

# Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number	07_0133
Project	<p>Stage 1A &amp; 1B development at the north-eastern corner of the former Royal Newcastle Hospital (RNH) site being the construction of a mixed use development, consisting of:</p> <ul style="list-style-type: none"> <li>• The construction of 5 buildings (ranging from 5-16 storeys) comprising residential, restaurants/cafes and hotel development and associated basement carparking; and</li> <li>• Public domain works including a public plaza, pedestrian links to Shortland Esplanade and associated landscaping.</li> </ul>
Location	Part of Lot 12 in DP 1112367 between King St and Shortland Esplanade, Newcastle.
Proponent	Mirvac Projects Pty Ltd
Date issued	22/10/2007
Expiry date	2 years from date of issue
General requirements	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> <li>1. An executive summary;</li> <li>2. An outline of the scope of the project including: <ul style="list-style-type: none"> <li>• any development options;</li> <li>• justification for the project taking into consideration any environmental impacts of the project, the suitability of the site and whether the project is in the public interest; and</li> <li>• outline of the staged implementation of the project if applicable;</li> </ul> </li> <li>3. A site analysis including constraints mapping;</li> <li>4. Consideration of planning provisions in any relevant environmental planning instruments (EPIs) and guidelines (as outlined below) and identification of any non-compliances with such provisions;</li> <li>5. Consideration of impacts, if any, on matters of national environmental significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>;</li> <li>6. An assessment of the key issues specified below and a table outlining how these key issues have been addressed;</li> <li>7. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project;</li> <li>8. The plans and documents outlined in <b>Attachment 1</b>;</li> <li>9. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; and</li> <li>10. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project.</li> </ol>
Key issues	<p><b>PART A - Key Issues</b></p> <p>The EA must address the following key issues:</p> <p><b>1.0 Relevant EPI's and Guidelines to be Addressed</b></p> <p><b>1.1</b> Demonstrate consistency with permissibility and planning provisions contained in all relevant plans and policies applying to the site and outline the nature, extent and justification of any non-compliance. EPIs to be addressed include:</p> <ul style="list-style-type: none"> <li>• SEPP No. 65 – Design Quality of Residential Flat Development &amp; Residential Flat Design Code;</li> <li>• SEPP (Building Sustainability Index: BASIX) 2004;</li> <li>• SEPP No. 11 – Traffic Generating Developments;</li> <li>• SEPP No. 55 – Remediation of Land;</li> <li>• Newcastle Local Environmental Plan 2003 &amp; Draft Newcastle City Centre Local</li> </ul>

Environmental Plan 2006; and

- Newcastle Development Control Plan 2005, Draft Newcastle City Centre Development Control Plan 2006 and any other relevant local planning policies;

1.2 Demonstrate consistency with the approved concept plan, as modified on 3 January 2007. Provide justification for any inconsistencies, including discussion of options (if relevant).

## **2.0 Design, Visual Impacts and Design Quality Principles**

2.1 Address the issues and recommendations put forward by the RNH Design Integrity Panel.

2.2 Address height, bulk and scale of the proposed development within the context of the locality.

2.3 Address the design quality with specific consideration of the façade, massing, setbacks, and proportions to openings, building articulation, and amenity (internal & external to site).

2.4 Address the visual impact of the proposed development when viewed from the street, city centre, the water and adjacent foreshore areas including along significant view corridors.

## **3.0 Environmental and Residential Amenity**

The project must achieve a high level of environmental and residential amenity. In particular the EA is to address the following issues:

3.1 **Solar access:** To public and private open spaces, internal living areas and on adjoining properties and foreshore areas.

3.2 **Wind effects:** Demonstrate the design achieves appropriate wind speeds for all publicly accessible spaces. A Wind Tunnel Test shall be undertaken to test the design, and determine mitigation measures to be implemented.

3.3 **Noise:** Acceptable levels of acoustic privacy in dwellings and impacts on the locality.

3.4 **Visual Privacy:** Ensure the design reduces opportunity for overlooking between units with the development and into adjoining properties.

## **4.0 Heritage**

The EA should address the following:

4.1 A Statement of Heritage Impact is required addressing impacts on identified heritage items adjacent to, and on the site;

4.2 Outline the strategy to interpret the built and cultural heritage of the RNH site.

## **5.0 Traffic Impacts (Construction and Operational)**

Prepare a traffic impact study in accordance with the RTA's *Guide to Traffic Generating Developments* which addresses the following matters:

5.1 Any changes to traffic generation, street parking, road network and road capacity resulting from the project and any required road / intersection / signage alterations or upgrades;

5.2 Access to and within the site including emergency access;

5.3 Proposed loading dock(s) and car parking arrangements;

5.4 Service vehicle movement, clearance, separation and delivery times;

5.5 Measures to promote public transport usage; and

5.6 Pedestrian and bicycle linkages.

## **6.0 Landscape/Public Domain Plan**

The Landscape Plan will illustrate

6.1 The treatment of all communal/public open space areas, footpaths & driveways;

6.2 The details of any street furniture, signage, lighting, public art installations and surface treatments (i.e. pavers, lawn etc); and

6.3 Any planting design identifying plant species, mature height, spread and number of plants.

## **7.0 Safety/Public Domain/Pedestrians**

The environmental assessment is to demonstrate how the proposed building design and treatment of the public domain and open spaces will:

7.1 Maximise surveillance, safety and security within the public domain and the basement car park and consistency with 'Safer by Design' principles;

7.2 Ensure access for people with disabilities; and

7.3 Minimise potential for vehicle and pedestrian conflicts.

	<p><b>8.0 Staging</b> The EA must include details regarding</p> <p>8.1 The proposed staging of the development including the Construction Schedule, relating to the remainder of the RNH site; and</p> <p>8.2 How construction and occupation of the subject site will be affected by the staging of the remaining portion of the site by way of access and construction related impacts.</p> <p><b>9.0 Social Impacts</b> The environmental assessment is to address the social and economic context of the development in terms of infrastructure requirements, staging and monitoring of infrastructure works, and community services and facilities.</p> <p><b>10.0 Ecologically Sustainable Development (ESD)</b> The environmental assessment shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases, including water and energy usage, and waste minimisation and recycling strategies.</p> <p><b>11.0 Potential On Site Contamination</b> The EA must provide an assessment in accordance with SEPP 55, to determine type and extent of contamination on the site and provide a management and/or a Remedial Action Plan to ensure the user safety during both the construction and subsequent operation, if required.</p> <p><b>12.0 Provision of Public Services and Infrastructure</b> Address provision of public services and infrastructure having regard to the Council's <i>Section 94 Contribution Plan</i> and details of any Voluntary Planning Agreement proposed.</p> <p><b>13.0 Utilities</b> In consultation with relevant agencies, address the existing capacity and requirements of the development for water, electricity, waste disposal, telecommunications and gas. Identify staging, if any, of infrastructure works.</p>
Consultation	<p><b>Agencies or other authorities:</b> An appropriate and justified level of consultation shall be undertaken with the following parties (where relevant) during the preparation of the EA:</p> <ul style="list-style-type: none"> <li>• Newcastle City Council;</li> <li>• NSW Roads and Traffic Authority;</li> <li>• NSW Heritage Council;</li> <li>• Mine Subsidence Board; and</li> <li>• Department of Environment &amp; Climate Change.</li> </ul> <p><b>RNH Design Integrity Panel</b> The proposal will be presented to the RNH Design Integrity Panel for comment at the following stages of the development of this site (at minimum):</p> <ul style="list-style-type: none"> <li>• On lodgement of EA</li> <li>• Prior to DG report finalisation</li> <li>• CC submission</li> </ul> <p><b>Public:</b> Document all community consultation undertaken to date or discuss the proposed strategy for undertaking community consultation. This should include any contingencies for addressing any issues arising from the community consultation and an effective communications strategy. The consultation process and the issues raised are to be described in the EA.</p>
Deemed refusal period	60 days

# Attachment 1: Plans and Documents to accompany the Application

## Plans and Documents of the development

The following plans, architectural drawings and diagrams of your proposal as well as the relevant documents will be required to be submitted for your application:

1. The **existing site survey plan** is to be drawn to 1:500 scale (or other appropriate scale) and show:
  - the location of the land, the measurements of the boundaries of the land, the size of the land and north point;
  - the existing levels of the land in relation to buildings and roads;
  - location and height of existing structures on the site; and
  - location and height of adjacent buildings and private open space.
  - all levels to be to Australian Height Datum.
2. A **Site Analysis Plan** must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, property dimensions, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways, private open space etc).
3. A **locality/context plan** drawn to 1:500 scale (or other appropriate scale) should be submitted indicating:
  - significant local features such as parks, community facilities and open space and heritage items;
  - the location and uses of existing buildings, shopping and employment areas;
  - traffic and road patterns, pedestrian routes and public transport nodes
  - The existing site plan and locality plan should be supported by a written explanation of the local and site constraints and opportunities revealed through the above documentation.
4. The **Environmental Assessment** in accordance with the Director-General's Environmental Assessment Requirements as outlined in The Key Issues.
5. The **Architectural drawings** (where relevant) are to be drawn to scale and illustrate the following:
  - the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land;
  - detailed floor plans of the proposed buildings;
  - sections and elevations including detailed sections of the proposed building;
  - the location and size of vertical and horizontal circulation of lifts, stairs and corridors;
  - fenestrations, balconies and other features;
  - communal facilities and servicing points;
  - accessibility requirements of the Building Code of Australia and the Disability Discrimination Act;
  - the height of the proposed development in relation to the land;
  - any changes that will be made to the level of the land by excavation, filling or otherwise;
  - the level of the lowest floor, the level of any unbuilt area and the level of the ground;
  - parking arrangements, where vehicles will enter and leave the site, and how vehicles will move about the site;
  - pedestrian access to and within the site.
6. The **shadow diagrams** showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm.

	<p>7. An external <b>materials and finishes board</b> is to be provided providing details of the external building materials and colours proposed.</p> <p>8. The <b>Other plans</b> including (where relevant):</p> <ul style="list-style-type: none"> <li>• <b>Stormwater Concept Plan</b> - address drainage/flooding issues associated with the development/site, including on-site detention of stormwater (if any), drainage infrastructure and incorporation of Water Sensitive Urban Design measures. Illustrate the concept for stormwater management from the site to the Council drainage system and include a detailed site survey. Where an on-site detention system is required or being provided, the type and location must be shown and must be integrated with the proposed landscape design. Site discharge calculations should be provided and must include details of all major overland flow paths;</li> <li>• <b>Erosion and Sediment Control Plan</b> – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site;</li> <li>• <b>Geotechnical Report</b> – prepared by a recognised professional which assesses the risk of Geotechnical failure on the site and identifies design solutions and works to be carried out to ensure the stability of the land and structures and safety of persons. The report should be in accordance to guidelines outlined in the submission from the Mine Subsidence Board (<b>see attached</b>);</li> <li>• <b>View Analysis</b> - Visual aids such as a photomontage must be used to demonstrate visual impacts of the proposed building envelopes in particular having regard to the siting, bulk and scale relationships from the beach and surrounding streets/key areas;</li> <li>• <b>Coloured elevations</b> - of the proposed buildings drawn to the same scale as the architectural drawings. The elevations are to indicate height and key datum lines, building length and articulation, materials and finishes, the composition of the façade and roof design, existing buildings on the site, building entries (pedestrian, vehicular and service), and profile of buildings on adjacent properties;</li> <li>• <b>BASIX</b> - compliance details and relevant certificates;</li> <li>• <b>SEPP 65</b> – Verification Statement is to be provided confirming compliance;</li> <li>• <b>Acoustic Assessment</b> - An acoustic assessment, including mitigation measures, is required to demonstrate that the proposed apartments are designed to achieve an appropriate level of acoustic privacy. The acoustic assessment should demonstrate that the proposal and associated uses would not have an unacceptable noise impacts on the amenity of the locality.</li> <li>• <b>Waste Management Plan</b> – a plan which addresses demolition and construction wastes that may be generated including likely quantities, proposed disposal destinations and best practices for safe handling and disposal in accordance with WorkCover's Occupational Health and Safety requirements must be provided;</li> <li>• <b>Construction Management Plan</b> – a plan which outlines traffic and pedestrian management during construction as well mitigation measures for noise, privacy and access to occupants and users of the existing buildings surrounding the site.</li> </ul>
Documents to be submitted	<ul style="list-style-type: none"> <li>• 12 hard copies of the EA;</li> <li>• 12 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and</li> <li>• 1 copy of the EA and plans on CD-ROM (PDF format), (see specifications for electronic documents below).</li> <li>• If the EA is bulky and lengthy in volume, you will be required to package up each EA ready for distribution by the Department to key agencies.</li> </ul>
Electronic Documents	Electronic documents presented to the NSW Department of Planning for publication via the Internet must satisfy the following criteria:



- Adobe Acrobat PDF files and Microsoft Word documents must be no bigger than 1.5 Mb. Large files of more than 1.5 Mb will need to be broken down and supplied as different files;
- All file names will need to follow the following file naming convention: 'projectno\_projectname\_documentname\_documentpart.xxx' (please ensure no capital letter, no spaces, and no special characters such as hyphens, apostrophes or ampersands). Numbers and underscores are fine. This is so that the Department can publish them rapidly on our server.
- Avoid sending documents that are broken down in more than 10 files;
- Image files should not be bigger than 2Mb.
- Graphic images will need to be provided as [.gif] files;
- Photographic images should be provided as [.jpg] files;
- Large maps will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each;
- Images inserted into the document will need to be calibrated to produce files smaller than 1.5Mb. Large images will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each.

Alternatively, these electronic documents may be placed on your own web site with a link to the Department of Planning's website.