
ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**CCL 23/11/21 – PLANNING PROPOSAL – LINGARD PRIVATE
HOSPITAL – ENDORSEMENT FOR PUBLIC EXHIBITION**

PAGE 3 **ITEM-117** **Attachment A:** Planning Proposal - 23 Merewether
Street and 8 Lingard Street, Merewether

PAGE 58 **ITEM-117** **Attachment B:** Letter of Intent

DISTRIBUTED UNDER SEPARATE COVER

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**CCL 23/11/21 – PLANNING PROPOSAL – LINGARD PRIVATE
HOSPITAL – ENDORSEMENT FOR PUBLIC EXHIBITION**

PAGE 4 **ITEM-117** **Attachment A:** Planning Proposal - 23 Merewether
Street and 8 Lingard Street, Merewether

DISTRIBUTED UNDER SEPARATE COVER



PLANNING PROPOSAL

Amend the Newcastle LEP 2012 at 23 Merewether Street and 8 Lingard Street, Merewether

Version 1.0 - Council Endorsement

November 2021

For enquiries, please call 4974 2000

For more information:
www.newcastle.nsw.gov.au



City of
Newcastle

CONTENTS

Introduction	1
Summary of proposal	1
Background	1
Site.....	2
Part 1 - Objectives or intended outcomes.....	5
Part 2 - Explanation of provisions	5
Part 3 - Justification	11
Section A - Need for the planning proposal	12
Section B - Relationship to strategic planning framework	13
Section C - Environmental, social and economic impact	24
Section D - State and Commonwealth interests.....	30
Part 4 - Mapping	31
Part 5 - Community consultation	32
Part 6 - Project timeline	33
 Appendices	
Appendix 1 Information Checklist	
Appendix 2 Flood Information Certificates	
Appendix 3 Concept Plan	

Planning Proposal for the Lingard Private Hospital

Introduction

This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (NSW). It explains the intended effect of a proposed Local Environmental Plan (LEP) and sets out the justification for making the plan.

'A guide to preparing planning proposals' has been used to guide and inform the preparation of the Planning Proposal.

The Planning Proposal may evolve over time due to various reasons, such as feedback during exhibition. It will be updated at key stages in the plan making process.

Summary of proposal

Proposal	<p>Proposed amendments to the <i>Newcastle Local Environmental Plan 2012</i> (Newcastle LEP 2012) at 23 Merewether Street and 8 Lingard Street, Merewether:</p> <ul style="list-style-type: none"> - Proposed rezoning of land from R3 Medium Density Residential and B5 Business Development to SP2 Infrastructure (Health Service Facilities); - Proposed amendments to the Height of Buildings from 10m to 18m; - Proposed amendments to the Floor Space Ratio (FSR) from 0.9:1 to no FSR control.
Property Details	<p>Lingard Private Hospital Precinct: 23 Merewether Street, Merewether; legally known as Lot 100 DP 1168197.</p> <p>Kingsland Precinct: 8 Lingard Street, Merewether; legally known as Lot 100 DP 1251777.</p>
Applicant Details	<p>KDC Pty Ltd (now known as SLR Consulting) Suite 2B, 125 Bull Street Newcastle West NSW 2302</p>

Background

City of Newcastle (CN) has received a request to amend the Newcastle LEP 2012 in order to rezone land from R3 Medium Density Residential and B5 Business Development to SP2 Infrastructure (Health Service Facilities), as well as to amend the height of buildings (HOB) from 10m to 18m, and the floor space ratio (FSR) from 0.9:1 to no FSR controls. The proposed rezoning will enable the expansion of health services facilities on appropriately zoned land with consistent development controls. The expansion comprises two development precincts, i.e. the existing Lingard Private Hospital and the Kingsland Precinct (Refer to Figure 1).

The Lingard Private Hospital (Hospital) offers a comprehensive range of specialities and on-site cardiac, medical, surgical and allied health services. The Planning Proposal will enable the expansion of the Hospital so that it can better meet current and future community demand for

services such as rehabilitation and surgical services in the areas of orthopaedics, urology, ENT, vascular, cardiology and neurology.

The Planning Proposal is limited to the sites owned by Northwest Healthcare Australian Property Pty Ltd (Northwest) and to be operated by 'Health Care'. Figure 1 illustrates the sites currently owned by Northwest and subject to this Planning Proposal.

A completed 'Information Checklist' is provided at Appendix 1. It identifies issues considered in the preparation of this Planning Proposal.

Site

The Planning Proposal applies to land at 23 Merewether Street and 8 Lingard Street, Merewether, hereafter referred to as 'the site' (Refer to Figure 1). The land at 23 Merewether Street has an area of approximately 1ha and consists of the existing Lingard Private Hospital. The land at 8 Lingard Street (referred to as the Kingsland Precinct) has an area of approximately 0.38ha and currently consists of a health services facility comprising four operating theatres and two consulting suites, and associated basement level carpark.

Under the Newcastle LEP 2012, 23 Merewether Street is zoned R3 Medium Density Residential, and 8 Lingard Street is zoned B5 Business Development.

The site is in Merewether, approximately 3km from the Newcastle City Centre. The character of the immediate locality is mixed, and includes residential, commercial, and medical land uses, as well as public open space (Refer to Figure 2).

Following lodgement of the Planning Proposal, two development applications have been lodged for the site:

1. Pedestrian bridge (DA2021/01236), which proposes a pedestrian bridge across Merewether Street to connect the Lingard and Kingsland precincts.
2. Health services facility – alterations and additions (DA2021/01237), which seeks an additional level on top of the existing Kingsland Precinct, adding 15 consulting suites.



Figure 2 – Aerial photo of the site

Part 1 - Objectives or intended outcomes

To amend the *Newcastle Local Environmental Plan 2012* to enable the continued use and expansion of health service facilities, including the existing Lingard Private Hospital, with development controls and zoning that are appropriate for the medical and hospital use of the site.

Part 2 - Explanation of provisions

The proposed outcome will be achieved by amending the Newcastle LEP 2012, as follows:

- Land Zoning Map (LZN_004G) – rezone the Lingard Private Hospital at 23 Merewether Street, Merewether from R3 Medium Density Residential to SP2 Infrastructure (Health Service Facilities) and the Kingsland Precinct at 8 Lingard Street, Merewether from B5 Business Development to SP2 Infrastructure (Health Service Facilities).
- Height of Buildings Map (HOB_004G) – increase the maximum building height from 10m to 18m for 23 Merewether Street and 8 Lingard Street, Merewether.
- Floor Space Ratio Map (FSR_004G) – reflect a change from a maximum FSR of 0.9:1 to no maximum prescribed FSR at both 23 Merewether Street and 8 Lingard Street, Merewether.

The proposed changes to the Land Zoning, Minimum Lot Size, Height of Buildings and Floor Space Ratio maps of NLEP 2012 are shown in Figures 3 to 8.

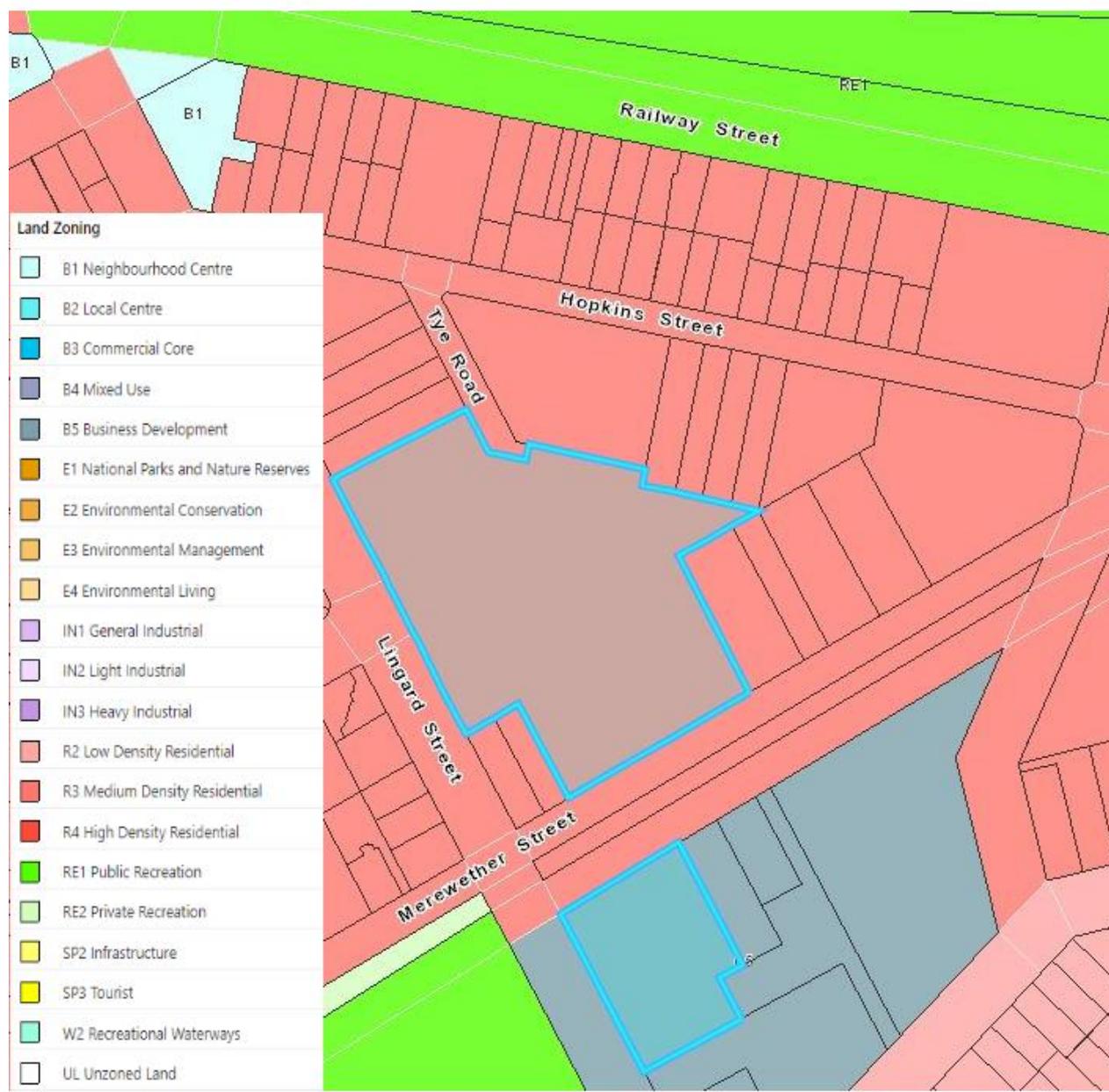


Figure 3: Existing Land Zoning Map

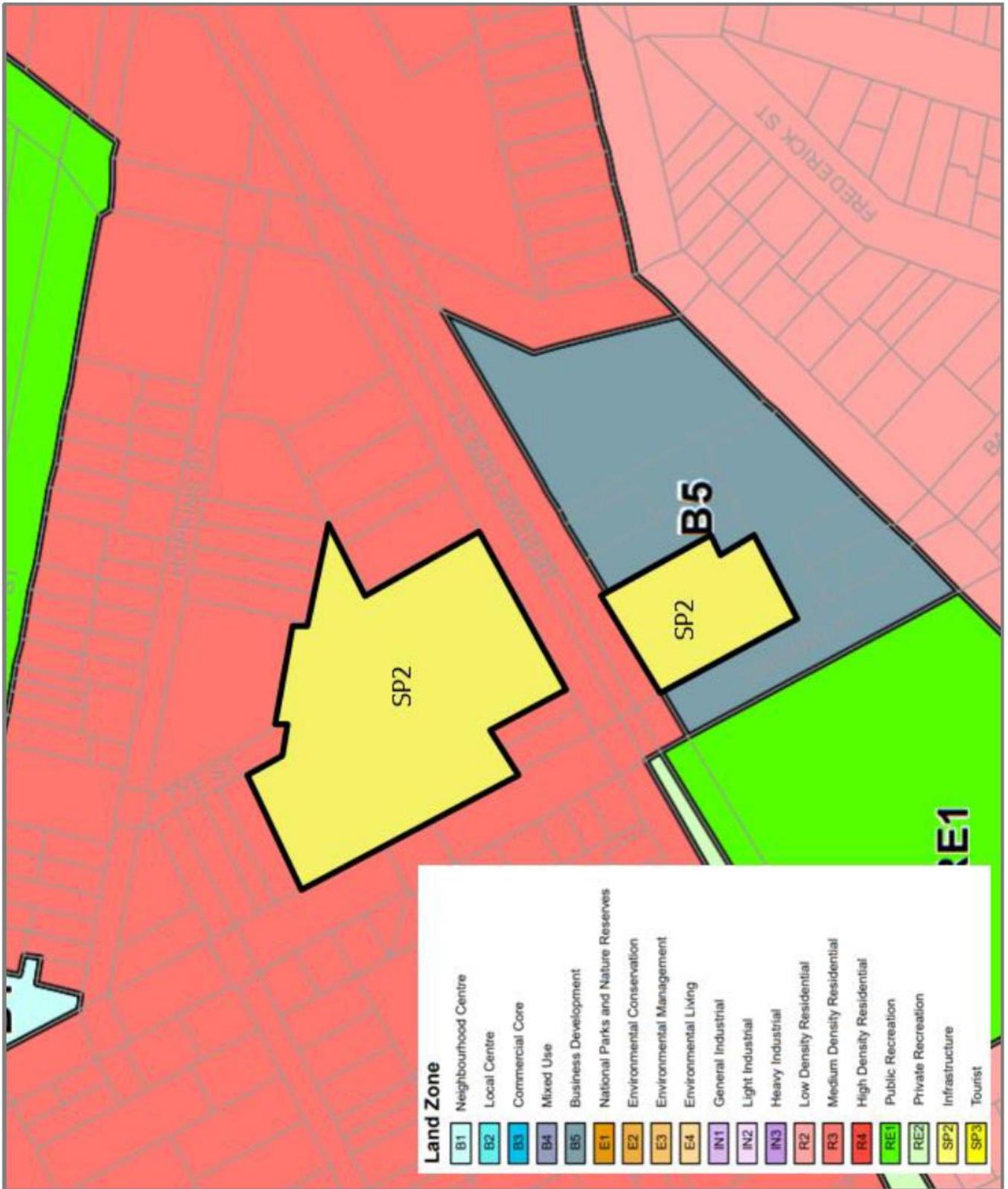


Figure 4: Proposed Land Zoning Map

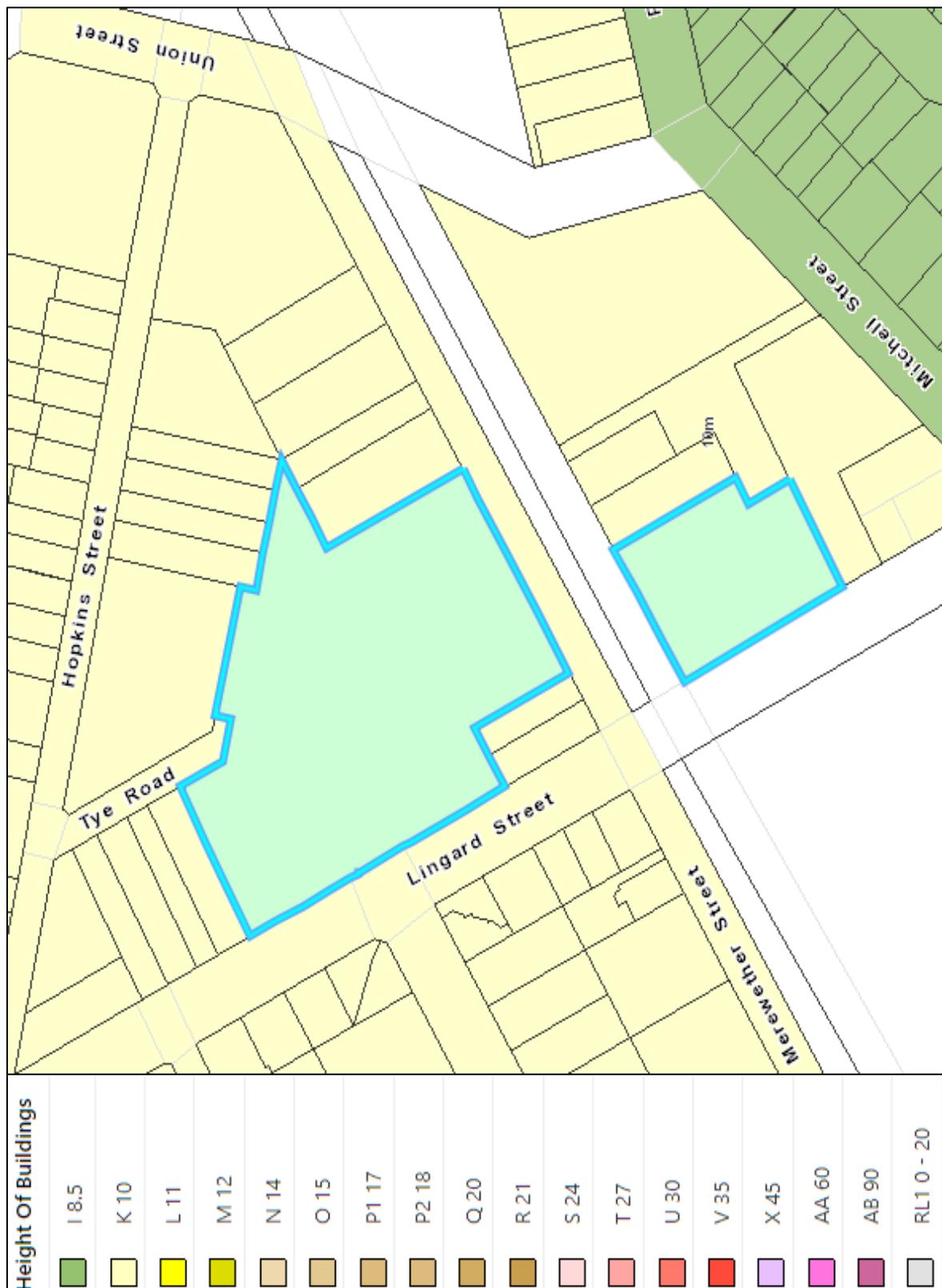


Figure 5: Existing Maximum Height of Buildings Map

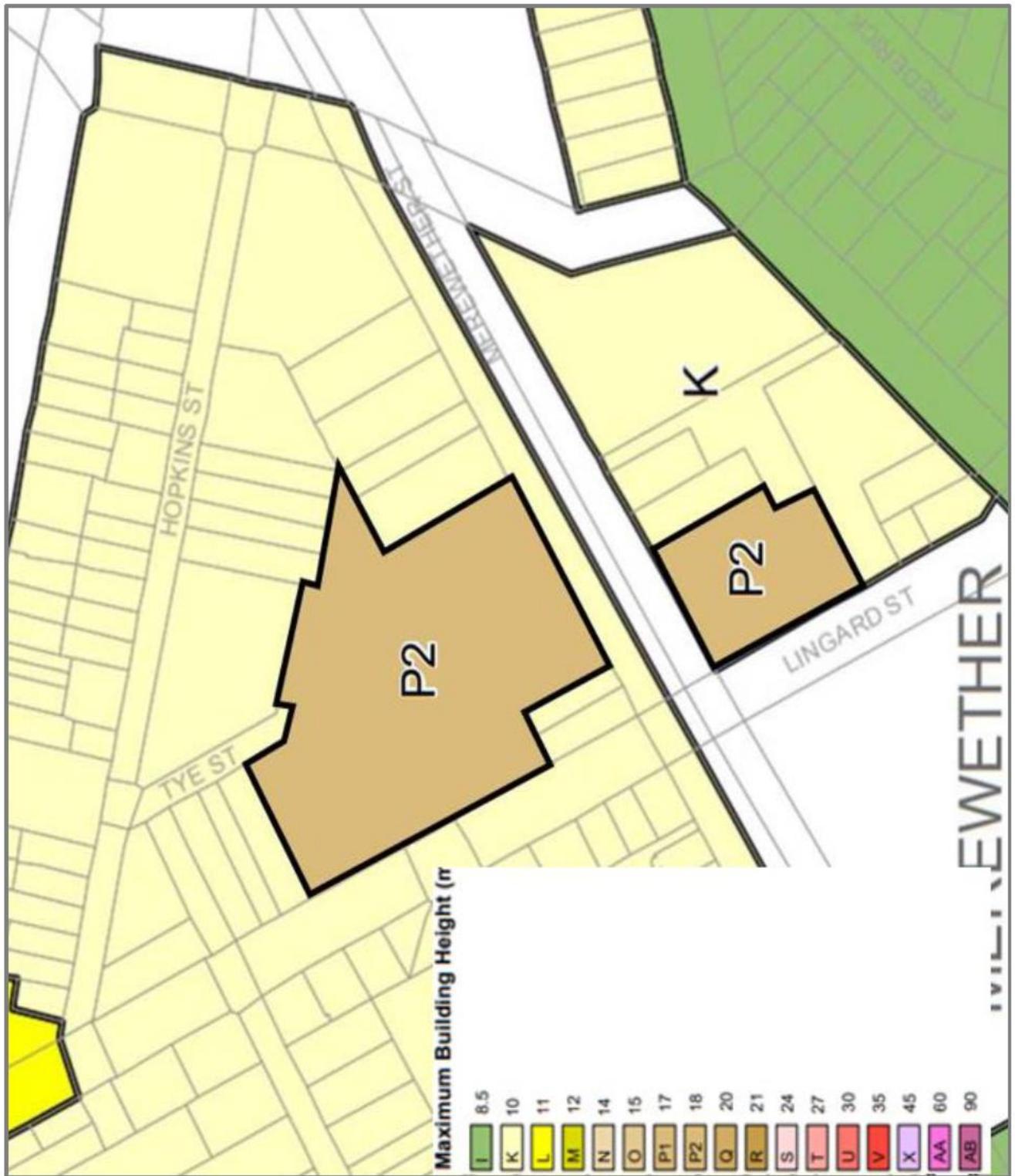


Figure 6: Proposed Maximum Height of Buildings Map

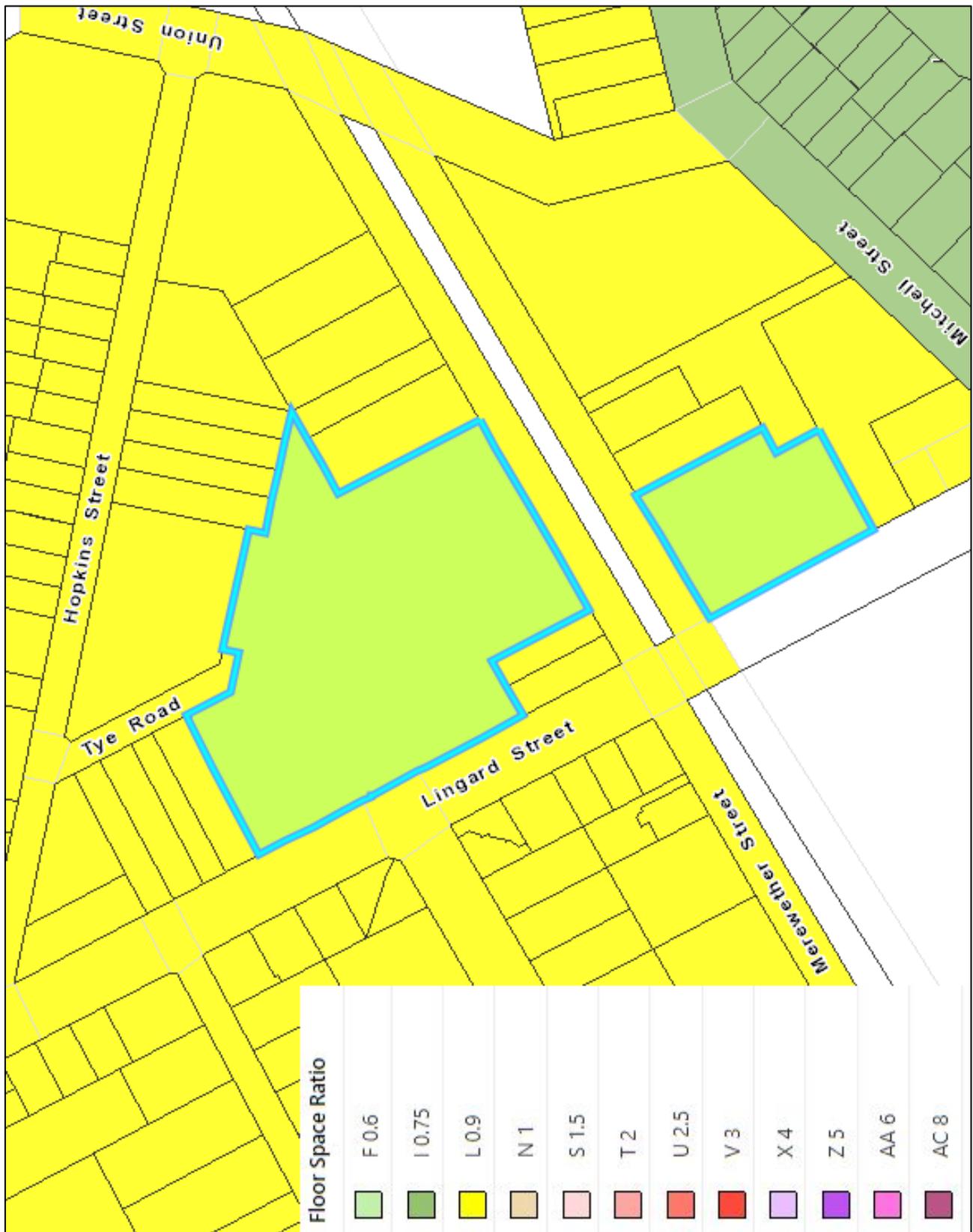


Figure 7: Existing Maximum Floor Space Ratio Map

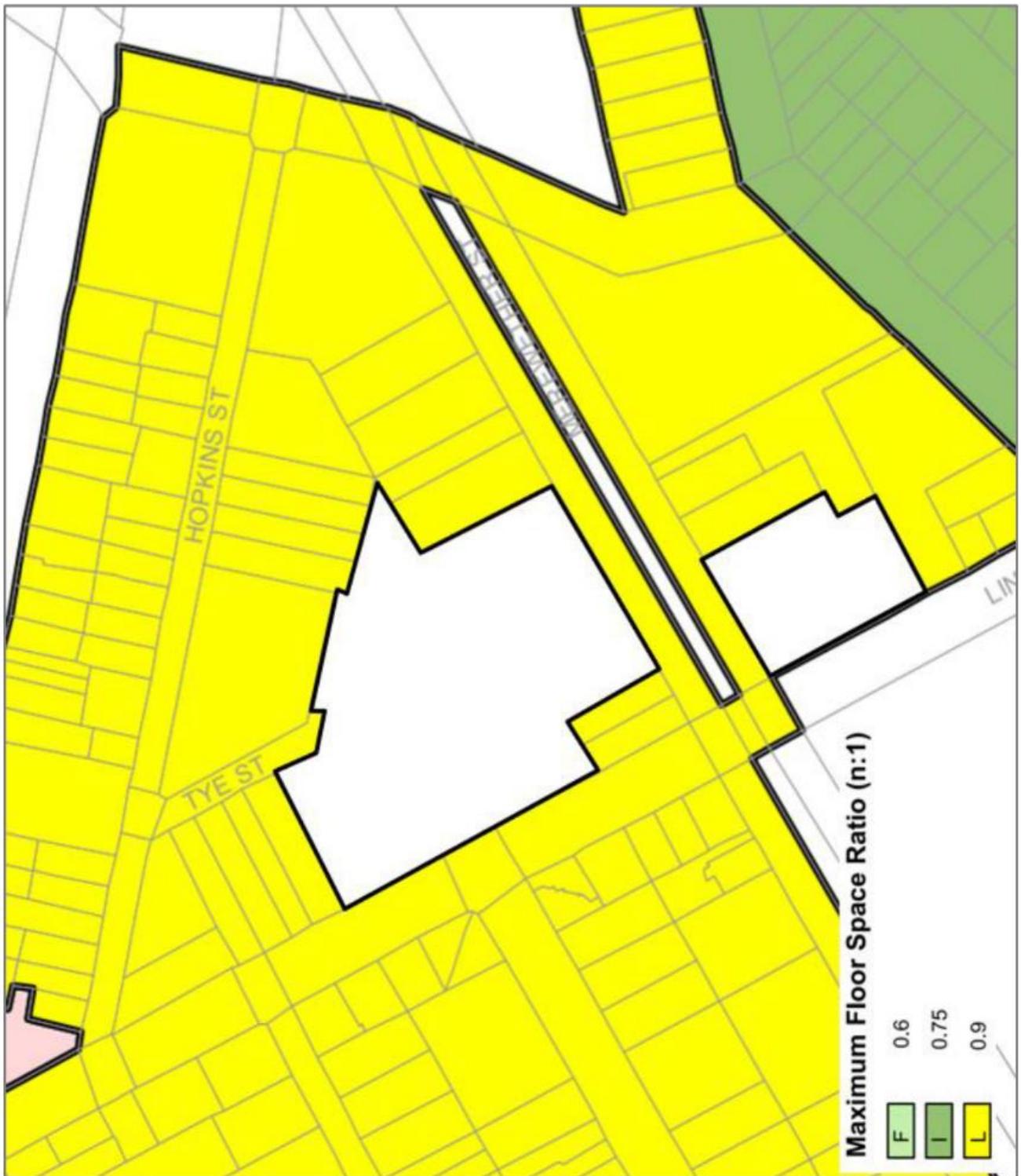


Figure 8: Proposed Maximum Floor Space Ratio Map

Part 3 - Justification

Section A - Need for the planning proposal

1. *Is the Planning Proposal a result of any strategic study or report?*

No, the Planning Proposal is a result of a request to amend Newcastle LEP 2012.

2. *Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes, seeking a change to zoning and the height of buildings (HOB) and floor space ratio (FSR) development standards within the Newcastle LEP 2012 is considered the most appropriate means of enabling the site to be optimised for health service facilities to meet current and future demand for health services.

The proposed SP2 Infrastructure zone will enable the continued use and expansion of the Hospital on land that is appropriately zoned for medical use and has supporting development controls. The SP2 zone also better reflects the existing use of the land and secures its future use for health-related employment and activities.

The rationale for the proposed removal of the FSR standards and increasing the HOB standards will allow the Hospital to provide facilities in accordance with health-related State legislative standards and obligations. For example, Health NSW stipulates minimum floor space requirements for operating theatres, corridors and support suites that may not be capable of adhering to the FSR standards in the Newcastle LEP 2012. It is proposed that the bulk and scale of the Hospital proposal be managed through the adoption of building envelopes controls.

The current zoning does not reflect the existing use on the site nor does it recognise the importance and significance of the existing Hospital given its role in attracting complementary health service facilities and the growing importance of the health services industry in the strategic framework.

Section B - Relationship to strategic planning framework

3. *Is the Planning Proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?*

Hunter Regional Plan 2036

The Hunter Regional Plan 2036 (HRP) is the NSW government's plan to guide land use planning and infrastructure priorities and decisions over the next 20 years. The HRP identifies regionally important natural resources, transport networks and social infrastructure and provides a framework to guide more detailed land use plans, development proposals and infrastructure funding decisions. The HRP includes overarching directions, goals and actions, as well as specific priorities for each local government area in the Hunter region.

The Planning Proposal is consistent with the goals and directions of the HRP as demonstrated in Table 1.

Table 1: Consistency of the Planning Proposal with the Hunter Regional Plan 2036

HRP Goal	HRP Direction	HRP Actions	Planning Proposal Response
Goal 1 – The leading regional economy	Direction 3 - Revitalise Newcastle City Centre	3.1 Promote the growth and renewal of Newcastle City Centre through local strategies and controls.	The Planning Proposal is generally consistent with these actions as the future expansion of the health service facility will provide important health services within proximity to the Newcastle City Centre.
	Direction 13 - Plan for greater land use compatibility	13.3 Amend planning controls to deliver greater certainty of land use. 13.4 Provide non-statutory guidance on the types of land uses that would be considered most appropriate, suitable or sympathetic to existing land uses in the Upper Hunter and other areas where land use conflicts occur.	The Planning Proposal will enable the amendment of planning controls that are inconsistent with the existing land use and deliver greater compatibility and certainty for the ongoing use of the land.
Goal 2 – A biodiversity-rich natural environment	Direction 15 - Sustain water quality and security	15.1 Protect water catchments to sustain high quality and dependable water supplies across the region. 15.5 Apply the neutral or beneficial water quality objectives to land use planning in surface and groundwater drinking water catchment areas to minimise the effects of development on waterways, including	Future Development Applications (DAs) for the site will consider incorporating water-sensitive urban design to minimise impact on coastal water catchments, water quality and flows.

HRP Goal	HRP Direction	HRP Actions	Planning Proposal Response
		<p>watercourses, wetlands, groundwater dependent ecosystems, riparian lands, estuaries, lakes, beaches and marine waters.</p> <p>15.7 Incorporate water-sensitive design into development that is likely to have an adverse impact on coastal water catchments, water quality and flows.</p>	
	Direction 16 - Increase resilience to hazards and climate change	16.1 Manage the risks of climate change and improve the region's resilience to flooding, sea level rise, bushfire, mine subsidence, and land contamination.	Future DAs will consider flooding, mine subsidence and land contamination in greater detail.
Goal 3 – Thriving Communities	Direction 20 - Revitalise existing communities	20.1 Accelerate urban revitalisation by directing social infrastructure where there is growth.	The Planning Proposal will enable critical social infrastructure to be delivered within a community that is undergoing significant growth.
	Direction 23 - Grow centres and renewal corridors	<p>23.1 Concentrate growth in strategic centres, local centres and urban renewal corridors to support economic and population growth and a mix of uses.</p> <p>23.4 Investigate locations for new and expanded centres, including within the Newcastle– Lake Macquarie Western Corridor and Maitland Corridor growth areas, and in the established urban areas that are projected to have high demand for housing growth.</p> <p>23.5 Focus commercial and retail development within existing centres and transport hubs and ensure that locations for new centres are integrated with existing or planned residential development; do not undermine existing centres; encompass high quality urban design; and consider transport and access requirements.</p>	The future expansion of the Lingard Private Hospital will provide employment in an existing local centre and contribute to the economic growth of Newcastle. Moreover, the expansion of the hospital will also support CN's projected growing and ageing population.

HRP Goal	HRP Direction	HRP Actions	Planning Proposal Response
Goal 4 – Greater housing choice and jobs	Direction 26 - Deliver infrastructure to support growth and communities	<p>26.1 Align land use and infrastructure planning to maximise the use and capacity of existing infrastructure and the efficiency of new infrastructure.</p> <p>26.2 Enable the delivery of health facilities, education, emergency services, energy production and supply, water and wastewater, waste disposal areas, cemeteries and crematoria, in partnership with infrastructure providers.</p> <p>26.5 Ensure growth is serviced by enabling and supporting infrastructure.</p>	The Planning Proposal assists in delivering key health service infrastructure to support the growing population.

Greater Newcastle Metropolitan Plan 2036

The Greater Newcastle Metropolitan Plan 2036 (GNMP) was released in 2018 to implement the vision set in the Hunter Regional Plan 2036; for the Hunter to be the leading regional economy in Australia with a vibrant new metropolitan city at its heart. The GNMP sets out four outcomes to be achieved, which comprise various strategies and actions.

The Planning Proposal is consistent with *Outcome 1 - Create a workforce skilled and ready for the new economy*, and *Strategy 4 - Grow health precincts and connect the health network*.

The GNMP recognises the role of the private health sector alongside Hunter New England Health in providing the necessary health infrastructure to serve the growing Hunter Region. The GNMP encourages all new major health facilities to be located within strategic centres or existing major health precincts. The Planning Proposal is in accordance with this strategy, as the Lingard Private Hospital (Lingard Merewether) has been identified within the GNMP as a “Major Health Precinct in Greater Newcastle” (Refer to Figure 9).

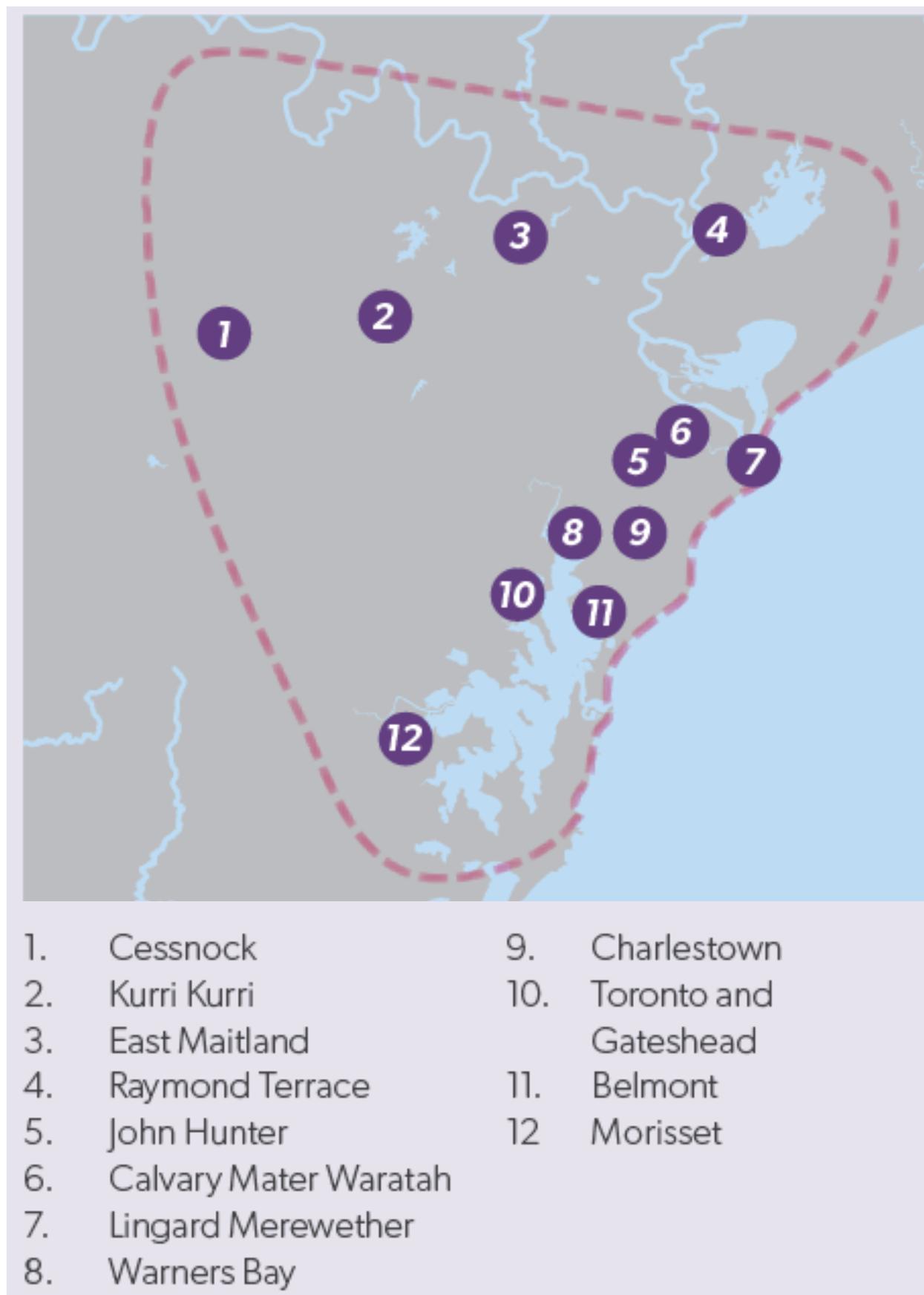


Figure 9: Major Health Precincts in Greater Newcastle (GNMP)

4. *Is the Planning Proposal consistent with a council's local strategy or other local strategic plan?*

Newcastle 2030 Community Strategic Plan

The Newcastle 2030 Community Strategic Plan (CSP) is a shared community vision developed to inform policies and actions over the next 10 years. The CSP was prepared in consultation with the local community and informed by analysis of key economic, environmental, and social trends.

The Planning Proposal is consistent with the following strategic directions, community objectives and strategies:

- **Inclusive Community**
 - Objective 4.1 – A welcoming community that cares and looks after each other.
 - 4.1c Improve, promote and facilitate equitable access to services and facilities
- **Liveable Built Environment**
 - Objective 5.1 – A built environment that maintains and enhances our sense of identity.
 - 5.1b Ensure our suburbs are preserved, enhanced and promoted, while also creating opportunities for growth
 - Objective 5.2 – Mixed-use urban villages supported by integrated transport networks
 - 5.2b Plan for an urban environment that promotes active and healthy communities
 - Objective 5.4 – Sustainable infrastructure to support a liveable environment
 - 5.4b Plan, provide and manage infrastructure that continues to meet community needs
- **Smart and Innovative**
 - Objective 6.1 – A vibrant, diverse and resilient economy built on educational excellence and research
 - 6.1a Recognise and strengthen Newcastle's role as a metropolitan capital and hub for education, health, tourism, creative, port and logistics industries
 - 6.1b Attract new business and employment opportunities
 - Objective 6.2 – A culture that supports and encourages innovation and creativity at all levels
 - 6.2a Support and advocate for innovation in business, research activities, education and creative industries

Overall, the Planning Proposal is consistent with the goals and objectives of the CSP, supporting the Greater Newcastle community's physical and mental wellbeing, as well as providing key health infrastructure that is supported by integrated transport networks.

Local Strategic Planning Statement

The Newcastle Local Strategic Planning Statement (LSPS) was adopted by Council in May 2020. It complements the Newcastle 2030 Community Strategic Plan. The LSPS is a 20-year land use vision prepared to guide the future growth of Newcastle. It informs changes to the *Newcastle Local Environmental Plan 2012*, Newcastle Development Control Plan 2012 (Newcastle DCP 2012) and other land use strategies.

The Planning Proposal is consistent with the LSPS, particularly with *Planning Priority 13 - Grow our key health and education sectors*. Planning Priority 13 acknowledges that health care and social assistance is the largest industry sector in Newcastle and therefore plays an important health and employment role. Action 13.2 seeks to work with health and education providers to align the Newcastle LEP 2012 and Newcastle DCP 2012 with future growth plans. In addition, the Planning Proposal will support the expansion of the health services offered within Newcastle, which is consistent with the following principle of Planning Priority 13: 'infrastructure and planning provisions enable the expansion and intensification of uses that provide or support key health and education sectors'.

The purpose of the Planning Proposal is to align the Newcastle LEP 2012 with future growth plans relating to the existing Lingard Private Hospital and Kingsland Precinct through the provision of appropriately zoned land and consistent development controls. The Lingard Private Hospital supports larger hospitals including the John Hunter Hospital in offering specialists care to patients. The expansion of the Lingard Private Hospital will ensure that it can continue to provide specialists care and continue to employ skilled and unskilled workers in the interim construction phase and ongoing operational phase.

Local Housing Strategy

The Newcastle Local Housing Strategy 2020 (LHS) sets a framework for the provision of housing across the City of Newcastle over the next 20 years. The LHS is a local response to the housing actions within the Hunter Regional Plan (HRP), Greater Newcastle Metropolitan Plan (GNMP) and the Newcastle Local Strategic Planning Statement (LSPS). The LHS is accompanied by an Implementation Plan.

The Planning Proposal aims to rezone R3 Medium Density Residential zoned land at 23 Merewether Street to SP2 Infrastructure (Health Service Facilities), thereby reducing the amount of land zoned for residential use. However, the land at 23 Merewether Street is currently used as a hospital, and the rezoning of the land will therefore not result in a net loss of housing. Moreover, the loss of residential zoned land due to the proposed rezoning is negligible and is not anticipated to affect CN's capacity to meet projected housing demand.

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

An assessment of the Planning Proposal against the relevant SEPPs is provided in Table 2 below.

Table 2 - Relevant State Environmental Planning Policies

Relevant SEPPs	Consistency and Implications
SEPP 55 (Remediation of Land)	<p>The site is identified as having a history of contamination. However, the previous uses of the site over time are not likely to hinder the intended outcome of this Planning Proposal.</p> <p>Investigations have been conducted for 8 Lingard Street and a validation report provided which demonstrates that the land is suitable for the proposed SP2 – Infrastructure zoning and the health services facility land use.</p> <p>23 Merewether Street will require further investigation and remediation prior to any further development of the land. The supporting information provided demonstrates that further development of the land will be appropriate and will not preclude the proposed change of zoning to SP2 – Infrastructure. In addition, CN notes that the land is already being used for a health services facility.</p>
SEPP 64 (Advertising and Signage)	<p>Any future signage on the site will be compatible with the desired amenity and visual character of an area and will comply with the assessment criteria outlined in Schedule 1 of this SEPP.</p>
SEPP (Affordable Rental Housing) 2009	<p>The land is not owned by a Land and Housing Corporation; and no affordable rental housing will be lost as a result of the Planning Proposal. The Planning Proposal is therefore consistent with the aims of the SEPP.</p>
SEPP (Exempt and Complying Development Codes) 2008	<p>In accordance with the SEPP, certain minor development may be undertaken as exempt or complying development. However, the intended outcome for the site will require lodgement of DAs in the future. The Planning Proposal is consistent with the SEPP.</p>
SEPP (Infrastructure) 2007	<p>Future DAs may be referred to Transport for NSW as ‘traffic generating development.’</p>
SEPP (Vegetation in Non-Rural Areas) 2017	<p>The site is already fully developed and therefore no vegetation is to be cleared.</p>
SEPP (Koala Habitat Protection) 2019	<p>The SEPP does not apply to the site at 8 Lingard Street as it has an area of only 0.38ha. The SEPP does apply to the site at 23 Merewether Street, as it has an area of 1ha. The site is largely developed and contains very few trees and thus the site does not represent potential koala habitat. Therefore, no further provisions of the SEPP apply to the Planning Proposal.</p>

6. Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

An assessment of the Planning Proposal against the relevant Ministerial Directions is provided in Table 3 below.

Table 3 - relevant Ministerial Directions (Section 9.1 directions)

Relevant Section 9.1 Directions	Consistency and implications
1. Employment and Resources	
1.1 Business and Industrial Zones	This direction applies, as the Planning Proposal seeks to rezone land at 8 Lingard Street from B5 Business Development to SP2 Infrastructure (Health Service Facilities). The Planning Proposal is consistent with the objectives of this direction, as it will encourage employment growth in a suitable location, protect employment land and support the viability of an identified centre. The Planning Proposal is consistent with the Greater Newcastle Metropolitan Plan, as it will enable the growth of a health precinct close to the Newcastle City Centre.
1.2 Rural Zones	N/A
1.3 Mining, Petroleum Production and Extractive Industries	N/A
1.4 Oyster Aquaculture	N/A
1.5 Rural Lands	N/A
2. Environment and Heritage	
2.1 Environment Protection Zones	N/A
2.2 Coastal Management	N/A
2.3 Heritage Conservation	N/A
2.4 Recreation Vehicle Areas	N/A
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A

Relevant Section 9.1 Directions	Consistency and implications
2.6 Remediation of Contaminated Land	<p>This ministerial direction applies to the site.</p> <p>The rezoning of the site from R3 Medium Density Residential and B5 Business Development to SP2 Infrastructure (Health Service Facilities) will not permit a change of use of the land, but rather the continuation of the existing use of the land.</p> <p>Although the site is identified as contaminated, the land is suitable (or will be suitable following remediation) for the continuation of the existing use of the land as a health service facility.</p> <p>Previous reports, which specify the findings of a preliminary investigation of the land have been carried out in accordance with the contaminated land planning guidelines.</p>
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	<p>The Planning Proposal will affect land within an existing residential zone and therefore this direction applies.</p> <p>The Planning Proposal aims to change the zoning for the Lingard Private Hospital site from R3 Medium Density Residential to SP2 Infrastructure (Health Service Facilities) to be consistent with the existing land use on the site (i.e. health service facilities).</p> <p>The Planning Proposal is inconsistent with this direction, as it will not encourage the provision of housing and will reduce the permissible residential density of land. However, although zoned for residential purposes, the site has been used as a health service facility, which is a permissible use within the R3 zone, and the Planning Proposal will therefore not result in any net loss of housing. In addition, this Planning Proposal is in accordance with the Greater Newcastle Metropolitan Plan, which recognises the Lingard Private Hospital as a major health precinct that will expand and provide future job opportunities. Furthermore, there is more than sufficient land zoned for housing in CN and therefore the loss of residential zoned land due to the proposed rezoning is negligible and is not anticipated to affect CN's capacity to meet projected housing demand. The inconsistency between the Planning Proposal and this direction is therefore considered to be justified.</p>
3.2 Caravan Parks and Manufactured Home Estates	N/A
3.3 Home Occupations	N/A

Relevant Section 9.1 Directions	Consistency and implications
3.4 Integrating Land Use and Transport	This direction applies to the Planning Proposal, since it seeks to rezone land from residential (R3 Medium Density Residential) and business (B5 Business Development) purposes to SP2 Infrastructure (Health Service Facilities). The Planning Proposal will enable the expansion of the Lingard Private Hospital on appropriately zoned land that is within close proximity to residential land providing key health service infrastructure close to housing and employment centres such as The Junction and Newcastle City Centre. In addition, the site is close to bus networks operating from The Junction along Union Street which is within 400 metres of the site.
3.5 Development Near Regulated Airports and Defence Airfields	N/A
3.6 Shooting Ranges	N/A
3.7 Reduction in non-hosted short-term rental accommodation period	N/A
4. Hazard and Risk	
4.1 Acid Sulfate Soils	The site is identified in the Newcastle LEP 2012 as having class 4 probability of Acid Sulfate Soils. Risks relating to Acid Sulfate Soils can be suitably addressed through future DAs for the intended use of the site. Moreover, it is considered that any future proposed development facilitated by the Planning Proposal will be able to manage any potential risks.
4.2 Mine Subsidence and Unstable Land	The site is identified as being located within a mine subsidence district. Risks associated with mine subsidence can be suitably addressed through future DAs for the intended use of the site. Consultation with Subsidence Advisory NSW will be undertaken prior to Public Exhibition.
4.3 Flood Prone Land	This direction applies, as the land is located within a flood prone area (i.e. flood storage area). Previous flood assessments undertaken by WMB BMT Pty Ltd conclude that suitable redevelopment of the site can be achieved subject to implementation of certain mitigation measures. Appropriate mitigation measures will be incorporated into the future design of the health service facility, and details and plans will be supplied as part of any future DA. These mitigation measures will take into consideration the potential isolation of the hospital sites during large flood events with appropriate management procedures put in place as required. A Flood Emergency Response Plan will be provided with any future DA for the health facility expansion. Flood Information Certificates are appended at Appendix 2.
4.4 Planning for Bushfire Protection	N/A
5. Regional Planning	
5.1 Implementation of Regional Strategies	Revoked 17 October 2017

Relevant Section 9.1 Directions	Consistency and implications
5.2 Sydney Drinking Water Catchment	N/A
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	(Revoked 18 June 2010)
5.6 Sydney to Canberra Corridor	(Revoked 10 July 2008)
5.7 Central Coast	(Revoked 10 July 2008)
5.8 Second Sydney Airport: Badgerys Creek	(Revoked 20 August 2018)
5.9 North West Rail Link Corridor Strategy	N/A
5.10 Implementation of Regional Plans	The Planning Proposal is consistent with the Hunter Regional Plan 2036 as detailed in Section B. In particular, the Planning Proposal will assist the Lingard Private Hospital and Greater Newcastle to become a world class health hub for research and treatment.
5.11 Development of Aboriginal Land Council land	N/A
6. Local Plan Making	
6.1 Approval and Referral Requirements	The Planning Proposal is consistent with the objectives of the direction.
6.2 Reserving Land for Public Purposes	N/A
6.3 Site Specific Provisions	The Planning Proposal aims to rezone land and amend the height of building and floor space ratio development standards to remove unnecessarily restrictive site-specific planning controls and is therefore consistent with the aims and objectives of the direction.
7. Metropolitan Planning	
7.1 – 7.10	N/A

Section C - Environmental, social and economic impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is currently developed for urban purposes and this Planning Proposal has no potential for critical habitat or threatened species, populations or ecological communities, or their habitats. A BDAR Waiver has been received for the site. Furthermore, any potential environmental impact will be addressed at the DA stage for any proposal.

8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Traffic and Transport Considerations

Local traffic and transport

The site is accessible to pedestrians and via public transport with bus services operating from Union Street, The Junction. The Lingard Private Hospital also endorses green travel strategies, encouraging staff and visitors to access the site by walking, cycling and/ or public transport.

The potential expansion of the Hospital on the site will generate additional traffic and loading services, and as a result noise. Noise impacts and measures that can be implemented into the design to minimise noise impacts to surrounding land uses will be assessed in the DA process. This assessment will also address mitigation measures to be introduced during operation. This will be determined through a Noise Impact Assessment which is required to be submitted with any future DA.

There is the potential for a shared zone or pedestrian crossing along Merewether Street. The purpose of this would be to provide improved pedestrian connectivity between the two precincts (Lingard and Kingsland). This will be considered in future designs for the site and will need to be supported by a traffic impact assessment when submitted for DA assessment. It is noted that a development application was recently lodged with Council (DA2021/01236), which proposes a pedestrian bridge across Merewether Street to connect these two precincts.

Further traffic impact assessments will be assessed at the DA stage. These assessments will evaluate access arrangements, parking and the existing and proposed operation and efficiency of the local road network.

Environmental Considerations

Bushfire hazard

According to Newcastle Bush Fire Hazard Map (2009) and the Newcastle LEP 2012, the land is not affected by bushfire risk or in the vicinity of such a risk.

Flooding

The land is located within a flood prone area, i.e. flood storage area (Refer to Figure 10). Previous flood assessments undertaken by WMB BMT Pty Ltd conclude that suitable redevelopment of the site can be achieved subject to implementation of certain mitigation measures.

Appropriate mitigation measures can be incorporated into the future design of the Hospital, and details and plans will be supplied as part of any future DA. A Flood Emergency Response Plan will accompany a future DA for the health facility expansion.

Flood Information Certificates are appended at Appendix 2.

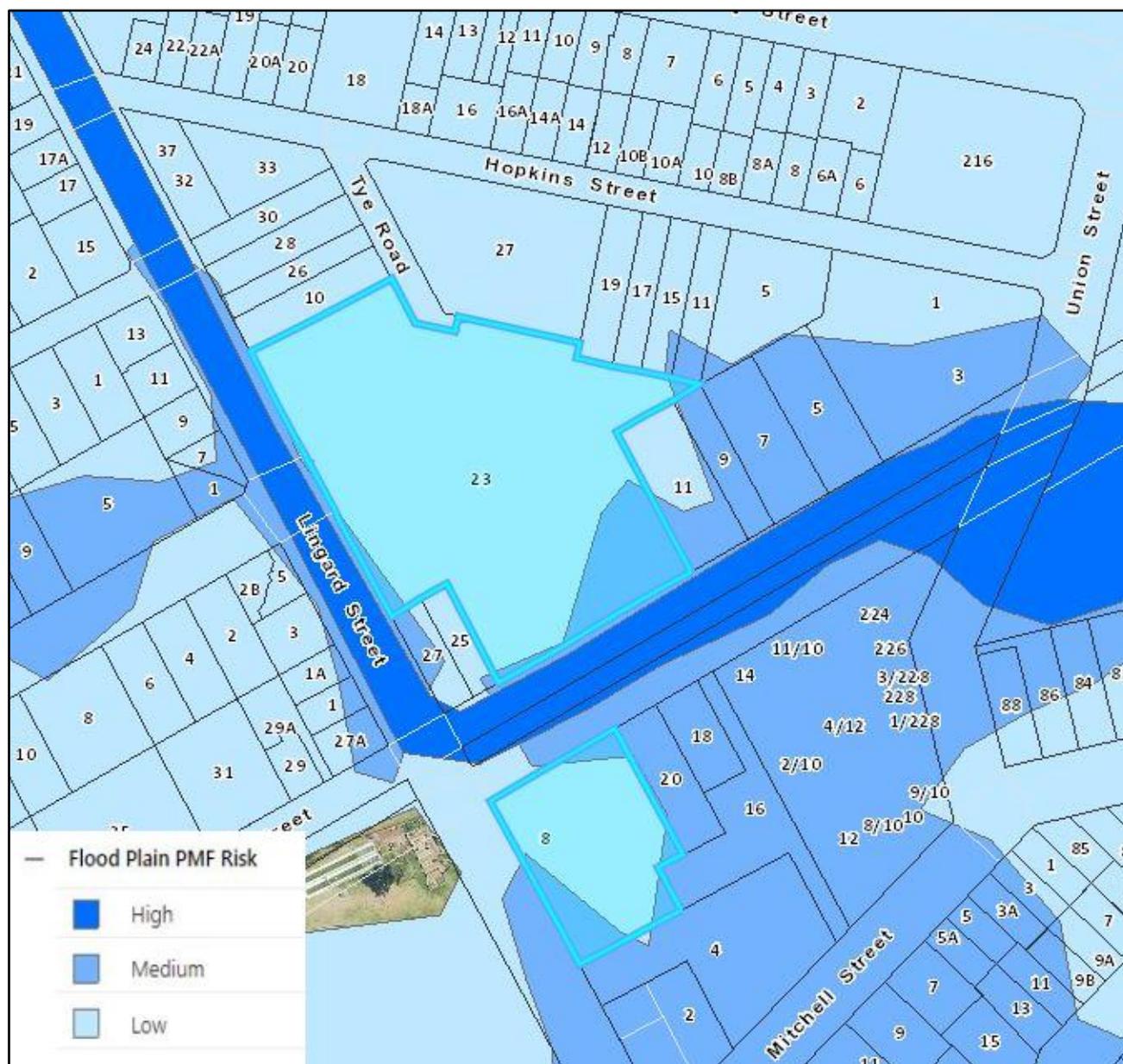


Figure 10: Flood risk for 23 Merewether Street and 8 Lingard Street, Merewether

Acid Sulfate Soil

The site is identified in the Newcastle LEP 2012 as having class 4 probability of Acid Sulfate Soils. Risks relating to Acid Sulfate Soils can be suitably addressed through future DAs for the intended use of the site. Moreover, it is anticipated that any future proposed development facilitated by the Planning Proposal will be able to manage any potential risks.

Mine Subsidence

The site is located within a Mine Subsidence District (Refer to Figure 11). CN will consult with Subsidence Advisory NSW prior to commencing community consultation.

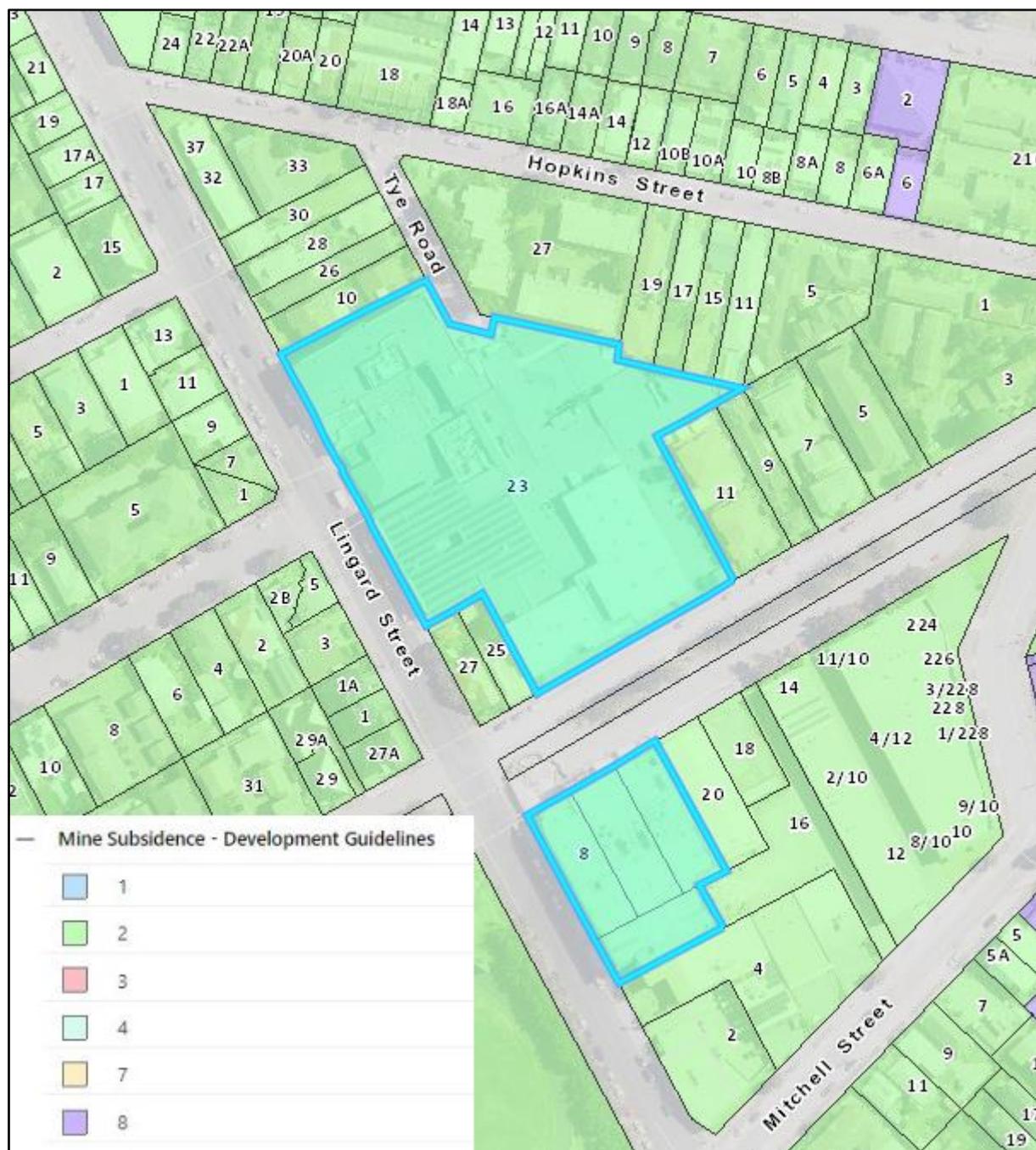


Figure 11: Mine subsidence risk for 23 Merwether Street and 8 Lingard Street, Merwether

Noise impact

The nature and location of the proposed development ensures that the proposal will not generate operational noise impacts which would cause nuisance to neighbours. However, the intensification of the site may result in increased noise associated with increased traffic volumes and deliveries. Assessment of noise impacts will occur in association with any future DA. It is considered that future development can be designed to minimise noise impacts to surrounding land uses. Appropriate mitigation measures can also be included to minimise normal operational noise. This will be determined through a Noise Impact Assessment which is required to be submitted with a future DA.

Odour

No odour impacts are expected from the development given the proposed use of the building for medical uses. The ongoing operation of the site will comply with AS 1668.2—1991 to ensure air quality is maintained.

Flora and/ or fauna

The site is currently developed and does not comprise any significant flora or fauna. The Planning Proposal is therefore not anticipated to result in any negative impacts on flora and fauna. Nonetheless, any potential environmental impacts will be addressed at the DA stage.

Furthermore, the Planning Proposal does not seek to increase the development footprint of the facility. It is not anticipated that future development on the site will result in the removal of mature or newly planted street tree stock from median crossing in Merewether Street. This will be addressed in any future DA.

Land/site contamination (SEPP55)

The site is identified as having a history of contamination (Refer to Figure 12). However, the previous uses of the site are unlikely to hinder the intended outcome of the Planning Proposal.

Investigations have been conducted for 8 Lingard Street and a validation report has been provided which demonstrates that the land is suitable for the proposed SP2 – Infrastructure zoning and the health services facility land use.

23 Merewether Street will require further investigation and remediation prior to any further development of the land. The supporting information provided demonstrates that further development of the land will be appropriate and will not preclude the proposed change of zoning to SP2 – Infrastructure. In addition, CN notes that the land is already being used for a health services facility.



Figure 12: Contaminated land at 23 Merwether Street and 8 Lingard Street, Merewether

Water quality and stormwater management

Water quality and stormwater management will be assessed at the DA stage and will likely require the incorporation of water-sensitive design to minimise adverse impacts on coastal water catchments, water quality and flows.

Urban Design Considerations

Building mass/block diagram study (changes in building height and FSR)

It is proposed that the bulk and scale of the proposed expansion of the site be managed through the adoption of building envelopes controls. Attached to this Planning Proposal is a Concept Plan for the site (Refer to Appendix 3), which outlines a vision for the health precinct, including indicative bulk and scale. However, it is noted that the Concept Plan should only be utilised for reference and does not form part of the Planning Proposal.

Overshadowing

Any potential for overshadowing of adjoining properties due to increased height and FSR will be managed through appropriate setbacks and merit assessed under a DA.

Lighting impact

Appropriate external lighting in car parks and other outdoor areas will be assessed at the DA stage. Internal lighting is not expected to cause any concerns for neighbours.

Social and Cultural Considerations

Heritage impacts

The site has not been identified as a heritage item nor is it within a heritage conservation area. Notwithstanding, the site is in proximity to the Townson Oval Pavilion – Mitchell Park, which is a heritage listed item under the Newcastle LEP 2012 (heritage item no. I318). The site is also located on Merewether Street, which is a site of a former railway line linking the Glebe Hill and Newcastle collieries in Merewether Heights with the Newcastle docks via the Junction, Cooks Hill and Civic Park.

While the Planning Proposal will enable the expansion of the existing Hospital, it is noted that it does not seek to increase the existing development footprint and therefore the impacts on nearby heritage items including Merewether Street will be minimal. Impacts of any works on nearby heritage items will be considered at the DA stage. Should any works be undertaken on Merewether Street as part of the future expansion, the potential for the street to contain archaeological material will need to be considered as part of any DA.

9. Has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal is in the public interest and will contribute towards the region achieving the objectives of the Hunter Regional Plan 2036 and Greater Newcastle Metropolitan Plan 2036. It will provide a variety of high-quality health services to the community, including the ageing population.

The Planning Proposal will provide several significant public benefits to the community, including:

- Future development will result in an expansion to the variety of high-quality health services on offer at the hospital, including to the ageing population. The future expansion will enhance this service sector as the City of Newcastle continues to undergo growth and transformation;

- Employment will be generated in the expanding health sector, thereby providing ongoing economic and social benefits;
- Future development will also result in employment and economic benefits associated with the short-term construction works;
- Future development will be compliant with relevant disability standards and will meet the needs of people with physical disabilities, sensory disabilities and intellectual disabilities.

The expansion of the Hospital on the site is anticipated to have ongoing positive social and economic impacts on the local area and the broader Newcastle community.

Section D - State and Commonwealth interests

10. Is there adequate public infrastructure for the planning proposal?

The site is adequately serviced by all essential infrastructure including electricity, telecommunications, water, stormwater, and sewer. The anticipated development of the site is not expected to warrant significant upgrade to existing public infrastructure. Moreover, the Planning Proposal contributes to the provision of health services to the community and complements public health infrastructure.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

State and Commonwealth public authorities have not been consulted at this stage. Public authorities will be consulted in accordance with the requirements of the Gateway determination.

Transport for NSW and Subsidence Advisory NSW will be consulted prior to the commencement of broader community consultation.

Part 4 - Mapping

The Planning Proposal seeks to amend the following maps within the Newcastle LEP 2012:

- Land Zoning Map
- Height of Buildings Map
- Floor Space Ratio Map

The Matrix below indicates (with an “X”), which map sheets (of the Newcastle LEP 2012) are to be amended.

	FSR	LAP	LZN	WRA	ASS	HOB	LSZ	LRA	CL1	HER	URA
001											
001A											
001B											
001C											
001D											
002											
002A											
002B											
002C											
002D											
002E											
002F											
002G											
002H											
003											
004											
004A											
004B											
004C											
004D											
004E											
004F											
004FA											
004G	X		X			X					
004H											
004I											
004J											
004K											

Map Codes:	FSR	=	Floor Space Ratio map
	LAP	=	Land Application Map
	LZN	=	Land Zoning Map
	WRA	=	Wickham Redevelopment Area Map
	ASS	=	Acid Sulfate Soils Map
	HOB	=	Height of Buildings Map
	LSZ	=	Lot Size Map
	LRA	=	Land Reservation Acquisition Map
	CL1	=	Key Sites Map & Newcastle City Centre Map
	HER	=	Heritage Map
	URA	=	Urban Release Area Map

Part 5 - Community consultation

As it is considered that the Planning Proposal is of low impact (in accordance with 'A guide to preparing local environmental plans' published by the Department of Planning) it is proposed that the amendment to the Newcastle LEP 2012 be publicly exhibited for a 14 day period. The Planning Proposal will be exhibited on Council's website, and letters will be written to any potentially affected and adjoining landowners.

There have been ongoing discussions with neighbouring landowners throughout previous DAs. A community consultation strategy will be prepared to inform future engagement and liaison with neighbouring landowners.

Any future development would be subject to a DA assessment, which would also be notified in accordance with Council's Community Participation Plan.

Part 6 - Project timeline

The plan making process is shown in the timeline below. It will be undertaken in accordance with the Gateway determination.

Task	Planning Proposal Timeline											
	Dec 21	Jan 22	Feb 22	Mar 22	Apr 22	May 22	Jun 22	Jul 22	Aug 22	Sep 22	Oct 22	Nov 22
Anticipated commencement date (date of Gateway determination)	■											
Anticipated timeframe for the completion of required studies		■	■									
Timeframe for government agency consultation				■	■							
Commencement and completion dates for public exhibition period						■						
Timeframe for consideration of submissions							■					
Timeframe for the consideration and reporting of a proposal post exhibition								■	■			
Anticipated date RPA* will make the plan (if delegated)										■		
Anticipated date RPA* will forward to the Department for notification (if delegated) or for finalisation (if not delegated)										■		

*RPA Relevant Planning Authority

Appendix 1 – Information Checklist

STEP 1: REQUIRED FOR ALL PROPOSALS

(under s3.33(2)(a-e) of the EP&A Act)

- | | |
|---|---|
| • Objectives and intended outcome | • Explanation of provisions |
| • Mapping (including current and proposed zones) | • Justification and process for implementation (including compliance assessment against relevant section 9.1 direction/s) |
| • Community consultation (agencies to be consulted) | |

STEP 2: MATTERS – CONSIDERED ON A CASE BY CASE BASIS

(Depending on complexity of planning proposal and nature of issues)

Planning Matters or Issues	to be considered		N/A	to be considered	N/A
	to be considered	N/A			
Strategic Planning Context				Environmental Considerations	
Consistent with the relevant regional, district or corridor/precinct plans applying to the site, including any draft regional/district or corridor/precinct plans released or public comment; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Flooding	<input checked="" type="checkbox"/>
Consistent with a relevant local council strategy that has been endorsed by the Department; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Land/site contamination (SEPP55)	<input checked="" type="checkbox"/>
Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining)	<input type="checkbox"/>
Seeking to update the current planning controls if they have not been amended in the last 5 years	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Sea level rise	<input type="checkbox"/>
Site Description / Context				Urban design Considerations	
Aerial photographs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Existing site plan (buildings, vegetation, roads, etc)	<input type="checkbox"/>
Site photos / photomontage	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Building mass/block diagram study (changes in building height and FSR)	<input checked="" type="checkbox"/>
Traffic and Transport Considerations				Lighting impact	<input checked="" type="checkbox"/>
Local traffic and transport	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Development yield analysis (potential yield of lots, houses, employment generation)	<input type="checkbox"/>
TMAP	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Economic Considerations	
Public transport	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Economic impact assessment	<input checked="" type="checkbox"/>
Cycle and pedestrian movement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Retail centres hierarchy	<input type="checkbox"/>
Environmental Considerations				Employment land	<input checked="" type="checkbox"/>
Bushfire Hazard	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Social and Cultural Considerations	
Acid sulphate Soil	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Heritage impact	<input checked="" type="checkbox"/>
Noise impact	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Aboriginal archaeology	<input checked="" type="checkbox"/>
Flora and/or fauna	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Open space management	<input type="checkbox"/>
Soil stability, erosion, sediment, landslip assessment and subsidence	<input checked="" type="checkbox"/>	<input type="checkbox"/>		European archaeology	<input checked="" type="checkbox"/>
Water quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Social and cultural impacts	<input checked="" type="checkbox"/>
Stormwater management	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Stakeholder engagement	<input checked="" type="checkbox"/>
				Infrastructure Considerations	
				Infrastructure servicing and potential funding arrangements	<input checked="" type="checkbox"/>
				Miscellaneous / Additional Considerations	
				List any additional studies that should be undertaken post Gateway determination	<input type="checkbox"/>

Appendix 2 – Flood Information Certificates



03 October 2019

KDC Pty Ltd
 Suite 2B, 125 Bull Street
 NEWCASTLE WEST NSW 2302

Flood Information Certificate No: FL2019/00206

Land: Lot 100 DP 1168197

Property Address: 23 Merewether Street Merewether NSW 2291

Thank you for your recent enquiry regarding flood behaviour at the above property. This letter confirms the property is located in a flood prone area.

The pertinent features of the flood behaviour are estimated as follows:

Local Catchment Flooding

Is any part of the site affected by a floodway?	No
Is any part of the site affected by a flood storage area?	Yes (South East side)
Estimated 1% Annual Exceedance Probability event level: (equivalent to the "Defined Flood Level" in the Building Code of Australia)	6.2m AHD
Estimated Maximum Flow Velocity of floodwaters (in the "Defined Flood Event" as per the Building Code of Australia)	0.5m/s
Highest Property Hazard Category	P2
Estimated Probable Maximum Flood Level	6.7m AHD (0.5m/s)
Highest Life Hazard Category	L4

The flood study from which the above information is derived is part of a Newcastle City Wide Floodplain Management Plan. The above advice may change in the future, however the advice is based on the best information held by Council at the time of issue of this certificate.

The Newcastle Development Control Plan 2012 addresses the issues of flood management for new development. You can view the development control plan at www.newcastle.nsw.gov.au. In summary, the following requirements apply for all future development applications on the site.

Development in a floodway is not generally allowable due to likely redistribution of flood water.	Not Applicable
Filling of a flood storage area by more than 20% is not generally allowable due to redistribution of flood water.	Applicable, see attached figure 1 below
Minimum floor level for occupiable rooms in a new development on this site is: (equivalent to the "Flood Hazard Level" in the Building Code of Australia)	6.7m AHD
Is onsite flood refuge required?	Yes

It is estimated that, during the June 2007 storms, flood waters reached a level of approximately 6.3m AHD in the vicinity of the specified land.

Please note that:

1. No assessment of the lot's suitability for the purposes of making an application for a complying development certificate under the Housing Code or Rural Housing Code of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, or for a Secondary Dwelling under *State Environmental Planning Policy (Affordable Rental Housing) 2009*, has been made. This type of flood information can also be obtained from Council via a Flood Information Application. There are two services provided by Council relating to Complying Development flood criteria, as follows:
 - a) Identification of lots affected by any of the flood control lot exclusions identified in subclause 3.5(1) or 3A.38(1) of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. If this information is required, select Box 4. b) (i) on the Flood Information Application form and pay the required fee.
 - b) An assessment of a proposal for development of the lot for compliance with the requirements of subclause 3.36(2) or 3A.38(2) of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. If this information is required, select Box 4. b) (ii) on the Flood Information Application form, submit plans and other relevant documentation for the proposal and pay the required fee.
2. The information contained in this certificate may alter in the future. The applicant should at all times ensure the currency of this information.

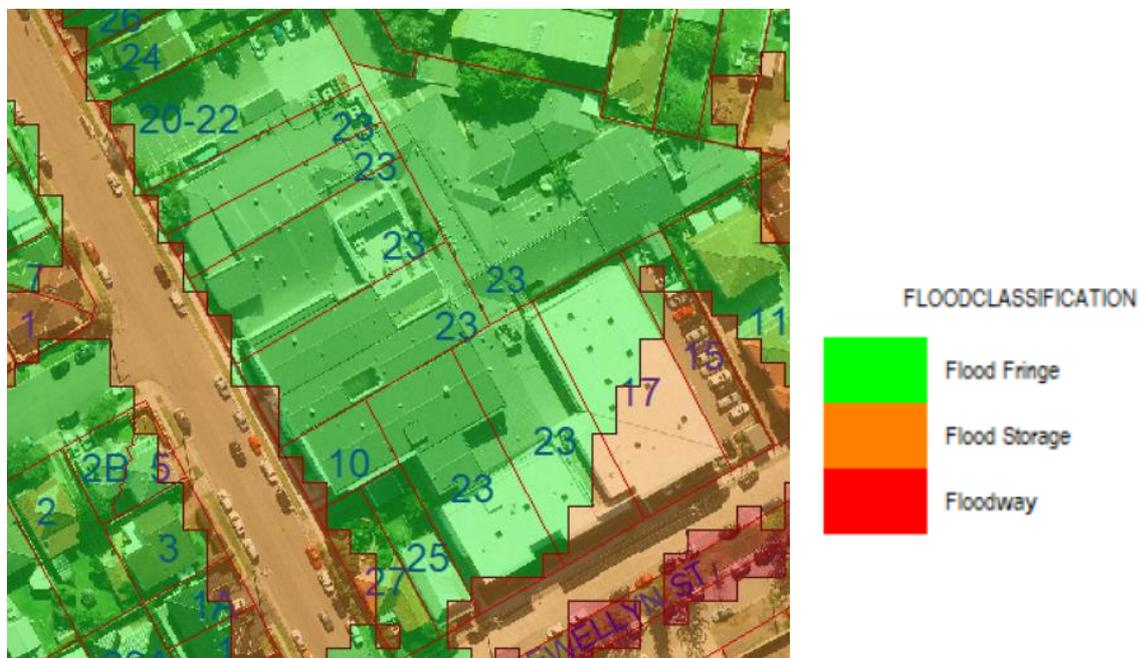


Figure 1- South East affected by flood storage

Should you require any further clarification please contact Brooke Carroll on 02 4974 2047

Yours faithfully
Brooke Carroll
DEVELOPMENT OFFICER (Engineering)

03 October 2019

KDC Pty Ltd
Suite 2B, 125 Bull Street
NEWCASTLE WEST NSW 2302

Flood Information Certificate No: FL2019/00204

Land: Lot 100 DP 1251777

Property Address: 8 Lingard Street Merewether NSW 2291

Thank you for your recent enquiry regarding flood behaviour at the above property. This letter confirms the property is located in a flood prone area.

The pertinent features of the flood behaviour are estimated as follows:

Local Catchment Flooding

Is any part of the site affected by a floodway?	No
Is any part of the site affected by a flood storage area?	Yes
Estimated 1% Annual Exceedance Probability event level: (equivalent to the " <i>Defined Flood Level</i> " in the Building Code of Australia)	5.8m AHD
Estimated Maximum Flow Velocity of floodwaters (in the " <i>Defined Flood Event</i> " as per the Building Code of Australia)	0.1m/s
Highest Property Hazard Category	P1
Estimated Probable Maximum Flood Level	6.7m AHD (velocity 0.4m/s)
Highest Life Hazard Category	L4

The flood study from which the above information is derived is part of a Newcastle City Wide Floodplain Management Plan. The above advice may change in the future, however the advice is based on the best information held by Council at the time of issue of this certificate.

The Newcastle Development Control Plan 2012 addresses the issues of flood management for new development. You can view the development control plan at www.newcastle.nsw.gov.au. In summary, the following requirements apply for all future development applications on the site.

Development in a floodway is not generally allowable due to likely redistribution of flood water.	Not Applicable
Filling of a flood storage area by more than 20% is not generally allowable due to redistribution of flood water.	Applicable
Minimum floor level for occupiable rooms in a new development on this site is: (equivalent to the " <i>Flood Hazard Level</i> " in the Building Code of Australia)	500mm above 1% AEP 6.3m AHD
Is onsite flood refuge required?	Yes

It is estimated that, during the June 2007 storms, flood waters reached a level of approximately 6.3m AHD in the vicinity of the specified land.

Should you require any further clarification please contact Alastair Peddie on 02 4974 2788.

Yours faithfully

Alastair Peddie

SENIOR DEVELOPMENT OFFICER (Engineering)

Appendix 3 – Concept Plan

LINGARD PRIVATE HOSPITAL

CONCEPT FUTURE PERSPECTIVE

October 2019



This page is intentionally left blank

CONTENTS

1 **Locality Overview**
Page 4

2 **Vision**
Page 5

3 **Concept Future Vision**
Page 6

4 **Future Bulk & Scale**
Page 8

5 **Planning Considerations**
Page 9

6 **Proposed Planning Controls**
Page 10

7 **Servicing & Traffic
Amendments**
Page 11

8 **Pedestrian Movement**
Page 12

9 **Vehicle Movement**
Page 13

10 **Precincts**
Page 14

11 **Precincts**
Page 15

LOCALITY OVERVIEW

Located 2 hours north of Sydney, Newcastle is the second largest city in New South Wales and the economic and social hub of the Hunter Region. Historically an industrial town, Newcastle is transitioning to a service and knowledge economy comprising a rapidly expanding health network. Currently home to approximately 150,000 people, Greater Newcastle's population is projected to increase by over 120,000 in the next 20 years.

Comprising a mix of residential, commercial and community buildings, Merewether is located only 3 kilometers from Newcastle's Central Business District. Merewether has become a significant part of the health and medical industry in the Greater Newcastle area and boasts an outstanding coastal location surrounded by great amenities.



VISION

Healthe Care is committed to the growth and development of Lingard Hospital as a health and medical precinct and are aiming to take a more strategic approach to future proofing the hospital.

Healthe Care's vision is to create a secondary hospital in Newcastle which is supported by the Greater Newcastle Metropolitan Plan that highlights Lingard as a key medical precinct.

Healthe Care is focussed on developing a 'Centre of Excellence' to attract domestic and international specialist and aiming to achieve a facility that provides an extensive range of healthcare services.



Concept Future Vision





Commercial in confidence - Plans are indicative only

FUTURE BULK & SCALE



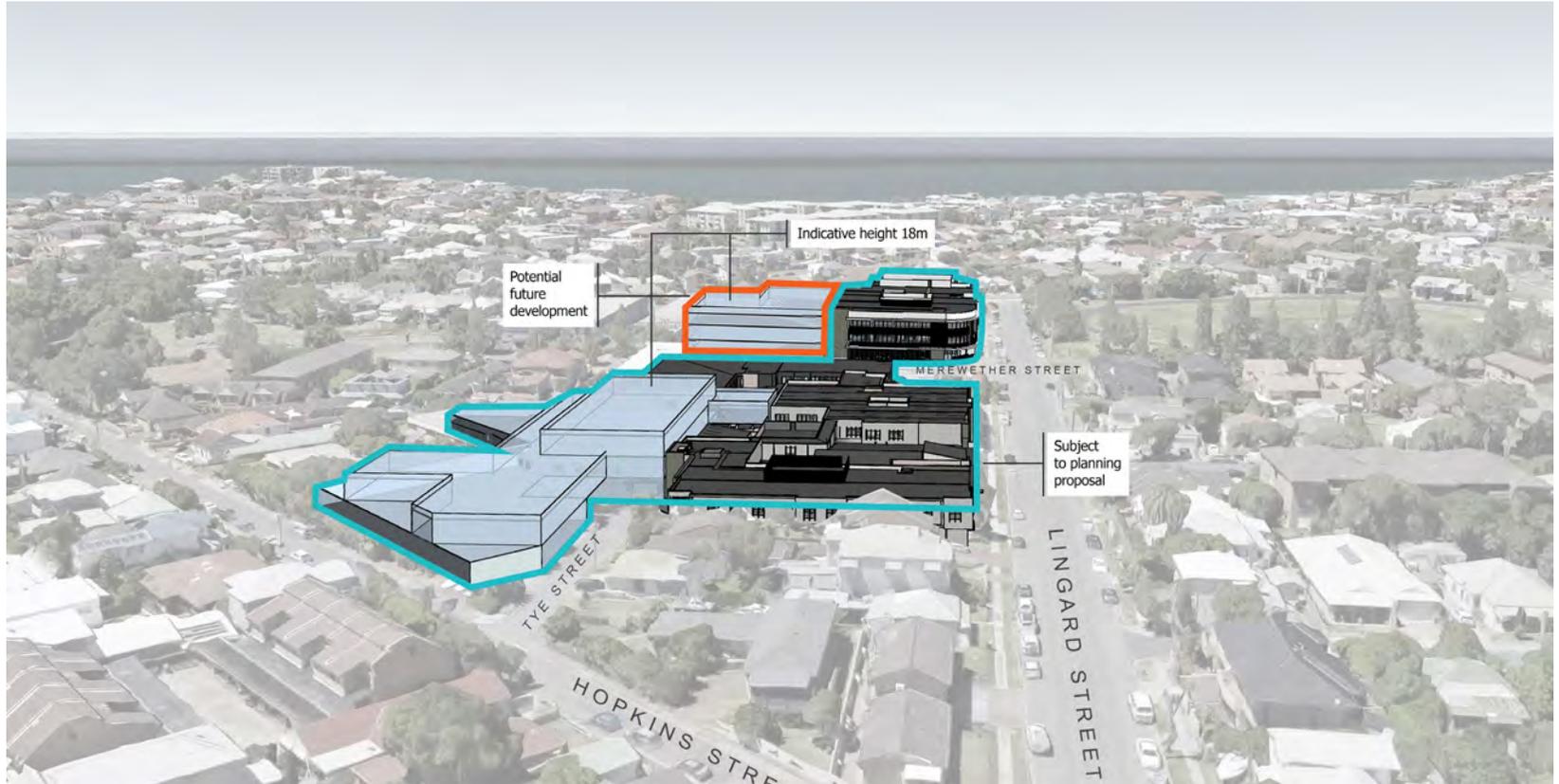
Built form will reflect emerging contemporary character of Merewether



Provision of essential health infrastructure through architectural expression



Built form will make a positive contribution to streetscape



Commercial in confidence – Plans are indicative only

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**CCL 23/11/21 – PLANNING PROPOSAL – LINGARD PRIVATE
HOSPITAL – ENDORSEMENT FOR PUBLIC EXHIBITION**

PAGE 58 ITEM-117 Attachment B: Letter of Intent

DISTRIBUTED UNDER SEPARATE COVER

6th September 2021

City of Newcastle
PO Box 489
Newcastle NSW 2300

Attention: Jeremy Bath

Dear Jeremy,

Letter of Intent – Planning Proposal - Lingard Private Hospital

I am writing to you on behalf of Lingard Private Hospital regarding the Planning Proposal currently being considered by the City of Newcastle.

It is understood that Council are seeking additional assurance of the community benefits that would eventuate as part of the Planning Proposal. It is reiterated that the Planning Proposal aims to cut waiting times for surgeries, in particular through increasing critical health infrastructure close to Newcastle CBD and residential areas and increase Lingard Private Hospital's current offerings to service a broader range of people. Greater medical offerings will attract world class medical professionals to Newcastle. This aligns with the Greater Newcastle Metropolitan Plan 2036, where Lingard has been identified within the Plan as a "Major Health Precinct in Greater Newcastle".

Further to the clear benefits that the additional health capabilities would bring, Lingard is willing to enter into a voluntary planning agreement (VPA) under Section 7.4 of the Environmental Planning and Assessment Act 1979 with City of Newcastle. We wish to enter into discussions with City of Newcastle, with the intention of entering into a VPA in conjunction with the milestone development applications for each identified precinct, i.e. Lingard Private Hospital Precinct, Kingsland Precinct and Hopkins Street Precinct (see Figure 1).

Figure 1 – Precinct Areas (Source: Six Maps)



Below are some intentions on each of the identified precincts.

Lingard Private Hospital Precinct

- Exploring opportunities for accessible pedestrian paths from the subject site and to Townson Oval, including bridge linkage between Lingard and Kingsland Precinct (estimated approximately \$1m works in kind).
- Exploring opportunity for access to the site from the broader area (estimated approximately \$50,000 works in kind)

Kingsland Precinct

- Making the Hospital car park available on the weekend to users of the nearby Townson Oval (Lost revenue may apply, estimated at \$500,000 per year).
- Works to enhance Townson Oval. These works could include park furniture, signage, lighting, and the like (anticipated a contribution of \$10,000).

Hopkins Street Precinct

- Assistance in upgrade and augmenting road network in local area, as anticipated in the concept plans at Appendix A. A full review of road network would be undertaken at development application stage, and necessary upgrades would be identified as recommendations in a traffic assessment report (estimated approximately \$300,000 works in kind).

The timing of the payment of the development contributions and other public benefits are intended to be negotiated in conjunction with the processing of the development application. It is intended that an in-principle agreement and all VPA matters be agreed concurrently with the processing of the DA.

The applicant will pay the reasonable legal and other costs incurred in conjunction with the VPA, to an agreed maximum amount. As required by the Act, the enforcement of the agreement will be managed by suitable means, such as a bond or bank guarantee (to be confirmed).

As detailed in this letter of offer, we are committed to facilitating public improvements to the benefit of the Newcastle Local Government Area.

If there are any questions relating to the above submission, please do not hesitate to contact me.

Yours sincerely



Adam Thompson
Executive Manager Development & Construction - Acute Services
Health Care

Appendix A – Concept Planning Proposal Plan