

Appendix L – Newcastle Development Control Plan 2012 – Compliance Table

Section	Assessment Comment	Is the proposal acceptable?
Royal Newcastle Hospital Site – Section 6.11	<p>This section provides the principal design guidelines for the subject site, however, is effectively overridden by the Concept Plan which provides for heights, envelope (footprint), and maximum GFA. The Concept Plan also has associated Site Design Guidelines that are discussed in the assessment report. The remaining applicable guidelines of the DCP are:</p> <p>Section 6.11.2)a) Access Corridors</p> <p>The DCP has a desired pedestrian pathway in an east west direction through the site. The applicant has argued that this is not possible due to the retention of the David Maddison Building. It is agreed that this is not realistic and given the relatively small size of the city block is not considered necessary to increase permeability in this way. The north-south pedestrian access has already been provided through The Royal development to the north and will be retained.</p> <p>Section 6.11.2)b) Land use and character areas</p> <p>This section of the DCP notes that Shortland Esplanade may include residential uses at street level. Accordingly the deletion of the hotel elements of the original scheme, replaced by residential units, is consistent with the DCP.</p> <p>Section 6.7.3)e) Building Setbacks</p> <p>The DCP requires a minimum setback of 3m from Shortland Esplanade. The Site Design Guidelines under the Concept Plan (which takes precedence) have been amended to enable the building to be aligned to the</p>	<p>YES</p>

	front boundary and is therefore considered acceptable.	
Newcastle City Centre - Section 6.01	<p>This section provides various design guidelines for the subject site, as outlined above, is effectively overridden by the Concept Plan which provides for heights, envelope (footprint), and maximum GFA. The Concept Plan also has associated Site Design Guidelines that are discussed in the assessment report.</p> <p>Having regard to this section of the DCP, the proposal is considered to be acceptable.</p>	YES
Safety and Security – Section 4.04	<p>The previous scheme (DA 2012/549) was referred to the NSW Police Service for comments in relation to CPTED. No objections were raised to the proposal subject to consideration of recommendations relating to vegetation, lighting and access control.</p> <p>It is noted that from a security perspective, the deletion of the hotel component results in the need for less management of the premises.</p> <p>Having regards to the CPTED principles, the landscaping is considered acceptable. Conditions have been included addressing matters relating to providing appropriate lighting and access control.</p>	YES
Social Impact – Section 4.05	<p>The Statement of Commitments in the approved Concept Plan required consideration of the recommendations of the Social Plan prepared by Heather Nesbitt Planning. The 10 key themes of the Social Plan and associated actions are:</p> <ul style="list-style-type: none"> • Community Integration and Connection <ul style="list-style-type: none"> _ Provide mix of land uses _ Public domain reflecting the beach culture _ Investigate potential for multi-purpose facility/community facility. _ Increased pedestrian access including widened footpaths. _ Open space linkages connecting Watt, King and Pacific Streets. _ Extend King Street. _ Ensure bus services including stops. 	YES

	<p><i>_ Consultation at each stage.</i></p> <p>The proposal includes a mix of land uses. The proposed materials of the forecourt area and proposed species complement the beach environment. While the proposal does not include community facilities it is noted that there now exists a nearby community facility at 48 Watt Street and a new multi purpose facility has been constructed at Newcastle East (adjacent Fort Scratchley) which services the area. The pedestrian footpath in Shortland Esplanade was widened under Stage 1 and it is a recommended condition of consent via the previous DA2012-549, to construct a pedestrian crossing. The linkages were established under Stage 1, as was extension to King Street. The site is serviced by buses including bus stops within close vicinity. The DA included standard public exhibition.</p> <p>• A Public Place</p> <p><i>_ Provide one major public open place.</i></p> <p><i>_ Investigate potential for multipurpose centre/community facility.</i></p> <p><i>_ Prepare cultural and public art plan.</i></p> <p>The principal public open space area on the site was provided as part of Stage 1 and is considered functional. See comments above in relation to community facilities. The Site Design Principles required a similar strategy to be prepared, which was addressed under Stage 1.</p> <p>• A Safe Place</p> <p><i>_ Provide one major public space on the site that has good surveillance and lighting and easy to maintain.</i></p> <p><i>_ Ensure any public facility meets the above requirements.</i></p> <p><i>_ Ensure CPTED principles throughout design.</i></p> <p><i>_ Separate public and private areas to avoid noise complaints and improve public safety.</i></p> <p><i>_ Encourage mix of public and private land uses to ensure reasonable pedestrian activity within and surrounding the site.</i></p> <p><i>_ Refer application to Police for comment.</i></p>	
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	<p>The major public open space provided under Stage 1 has good surveillance, lighting and constructed of durable materials. No public facility is provided as discussed above. CPTED principles are acceptable.</p> <p>• Social Mix and Diversity</p> <ul style="list-style-type: none"> _ Prove for mix of 1, 2 & 3 bedroom apartments. _ Provide mix of land uses including residential, commercial and retail. _ Prove separate studios and home offices as part of the residential component. _ Provide moderate income housing in Landcom development. <p>The proposal includes a mix of apartment sizes, as well as provision for commercial development. The development is not a Landcom development, however the smaller unit sizes proposed will assist in providing more affordable housing.</p> <p>• Access for All</p> <ul style="list-style-type: none"> _ Access requirements in accordance with the Building Code of Australia (BCA). _ Cater for people with reduced mobility. _ Proportion of residential units to meet AS4299 Class C – Adaptable housing. _ Consider needs of older people/people with disability in any community facility. <p>The proposal would need to comply with BCA, with full assessment at construction certificate stage. The submitted access report identifies the proposal could satisfy this requirement. Compliance with the BCA would address people with reduced mobility. No community facility is proposed but two exist within vicinity of the site.</p> <p>The applicant has confirmed that the units on the ground floor of the south building have the potential to meet the requirements of AS4299 Class C- Adaptable Housing (as approved as part of previous DA 2012/549).</p>	
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	<p>• Cultural Significance</p> <ul style="list-style-type: none"> _ <i>Prepare cultural and public art plan.</i> _ <i>Provide one major public open space which facilitates public recreation.</i> _ <i>Investigate providing multipurpose centre/community facility.</i> <p>These matters were previously discussed above.</p> <p>• Support Services to Meet Needs</p> <ul style="list-style-type: none"> _ <i>Investigate providing multipurpose centre/community facility. Such facility to consider needs of elderly.</i> _ <i>Provide private sector community-related services such as convenience stores, newsagent, hairdresser, gym etc.</i> _ <i>Ensure bus services to link to other services in CBD</i> <p>The proposal does not include a community centre as previously discussed. The commercial spaces proposed, as well as those approved under Stage 1, would be suitable for shops if market demand in the future dictated this. The site has bus stops in close vicinity.</p> <p>• Strong Community Networks</p> <ul style="list-style-type: none"> _ <i>Provide a welcome program for new occupants and guide to city.</i> _ <i>Undertake community consultation at each stage.</i> <p>Requiring an ongoing welcome guide is considered unnecessary considering the availability of similar existing resources such as 'visitnewcastle', a free online resource. The development application followed standard exhibition processes.</p> <p>• Access to Technology and Information</p> <ul style="list-style-type: none"> _ <i>Provide broadband access.</i> _ <i>Provide separate studios and home offices as part of residential development.</i> <p>The Newcastle CBD has broadband access. The dwellings could be utilised for small home businesses if desired,</p>	
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	<p>subject to satisfying either 'exempt development' or otherwise development consent requirements.</p> <p>• Significant Public Benefit <i>_ Investigate opportunities with the City of Newcastle Council and other key agencies to identify priorities and secure funding for upgrading the area.</i> <i>_ Consider partnership opportunities for providing broader public benefits such as provision of childcare centre and public community centre.</i></p> <p>As outlined previously public domain works for street tree planting, footpath upgrades and a new pedestrian crossing have been conditioned.</p> <p>The proposed development is considered acceptable from a social perspective.</p>	
Soil Management – Section 5.01	The proposal involves extensive excavations associated with the basement car park. This is considered acceptable in this regard. Appropriate conditions will be included to minimise soil erosion.	YES
Land Contamination – Section 5.02	Land contamination discussed under Concept Plan considerations under Section 6 of the report. The submitted Remedial Action Plan is considered acceptable and the land will be suitable for its intended use.	YES
Aboriginal Heritage – Section 5.04	<p>The Statement of Heritage Impact has identified that it is unlikely that any Aboriginal archaeology would be present.</p> <p>An AHIMS web based search has been carried out and no Aboriginal sites or places were identified.</p>	YES
Heritage Items – Section 5.05	The Statement of Heritage Impact has identified that the proposal is unlikely to affect any of the heritage items within the vicinity. This was discussed in further detail under Part 6 Concept Plan of the report.	YES
Archaeological Management – Section 5.06	The Statement of Heritage Impact has identified that the proposal will unlikely affect any significant archaeological relics.	YES
Heritage Conservation Areas – Section 5.07	The Statement of Heritage Impact has identified that the proposal will not adversely affect heritage conservation area.	YES

Landscaping, Open Space and Visual Amenity – Section 7.02	The proposal is categorised as a Class 3 development under the DCP. In accordance with the DCP the application has been accompanied by a landscape concept plan and landscape design report prepared by a landscape architect. The provision of landscaping on the site is considered acceptable for the context and would complement the development.	YES
Traffic, Parking and Access – Section 7.03	Parking requirements of the DCP have been discussed under Part 6 Concept Plan of the report. The proposal is acceptable in this regard subject to conditions.	YES
Energy Efficiency – Section 7.05	A BASIX Certificate has been submitted and is acceptable.	YES
Stormwater – Section 7.06	Council's Development Engineer has reviewed the submitted stormwater management plan and has advised that it meets the requirements of the DCP.	YES
Water Efficiency – Section 7.07	The submitted stormwater plan satisfies water efficiency requirements and will also be addressed by standard conditions of consent.	YES
Waste Management – Section 7.08	A waste management plan has been submitted and satisfactorily addresses demolition and operational waste matters. A consent condition will ensure compliance.	YES