Residential Design Flat Code;
- State Environmental Planning Policy No. 71 – Coastal Protection (SEPP 71);
- State Environmental Planning Policy – Building Sustainability Index (SEPP BASIX);
- Hunter Regional Environmental Plan 1989 (HREP 1989);
- Newcastle Local Environmental Plan 2003 (NLEP 2003);
- Newcastle Development Control Plan 2005 (NDCP 2005);
- Newcastle Development Control Plan 62 – Royal Newcastle Hospital (NDCP 62) (adopted as Element 6.7 in the consolidated NDCP 2005);
- The NSW Coastal Design Guidelines;
- Newcastle Urban Strategy;
- Newcastle Coastline Management Plan;
- Building Better Cities Housing Design Manual;
- Social Impact Assessment Policy for Development Applications;
- Draft Lower Hunter Regional Strategy; and

- Environmental Assessment Requirements for the Concept Plan issued by the Director-General.

The key planning controls relevant to the development site are set out in **Table 2**. The compliance of the Concept Plan with the relevant controls is set out in the Table of Compliance at **Appendix 2-D** and addressed at Section 5.1 of this report.

A separate Table of Compliance is included in **Appendix 2-C** to address how the DGs-EAR have been met.

Table 2 – Key planning instruments and development controls

Instrument	Key controls
SEPP Major Projects	The project can be identified as a Part 3A project under: - Schedule 1, Class 13 Residential, Commercial or Retail Projects: residential and commercial projects with a capital investment value of more than \$50 million that the Minister determines are important in achieving State or regional planning objectives. - Schedule 2, Class 1 Coastal Areas: buildings or structures that are greater 13m in height wholly or partly within a sensitive coastal location (RNH site falls within the definition of "sensitive coastal location" under the SEPP)
SEPP 11	Under Clause 7 and Schedule 1 of the policy, the current Concept Plan is required to be referred to the RTA as it involves the erection of residential flat buildings comprising 400 or more dwellings.
SEPP 55	Consideration on whether land is contaminated, and if so whether it is suitable, or can be remediated and made suitable, for the proposed land use.
SEPP 65	Design quality considerations for residential flat buildings including Residential Flat Design Code
SEPP 71	DCP requirement before DA, which can be satisfied by a Part 3A Concept Plan. Matters for consideration by a consent authority relating to development application within the coastal zone.
HREP 1989	This plan applies to land declared to be a region by the Minister under section 4(6) of the Act, including all land in the City of Newcastle. Division 4 Tall Buildings, Clause 58 states that a council shall not, without the concurrence of the Director, consent to any development application for the erection of a building over 14 metres in height.
NC LEP 2003	
Zoning	3(c) City Centre Zone (see Figure 9)
Permissible uses	This zone allows for a range of uses including residential, commercial, retail, restaurants, cafes, tourism and community uses.
NC DCP 2005 Element 6.7 (formerly DCP 62) – Royal Newcastle Hospital Site	
Key Urban Design Objectives	Key urban design objectives and detailed development provisions aim to ensure that development occurring on the site: - respects its locational and heritage context; - provides appropriate mix of services and facilities; - generates positive economic and employment impacts; and - interprets important social and cultural history.
Access corridors	- A public road from Pacific Street to Church Street - A pedestrian access from King Street to Shortland Esplanade - An access lane from Watt Street to the extension of Pacific Street is desirable
Heritage and archaeology	- Development should be compatible with the heritage character of the Newcastle City Centre Conservation Area - RNH site should be archivally recorded to a standard of local significance as set out in NSW Heritage Office guidelines
Public domain	- Creation of connections between the city centre, the site and the beach. - Maintain views to and from the site to the harbour, ocean, and Christ Church Cathedral via pedestrian spaces and streets extensions
Maximum FSR	1.5:1 in eastern precinct, 3:1 in western precinct

Instrument	Key controls
Bonus FSR	Bonus up to a maximum of 1:1; up to a rate of 0.25:1 for any or each of the items listed in DCP: - dedicated, landscaped public spaces in addition to Section 94 contributions - Public art - Affordable housing - Adaptable housing - Community facilities - On-site below ground carpark for 100 car spaces - 4+ star hotel development FSR bonus will be contained within the upper height limits Application of bonus FSR should not increase the FSR of either precinct by 1:1.
Maximum height	- Up to 6 storeys in eastern precinct - Generally up to 12 storeys in western precinct - Bonus height of additional 4 storeys at northeast corner of western precinct (for hotel) - Improve sunlight access on Newcastle Beach and foreshore areas
Building setbacks	- Build to street boundary along Watt street - Variable setbacks (minimum 3m) along King Street and Shortland Esplanade / Church Street.
Building bulk, massing and form	- Western precinct should provide a transition of building heights and contain taller building forms to minimise overshadowing on Newcastle Beach. - Eastern precinct should support a public plaza and will contain buildings of a relatively lower density and height. - The extension of King Street should provide a clear link between any public plaza, Shortland Esplanade and Newcastle Beach.
Vehicular access and parking	- Vehicular access desirably be provided from Watt Street and the extension of Pacific Street and discouraged from Church Street / Shortland Esplanade. - Access points should be minimised to limit impact on building form and pedestrian flow - Provision of on-site parking in accordance with car parking rates in Element 4.1 Carparking.
Site contamination	To incorporate any recommendations of any site specific contamination assessments conducted for the site.
Site Interpretation Strategy	Social and cultural significance of the RNH and its buildings should be further investigated through consultation with local historical groups and other relevant groups and persons as part of any Development Application with a view to preparation of a Site Interpretation Strategy.

5.1 Compliance with planning instruments and controls

The following sections assess compliance of the project with planning instruments and controls which are of specific relevance to the Concept Plan.

SEPP 11

State Environmental Planning Policy (SEPP) 11 requires that the Roads and Traffic Authority (RTA) be consulted and given the opportunity to make a representation on a development application.

Under Clause 7 and Schedule 1 of the policy, the Concept Plan is required to be referred to the RTA as it involves the following:

- the erection of residential flat buildings comprising 400 or more dwellings; and
- the provision of retail gross floor area exceeding 2,000 m².

The Concept Plan will be referred to the RTA accordingly. Further, the applicant consulted the RTA in May 2006 for the preparation of this Concept Plan. The RTA advised that the only issue that will be considered by the RTA is the installation of traffic signals which would be supported in principle given the benefits afforded to overall traffic movement and pedestrians (refer a project memorandum prepared by Mark Waugh Transport included at **Appendix 3-E**).

SEPP 55

A Phase 2 Environmental Site Assessment was prepared by HLA-Envirosciences for the Concept Plan (refer to **Appendix 3-D**). In accordance with the recommendations of the investigation a Remediation Action Plan (RAP) will be prepared as part of the subsequent Project Application.

SEPP 65

SEPP 65 aims to improve the design quality of residential flat development throughout NSW and contains 10 design principles which have been taken into consideration in the preparation of the Concept Plan. Those principles are: context;

scale; built form; density; resource, energy and water efficiency; landscape; amenity; safety and security; social dimensions; and aesthetics.

The detailed design of the development at the Project Application stage will be required to demonstrate compliance with SEPP 65.

SEPP 71

The Table of Compliance at **Appendix 2-D**, includes an assessment of the Concept Plan against the Policy, particularly the aims of the Policy (Clause 2) and matters for considerations by a consent authority when determining a development application (Clause 8). In summary, the Concept Plan is consistent with all relevant matters under SEPP 71.

Newcastle LEP 2003

The proposed mixed used development is permissible with consent on the site within the 3(c) City Centre Zone under the NCLEP 2003. As demonstrated in the Table of Compliance included in **Appendix 2-D**, the Concept Plan meets the objectives of the 3(c) zone.

An extract from NLEP 2003 illustrating the zoning of the subject site and surrounding land is provided in **Figure 9** below.

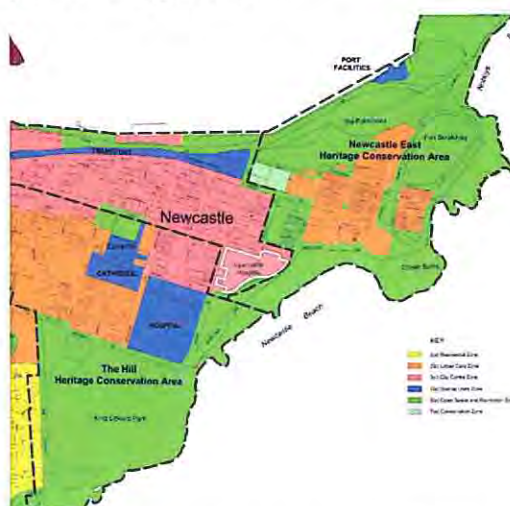


Figure 9 – Current zoning of site under NLEP 2003

Newcastle DCP No. 62 – Newcastle Hospital (Element 6.7 of the consolidated NDCP 2005)

The Concept Plan generally complies with the requirements of DCP 62, except for the non-compliances addressed in Table 3 below.

Table 3 – Areas of departure of Concept Plan from DCP 62

DCP 62 Provisions	Concept Plan approach	Reasons for departure
Floor space ratio		
Precinct specific FSR: - 1.5:1 FSR in Eastern precinct - 3:1 in western precinct (equivalent to approximately 2.5:1 excluding the USC and Wirraway Flats sites) - Up to a maximum of 1:1 of bonus FSR	- 2.8:1 FSR over the whole site, with bonus 0.3: 1	▪ The Concept Plan is based on a set of urban design principles and performance based outcomes. It allows flexibility, subject to demonstrating specific urban design and amenity outcomes, including reduction of overshadowing of the beach and residential and public domain amenity. ▪ Dividing the site into two FSR precincts results in the eastern part of the site having the least development potential, (1.5:1 FSR) but also carrying the burden of the majority of the new public domain benefits. ▪ DCP's approach to FSR results in a higher FSR than the Concept Plan. The Concept Plan seeks a bonus FSR of 0.3:1 across the site and will deliver a range of public benefits. ▪ The Concept Plan approach is a simpler approach with only one FSR across the site (with nominated height zones) that will encourage a better design outcome whilst still providing a range of public benefits and a gross floor area some what below the maximum envisaged by the DCP. ▪ Also see discussion regard building height.

DCP 62 Provisions	Concept Plan approach	Reasons for departure
Maximum building height		
12 storeys (37m) across the central portion of the western precinct;	16 storeys (49m) across the central portion of the western precinct	- Reduced building height a (as proposed in the DCP) will result in wider, squatter buildings that must come closer together and result in non-compliances with the required separation distances in the Residential Flat Design Code. - The proposed heights in the Concept Plan reduce the site coverage, freeing up the ground plane for new public open space and public domain improvements. - Building height, FSR and setbacks are interrelated, and the increase height in the Concept Plan will provide a more feasible building envelope within which the FSR is accommodated (i.e. the DCP does not provide enough height to accommodate the FSR potential provided). - The Concept Plan proposes 8/9 storeys at the Watt / King Street corner. The 8-storey limitation in the DCP appears to be arbitrary and changes the viability of these buildings. The Building Code of Australia will allow an additional storey in the form a mezzanine despite the 8-storey limitation in the DCP. In terms of built form and environmental impacts (including overshadowing) the Concept Plan clearly demonstrates that 9 storeys in this locations is reasonable. - Concept maintains the overall transition of height across the site.
8 storeys (25m) for buildings fronting King Street (at the corner of King and Watt Streets)	9 storeys (28m) for buildings fronting King Street (at the corner of King and Watt Streets)	
8 storeys (25m) for buildings fronting the corner of the Pacific Street extension and Shortland Esplanade	9 storeys (28m) for buildings on fronting the corner of the Pacific Street extension and Shortland Esplanade	
4-9 storeys along the perimeter of the western precinct	3-5 storeys along the southern perimeter of the western precinct, and 9 storeys along the northern edge of the western precinct	
Bonus 4 storeys limited to 4+ star hotel	Bonus 4 storeys	- DCP provides for height bonus in a specific location and for the purpose of a 4+ Star Hotel. This acknowledges in urban design terms the appropriateness of additional height up to 16 storeys. The urban design impacts of 16 storeys do not vary irrespective of whether the building is an hotel, an apartment building or a commercial office building. - The Concept Plan improves existing overshadowing impacts on Newcastle Beach and continues to provide a transition of height on the RNH site (see detailed discussions in Sections 6.4 and 6.5) - In summary, placing floorspace in taller buildings with greater separation (as opposed to walls of street edge buildings) has the effect of opening up the ground levels of the site providing more views and a greater of space at street level. In this regard, the allowance for taller buildings within the Western Precinct is preferred.
Hotel use		
Hotel use at the corner of King/ Pacific Streets	Mixed use, predominantly residential	- Hotel development in Newcastle CBD is not financial viable under current market conditions. However, hotel use is not precluded in the Concept Plan should market conditions change. - A 4+star hotel generates high traffic volumes and requires coach parking and manoeuvring areas. - A hotel also has significant back of house requirements. As King Street is the major pedestrian route to and from the beach, a hotel (in the location nominated by Council) will result in major conflicts between pedestrians and car and bus traffic. Should one ever be viable on the site, the location of the hotel should be flexible.

DCP 62 Provisions Concept Plan approach Reasons for departure

Street wall height & upper level setbacks

13-19m max. street wall height along Shortland Esplanade	10-16m max. street wall height along Shortland Esplanade	Street wall height in Concept Plan responds to heights of adjacent buildings (generally 3-4 storeys or approx. 10-13m, and 7 storeys or approx 22m along King Street).
19m max. street wall height along King Street	25m max. street wall height along King Street	
12m max. street wall height along Watt Street	13-19m max. street wall height along Watt Street	

Publicly accessible links

Two lane public road with parking and footpaths on each side from Pacific Street to Shortland Esplanade	Shared zone from Pacific Street with a pedestrian connection only to Shortland Esplanade	- Specialist advice (traffic and engineering) confirms that the change in grade between the site and Shortland Esplanade is such that a safe road connection will be difficult to achieve without significant engineering to achieve appropriate sight lines and road gradients; - The left turn from a proposed extension of Pacific Street to Shortland Esplanade is an acute turn on the down slope. A right hand turn from the same position requires site lines from both the through vehicle on Shortland Esplanade and the give way vehicle in Pacific Street. Both these result in a splayed intersection where the intention was to have a narrow opening in the building wall for visual, landscape and wind concerns; - A shared zone will be more pedestrian friendly whilst allowing for limited a resident vehicular access and servicing function for the retail uses; - A shared zone will allow greater scope to incorporate landscape and public domain features within the extension (as opposed to a typical road pavement); - A shared zone will allow greater flexibility of use of the space (i.e. street markets etc); - Pacific Street has historically never met Shortland Esplanade. The location of the cliff and the position of the surgeon's house always precluded this connection; and - The traffic study prepared as part of the Concept Plan for the site did not identify the necessity for this extension to be a public through road in order to accommodate the expected traffic movements generated by the development.
---	--	--

The NSW Coastal Design Guidelines (CDG)

The Concept Plan achieves the design principles for coastal settlements contained the CDG in that:

- **Defining the footprint and boundary** – the project involves the redevelopment of the RNH site, utilising existing services and infrastructure.
- **Connecting open spaces** – the Concept Plan provides through site links that will enhance connectivity between the surrounding open spaces.
- **Protecting the natural edges** – the Concept Plan improves access to the Newcastle Beach;
- **Reinforcing the street pattern** – the Concept Plan protects local views and vistas through responding to existing street patterns and topography; and
- **Appropriate buildings for a coastal context** – the Concept Plan and the associated Site Design Principles will deliver a built form that protects or enhances the amenity of the coastal environment, such as reducing overshadowing of the beach.

It is noted that the preparation of the Landcom Masterplan for the redevelopment of the RNH, and consequently this Concept Plan, has incorporated feedbacks from extensive consultation with stakeholders, including the community, the Newcastle Urban Design Consultative Group, Newcastle City Council and Landcom's independent Peer Review Panel.

Newcastle Urban Strategy

The Newcastle Urban Strategy is a policy document adopted by the Council to guide the development of Newcastle over the next 25 years and provides the strategic planning basis for the Newcastle LEP 2003 and the Newcastle DCP 2005. The key provisions in the Strategy that are of particular relevance to the Concept Plan are to provide for development that enhances the existing heritage character and to protect the rich heritage of Newcastle East, its diverse land uses, building ages and architectural

styles. The Concept Plan is consistent with the Urban Strategy in that:

- the Concept Plan has been designed to respect neighbouring development and the heritage context of the site;
- the Concept Plan aims to create a sense of place; and
- a Site Interpretative Strategy will be required in the Project Application stage to identify opportunities to celebrate the history of the hospital as well as Aboriginal history associated with the site.

6.0 Assessment of Environmental Impacts

This section assesses the environmental impacts of the proposal and addresses the key matters for consideration set out in the Director-General's Environmental Assessment Requirements. A copy of the DGs-EAR is attached at **Appendix 2-B**.

This assessment considers the potential impacts of the Concept Plan at its maximum development capacity (i.e. 3.1:1 FSR and 20 storeys).

This section also outlines project commitments and mitigation measures required to implement the Concept Plan to ensure that the detailed design of the project achieves the desired development outcomes (and overarching design principles) whilst minimising adverse environmental impacts.

The draft project commitments are outlined in Section 7.0 of this report.

6.1 Built environment

The Concept Plan building envelopes will establish the desired urban design and built form objectives for the site as follows:

- provide a built form that is appropriate to the site's context and contributes towards the desired urban form for the City East area;
- provide an appropriate density across the site to capitalise on the site's attributes;
- improve sunlight access to Newcastle Beach;
- reinforce the landmark significance of the site;
- create a gateway to the CBD;
- enhance the built form character of Watt and King Streets;
- maintain significant view corridors around the site and to local landmarks;
- minimise overshadowing of the terrace houses on Watt Street;
- improve the public domain around the site;
- ensure taller buildings minimise visual and environmental impacts;
- connect the city and the beach and the public spaces via the provision of pedestrian through-site links;
- create a sense of place through a vibrant and sheltered public plaza;
- improve the pedestrian amenity of Shortland Esplanade through landscape treatments and minor realignment;
- respond to the heritage context of the site; and
- promote high quality residential amenity that meets SEPP 65 requirements.

It is noted that exact building locations and footprints have not been determined in the Concept Plan.

The massing of the development will be minimised or controlled through:

- compliance with upper limits of floor space area across the site as described in Section 3.2; and
- compliance with SEPP 65 requirements, such as building depth, solar access, building separation, etc.

Any subsequent Project Application seeking the bonus height and floor space will be required to demonstrate that the proposal would not result in unacceptable environmental impacts.

The Concept Plan:

- delivers heights that respond to the surrounding context;
- improves overshadowing impacts on the beach and minimises overshadowing of surrounding public domain;
- reflects the importance of this landmark site;
- minimises visual impacts, particularly from the Beach; and
- creates a varying and interesting built form.

6.2 Access, traffic and parking impacts

A Traffic Assessment Report has been prepared by Mark Waugh Transport and is included at **Appendix 3-E**. The report concludes that overall traffic and access arrangements proposed in the Concept Plan can be implemented to a satisfactory standard and that there would be no traffic impediments to the locality. The report considers that the overall project will have a positive contribution to the ongoing redevelopment of Newcastle East.

The Concept Plan has been modelled (using the Roads and Traffic Authority's Guidelines for Traffic Generating Developments), to estimate the impacts of traffic generation on the performance of the existing road network.

The traffic assessment makes the following key conclusions:

- the streetscape treatments along Shortland Esplanade, Watt Street, King Street and Pacific Street are an opportunity to reinforce the access and movement principles being adopted for the RNH development;
- the Concept Plan provides an opportunity to contribute to the integration of land use and transport;
- the basement car park will be able to accommodate an adequate number of on-site car parking spaces in accordance with the applicable parking rates set out in NCDP 2005;
- vehicle access arrangements to the site are appropriate for the site and the access points will be capable of providing a very good level of service;
- the overall layout and access arrangements meet the nominated transport objectives (accessibility by all modes of travel) and to provide a pedestrian friendly environment whilst allowing for vehicle access where appropriate;
- pedestrian linkages in the Concept Plan encourage walking through limited changes in grades for mobility, linkages through heritage areas, active uses and separation from vehicle movements;

- the level of traffic generation from the Concept Plan is relatively small, with around 190 vehicles on a weekday peak period based on the RTA's typical guidelines; and

- traffic generated by the project will not have adverse impacts on the capacity of the surrounding road network and intersections.

Construction management plans will be prepared for subsequent Project Application(s) to address the management of impacts from construction activities, as well as management of truck/vehicle and pedestrian access during construction.

6.3 Public domain

The Concept Plan includes significant public domain improvements that will benefit the development, the locality and the wider Newcastle CBD. The public domain strategy for the site has been formulated to achieve the following:

- create vibrant and safe public spaces to promote a sense of place;
- provide seamless linkages from the city to the beach;
- provide a link to the existing open space network;
- ensure the public domain promotes equal access for all;
- provide a range of spaces with a variety of spatial and design qualities;
- provide active frontages to streets and new public spaces;
- provide shelter from the wind through building placement and massing, awnings and landscaping;
- maximise solar access to new public spaces particularly during the mid day period;
- minimise water consumption through selection of water efficient plant species;
- maximise water conservation through the use of non-potable water for irrigation;

- use the public domain to celebrate the site's history and location;
- celebrate the site's Aboriginal cultural value, history and location through interpretative strategies; and
- minimise maintenance and cleaning requirements of public areas.

6.4 Visual impact

Analysis of visual impacts of the Concept Plan has been prepared by project architects AJC and is included in **Appendix 2-E**. The analysis outlines the possible building silhouette (at both 16 and 20 storeys) on photographs of the RNH site from surrounding areas. The analysis illustrates that the visual impact is acceptable for the following reasons:

- it provides a transition of height that is consistent with existing built form within the RNH site (i.e. taller buildings in the centre of the site, with lower buildings at the perimeter of the site);
- the RNH site currently contains tallest buildings in the locality (see site analysis in Volume 1); and
- the Concept Plan preserves existing view corridors and vistas along the surrounding streets.

Further, the Site Design Principles (refer to **Appendix 1-A**) include requirements for roof and skyline elements to be designed to ensure that new buildings will contribute to Newcastle's modulated skyline through a variety of building heights and roof forms.

6.5 Solar analysis and overshadowing

Solar access and shadowing analysis has been undertaken by the project architects AJC (see analysis drawings included in **Appendix 2-F**). Shadowing analysis was undertaken for March 21st, June 21st and December 21st at hourly intervals between 9am and 3pm for:

- existing buildings;
- the base 16-storey development; and
- the 20-storey development with bonus height.

The analysis has demonstrated that overall, the Concept Plan improves sunlight access to Newcastle Beach, as required under Council's DCP 62, specifically:

- tall slender buildings to the centre of the site result in narrow shadows with shorter periods of influence on particular locations;
- in winter, the existing buildings begin to overshadow the beach at 11am, whereas the Concept Plan buildings produce no overshadowing of the beach until 1 o'clock in the afternoon; and
- at the equinox, the existing buildings begin to overshadow the beach at 2pm, whereas the Concept Plan buildings produce no overshadowing of the beach until 4pm in the afternoon.

A desired outcome of the Concept Plan is to reduce the overshadowing of the beach created by the existing hospital buildings. As demonstrated in the Concept Plan at **Volume 1**, this principle will be achieved by redistributing the height, bulk and form of the existing hospital buildings away from the beach to improve solar impacts and by providing tall slender buildings towards the centre of the site which result in narrow shadows over shorter periods of time.

6.6 Heritage impacts

Tanner Architects have reviewed the Concept Plan and advised that the project has adequately addressed the heritage context of the site (refer to **Appendix 3-F**). A number of heritage reports have been reviewed by Tanner Architects, including:

- Conservation Plan for Royal Newcastle Hospital prepared in 1991;
- Archaeological Assessment Royal Newcastle Hospital prepared in 1991; and
- Archaeological Assessment prepared by ERM in 2004.

Recommendations are detailed in the table included at **Appendix 3-F**.

In addition, a separate Aboriginal Heritage report has been prepared by Umwelt (Australia) Pty Ltd (refer to **Appendix 3-G**).

The following provides a summary assessment of the key matters addressed in these reports.

European/non-Aboriginal heritage

The RNH site does not contain any listed heritage items.

The site is located within the Newcastle City Centre Heritage Conservation Area listed in the Newcastle LEP 2003 Schedule 6 - Heritage Conservation Areas. The adjacent North Wing, the United Services Club and the Royal Newcastle Hospital Club Building are listed on Schedule 6 of the LEP. The site is also adjacent to the Hill Heritage Conservation Area and the Newcastle East Heritage Conservation Area, listed in Schedule 6.

The following sites are listed on the Department of Health's Section 170 Heritage & Conservation Register:

- the Royal Newcastle Hospital Club Building in Pacific Street, which is outside of the Concept Plan boundary (also listed on the State Heritage Register); and

- the David Maddison Building within the Concept Plan site boundary.

The 1991 Conservation Plan and the subsequent Heritage Assessment Reports provide a detailed assessment of the cultural significance of the site and all of its components, including non listed buildings. The 1991 Conservation Plan identifies the following built elements of the RNH to be significant:

- The Hospital Club Building (not part of the site); and
- The Nickson Wing Interiors

The review undertaken Tanner Architects concludes that the Concept Plan has considered the heritage values of the site. It recommends a Statement of Heritage Impact (SOHI) to accompany future Project Applications to address the impacts of development on these buildings. An Interpretation Plan will need to be prepared for the whole site and will need to be implemented as part of the re-development of the site.

Archival Recording (measured drawings and photographs) of the Nickson Wing and David Maddison Building will be required prior to their demolition. With regard to DMB, a Statement of Heritage Impact (SOHI) will be required to accompany the future Project Application for demolition.

The Archaeological Assessment prepared by ERM Australia (for the Landcom Masterplan) and reviewed by Tanner Architects is included in **Appendix 3-H**.

Aboriginal Archaeology

An Aboriginal Heritage report has been prepared by Umwelt (Australia) Pty Ltd (refer to **Appendix 3-G**). In accordance with DOP and DEC guidelines the Awabakal community were consulted during the preparation of this report. The report notes that:

- it is highly likely that Aboriginal people occupied the RNH site intermittently over a long period of time, and therefore, highly likely that they left behind evidence of their occupation in the form of shells, bones, stone tools, ash or hearths, and possible wooden utensils.
- given multiple periods of construction on the RNH site and major earthworks that were undertaken in the area, the heritage integrity of the site has been seriously compromised. As such, the Awabakal community concurred that archaeological excavation would not be warranted on the site.
- the landscape context of the site remains culturally significant to the Aboriginal community. The report recommends a number of site interpretation measures to pay tribute to the cultural significance of the RNH site to the Aboriginal community, including plaques, signage and artwork in the detailed landscape design.

It is noted that consultation with the Department of Environment and Conservation (DEC) confirms that there are no specific Aboriginal heritage concerns (see Section 4.0 of this report).

6.7 Impacts on adjoining sites

The Concept Plan addresses the relationship with all neighbouring properties, particularly:

Wirraway Flats

The Concept Plan has considered the Part 3A Project Application for a proposed 12-storey residential flat building on the Wirraway Flats site. Discussions with the proponent of the Wirraway Flats site have concluded with an agreement on the setback principles applying to the boundaries between the RNH and Wirraway Flats site. The agreed principles are illustrated in drawings included at **Appendix 2-G**, and a letter confirming the agreement by both parties is also attached at **Appendix 2-G**.

United Services Club (USC)

Currently the USC building is setback some 4m from its northern and southern (side) site boundaries and about 7m from the eastern (rear) site boundary. In the Concept Plan and Site Design Principles, a further 4m setback from the rear boundary of the USC site is proposed to provide a "heritage curtilage" for the building which is listed as heritage item of local significance under Newcastle LEP 2003. (also refer to heritage impact assessment in Section 6.6). Further, the Concept Plan placed low scale buildings (4 storeys) adjacent to the USC to respect the height of the heritage item.

The Concept Plan provides a transition of building height (taller buildings in the centre of the site, surrounded by lower buildings around the perimeter of the site) to avoid adverse overshadowing impacts on neighbouring properties (also refer to Section 6.5 of this report).

6.8 Ecologically sustainable design and water management

The redevelopment of the site presents an opportunity to showcase best practice techniques in ecologically sustainable design (ESD) and water management. The principles and strategies below have been developed for the site to guide the implementation of ESD and water management:

- the orientation and planning of the buildings will be optimised to improve the passive performance and comfort of the buildings as well as the public outdoor spaces;
- optimising the passive performance of the buildings to reduce the reliance on fossil fuel consuming technologies for heating and cooling whilst improving comfort and the indoor air quality; and
- minimum energy performance requirements will be used to provide a benchmark for the energy consumption of buildings.

The Project Application will demonstrate consistency with the ESD and water sensitive urban design (WSUD) principles and strategies outline above, as well as compliance with Council's requirements and BASIX.

6.9 Wind impacts

An assessment of the existing wind conditions affecting the site, in particular with respect to the future pedestrian and public open space areas, has been undertaken by Wind Engineering Services – The University of Sydney (included at Appendix 3-J).

The prevailing winds around the site are from the west-north-west and south, and to a lesser extent from the north-east. Winds from the west-north-west occur all year however they are more dominant on winter mornings when the winds are expected to be cooler. Whilst these winter winds can last for several days the site is partially shielded from these winds by the existing Newcastle cityscape.

The site is exposed to the southerly winds that occur all year. However in the hot summer months they, along with winds from the north-east, tend to be sea breezes and may bring welcome relief. Strong southerly winds are generally associated with frontal systems and are reasonably short lived and can bring cold weather.

In summary, the assessment has concluded that:

"Wind conditions around the development are expected to be suitable for use as a main public accessway and the architect has included colonnades, awnings, and landscaping to further enhance the wind environment.

The outdoor eating area has been well considered through orientation and positioning of surrounding buildings with respect to the prevailing winds."

6.10 Social impacts

As part of the master planning process, a Social Plan for the site has been developed by Heather Nesbitt Planning and is included at Appendix 3-K.

In summary, the report concludes that the adoption and implementation of the Social Plan will assist in improving the quality of life of the existing and future Newcastle communities.

The report has been updated for the Concept Plan and has adopted a framework based on the key social policy principles and objectives identified by Newcastle City Council, Landcom and other best practice organisations. Assessment of the existing community and social infrastructure available to the site is based on consultation with relevant community service providers in the area.

The redevelopment of RNH will need to address the following key social challenges:

- the "City on the Sea" locational juxtaposition of the RNH site;
- strong community value of the RNH site and its role as a public place available to all members of the community;
- potential for the RNH site to provide "leverage" for major environmental, community and recreational improvements to Newcastle Beach, Shortland Esplanade and the Newcastle Beach coastline;
- real and perceived public safety in the area;
- economic and social activity generated by the hospital staff, visitors and associated medical services previously associated with the RNH site; and
- social needs of new occupants of the RNH site and the responsibility of such a major development site to provide "public benefit" to the Newcastle CBD and broader Newcastle communities.

To address these challenges, the Social Plan identifies 10 desired social outcomes for the RNH site. These outcomes are to be achieved by the adoption of 16 strategies and accompanying actions as part of the redevelopment and also as a guide for future development processes for the site.

In summary, the Social Plan recommends the redevelopment of the RNH site should provide for the following 10 outcomes:

- community integration and connection;
- a public place;
- a safe place;
- social mix and diversity;
- access for all;
- cultural significance;
- support services to meet needs;
- strong community networks;
- access to technology and information; and
- significant public benefit.

6.11 Economic impacts

An economic and employment impact analysis was prepared by the Economic, Financial Impact and Governance Group – The University of Newcastle Research Associates as part of the Landcom master planning process which remains relevant to the proposed Concept Plan (refer to **Appendix 3-L**). The analysis indicated that the following impacts on the Newcastle City area:

- it would lift the inner city resident population by between 17% - 21% from the 2001 Census base which would have a local household expenditure effect of \$8 million per annum; multiplied economic impact of between \$10 million to \$20 million per annum;
- the retail/non-commercial component of the development would create 125 full time direct jobs, with a flow-on local household expenditure effect of \$2.9 million per annum.

- the project would create 9 direct full time jobs and 48 direct and indirect jobs associated with the operation, management and maintenance of development; and
- the construction phase will result in a significant injection of employment and funds into the local community. The estimates available indicate that construction on the site will support 817 full-time equivalent jobs (a significant number will be local). The multiplied economic impact of the construction expenditure is \$279 million (\$84 million to \$140 million represents local expenditure).

6.12 Site contamination and remediation

A Phase 2 Environmental Site Assessment has been prepared by HLA-Envirosciences (refer to **Appendix 3-D**). Investigations reveal that soil and groundwater contamination is present on the site at levels that exceed the relevant guidelines for residential use. The buildings on the site also contain asbestos. To render the site suitable for residential and other uses, a Remediation Action Plan (RAP) will be prepared as part of the Project Application. The RAP will detail how the site is to be cleaned up including the excavation and disposal offsite of any contaminated fill. In addition, further groundwater sampling will be undertaken to evaluate likely sources of contamination.

6.13 Geotechnical conditions

A Geotechnical Investigation has been prepared by Coffey Geosciences Pty Ltd included in **Appendix 3-M**. The report concludes that:

"Where new buildings are proposed, there are a number of geotechnical issues that have the potential to greatly influence planning studies. These include:

- *Variable subsurface conditions including geological faults and igneous dykes;*
- *Uncontrolled fill, windblown sand deposits and variable bedrock level."*

"In terms of excavations and foundations, the site variability could be managed effectively with the use of piled foundations and further geotechnical investigations at proposed pile or footing locations once access is practical.

In addition to the above geotechnical issues, the following mine subsidence issues also have the potential to greatly influence planning studies:

- *Shallow abandoned mine workings south west of the major fault;*
- *Possible but highly unlikely abandoned mine working beneath the area north east of the major fault in the Yard Seam; [and]*
- *Deep abandoned mine workings in the Borehole Seam to the east and southeast of the site."*

"Although the area is not within a designated mine subsidence district, it is recommended that further consultation with the Mine Subsidence Board be undertaken.

Despite the relatively large number of investigation boreholes and amount of available geotechnical data, further geotechnical investigation is considered necessary for any proposed excavations and / or buildings as the subsurface conditions are complex and not easily anticipated. The variability of the subsurface conditions also warrants the involvement of a geotechnical authority familiar with the site and available geotechnical data throughout planning, design

and construction. The level of involvement will be dependent on the nature and location of proposed developments."

6.14 Site infrastructure and services

An Infrastructure and Services Assessment Report has been prepared by Acentauri during the Landcom master planning process. This report remains relevant to the proposed Concept Plan and is included at **Appendix 3-N**. The report shows that the Concept Plan development can be adequately serviced by existing utilities.

6.15 Site suitability and the public interest

As stated above, the site is situated within an area zoned *3(c) City Centre* pursuant to NLEP 2003. Consistent with the objectives of the 3(c) City Centre Zone, the site is suitable for the Concept Plan for the following reasons:

- proposed land uses are consistent with the objectives of the 3(c) City Centre Zone, which provides for mixed use development;
- the project acts as a catalyst for the revitalisation of the precinct;
- the Concept Plan provides for the intensification and diversity of land-uses within the Newcastle CBD and supports the strategic planning actions (accommodation of new housing within the Newcastle CBD) included in the recent Draft Lower Hunter Regional Strategy;
- the project is well located to provide high quality through site links that enhance the legibility and permeability of Newcastle CBD, as well as enhance connectivity between the CBD and Newcastle Beach; and
- the site is well located for a high quality, modern development that will enhance the visual appearance of a 'gateway' site when viewed from Newcastle Beach and the surrounding land.

The public interest is well served by the proposed development, in that:

- the project supports the State government's strategic planning objectives of urban consolidation and provision of new housing within existing urban areas;
- the project will generate new population within the Newcastle CBD which will support the long term social and economic viability of the city centre;
- the project includes significant public domain works that will benefit the community, as well as the development;

- the site has been earmarked for redevelopment since 1999 and the project will realise the potential of the landmark site for a high quality 'gateway' development;
- the project will provide economic benefit to the State through an efficient use of existing services, facilities and infrastructure (including public transport) in the locality;
- the proposed development will incorporate ecologically sensitive design that will minimise and manage environmental impacts;
- the heritage values of the site will be recognised/celebrated through a heritage Interpretation Plan; and
- the project will generate funding which will be used to enhance the health services for the local and regional the community.

7.0 Draft Statement of Commitments

In accordance with the Director-General's Environmental Assessment Requirements, the proponent is required to include a Draft Statement of Commitments in respect of environmental management and mitigation measures on the site. The following are the commitments made by Landcom to manage and minimise potential impacts arising from the project.

7.1 Compliance with applicable planning requirements

Detailed design of the development will demonstrate compliance with applicable planning requirements, including BCA, SEPP 65 and BASIX.

7.2 Built form and urban design

The detailed design of the buildings will adhere to the Site Design Principles formulated for the project to ensure that the intended development outcome will be achieved.

7.3 Bonus building height and floor space

Any subsequent Project Application seeking bonus height and floor space will be required to demonstrate that the proposal would not result in unacceptable environmental impacts. To achieve the bonus floor space or height the Project Application will need to provide details of a range of public benefits as outlined in Section 6.4 of this report.

7.4 Access, traffic and parking

Further traffic analysis will be undertaken for the detailed design of the project to ensure that the development will be consistent with the recommendations included in the Traffic Assessment Report prepared by Mark Waugh Transport and will not result in adverse traffic impacts.

Construction management plans will be prepared for subsequent Project Application(s) to address the management of impacts from construction activities, as well as management of truck/vehicle and pedestrian access during construction.

7.5 Public domain

Detailed design of the development will incorporate public domain works included this Concept Plan and will be provided in accordance with Council's requirements.

7.6 Visual impact

An analysis of visual impacts will be submitted the subsequent Project Application(s) to ensure that the location and detailed design of the buildings will preserve important visual corridors and are consistent with the Site Design Principles submitted with the Concept Plan.

7.7 Solar analysis and overshadowing

Detail overshadowing analysis will be required at the subsequent Project Application stage to ensure that the location, height and massing of buildings will reduce the existing overshadowing of the Beach in accordance with the solar access analysis included in Section 6.5 of this report.

7.8 Heritage matters

The following are to accompany subsequent Project Application(s) at the detailed development design stage:

- A Statement of Heritage Impact (SOHI) prepared in accordance with the recommendations included in the review of heritage issues prepared by Tanner Architects.
- An heritage Interpretation Plan for the whole site.
- A project commitment to the effect that if aboriginal objects are exposed during the work, works must cease until the Department of Environment and Conservation and the local Aboriginal Land Council have been consulted.

7.9 Ecologically sustainable design and water management

The detailed design of the development is to demonstrate consistency with the ESD and water sensitive urban design (WSUD) measures consistent with Council's requirements and BASIX.

7.10 Wind conditions

Further wind analysis will be undertaken at the Project Application stage to ensure that no unacceptable wind conditions will be resulted. Such analysis will also assess the need for measures that are necessary to mitigate any wind impacts (e.g. local screening and awnings along pedestrian thoroughfares and around public open spaces).

7.11 Social Plan

Subsequent Project Application(s) will adopt and implement the Social Plan prepared by Heather Nesbitt Planning submitted with this Concept Plan.

7.12 Site contamination and remediation

A Remediation Action Plan (RAP) will accompany any Project Application(s) in accordance with the recommendations included in the Phase 2 Environmental Site Assessment prepared by HLA-Envirosciences. The RAP will detail how the site is to be cleaned up including the excavation and disposal offsite of any contaminated fill. In addition, further groundwater sampling will be undertaken to evaluate likely sources of contamination.

7.13 Geotechnical conditions

Subsequent Project Application(s) will be required to incorporate the recommendations included in the Geotechnical Investigation prepared by Coffey Geosciences Pty Ltd.

7.14 Site infrastructure and services

Detailed site infrastructure and services reports will be required to accompany any subsequent Project Application(s) to demonstrate how the development can be adequately and properly serviced. The report will include an outline of any necessary augmentation of existing services.

7.15 Section 94 Contributions

To meet the demand for additional public facilities and services generated by development on the site contributions will be made in accordance with the applicable Newcastle City Council Section 94 Contribution Plans. The Section 94 contributions are in addition to any public benefits proposed to achieve the bonus floor space or bonus height.

8.0 Conclusion

This Environmental Assessment Report (EAR) is submitted to the Minister for Planning pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to fulfil the Environmental Assessment requirements issued by the Director-General for a mixed use residential development on the Royal Newcastle Hospital (RNH) site, Newcastle.

The RNH site was identified by NSW Health as surplus to requirements in 1999. A strategy has been developed by NSW Health to deliver broader and better located health services to the community. Proceeds from the disposal of the RNH site will be reinvested in the community health program for the lower Hunter communities.

The Concept Plan seeks approval for redevelopment of the site based on the 2004 Landcom Masterplan which was submitted to Newcastle City Council and publicly exhibited, but was never formally approved. A site specific DCP was subsequently prepared and adopted by Council in November 2005.

Concept approval is sought for the following development parameters for the project:

- Mixed use development with predominantly residential use;
- A maximum Floor space Ratio (FSR) 3.1:1 FSR (53,971m² GFA) including 0.3:1 bonus FSR;
- Building envelopes (footprints and heights) generally between 3-9 storeys with taller buildings on the western portion of the site with a base height of 16 storeys with up to 20 storeys with bonus FSR;
- A package of public domain improvement works to be provided to achieve the floor space and height bonus;
- Site Design Principles that have informed the preparation of the Concept Plan and which can be used in the assessment of future Project Applications on the site;
- Vehicle access points and basement car parking;

- A subsequent approval regime whereby the Minister for Planning is the approval authority for appropriate Project Application(s) under Part 3A of the EP&A Act.

- Section 94 Contributions be payable by project proponents at the Project Application stage in accordance with applicable Newcastle City Council Section 94 Contribution Plans.

The assessment of the proposal has demonstrated that the development will result in positive social, environmental and economic benefits despite departure from development controls in the Newcastle DCP 62. Further, the proposal is consistent with relevant planning objectives applying to the site.

Based on the analysis contained in this report, it is recommended that the Concept Plan be supported in that:

- the site is surplus to NSW Health needs and has been identified for redevelopment since 1999;
- the project has undergone a comprehensive master planning exercise in 2004 and 2005;
- extensive community consultation was undertaken for the project during the preparation of the Landcom Masterplan, and the current Concept Plan has been formulated based on this Masterplan;
- the Concept Plan will provide a development outcome that is sound and well balanced in terms of social, economic and environmental effects; and
- investigations demonstrate that the Concept Plan will contribute to the revitalisation of the Newcastle CBD and beach front precinct.