

6.11 Royal Newcastle Hospital Site

Amendment history

Version Number	Date Adopted by Council	Commencement Date	Amendment Type
1	15/11/2011	15/06/2012	New

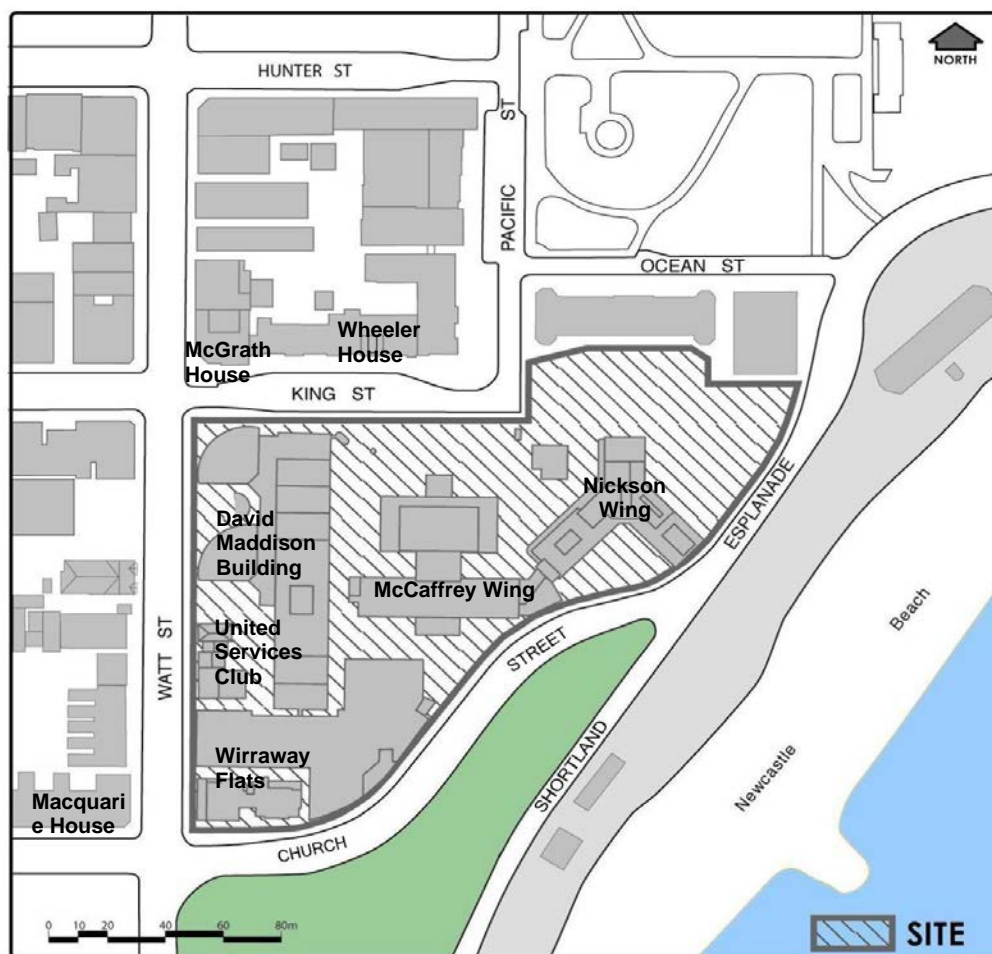
Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined taking into consideration the provisions of this section.

Land to which this section applies

This section applies to all land within the heavy line on **Map 1 – Royal Newcastle Hospital Site** (bounded by King Street, Watt Street, Church Street and Shortland Esplanade).

Map 1 – Royal Newcastle Hospital site



Development (type/s) to which this section applies

This section applies to all development.

Applicable environmental planning instruments

The provisions of the following listed environmental planning instrument/s also apply to development applications to which this section applies:

- Newcastle Local Environmental Plan 2012
- State Environmental Planning Policy (Urban Renewal Newcastle) 2010
- State Environmental Planning Policy No 71—Coastal Protection.

In the event of any inconsistency between this section and the above listed environmental planning instruments, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: The *Environmental Planning and Assessment Act 1979* enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

Related sections

The following sections of this DCP **will** also apply to development to which this section applies:

- Any applicable landuse specific provision under Part 3.00

Note: Any inconsistency between the locality specific provision and a landuse specific provision, the locality specific provision will prevail to the extent of the inconsistency.

- 4.04 Safety and Security
- 7.02 Landscaping, Open Space and Visual Amenity
- 7.03 Traffic, Parking and Access
- 7.05 Energy Efficiency
- 7.06 Stormwater
- 7.07 Water Efficiency
- 7.08 Waste Management.

The following sections of this DCP **may** also apply to development to which this section applies:

- 4.01 Flood Management – all land which is identified as flood prone land under the Newcastle Flood Policy or within a PMF or area likely to flood
- 4.02 Bush Fire Protection – within mapped bushfire area/zone
- 4.03 Mine Subsidence – within mine subsidence area
- 4.05 Social Impact – where required under ‘Social Impact Assessment Policy for Development Applications’, 1999
- 5.01 Soil Management – works resulting in any disturbance of soil and/or cut and fill
- 5.02 Land Contamination – land on register/where risk from previous use
- 5.03 Vegetation Management – trees within 5m of a development footprint or those trees likely to be affected by a development
- 5.04 Aboriginal Heritage – known/likely Aboriginal Heritage item/site and/or potential soil disturbance
- 5.05 Heritage Items – known heritage item or in proximity to a heritage item
- 5.06 Archaeological Management – known/likely archaeological site or potential soil disturbance
- 6.02 Heritage Conservation Areas - known conservation area
- 7.04 Movement Networks – where new roads, pedestrian or cycle paths are required
- 7.09 Advertising and Signage – signage and outdoor advertising

- 7.10 Street Awnings and Balconies – awnings or balconies to be located over public land.

Associated technical manual/s

- Commercial Development Technical Manual
- Heritage Technical Manual

Additional information

- Royal Newcastle Hospital Masterplan 2004, Landcom
- Royal Newcastle Hospital Concept Plan (MP 05_0062 approved by the then Minister for Planning on 3 January 2007 <http://majorprojects.planning.nsw.gov.au>)
- Background Historical Archaeological Assessment for the RNH Site, Newcastle, December 2004 (ERM)
- Newcastle Archaeological Management Plan 1997
- Indicative Heritage Assessment – RNH Redevelopment, United Services Club, Watt Street Newcastle, October 2004, Sutters Architects (the Sutters Report)

Note: Urban Design Consultative Group

Proposals involving larger development which, by virtue of their location or scale, are likely to have a significant impact within the city may be referred to Council's Urban Design Consultative Group for independent advice.

In some instances, there will be the opportunity to discuss your proposal directly with the Group prior to the lodgment of your application. The Group will be able to offer independent advice regarding the design of the proposal. The recommendations and advice of the Group will be taken into consideration when assessing the development.

Definitions

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Part 9.00 - Glossary, of this plan.

Aims of this section

1. To provide responsive and sustainable redevelopment of the site.
2. To ensure new development incorporates best practice principles and achieves a quality urban renewal outcome.
3. To compliment the heritage character of the city through appropriate built form.
4. To acknowledge the unique character of the site by providing a transitional built form from the city buildings to the beach.
5. To retain human scale to public streets and spaces.
6. To improve connectivity through the site for both vehicles and pedestrians.
7. To ensure appropriate solar access is provided within the site and to adjoining development and Newcastle Beach.

8. To protect and enhance important views through building design and location.
9. To provide vibrant public spaces through a mix of land uses that activate the streets and support both daytime and nighttime economies.
10. Reinforce a sense of place through interpretation of the social and cultural history of the site in design, art, public spaces and built form.

6.11.01 Preamble

The Royal Newcastle Hospital (RNH) city block is characterised by its position adjacent to both Newcastle Beach and the CBD. Its use for medical purposes since c1817 strongly links the local community to the site for employment, cultural and social reasons.

The key urban design objectives and detailed development provisions aim to ensure that development occurring on the site:

- (a) reflects and respects its locational and heritage context
- (b) provides an appropriate mix of high quality, publicly accessible services and facilities
- (c) generates positive economic and employment impacts, and
- (d) interprets the site's important social and cultural history for current and future generations.

These requirements are underpinned by a framework derived from the characteristic features of the surrounding parts of City East and Council's commitment to ensuring a socially, economically and environmentally sustainable outcome for the site.

6.11.02 City structure and the site

The site must relate to the broader structure of the city based on the character of land uses, the movement network, the open space network, the buildings and the experience of the city in terms of its physical attributes such as gateways, landmarks and views. The integration of the site into the city structure is important to achieve a cohesive and co-ordinated approach in the long term planning of the city and the design of buildings and the public domain within City East and the Newcastle City Centre Conservation Area.

Generally, built form should step down from the city centre to the beach.

A. Access corridors

Objectives

1. Ensure development provides connections within the site and to surrounding streets.
2. Provide clearly defined communal, private and public domains.
3. Integrate the site into City East.

Controls

1. The following publicly accessible links are to be provided through the site:
 - (a) a public road (nominally consisting of two travel lanes, with parking and footpaths on each side) from Pacific Street to Church Street (shown as No. 1 on **Map 2: Gateway and access corridors**) in accordance with the requirements of Council and the outcomes of a detailed traffic analysis
 - (b) a pedestrian access from King Street to Shortland Esplanade (with limited vehicle access permitted and no through traffic) (shown as No. 2 on **Map 2**), and
 - (c) an access lane from Watt Street to the extension of Pacific Street (shown as No. 3 on **Map 2**) is desirable (but not mandatory) allowing pedestrian access through the site but not through vehicular traffic.

Map 2: Gateway and access corridors



B. Land use and character areas

Areas east of the city centre along Newcastle Beach are presently undergoing a transition in character. New development should express a variation in building form that steps from the City Centre to the beach and relates to surrounding streets and public spaces.

To assist in defining building character across the site, preferred building types are indicated within the context of City East (see **Map 3: Preferred building types**).

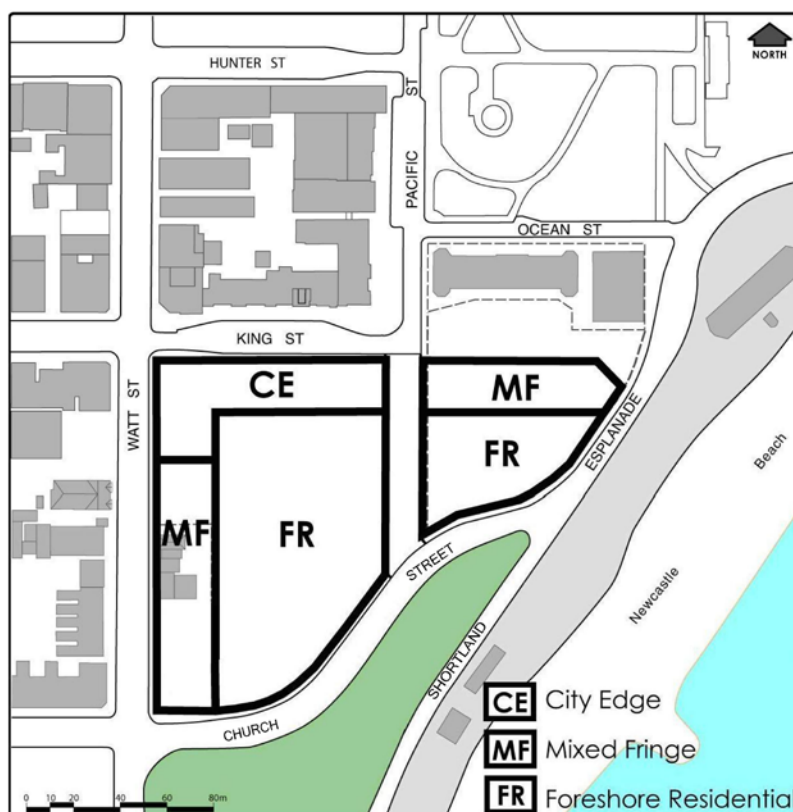
Objectives

1. Ensure that new development is sensitive to the character of its local land use context.
2. Ensure that the coastal precinct is developed in a manner which compliments City East in terms of uses, built form, and access between the City and its ocean foreshores.
3. Ensure that new development on this edge of City East contributes to the character of the coastal edge.

Controls

1. Development should have a positive relationship with the character area of which the site forms a part and respond to the preferred building types specified (see **Map 3**: Preferred building types).
2. The ground floor of buildings should address the street. The Watt and King Street frontages should have retail/commercial/café or community use where **Map 7**: Activation of street frontages indicates that active frontages are required. Pacific Street and Shortland Esplanade/Church Street may include residential uses at street level. Above ground uses may be mixed use and could include commercial, retail, tourist accommodation and residential uses.
3. Development on the edge of the city centre should positively contribute to and reinforce the desired character of the coastal edge.
4. Development should aim to maximise ocean views without significant overshadowing of the beach.

Map 3: Preferred building types



C. Gateways – Watt Street/Church Street

The intersection of Watt Street and Church Street forms a significant gateway entry to the city centre. Building forms at the corner of Watt Street and Church Street should reinforce this gateway through their design.

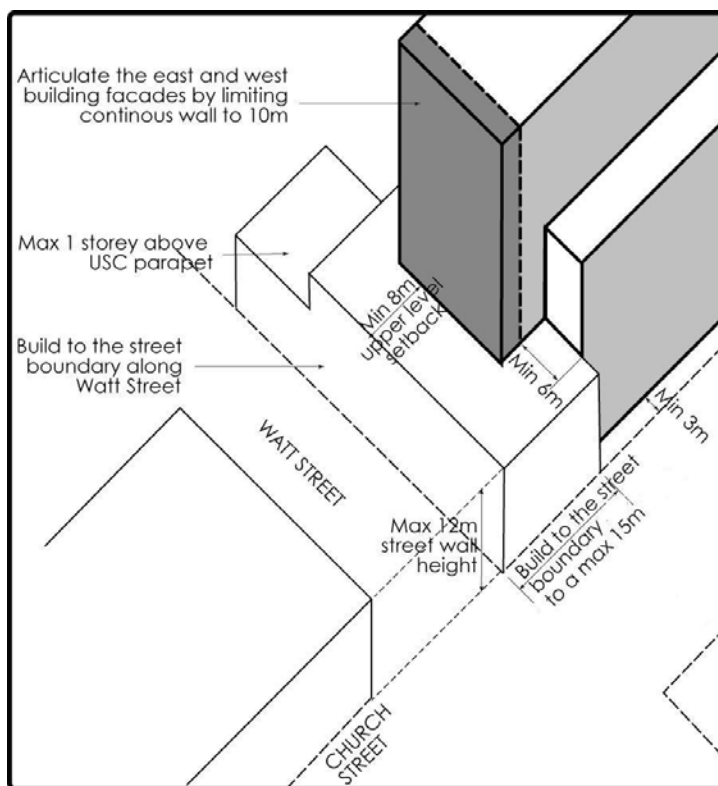
Objectives

1. Reinforce the sense of entry into the city centre.
2. Enhance the relationship of the site to existing gateway buildings along Watt Street.

Controls

1. Renovation of “Wirraway Flats” should address the gateway through design innovation and material choice.
2. Redevelopment of “Wirraway Flats” should respect contributory buildings along Watt Street and provide an interface to adjoining buildings.
3. New development that responds to the height of buildings on the adjacent corner (Macquarie House) should be built to the street alignment. Taller buildings should be set back from the street alignment (see **Figure 1: Gateway**).

Figure 1: Gateway



The location of the Gateway is shown on **Map 2: Gateway and Access Corridors**.

D. Heritage and archaeology

The Newcastle City Centre Conservation Area in which the site is located is significant socially, culturally and in its built form. It contains a rich diversity of building types, representing different periods of the city's development, executed in different styles. There is however an overall harmony which results largely from the variable but consistent range in scale, materials and treatments.

Objectives

1. Acknowledge, respond to and interpret the heritage significance of the heritage conservation areas within City East.
2. Enhance existing heritage items and reflect and respond to their built form and character.
3. Enable interpretation of the cultural and social heritage of the site including indigenous heritage.
4. Enable the archaeological potential of the site to be resolved through each development phase.

Controls

1. Development Applications for demolition or to carry out work will require the submission of a heritage management document in accordance with the provisions of clause 5.10 of Newcastle Local Environmental Plan 2012.

Note: clause 5.10(5) Heritage Assessment of Newcastle Local Environmental Plan 2012 states:

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or
- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Heritage management document means:

- (a) a heritage conservation management plan, or
- (b) a heritage impact statement, or
- (c) any other document that provides guidelines for the ongoing management and conservation of a heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.

2. The United Services Club building (55 Watt Street) and its curtilage should be retained.

3. A Conservation Management Plan shall be prepared in relation to the United Services Club building.
4. Development should be compatible with the heritage character of the Newcastle City Centre Conservation Area. Refer to section 5.07 Heritage Conservation Areas.
5. The RNH site should be archivally recorded to a standard of local significance as set out in NSW Heritage Office guidelines in order to record the final phase of the hospital.
6. Any large-scale sub-surface works undertaken in areas identified as having archaeological potential in the report 'Background Historical Archaeological Assessment for the RNH Site, Newcastle, December 2004 (the ERM report)', are to be subject to:
 - (a) archaeological test excavation
 - (b) archaeological salvage, if warranted, and / or
 - (c) archaeological monitoring and archival recording during demolition/construction.
7. Any archaeological remains relating to the first two phases of the Newcastle Hospital (the "First Hospital" 1817 – 1860, and the "Second Hospital" 1860 – 1875) are considered to be of high state heritage significance. If sub-surface works are to occur within the area identified in the ERM report as having potential to contain these deposits then archaeological test excavation should be conducted.
8. Any significant archaeological excavation within the study area should incorporate interpretation, such as exhibitions, displays, school archaeology, open days and the like. Public archaeology should be built into any schedule of archaeological excavation from its inception.
9. Archaeological investigations should be in accordance with the Newcastle Archaeological Management Plan (1997).
10. The 'Suters Architects Indicative Heritage Assessment – RNH Redevelopment, United Services Club, Watt Street Newcastle', October 2004 (the Suters Report) identifies the parking area at the rear of 55 Watt Street as having high archaeological potential (location of a c1816-1818 building). If sub-surface works occur within the area identified as having potential to contain these deposits then archaeological test excavation should be conducted.
11. The outcomes of the above investigations should be included in the Site Interpretation Strategy, see provisions 6.11.06 A and B - Site interpretation strategy and Public art with other interpretive information.

E. Public domain

Redevelopment provides opportunities for additional public domain areas through the creation of connections between the city centre, the site and the beach. The creation of new streets and public open space close to the beach will improve existing pedestrian amenity for workers, visitors and residents.

Public open space and landscaping

Objectives

1. Create active public spaces and streets that interface between the public and private domain.
2. Provide a safe, accessible and convenient movement network for vehicles, pedestrians (including those with limited mobility) and cyclists along streets and through public open spaces.
3. Minimise environmental impacts of new buildings on adjacent public spaces.
4. Enhance amenity and environment by greening the site.
5. Ensure that water and energy conservation practices are incorporated into building and landscape design.

Controls

1. Ensure the distinction between public and private open space is clear through its design.
2. Development is to adopt design strategies that minimise detrimental environmental effects on surrounding public spaces, especially over-shadowing, wind turbulence and glare.
3. Public open space is to provide a range of experiences and facilities.
4. Plant species are to accommodate local environmental conditions, particularly the exposure to strong coastal winds, salt spray and shading.
5. Street tree planting is to be provided along King and Watt Streets, Shortland Esplanade / Church Street and the extension of Pacific Street.
6. Roof gardens on buildings that provide areas for recreation and environmental benefits (eg. recreation, communal space, stormwater storage/treatment, insulation) are encouraged.
7. Deep soil planting at ground level is encouraged and should be incorporated within landscaped areas (subject to consideration of any soil contamination issues).
8. Landscape treatment of the public domain should integrate site interpretation into landscape design and meaning. Possibilities for how this may be achieved include:
 - (a) interpreting the Aboriginal and European history of the site in the landscape design through the design of individual elements (eg. furniture, structures), selection of materials and choice of plant species (eg. medicinal theme)
 - (b) relaying/recreating the stone tiled lobby floor of the Nickson Building in paving within the public domain in the event that the Nickson Building is demolished
 - (c) indicating the footprints of the existing buildings within the public domain
 - (d) inlaying names or words associated with the site's history in the paving or other elements
 - (e) site specific public artworks and water features located in public areas.

Public plaza

Objectives

1. Create a vibrant and sheltered public plaza in proximity to the beach.
2. Ensure the design of the public plaza responds to the existing environmental conditions affecting the site.
3. Provide connections between the extension of King Street and the Pacific Street extension and Shortland Esplanade (see **Map 2: Gateway and Access Corridors**).

Controls

1. The public plaza should:
 - (a) be located in the eastern precinct of the site generally as shown on **Map 6** Precincts
 - (b) maintain a northerly aspect, and have frontage to and be contiguous with the pedestrian extension of King Street
 - (c) interface with buildings fronting Shortland Esplanade / Church Street
 - (d) be designed to maximise solar access and protection from wind turbulence. Shade structures and landscaping should be used to reduce glare and other environmental effects through endemic species selection having regard to landscape design principles and guidelines and to the satisfaction of Council
 - (e) provide lighting that clearly defines pedestrian paths through the plaza without the creation of overspill or glare
 - (f) include surveillance of the plaza through placement of windows and doors on surrounding buildings. Surveillance, safety and security of the public domain should be in accordance with the principles of Crime Prevention Through Environmental Design (CPTED)
 - (g) provide for public art and exhibition spaces and other cultural activities
 - (h) consider incorporating a play area.
 - (i) provide opportunities for permanent representation of aspects of the Site Interpretation Strategy (see section 6.11.06 A - Site Interpretation Strategy)
 - (j) include materials, furniture and structures that are durable and to the satisfaction of Council
 - (k) incorporate species selection for landscaping from the Site Interpretation Strategy, refer section 6.11.06 A.

Public streets and spaces

Objectives

1. Improve pedestrian amenity adjacent to the foreshore.
2. Provide clear pedestrian paths through the site and from the city centre to the beach.
3. Improve connectivity and facilitate vehicle access arrangements.

Controls

1. Materials, furniture and structures within public spaces should be consistent with the treatment of the public plaza and be compatible with treatments in surrounding streets.
2. Species selection for landscaping in public spaces should incorporate recommendations from the Site Interpretation Strategy, refer section 6.11.06 A.
3. King Street extended should provide a pedestrian connection between the city and the beach and complement (and be part of) the plaza. The design and articulation of buildings, colours, materials and paving should accentuate the link between this public space and the beach.
4. The location of Pacific Street extended should align directly with the existing Pacific Street alignment, to provide a clear connection through the site to Fletcher Park and the Harbour. The articulation of buildings, corner treatments, the selection of materials, colours, and landscaping should clearly identify the entrance to this public street.

F. View corridors

Objectives

1. Maintain views to and from the site, to the harbour, ocean, and Christ Church Cathedral.
2. Create views through the site by the provision of pedestrian spaces and street extensions.

Controls

1. A view analysis should be undertaken as part of the Development Application process to ensure views through the site are appropriately considered.
2. Buildings and landscaping fronting King Street and its proposed extension to Shortland Esplanade should be designed and located to maintain a direct easterly view through the site to the beach/ocean. No buildings are to obstruct or diminish this view.
3. Buildings and landscaping within the site is designed and located to maintain a direct westerly view through the site to the Cathedral from Bathers Way (near the canoe pool).
4. Buildings and landscaping fronting Pacific Street and its proposed extension to Church Street should be designed and located to maintain southerly views through the site to Fletcher Park, and northerly views towards the Convict Lumber Yard and Newcastle Harbour.

5. A view corridor is to be considered through the western precinct from the intersection of Church Street and the extended Pacific Street to St Phillips Church and tower fronting Watt Street. Building elements such as arcades and/or colonnades may frame this view but should not obstruct it.

G. View sharing

Objectives

1. Provide for view sharing between new and existing buildings.
2. Maximise outlook and views from principal rooms and private open spaces without compromising visual privacy.

Controls

1. The design, height and bulk of proposed buildings are to incorporate the sharing of views through the location and orientation of buildings and land uses, gaps between buildings, placement of windows, balconies and open space.

6.11.03 Built form

Built form refers to the three dimensional character of development, including location, massing and height of buildings in relation to topography, streetscape and density. It is intended that development adjacent the beach is of a lower scale.

A. Density – floor space ratio (FSR)

Objectives

1. Provide an appropriate density of development consistent with established centres hierarchy.
2. Ensure building density, bulk and scale makes a positive contribution towards the desired built form as identified by the centres hierarchy.
3. Ensure the bulk and scale of development reflects and compliments the distinct character of City East.

Controls

1. The maximum Floor Space Ratio (FSR) for a building on the Royal Newcastle site is not to exceed the floor space ratio shown for the site on the floor space ratio map that is part of Newcastle Local Environmental Plan (LEP) 2012.

Note: Newcastle LEP 2012 FSR maps show the site as being within Area C - Tourist. Clause 4.4A of Newcastle LEP 2012 provides that if a building on the site is not used for a tourist activity the maximum FSR is 3:1 and if the building is used only for a tourist activity the maximum FSR is 4:1. If a building is used for a combination of uses Clause 4.4(6) of Newcastle LEP 2012 provides a calculation to determine the FSR. Refer to Newcastle LEP 2012 for further information and relevant clauses.

B. Building heights

Objective

1. Ensure the scale of development makes a positive contribution towards the desired built form, consistent with the established centres hierarchy.
2. Allow reasonable daylight access to all developments and the public domain.
3. Ensure building heights complement the built fabric of City East and the dominant form of Christ Church Cathedral.
4. Encourage a built form that reflects and responds to the topography.
5. Provide sympathetic built forms that reflect a transition in building height from the City Centre through the site, to the beach.
6. Ensure building height and massing responds to and enhances the built form character of Watt, King and Pacific Streets.
7. Improve sunlight access on Newcastle Beach and foreshore areas.

Controls

1. The height of a building on the Royal Newcastle site is not to exceed the maximum height shown for the land on the height of buildings map that is part of Newcastle LEP 2012.

Note: Newcastle LEP 2012 height of buildings map shows the maximum building height for the Royal Newcastle site as 35m. Clause 4.4B of Newcastle LEP 2012 contains additional provisions in relation to building heights in City East. This clause allows the consent authority in certain circumstances to consider an exceedance to the maximum building height up to the height of an existing building on an adjoining site. Refer to Newcastle LEP 2012 for further details.

2. Taller buildings are aligned to maintain view sharing and to reinforce the established street grid.
3. Taller buildings are located to improve solar access to Newcastle Beach and to protect and enhance the existing profile of City East.
4. Buildings fronting Watt Street adjacent to the United Services Club are to provide an appropriate transition to this building in terms of height, separation, modulation and street alignments.
5. Maximum height limits may not be achieved where development built to those heights will impede views through the site that are determined to be significant. A detailed view analysis shall be undertaken as part of the development design and approvals process.

C. Street wall/facade height and upper storey building setbacks

Objectives

1. Provide a human scale to streets and other public spaces.
2. Encourage building massing and forms that are consistent with and sympathetic to the prevailing building forms in City East.

Controls

1. Street wall heights and upper storey setbacks should be consistent with those shown in **Figures 2-5** with cross-sections identified on **Map 4**.
2. Upper storey setbacks should be a minimum of:
 - (a) 8m from the Watt Street boundary at its intersection with Church St
 - (b) 2.5m from the Shortland Esplanade / Church Street boundary
 - (c) 2.5m - 6m from the King and Pacific Street boundaries.
3. Upper storey setbacks should be a minimum of 6m from Church Street boundary (see **Figure 1: Gateway**).
4. Elements of a building's form may project into the upper storey setbacks where they contribute to the building's design.

Map 4: Building setbacks, street wall height and upper building setbacks (plan of street cross sections)

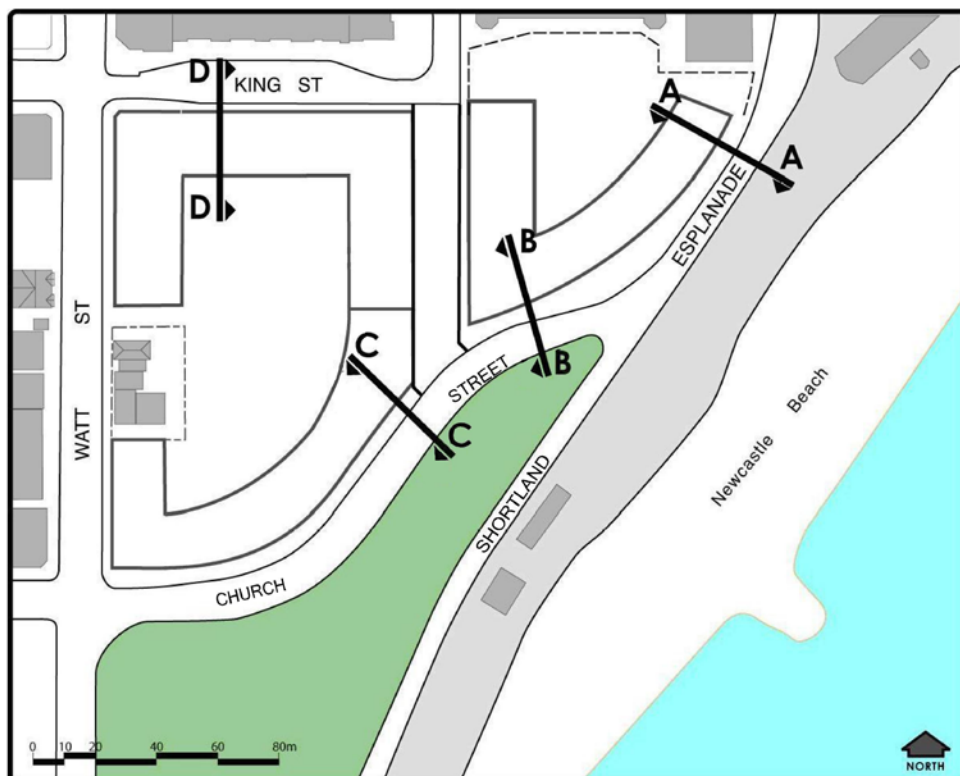


Figure 2: Shortland Esplanade street cross section A

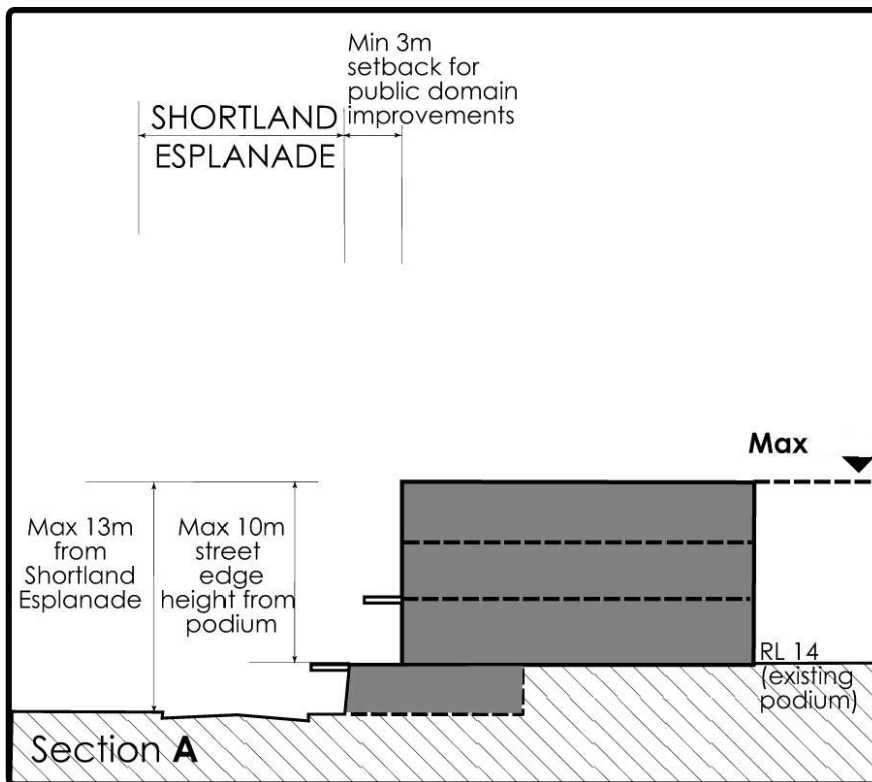


Figure 3: Shortland Esplanade street cross section B

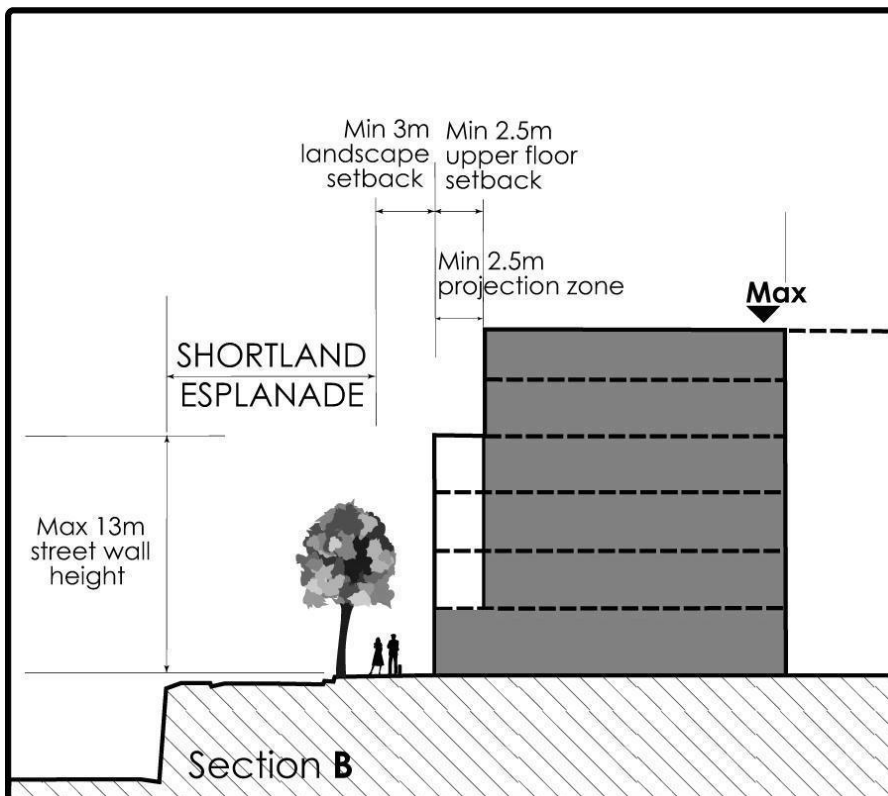


Figure 4: Shortland Esplanade street cross section C

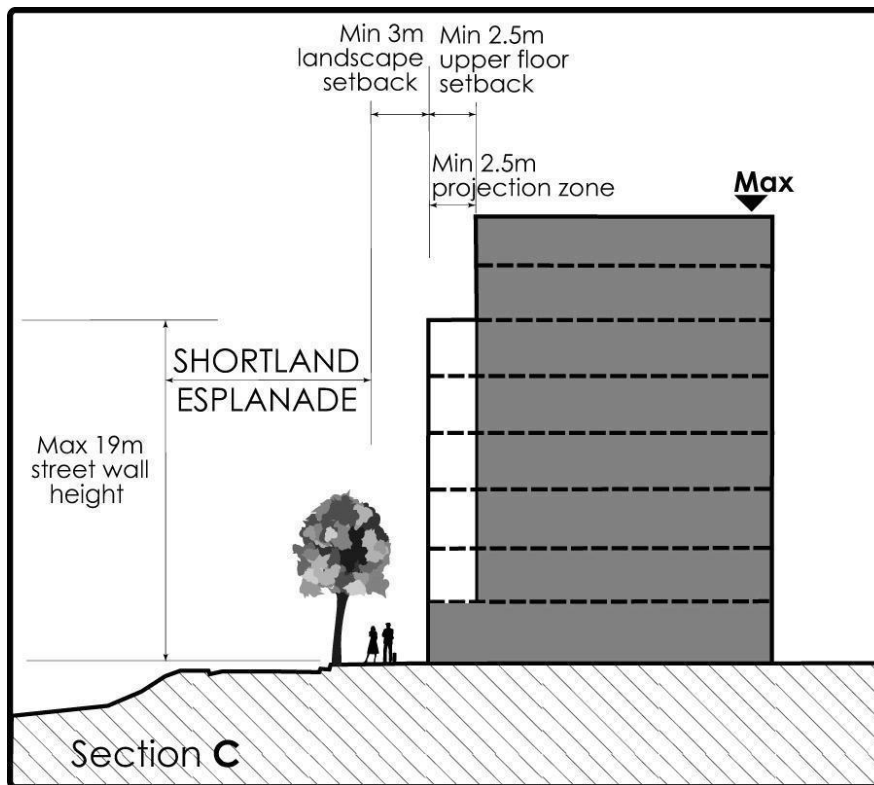
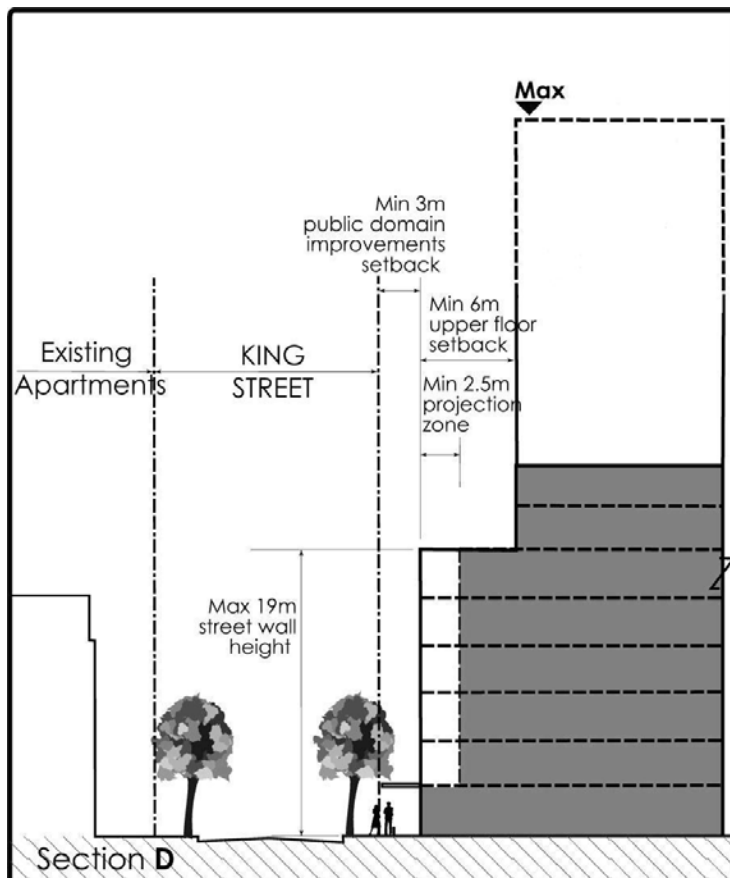


Figure 5: King Street cross section D



D. Building setbacks

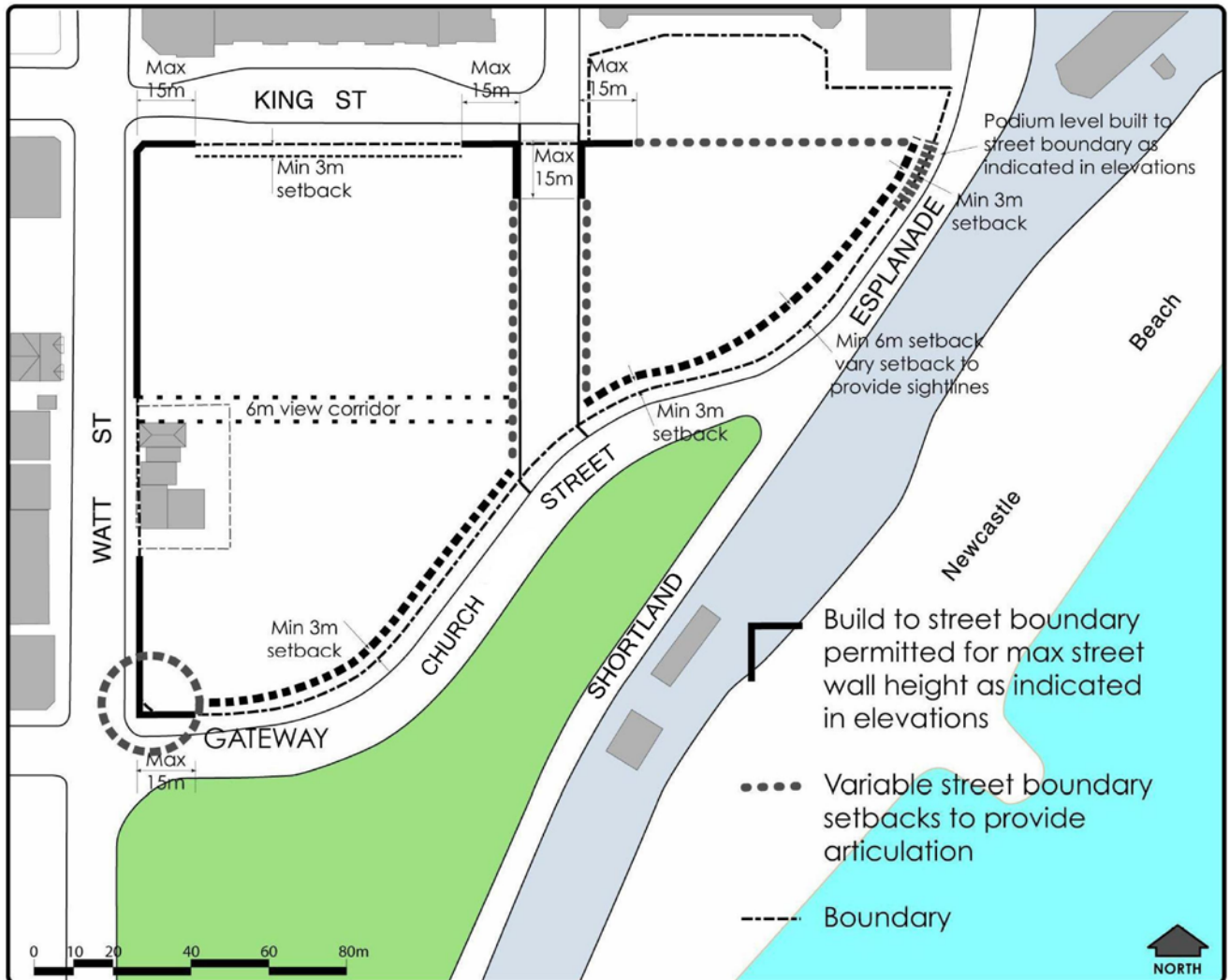
Objectives

1. Improve pedestrian amenity and circulation through and around the site.
2. Create consistent street edges and retain the human scale of streets and public spaces.
3. Provide opportunities for road widening, street tree planting, activation of street frontages and public domain improvements.

Controls

1. Building setbacks are consistent with those shown on **Map 5: Building setbacks**.
2. Buildings fronting Watt Street are constructed to the street boundary to reinforce the consistent streetscape established in Watt Street.
3. Buildings on the extension of Pacific Street are constructed to the street boundary adjacent to its intersection with King Street as shown on **Map 5**.
4. Buildings fronting King Street are constructed to the existing street boundary as shown on **Map 5**. Building setbacks opposite Wheeler House are to be set back 3m from the street boundary to reflect this building's character and allow for public domain improvements.
5. Buildings on Church Street and Shortland Esplanade are set back from the street boundary to provide for increased views and accessibility along the footpath while expressing the curved nature of the street.

Map 5: Building setbacks



E. Building bulk, massing and form

Objectives

1. Reinforce the overall pattern of building forms through the arrangement of bulk and massing characteristic of City East.

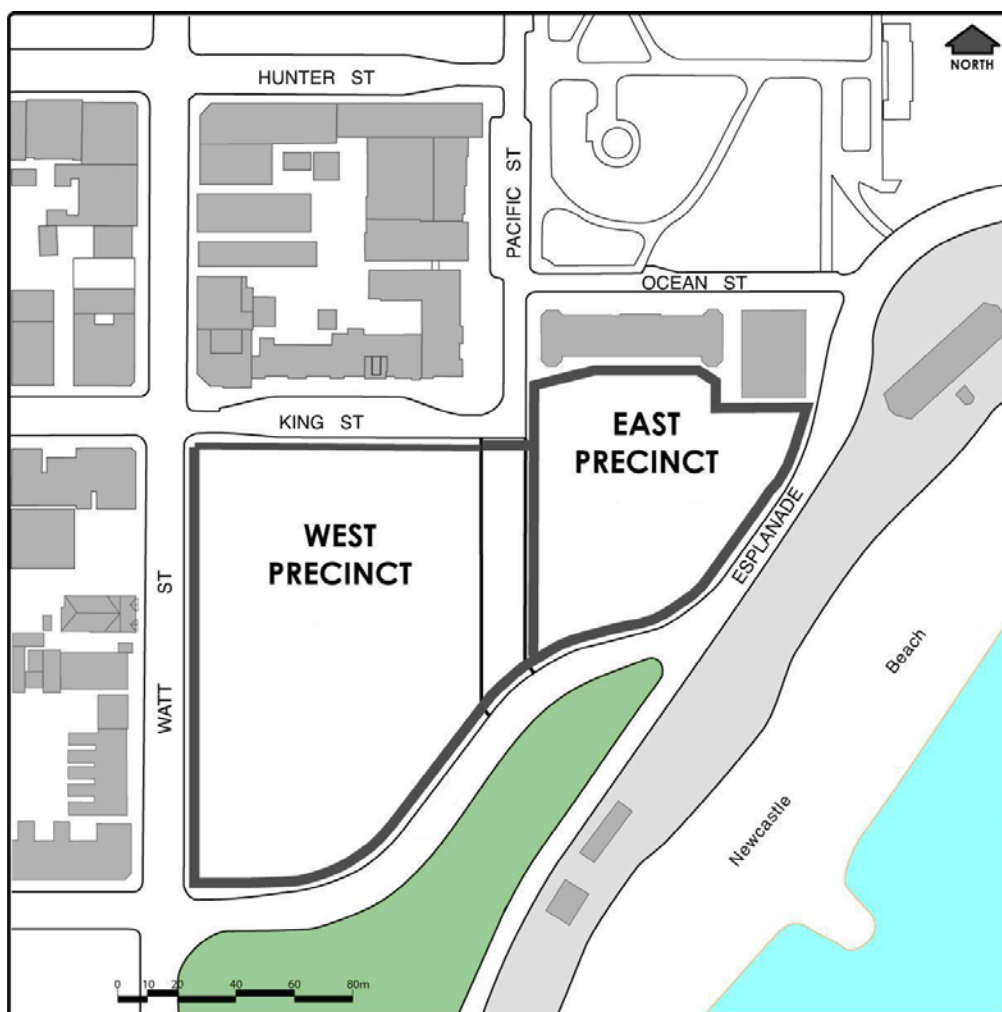
Controls

Controls applying to the Western Precinct

1. The Western Precinct forms the interface between the City and the foreshore and should provide a transition in building heights. It should support the bulk of commercial, tourism and residential development and contain taller building forms to minimise overshadowing on Newcastle Beach.
2. This precinct is to contain the taller buildings on the site.

3. Building types should consist of City Edge, Mixed Fringe and Foreshore Residential, (see **Map 3: Preferred building types and the Commercial Technical Manual**), which reflect the city context of lower buildings at the street edges and higher tower components to the rear.
4. The King Street frontage and northern section of the Watt Street frontage should be activated with a mix of retail and commercial uses (see **Map 7: Activation of Street Frontages**).
5. A continuous awning should be provided along the activated building facades along King Street and the Pacific Street extension for weather protection.
6. Active frontages continue into the extension of Pacific Street in this precinct with a mix of commercial, retail, restaurant, tourism or entertainment uses as shown on **Map 7**.
7. The Church Street and Shortland Esplanade frontage are to provide a mixed use character with individual residential/retail /studio entrances at ground level to activate the street.
8. Public, communal and private areas internal to the site are clearly defined through facade treatment, landscaping and fencing where ground floor private open spaces are provided.

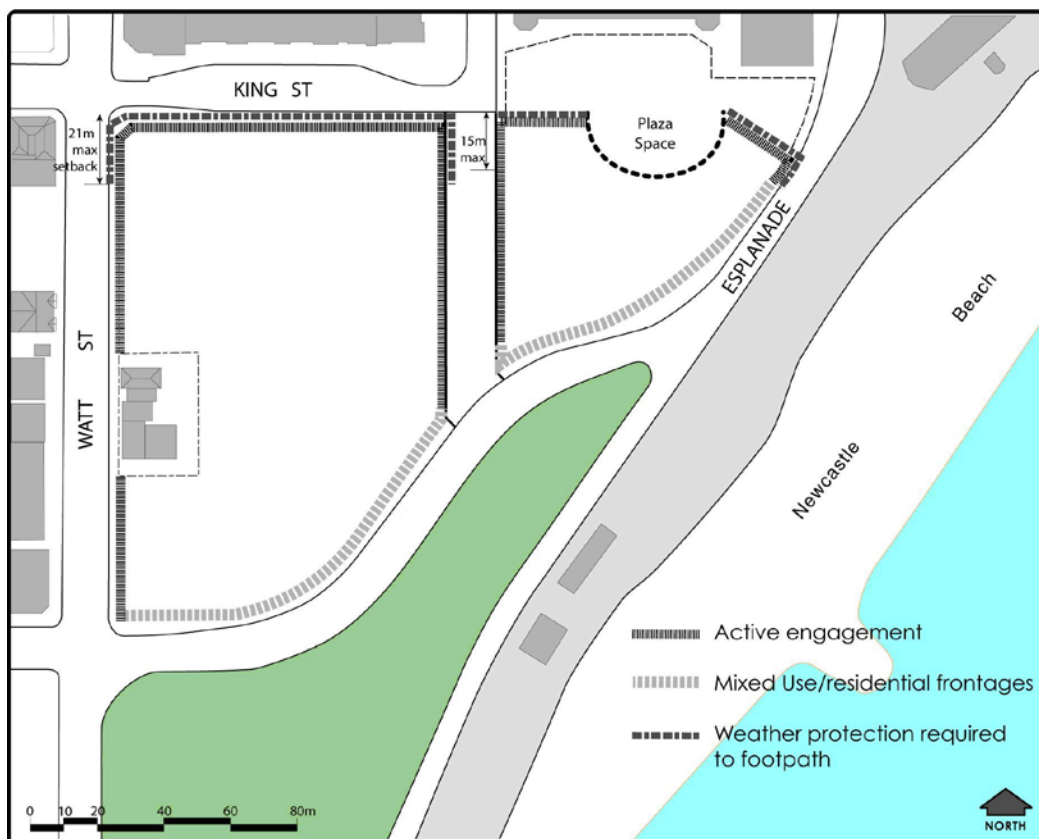
Map 6: Precincts



Controls applying to the Eastern Precinct

9. The Eastern Precinct forms the interface between the foreshore and the beach. It should support a public plaza and community and visitor related functions as well as commercial and residential development to minimise overshadowing of Newcastle Beach.
10. This precinct will contain buildings of a relatively lower density and height.
11. A public plaza should be located in this precinct as a formal public space adjacent to the beach, see provision 6.11.02 E Public domain.
12. Street frontages and edges and any public plaza should be activated with a mix of restaurant, café, retail, leisure and entertainment uses at ground and street levels, see **Map 7**.
13. The extension of King Street should provide a clear link between any public plaza, Shortland Esplanade and Newcastle Beach.
14. A continuous awning should be provided along activated building facades on:
 - (a) the King Street extension
 - (b) Shortland Esplanade at street level
 - (c) the Pacific Street extension, including the activated edges of any public plaza.
15. Building types consist of Mixed Fringe and Foreshore Residential, see the Commercial Technical Manual.

Map 7: Activation of street frontages



F. Vehicular access and parking

Objectives

1. Provide for the parking needs of building occupants and visitors without adverse impacts on building bulk or streetscapes.
2. Maximise opportunities for on-street public parking.
3. Minimise impact of driveways on pedestrian access and streetscapes.

Controls

1. Vehicular access to the site should 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. The identified desirable Watt Street to Pacific Street (extended) pedestrian access may provide a vehicle access point for the United Services Club and the western precinct as shown on **Map 6: Precincts**.
2. On-site parking should be provided underground and be appropriately ventilated with access to natural sunlight where practical.
3. The extension of Pacific Street should replicate Pacific Street's existing width and be designed as a public road to provide both vehicular and pedestrian access through the site and access to internal parking areas, loading bays and deliveries to commercial/retail outlets.
4. The extension of Pacific Street and intersection with Church Street should be designed and constructed at no expense to Council, and should incorporate appropriate intersection design and management.
5. The Church Street footpath is widened at its intersection with Watt Street to a minimum of 3m to improve sight lines and to provide for landscaping and weather protection.
6. The treatment of the difference in levels between Shortland Esplanade and the internal street/plaza level to provide clear pedestrian paths including provision of ramps where necessary to allow access for mobility impaired persons.
7. Provision for on-site parking is in accordance with the car parking rates in Section 7.03 - Traffic, Parking and Access.
8. On street parking be provided on the extension of Pacific Street.
9. Improved pedestrian access across Shortland Esplanade is considered as part of any future development proposal.
10. The visual impact of car parking, service access and facilities is to be minimised by (among other things):
 - (a) ensuring parking structures do not adjoin public spaces but are located behind other uses that address the public domain, and
 - (b) confining the width of driveways and placing of back access points beyond the facade of the building.

G. Building separation and amenity

Objectives

1. Ensure adequate solar access (natural sunlight) is provided to all buildings.
2. Provide adequate natural ventilation to all buildings.
3. Provide visual and acoustic privacy between buildings and land uses.
4. Minimise environmental effects such as tunnelling of wind.

Controls

1. Building placement should maximise solar access and natural air flow to building windows and openings.
2. Building separations for residential flat buildings should be consistent with the Residential Flat Design Code 2002 (SEPP 65), available from the Department of Planning and Infrastructure's website.
3. Living rooms in at least 70% of dwellings are to receive a minimum of three hours of direct sunlight between 9am and 3pm on 21 June (mid winter).
4. Appropriate noise attenuation is to be provided between internal dwellings particularly where they share a common wall.
5. Buildings exposed to southerly or south-easterly winds are designed to minimise the effects of wind tunnelling (testing for wind tunnelling impacts may be required by Council).

6.11.04 Building character

Building character relates to those features of the building that are visible from the public domain. These features include the form, design and appearance of buildings, the way buildings are articulated and address the street, as well as corners, roof form, windows, door and awning placements and materials and detailing.

A. Building facade and articulation

The design of building facades should transition from forms that reflect existing building character on the Watt and King Street frontages to more contemporary forms closer to the beach. See **Map 3**: Preferred building types and section 6 of the Commercial Technical Manual.

Objectives

1. Reinforce the consistency of treatment which unifies streetscapes to allow buildings of different periods to exist harmoniously.
2. Provide variety and visual interest in building facades through modulation, fenestration, articulation and architectural expression.
3. Reflect the traditional built form of the City East context by the incorporation of vertical bays.

Controls

1. Facade composition
 - (a) Facades comprise a tripartite vertical composition with base, middle and top sections with cues for buildings taken from adjacent characteristic development.
 - (b) Lengths of building facades generally reflect those within the area, typically facades in this location are in bays of between 4.5m and 6m. Building facades should not exceed a 10m continuous plane without appropriate articulation or variation in materials.
2. Surface texture
 - (a) Facade designs include surface relief that achieves both horizontal and vertical articulation to break down the scale of the facade.
3. Fenestration design
 - (a) Windows in buildings are treated as openings in a solid wall and arranged in a balanced horizontal and vertical system.
 - (b) Any shade structures reflect the context of existing buildings in adjacent streets.
4. Awnings, verandahs, balconies
 - (a) Projecting awnings be generally flat or near flat and similar in design to the prevailing awning of each particular streetscape and appropriate to the building.
 - (b) Projecting awnings are continuous to ensure pedestrian amenity, see provision 6.11.03 E Building bulk, massing and form.
 - (c) Balconies generally be recessed into walls or protected by walls and roofs to maintain residential amenity in the coastal environment.

B. Street frontage

Objectives

1. Ensure that a diversity of active street frontages and entries are compatible with the character and architectural treatment of the building.
2. Encourage a variety of relationships and openings between buildings and the street.
3. Ensure that buildings are accessible for all.

Controls

1. Continuous at-grade access is provided between the footpath and commercial premises.
2. Commercial and retail windows and openings are sympathetic with the overall proportion of the building and its division into bays.
3. Clearly defined entries to above ground uses are provided without adversely dominating retail frontages.

4. Shop frontages only be recessed where the recess provides useable space (eg. outdoor dining, pedestrian colonnade) and is sympathetic to the building's character.

C. Corners addressing public spaces

Objectives

1. Ensure corner treatments strengthen building form and acknowledge the corner location.

Controls

1. Buildings on corners provide a corner treatment that creates variation in height and setback such that the building visually turns the corner. The design be resolved in form in terms of scale, proportion, materials and finishes.
2. Development at the corner of King and Watt Streets respond to and complement the form of McGrath House opposite.

D. Roof form and silhouette

Objectives

1. Ensure the roofscape is integrated with the architecture of the building and is discreet and cohesive in form when viewed from above and from a distance.
2. Roof forms, materials and finishes should reinforce the prevailing roofscape characteristics of City East.

Controls

1. Roof top structures including lift towers, vents and communication devices are integrated with the building design, such structures do not detract from the overall appearance of the building or the cityscape.
2. Roof top structures generally not exceed 20% of upper roof space and not be more than 3m in height.
3. Roof forms are proportional to the building's elements and comprise simple, flat or sculptural forms.
4. Prominent parapet walls are generally appropriate to screen roof top structures on frontages facing Watt and King Streets.
5. Roof gardens and communal spaces are encouraged.

Note: Clause 5.6 Architectural roof features of Newcastle LEP 2012 also contains provisions in relation to the design of roof features and circumstances where a roof feature may exceed a building height limit. This clause states:

- (1) *The objectives of this clause are as follows:*
 - (a) *to permit variations to maximum building height standards only where roof features contribute to the building design and overall skyline, and*
 - (b) *to ensure that the majority of the roof is contained within the maximum building height standard.*
- (2) *Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent.*
- (3) *Development consent must not be granted to any such development unless the consent authority is satisfied that:*
 - (a) *the architectural roof feature:*
 - (i) *comprises a decorative element on the uppermost portion of a building, and*
 - (ii) *is not an advertising structure, and*
 - (iii) *does not include floor space area and is not reasonably capable of modification to include floor space area, and*
 - (iv) *will cause minimal overshadowing, and*
 - (b) *any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.*

E. Materials, finishes and colours

Objectives

1. Maintain the palette of materials and finishes that characterise City East.
2. Recognise the distinction between the Western and Eastern Precincts to reflect their relationship to the City and Newcastle Beach respectively.
3. Ensure materials are appropriate to the coastal environment and have a low environmental impact.

Controls

Controls applying to the Western Precinct

1. Materials complement those used in contributory buildings in the locality including sandstone and granite, brickwork, timber, concrete and articulated render. PVC, reflective glass, unrelieved painted render, unarticulated concrete surfaces and unarticulated cladding systems should be avoided.
2. Colours complement the existing colours within City East, predominantly those based on warm earth tones including brickwork in red-brown mid-tones, cream sandstone and heritage colour schemes of the Victorian and Federation periods.
3. Colour schemes are appropriate to the style and age of the building in the repainting of existing buildings.
4. Previously unpainted buildings are not be painted where the original finishes (eg. face brickwork) are an important part of the building's character.

Controls applying to the Eastern Precinct

5. Materials and finishes complement those used in the Western Precinct. Where buildings interface with contributory buildings in the locality, they reflect the relationship of the eastern precinct to Newcastle Beach and may include an expanded range of materials and design elements.
6. Colours complement the existing colours within City East but may introduce a broader colour palette, however primary colours and metallics to be avoided.

F. Fences and walls

The provisions for fences and walls at 6.01.03 F of section 6.01 Newcastle City Centre - East apply to development in the Royal Newcastle Hospital Site.

6.11.05 Sustainability

A. Site contamination

Objectives

1. Incorporate the recommendations of any site specific contamination assessments conducted for the site.

Controls

1. The recommendations of the 'HLA Enviroscience's Phase II Environmental Site Assessment and Geotechnical Investigation, Royal Newcastle Hospital', November 2004 (HLA Report) should be considered in preparation of any Development Application for the site.
2. Applicants are referred to Section 5.02 Land Contamination for further provisions related to site contamination.

6.11.06 Site interpretation strategy and public art

A. Site interpretation strategy

Objectives

1. Ensure cultural and social history of the site is interpreted and expressed in components of the site redevelopment for current and future generations.
2. Facilitate community cultural development that reinforces the role of the site in providing and developing identity for the community, particularly with regard to the interaction between:
 - (a) natural heritage
 - (b) Aboriginal heritage
 - (c) European heritage
 - (d) open space systems and the beach
 - (e) cultural diversity among workers/ residents
 - (f) built form and streetscape design, and
 - (g) contemporary visual, craft, performing and community arts.

Controls

1. The social and cultural significance of the Royal Newcastle Hospital and its buildings are 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. The Site Interpretation Strategy is submitted to Council with the first Development Application and address the following matters:
 - (a) significance to the local community of the use of this site for medical/health purposes since c1817. This significance may be expressed through the provision of art works, oral histories, interpretive signage and links to the existing historical walk along The Bathers Way
 - (b) outcomes of the investigations required by provision 6.11.02 D - Heritage and archaeology
 - (c) retention, selection and interpretation of selected elements which represent the most important phases of development on the site
 - (d) expression of the footprint of buildings forming the final phase of the Royal Newcastle Hospital through paving, lighting, or landscaping, and
 - (e) the potential for a medical/health theme to species selection for public domain landscaping.

2. Proponents should consult with the Awabakal Aboriginal Community (including Land Council and Traditional Owners) about:
 - (a) the use of Awabakal language names within the development (buildings, streets, pathways, gardens and the like)
 - (b) how the Elders' concept of a "meeting place" can be incorporated into the design of public space within the site
 - (c) how the development will be linked to the beach
 - (d) input into any indigenous artwork that may be used as part of the public space and landscape design (designs in footpaths, sculpture, features on buildings and the like), and
 - (e) design and wording of any plaques and signage that may be proposed.

B. Public art

Objectives

1. Celebrate and commemorate the social, cultural and heritage significance of the site.
2. Integrate a public art program within the site as an essential part of the development of landscape and urban form.
3. Reflect the cultural significance of the site, including its landscape, ecosystem, and history of occupation through design of open space.

Controls

1. Develop a Public Art Plan for the public domain.
2. Public art to include themes from the cultural and social history of the hospital including its role in provision of healing and health services.
3. Art works or functional objects are to aid in the creation of pedestrian areas, gathering places and public amenities with a strong sense of local identity.
4. Public art to include:
 - (a) works of contemporary artists, crafts people, designers and/or artisans
 - (b) works or functional objects which explore and interpret those elements or ideas relating to community, culture, heritage, environment and art
 - (c) design that reinforces the site history and cultural significance.
5. Public art is in accordance with Newcastle's Public Art and Placemaking Policy as administered by Council.

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