

12 October 2017

Our Ref: N-17047

Carolyn McNally

Secretary
Department of Planning and Environment
GPO Box 39
Sydney, NSW 2001

Per e-mail: information@planning.nsw.gov.au

Dear Ms McNally,

RE: REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS FOR AN EDUCATIONAL ESTABLISHMENT AT 498 KING STREET AND 723-733 HUNTER STREET, NEWCASTLE WEST.

In accordance with Clause 3 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) and Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP), City Plan Strategy and Development (CPSD) on behalf of Core Project Group (CPG) requests the issue of Secretary's Environmental Assessment Requirements (SEARs) for the proposed vertical school at **Nos. 498 King Street and 723-733 Hunter Street, Newcastle West (the site)**.

The proposal is for an Educational Establishment and has an estimated Capital Investment Value (CIV) of \$90million. On this basis, the proposal is classified as State Significant Development in accordance with Clause 15 of Schedule 1 of the SRD SEPP. Pursuant to clause 78(A)(8) of the EP&A Act, an EIS is required and SEARs are therefore sought.

Details of the proposed development are discussed below.

1. SITE AND CONTEXT

1.1 Regional Context

The subject site is located in the western part of the Newcastle City Centre within the Local Government Area (LGA) of Newcastle City Council. Rich in heritage, Newcastle has been described as being the 'heart of Greater Newcastle' and the 'Capital of the Region' in the Hunter Regional Plan 2036 and is the primary location for civic, commercial and cultural activities for the region (see Figure 1 and 2 for Regional Context and Newcastle City Centre).

Hunter Street forms the main commercial road running the length of the centre.

The west end provides a mix of commercial and retail uses and includes the main shopping precinct of the city centre.

Significant development is occurring in the Newcastle City Centre as part of the State Government's urban revitalisation program including:

- Newcastle Transport Interchange - located to the west of Stewart Avenue in Wickham, the interchange will connect trains, buses, taxis and the light rail.
- Light Rail - Construction is currently underway for the first stage of the light rail which will commence at Wickham, at the west of the City Centre and terminate at Pacific Park, in Newcastle East. The service is expected to be operational from 2019.
- The Newcastle Law Courts, located at the corner of Hunter Street and Burwood Street, opened in 2016. This is now a major destination for legal staff and court attendees, and predominantly operates during weekdays.
- University of Newcastle - City Expansion - The University of Newcastle is in the process of expanding its presence within the City Centre.



Figure 1: Site Context (Source: Hunter Regional Plan)



Figure 2: Site in the context of the Newcastle City Centre

1.2 Local Context

The subject site is located at No. 498 King Street and 723-733 Hunter Street, Newcastle West, and is legally described as:

- Lot A in DP161300;
- SP44302;
- Lot 1 in DP222839; and
- Lot A in DP162745.

The southern part of the site fronting King Street contains single storey commercial offices within a heritage listed building known as the 'Army Drill Hall' and is surrounded by at grade car parking and construction traffic access. The northern part of the site fronting Hunter Street contains an attached two storey commercial building with the ground level supporting a physiotherapy centre. The previously attached two storey commercial / restaurant has been demolished and the site remediated and formed with temporary hardstand as part of a previous approval.

The site is characterised as follows:

- The site is under the ownership of Birdwood Property no.3 and private ownership;
- The site is approximately 4,000m² in area;
- The site is irregular in shape with frontages of 40m to King Street and 33m to Hunter Street, with a western side boundary of approximately 100m and eastern side boundary of approximately 113m;
- The site is generally flat; and,
- Vehicular and pedestrian access is provided off King Street and Hunter Street.

Figure 2 shows an aerial photograph of the site shaded in yellow and outlined in red.



Figure 3 - Aerial photograph of the site outlined in red (Source: Six Maps).

2. RELEVANT PLANNING HISTORY

The City of Newcastle Council do not have an online DA enquiry system. Council's customer Service Officer advised the following development applications are approved at the site:

498 King Street, Newcastle West:

- DA2001/1857 - Minor alterations and additions to former army drill hall and change of use to motor vehicle spare parts sales area;
- DA2016/01207 - Change of use to office space, food and drink premises and signage; and,
- DA2016/01288 - Demolition of building, erection of fencing and associated site grouting works.

731 Hunter Street, Newcastle West:

- BA1990/1521 - Alterations and additions to Restaurant; and,
- DA2016/01288 - Demolition of building, erection of fencing and associated site grouting works.

723 Hunter Street, Newcastle West:

- DH1993/0533 - Adult education facility;
- DA2000/1348 - Refurbishment of existing building facade incorporating erection of powder coated fence to street frontage and internal alterations; and,
- DA2009/0446 - Change of use retail craft outlet.

3. PROPOSED DEVELOPMENT

A State Significant Development Application (SSDA) for a vertical school at the site will be prepared pursuant to Section 78A of the Environmental Planning and Assessment Act, 1979.

Approval will be sought for an 11-storey school building with basement parking including approximately 60 parking spaces, and alterations and additions to the existing 'Drill Hall' within the southern part of the site. The school is proposed to accommodate approximately 1,200 students between years K to 12.

Preliminary drawings of the vertical school site plan and elevations are shown in Figures 3, 5 and 4. Further preliminary drawings are included in Appendix 1.



Figure 4: Preliminary Site Plan (Source: EJE Architects)

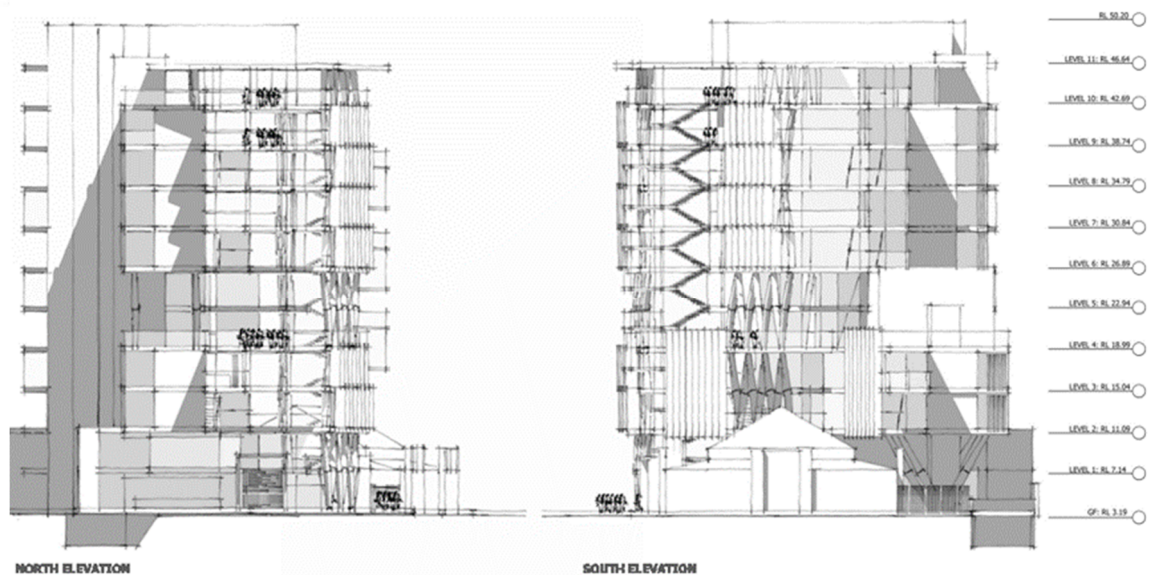


Figure 5: Proposed Elevations (Source: EJE Architects)

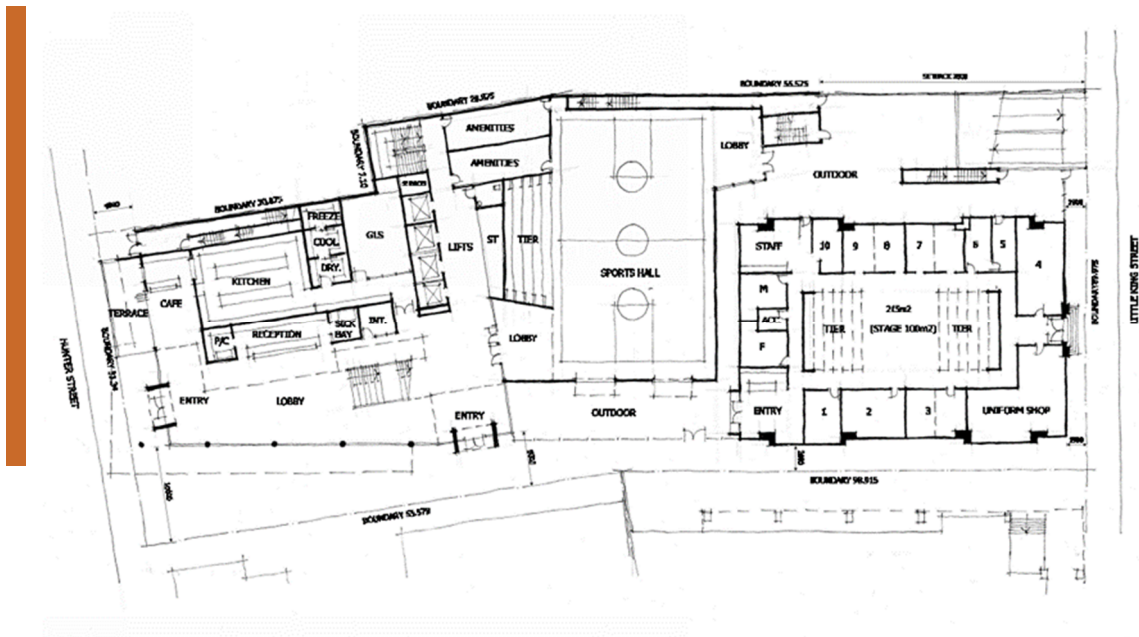


Figure 6: Ground Floor Plan

The proposed development forms part of a larger development concept for the immediate locality, which includes a proposed Holiday Inn Express Hotel and seniors housing development to the west of the site and future development fronting Hunter Street to the north.

However, the current application deals only with the proposed seniors housing development on the subject site.

4. CAPITAL INVESTMENT VALUE

The estimated construction cost for the proposed concept is \$90 million. This figure will be confirmed in a detailed Quantity Surveyors Cost Report that will accompany the SSDA.

5. STRATEGIC PLANNING CONTEXT

5.1 NSW State Plan

The NSW Premier has recently re-written the NSW State Plan to sharpen its focus on a dozen "Premier's priorities". The proposal is consistent with three (3) of these priorities as it will create jobs during construction and the ongoing operation of the school; will create new "infrastructure"; and will assist in improving education results.

5.2 The State Infrastructure Strategy – "First Things First"

The State Infrastructure Strategy "First Things First" is an assessment of priority infrastructure problems and solutions for the next two decades for the NSW Government, the community, business and all who have an interest in the success of NSW.

The Strategy builds on the NSW Government's existing public commitments and outlines a forward program of more than 70 urban and regional projects and reforms across a range of portfolios including education.

The report indicates that NSW's education system faces growing demand from a growing population and states that:

"Demand for education infrastructure has been impacted by:

- *the post millennium 'baby boom' – the size of the student aged population is forecast to grow by nearly one percent per annum in the next 20 years;*

- *an increase in private enrolments to 34 percent from just under 31 percent in 2000;*
- *smaller class sizes introduced over the past 10 years which require more separate teaching spaces and have reduced capacity to absorb additional enrolments within existing facilities*
- *the increase in 2010 of the minimum school leaving age from 15 to 17; and,*
- *demand is managed to some extent through catchment boundaries, which are reviewed to direct students to schools with capacity."*

As noted above, the proposal will provide greater access to secondary school services in the central coast region of Sydney, and improve the education system.

5.3 Hunter Regional Plan 2036

The Hunter Regional Plan 2036 is a 20-year blueprint for the future of the Hunter.

The Plans vision is to create a leading regional economy in Australia, with a vibrant metropolitan city at the heart. We will deliver our vision through four goals:

- a leading regional economy in Australia
- a biodiversity-rich natural environment
- thriving communities
- greater housing choice and jobs.

Revitalising the Newcastle City Centre is a key direction within the Plan. It notes that:

The expansion of the University of Newcastle will be a catalyst for the development of the city centre. The education and job offerings, great lifestyle and relative affordability compared with Sydney, will attract new residents to Newcastle City Centre.

The Newcastle Light Rail, from Wickham to Pacific Park, will provide frequent, reliable and comfortable travel through the city centre. The new transport interchange at Wickham will integrate trains, buses, taxis, light rail, cyclists and pedestrian drop-offs and pick-ups.

The plan focuses on concentrating development in existing areas. As the population grows the provision of social infrastructure including schools where people live and work will be needed. The subject site is located within a key revitalising area and responds to these needs.

5.4 Newcastle Urban Renewal Strategy 2014

The NSW Government released the Newcastle Urban Renewal Strategy in 2014 (NURS 2014). This defines the boundary of the Newcastle City Centre, and identifies the long-term vision for development to support urban renewal and revitalisation.

The vision for the City Centre is:

Newcastle will continue to grow and evolve to strengthen its position as the Hunter region's capital. The city centre's location and setting between the river and ocean make Newcastle a compact, people-friendly city with unique attributes. Newcastle city centre will be a vibrant regional hub and attractive destination for businesses, residents and visitors, providing accessible and suitable employment opportunities, a choice of retail and other services, and local, national and international investment opportunities.

The NURS 2014 establishes the planning controls to support urban renewal and revitalisation. These controls envisaged new development focused around a series of activity hubs and distinct character areas. The subject site is situated in the West End character area.

The vision for the West End Character Area is:

The predominance of larger lots and consolidated land ownerships, combined with fewer constraints, make this precinct ideally suited to become the long-term commercial core of the city. Uses such as bulky goods and showrooms are suitable to occupy the larger lot sizes in the interim. Buildings with a vertical mix of uses could be developed in the shorter term, with the intention of conversion to commercial uses in the future. Other uses such as residential could be accommodated above the podium in both the short and long-term. The new transport interchange at Wickham will support the development of this precinct.

The NRUS 2014 identifies major opportunity sites including the subject site as outlined in Figure 6 below.

The strategic directions set out in the NURS 2014 are currently applied through Councils LEP and DCP. This includes changes made in 2012 to the zoning and density controls relating to both properties. These controls are considered in more detail in subsequent sections of this Report.

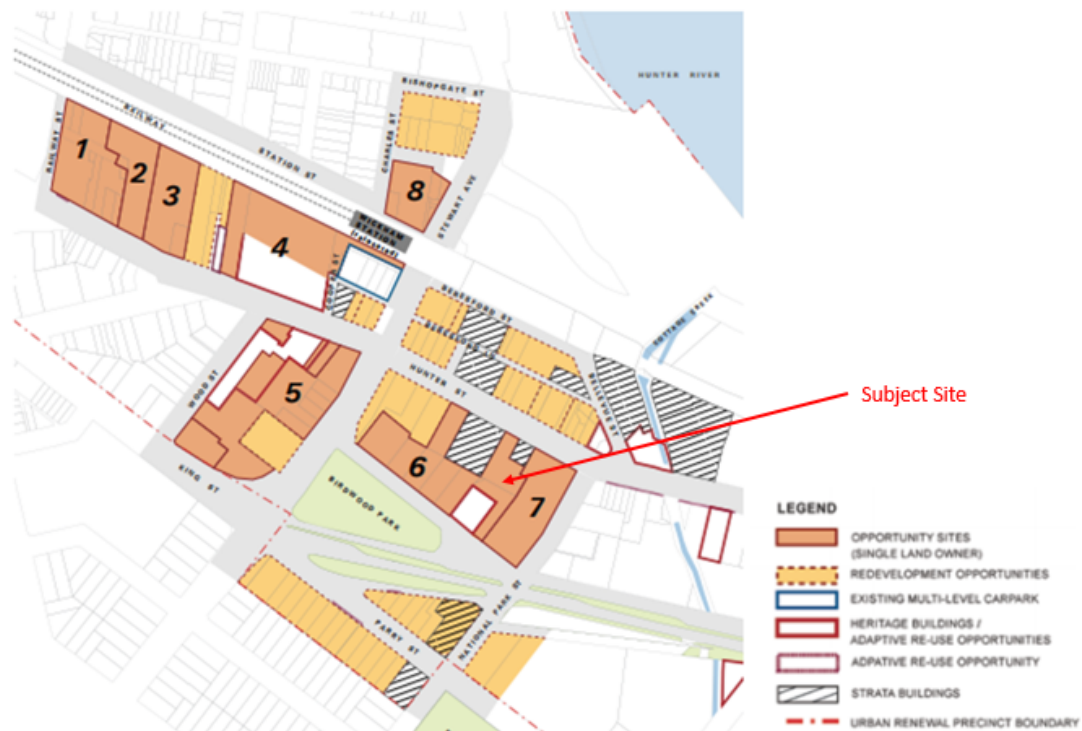


Figure 7: Opportunity Sites (Source: NURS 2014)

5.5 Newcastle Local Planning Strategy

The Local Planning Strategy (LPS) is a comprehensive land use strategy to guide the future growth and development of Newcastle. The Strategy implements the land use directions from Newcastle 2030 Community Strategic Plan (CSP).

The Vision for the area is consistent with that of the NURS 2014. Objectives for the Newcastle City Centre include:

- *Land use and development will reinforce Newcastle City Centre as a vibrant regional hub and attractive primary destination for businesses, residents and visitors, providing a mix of housing options, accessible and suitable employment opportunities, a choice of retail and other services, and local, national and international investment opportunities.*
- *Land use and development will enhance access to the harbour from and to the city centre for the community and provide high quality public domain that will support the activation and revitalisation of the Newcastle City Centre.*

- Refer to Newcastle Urban Renewal Strategy 2012 and 2014 update (DPE 2014) for further objectives.

6. STATUTORY PLANNING CONTEXT

6.1 State Environmental Planning Policy No. 55 - Remediation of land

State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55) provides a state-wide planning approach for the remediation of land and aims to promote in the remediation of contaminated land to reduce the risk of harm.

Clause 7(1) requires the consent authority to consider whether land is contaminated prior to consent of a Development Application.

A number of formal site investigations have been undertaken on the site and the surrounding land which have identified the site suitable for commercial and industrial purposes. The site has recently been subject to site enabling works which involved the excavation of the top 1.5m of soils and filling and sealing with inert material. These works have been verified. Further reporting will be undertaken and addressed as part of the EIS to confirm that the site is made suitable for educational purposes.

6.2 State Environmental Planning Policy No. 71 - Coastal Protection

The subject site lies within the NSW Coastal Zone, and therefore State Environmental Planning Policy No. 71 - Coastal Protection (SEPP 71) would normally apply. However, Clause 1.9 of the Newcastle Local Environmental Plan 2012 provides that SEPP 71 does not apply to land within the Newcastle City Centre and therefore is not applicable to the current proposal.

6.3 State Environmental Planning Policy (Infrastructure) 2007

This SEPP aims to facilitate the effective delivery of infrastructure across NSW.

Clause 104 relates to 'traffic generating development'. This clause applies, as the proposal involves ancillary parking accommodation for 50 or more vehicles and the site is within 90m of a connection to a classified road.

While the site is not located within 90 metres of a classified road it is located in close proximity to the Pacific Highway, also known as Stewart Avenue, and is proposing 60 car parking spaces on site. Liaison with the Roads and Maritime Service will therefore be undertaken as well as a traffic and parking study accompanying the EIS to ensure any potential traffic impacts are adequately addressed and mitigated.

6.4 State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) identifies development types that are of state significance. Under Clause 15 of Schedule 1:

- (1) Development for the purpose of a new school (regardless of the capital investment value).*
- (2) Development that has a capital investment value of more than \$20 million for the purpose of alterations or additions to an existing school.*
- (3) Development for the purpose of a tertiary institution (within the meaning of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017), including associated research facilities, that has a capital investment value of more than \$30 million.*

The proposal is defined as an 'educational establishment' and has a project value in excess of \$20 million. Accordingly, an SSD application is to be prepared and lodged with the Department of Planning and Environment (DP&E).

6.5 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education and Child Care SEPP) was gazetted in September 2017. It aims to streamline the planning system for education and child care facilities.

Clause 35 Schools—development permitted with consent

Under this clause, development for the purpose of a school may be carried out by any person with development consent at the site. Before determining development consent, the consent authority must take into consideration:

"(a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4, and

(b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community."

Schedule 4 includes 7 design quality principles. These are listed below:

- *"Principle 1—context, built form and landscape*
- *Principle 2—sustainable, efficient and durable*
- *Principle 3—accessible and inclusive*
- *Principle 4—health and safety*
- *Principle 5—amenity*
- *Principle 6—whole of life, flexible and adaptive*
- *Principle 7—aesthetics"*

The principles will be addressed in the SSD which will also demonstrate how the school facilities will be shared with the community.

Clause 57 Traffic-generating development

This Clause states that the consent authority must give written notice of the application to Roads and Maritime Services (RMS) and take into consideration any RMS submission and the accessibility of the site including the:

"(i) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and

(ii) the potential to minimise the need for travel by car".

The consent authority is also required to consider any potential traffic safety, road congestion or parking implications of the development. This clause will be addressed in the EIS.

6.6 State Environmental Planning Policy (Urban Renewal) 2010

The State Environmental Planning Policy (Urban Renewal) 2010 (Urban Renewal SEPP), aims to identify and facilitate the development and redevelopment of sites in and around urban renewal precincts. The subject site is located within an urban renewal precinct.

In accordance with Clause 9 of the Urban Renewal SEPP, the NURS 2014 was prepared to determine appropriate land use and development controls for the precinct.

Under Clause 10 - Development in potential precincts:

- (1) This clause applies to a development application to carry out development on land that comprises all or part of a potential precinct if the proposed development is or*

involves subdivision, or has a capital investment value of more than \$5 million, and is not exempt or complying development.

(2) The consent authority must not grant development consent unless it is satisfied that the proposed development is consistent with the objective of developing the potential precinct for the purposes of urban renewal.

(3) For the purposes of subclause (2), the consent authority is to take into account whether or not the proposed development is likely to restrict or prevent the following:

(a) development of the potential precinct for higher density housing or commercial or mixed development,

(b) the future amalgamation of sites for the purpose of any such development within the potential precinct,

(c) access to, or development of, infrastructure, other facilities and public domain areas associated with existing and future public transport in the potential precinct.

The proposed development forms part of a larger development concept for the immediate locality, which includes a proposed Holiday Inn Express Hotel and seniors housing development to the west of the site and future development fronting Hunter Street. The proposed school provides for additional infrastructure needs associated with the revisitation of the NCC.

6.7 Newcastle Local Environmental Plan 2012 (NLEP)

The Newcastle Local Environmental Plan 2012 (NLEP) is the primary Environmental Planning Instrument (EPI) that applies to the site.

6.7.1 Land Use Zoning

As indicated in Figure 7, the land is zoned B3 Commercial Core under the Newcastle Local Environmental Plan 2012 (NLEP).



Figure 8: NLEP 2013 Zoning Map (Source NSW Legislation)

Development for the purpose of educational establishments in the B3 Commercial Core zone is permissible under the NLEP.

Zone Objectives

Clause 2.3(2) of the Plan provides that Council must have regard to the zone objectives when determining a development application. The objectives for the "B3 Commercial Core" zone are:

- *"To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.*
- *To encourage appropriate employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To provide for commercial floor space within a mixed use development.*
- *To strengthen the role of the Newcastle City Centre as the regional business, retail and cultural centre of the Hunter region.*
- *To provide for the retention and creation of view corridors."*

The proposed development is consistent with the above objectives in that the proposal provides an educational facility at the site.

Land Use Definition and Permissibility

The proposed development is defined as an "educational establishment" which will comprise a "school" and related functions and services. Educational establishment is defined under the NLEP as:

"a building or place used for education (including teaching), being:

(a) a school, or

(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act."

"Educational establishments" including "schools" are permitted with consent in the B3 zone as confirmed in the land use table extract below:

"2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Flood mitigation works; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Mortuaries; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Sex services premises; Shop top housing; Signage; Tourist and visitor accommodation; Transport depots

4 Prohibited

Any development not specified in item 2 or 3."

6.7.2 Height of Buildings

Clause 4.3 of the NLEP provides a maximum building height of 90m for the site. Figure 8 is an extract of the NLEP Height of Buildings map showing the site outlined in red.



Figure 8. Extract of the Height of Buildings map showing the site outlined in red (Source: NSW Legislation).

Clause 7.9 provides that the subject site must not exceed a height that is 22 metres above ground level (existing) at the boundary of the road frontage of that land on any part of that land that is within 20 metres of the boundary of the road frontage.

The proposed development is approximately 47m in height and therefore does not exceed the maximum building height limit of 90m. As illustrated on the concept plans and will be provided in further detail in the EIS, the proposal will have adequate setbacks in line with requirements.

6.7.3 Floor Space Ratio

Clause 4.4 of the NLEP provides a maximum floor space ratio (FSR) of 8:1 for the site. Figure 9 is an extract of the NLEP Floor Space Ratio map showing the site outlined in red. However, Clause 7.10 of the NLEP prevails over this clause.



Figure 9. Extract of the Floor Space Ratio map showing the site outlined in red (Source: NSW Legislation).

The site has an area of more than 1,500m² and the FSR map identifies a maximum FSR of more than 6:1 on the site. As the proposal is not a 'commercial building' as defined, the applicable FSR is therefore 5:1.

The proposed development has a FSR of approximately 3.6:1 and therefore does not exceed the maximum FSR limit.

6.7.4 Minimum building street frontage

Clause 7.3 of the NLEP requires a building erected on B3 Commercial Core must have at least one street frontage of at least 20 metres.

Both Little King Street and Hunter Street are in excess of the minimum requirement.

6.7.5 Building separation

Clause 7.4 of the NLEP provides requires a distance between buildings is not less than 24 metres at 45 metres or higher above ground level.

The subject site is approximately 47m. As provided in the concept plans the school is proposed to be adequately setback at the top level and fill be further detailed in the EIS.

6.7.6 Design Excellence

Clause 7.5 of the NLEP requires the development to exhibit design excellence.

The EIS will outline how the proposal exhibits urban design excellence taking into consideration:

- architectural design, materials and detailing appropriate to the building type and location
- heritage and streetscape;
- bulk and scale
- environmental impacts
- pedestrian, cycle, vehicular and service access, circulation and requirements and
- the impact on the public domain.

6.7.7 Active Street Frontages

Clause 7.6 of the NLEP requires all development in a Zone B3 Commercial core zone to provide an active street frontage.

While the proposal will not include a business or retail premises on the ground floor, the EIS will demonstrate how the school will be designed and function to create active street frontages.

6.7.8 Heritage

Under Schedule 5 of the NLEP, the southern part of the site is listed as a Local Heritage Item known as "I508 - Army Drill Hall" and the entire site is within a Heritage Conservation Area known as "Newcastle City Centre Heritage Conservation Area - C4". Birdwood Park known as I509 on the opposite (southern) side of Little King Street is also listed as a local item.

Figure 10 is an extract of the NLEP Heritage map showing the site outlined in yellow.

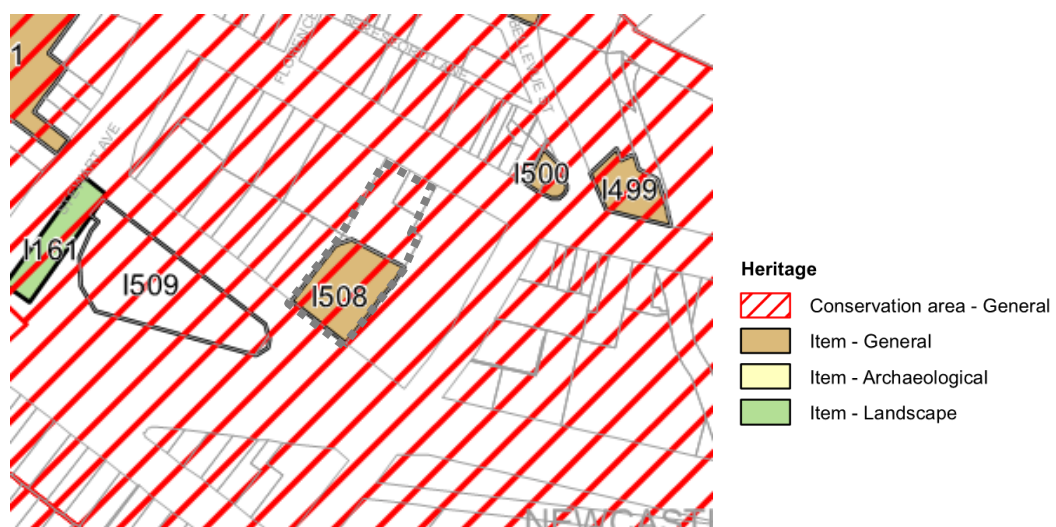


Figure 10. Extract of the NLEP Heritage map showing the site outlined yellow (Source: NSW Legislation).

The proposal retains the existing heritage listed 'Drill Hall' fronting King Street. Only minor improvements to the exterior of the building are proposed and will be further developed during the design phase following consideration of the Heritage Impact Assessment.

6.8 Newcastle Development Control Plan 2012

Clause 11 of the SRD SEPP states that development control plans (whether made before or after the commencement of this Policy) do not apply to State significant development. Notwithstanding this, Section 6 of the Newcastle Development Control Plan 2012 (NDCP 2012)

was prepared as an implementation action of the NURS 2014 and provides a comprehensive set of planning and design guidelines for development within the Newcastle City Centre and the West End where the subject site is located.

The proposal aligns with the principles within this DCP, and will be addressed with the EIS.

7. PRELIMINARY SITE INVESTIGATIONS AND ENVIRONMENTAL ASSESSMENT

Based on preliminary site investigations, the potential environmental impacts associated with the proposal are summarised below and will be addressed in detail by the future SSD Application.

The following technical reports are proposed to accompany the EIS:

- Heritage Impact Assessment
- Site Contamination Assessment
- Traffic and Parking Assessment and Green Travel Plan
- Acoustic Assessment
- Flood Assessment
- Construction Management Plan
- Stormwater Management Plan
- Mine Subsidence Report
- Waste Management Plan

7.1 Built Form

The proposed school is 11 storeys or approximately 47m in height with basement parking. The proposed GFA at the site is approximately 14,098m².

The proposal retains the existing heritage listed 'Drill Hall' fronting King Street with internal alterations and additions to facilitate school offices, a uniform shop and amenities. These internal changes will not be visible to the public domain.

The visual impact of the development will be largely mitigated by the location of the buildings and materials of used. In this respect, the following matters are noted:

- The site is large and therefore the position of the buildings are consistent with the built-to-boundary front setbacks of adjoining buildings;
- The development provides appropriate setbacks to side boundaries, consistent with adjoining buildings side boundary setbacks;
- The proposed materials will assist in reducing the overall bulk and scale by being well integrated within the development and soften the architectural features throughout; and,
- The site has a generally flat topography which reduces the perceived bulk and scale of the buildings when viewed from the street.

The proposed development will be designed to meet design excellence standards. These matters will be investigated in detail as part of the EIS submission and will include detailed architectural drawings illustrating, built form, materials, open space and landscaping.

7.2 Amenity

The proposed scale and siting of the development is unlikely to impact on neighbouring properties and open space areas.

Solar access, overshadowing, visual privacy and view loss will be addressed within the EIS.

7.3 Heritage

Heritage advice and input has been sought from EJE Heritage who advised on the recent refurbishment of the Drill Hall. A conclusion of previously prepared Heritage Impact Statements concluded that *"The ability for these Heritage items to be properly appreciated and preserved hinges on the development and activation of the area"*.

The proposal retains the existing heritage listed 'Drill Hall' fronting King Street with internal alterations and additions to facilitate school offices, a uniform shop and amenities. These internal changes will not be visible to the public domain. Only minor improvements to the exterior of the building are proposed and will be further developed during the design phase following consideration of the Heritage Impact Assessment. The design of the school building is designed to remain sympathetic to this listed item.

7.4 Site Contamination and Geotechnical

Regional Geotechnical Solutions Pty Ltd (RGS) has undertaken a preliminary site contamination assessment for 498 - 500 King Street. The assessment was carried out in accordance with the National Environment Protection (Assessment of Site Contamination) Measure (NEPM 2013). The report concludes

For all samples tested, the analyses found that heavy metals, TPH, BTEX, PAH, OC/OP pesticides and the presence of asbestos were either at concentrations below the laboratory detection limits or at concentrations below the adopted assessment criteria for commercial/industrial land use.

Pursuant to the NLEP, the subject site is mapped as containing 'Class 4' acid sulfate soils (ASS), which equates to a low probability of the occurrence of ASS.

The subject site has been remediated as part of a previous Development application consent including excavation to a depth of 1.5 metres and sealed.

Notwithstanding this, a site contamination assessment will be carried out as part of EIS to address contamination and acid sulfate soil matters.

7.5 Traffic and Parking

The subject site is located in close proximity to public transport with a number of buses servicing Kings Street and Hunter Street. The Newcastle light rail is also under construction and will run from the Newcastle Interchange to Pacific park in Newcastle East. The Newcastle Transport Interchange is located west of Stewart Avenue in Wickham. The interchange will connect trains, buses, taxis and the light rail.

Basement parking including approximately 60 parking spaces is proposed as part of the development.

A traffic and parking study will accompany the future SSD Application. This will assess the parking requirements for the concept proposal, the feasibility and impacts of the proposed circulation and parking changes on the surrounding road network, as well as nearby intersections.

A green travel plan will also be included to provide a range of options to increase walking, cycling, public transport and car share for students, parents and staff.

7.6 Flooding

Information obtained from Council indicates that the subject site is affected by flooding, with a classification of 'flood storage'.

The EIS will demonstrate how the proposal will be designed to meet minimum habitable floor levels.

7.7 Social and Economic Impacts

The social and economic impacts resulting from the proposal will be detailed in the EIS. It is anticipated that the proposal will have positive social and economic impacts including:

- jobs creation during both construction and operational phases;
- cater for future population growth expected in the Newcastle City Centre; and
- provision of a state of the art school with sufficient indoor and outdoor recreation and teaching spaces.

The proposal is expected to provide a positive social and economic benefit to the community. A social Impact Assessment is therefore not proposed however, social and economic impacts will be addressed within the EIS.

7.8 Noise

An acoustic assessment will be submitted with the future SSD Application. This will include an analysis of the construction and operation noise, providing careful consideration of impacts upon the amenity of residential uses nearby.

The acoustic report will also undertake an assessment on potential noise impacts on surrounding uses on the future children at the school.

7.9 Safety

The EIS will outline how specific Crime Prevention Through Environmental Design (CPTED) principles have been integrated into the design of the school to deter crime, manage space and create a safe environment.

7.10 Infrastructure and servicing

The site is adequately serviced with potable water, sewer, stormwater, electricity and telecommunications services. Consultation will be undertaken with all relevant service providers in relation to any required capacity augmentation of existing services to the site.

7.11 Construction Management

A Construction Management Plan will be prepared and provided as part of the EIS to detail proposed construction management strategies.

7.12 Stormwater Management

In order to address stormwater issues a stormwater management plan will be prepared as part of the EIS.

7.13 Waste

A Waste Management Plan will be prepared and will accompany the EIS. The plan will outline proposed waste practices and reduce waste where possible in the demolition, construction and operational phase of the development.

7.14 Mine Subsidence

The subject site is included within the Newcastle Mine Subsidence District as mapped by Subsidence Advisory NSW.

A Geotech Report will be included with the EIS to provide additional information to support the design of the building and ensure mine subsidence matters have been adequately considered and risks appropriately managed. The proposal would be integrated development with the SA NSW and their approval will be sought prior to the lodgement of any application.

7.15 Building Code of Australia

The proposal will be designed in accordance with the requirements of the Building Code of Australia. This will be addressed within a Building Code of Australia and Accessibility Report to be provided as part of the EIS.

8. CONSULTATION

Consultation is proposed to be undertaken with:

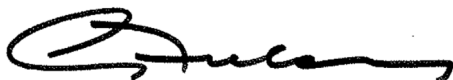
- Department of Planning and Environment;
- Newcastle City Council including the Urban Design Consultative Group;
- Department of Education;
- Roads and Maritime Services;
- Hunter Water;
- Ausgrid;
- Subsidence Advisory NSW; and
- Community stakeholders.

9. REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

On the basis that the proposal falls within the criteria identified in Schedule 1 of the SRD SEPP, including a CIV in excess of \$20 million, Core Project formally requests that the Department of Planning and Environment issue the Secretary's Environmental Assessment Requirements (SEARs) to facilitate the preparation of the Environmental Impact Statement to accompany the concept SSD application for development of a vertical school.

If you require any additional information please contact Chris Speek, Associate Director in the first instance on 4925 3286 or the undersigned.

Yours sincerely,



GARRY FIELDING

SENIOR CONSULTANT

CITY PLAN STRATEGY AND DEVELOPMENT PTY LIMITED