

## SACRED HEART PRECINCT

SUBMISSION TO DEPARTMENT OF PLANNING & INFRASTRUCTURE



APRIL 2014

## EXECUTIVE SUMMARY & INTRODUCTION

We act for the Catholic Diocese of Maitland-Newcastle, the owner of the major portion of the Sacred Heart Cathedral Precinct (the *Precinct*), bound by Hunter, Tudor, Parry and Selma Streets, Newcastle West (see **Figures 1 and 2**).

This is a submission to NSW Planning & Infrastructure in response to the exhibition of the changes to planning controls for Newcastle city centre. It revises and replaces our previous submissions dated 14 March 2013 (the *first submission*) and January 2014 (the *second submission*) to the Draft Newcastle Urban Renewal Strategy. Changes have been made in response to feedback received from the Department of Planning and Infrastructure (the *Department*) following consideration of the first submission, and an invitation to make a further submission.

This submission further outlines our urban design and planning analysis of the Precinct in the context of the Draft Strategy. It includes the objectives of this submission, the proposed changes to the planning controls that apply to the site and have been proposed in the Draft Strategy, and justification for these controls based on the unique opportunities that this site presents.

Fundamental to our submission, is the proposal to create an open and landscaped setting for the Sacred Heart Cathedral, returning this iconic building that was built by the people, back to the people. This grand gesture of public benefit is the grounding for our submission.

*The Cathedral is the jewel on the site, and it is the Diocese's aspiration to create a setting which speaks of its importance within the City of Newcastle. From a design point of view, we imagine simple elegantly designed urban and landscape spaces. These will support the range of services that take place within the Cathedral and the Precinct. The spaces could be simple and grand. A range of environments could include a large urban public piazza for gathering; formal gardens for reflection; colonnades and landscaped walks to stroll; and amphitheatres for outdoor events. These spaces will connect with the existing landscaped columbarium and pathways which already exist as part of the Cathedral's setting. They will also have the opportunity to connect with a proposed new function area and café.*

Extract from the first submission, March 2013

## OBJECTIVES

In order to clearly describe this proposal, we have established a suite of objectives to underpin this submission and to explain the desired outcomes for the Precinct. These objectives support and supplement the guiding principles in the Draft Strategy (p.xix) and can be used to frame future detailed site planning for this Precinct.

- To provide for a large area of open space within the Newcastle city centre,
- To enhance the recognition of a key cultural building, being the Sacred Heart cathedral, and conserve its heritage values,
- To utilise one of the largest contiguous holdings in the Newcastle city centre to meet the forecast demand for housing and jobs,
- To encourage the growth and diversity of the residential population of Newcastle by providing for appropriately located housing,
- To establish a framework of planning controls that enables a high quality urban form with new development that exhibits design excellence,
- To encourage development that interprets and reinforces important elements of the city structure, including open space, heritage buildings and a gateway entry, and
- To respect and enhance the amenity and quality of life for existing and new local communities.

We believe that these objectives speak of a strong and realistic opportunity for renewal and revitalisation of the western edge of the Newcastle city centre for a site that is currently under-appreciated and under-utilised. The social responsibilities of the trustees of the site will also be demonstrated with protection and enhancement of important heritage sites and streetscapes, respecting what the community values.

## PLANNING INSTRUMENT PROVISIONS

In order to implement these objectives, amendments would be required to the principal environmental planning instrument (*Newcastle Local Environmental Plan 2012*) and would be supported by detailed guidance in an amended Development Control Plan. We would strongly support the planning provisions being included in the first tranche of amendments to the Newcastle LEP. As explained below, this would support the Government and Draft Strategy commitments to the revitalisation of the Newcastle West precinct with a substantial opportunity within the site for new jobs and housing.

The proposed changes to the planning instrument and DCP are explained here, with an explanation of their effect and implications.

1. Amend the Land Zoning Map, for the site to be zoned partly RE2 Private Recreation and R4 High Density Residential, as shown in **Figure 3**.

The Precinct is currently zoned B4 Mixed Use in *Newcastle Local Environmental Plan 2012*, and was not identified for a zoning change in the Draft Strategy. A new zoning scheme with a mix of private recreation and high density residential zones is a better match to the envisaged outcomes for the site.

The RE2 Private Recreation zone is proposed to identify the area of open space to be created around the Sacred Heart Cathedral which will form the grand landscaped area. This is an area of approximately 0.8ha. The Diocese would retain responsibility for this land, managing the cultural and heritage significance of the Cathedral with the adjoining open space. This will ensure that uses permitted in this zone are designed to complement the Cathedral.

The RE2 zone has not been applied to any land in the Draft Strategy, but is used elsewhere in the Newcastle LEP. No changes are proposed to the objectives or uses within this zone.

An R4 High Density Residential zone is preferred to the B4 Mixed Use zone as it is more consistent with the desired housing outcomes on this site and more clearly defines this area for housing. It is also consistent with the Draft Strategy's objective to *promote high density housing at the edges of the city centre in areas of higher amenity* (p. 137). The other areas of R4 rezoning in the city centre are in similar "edge of centre" locations, and likewise, adjoin open spaces.

Some commercial and non-residential uses are permitted within this zone, and may also be pursued within mixed use buildings. It is noted and accepted that there is a requirement for residential development to comprise at least 75% of the floor area in a mixed use building. The R4 zone would apply to approximately 1.5ha of land.

2. Amend the Floor Space Ratio Map, so that the area to be zoned R4 has a 4:1 FSR, as shown in **Figure 4**.

The Precinct has a 1.5:1 FSR in *Newcastle Local Environmental Plan 2012*, which is not consistent with what this land can support or the desired outcomes. Other areas in the Draft Strategy with low FSRs are significantly affected by mine subsidence, within protected heritage streetscapes or in visually sensitive harbourside locations. This Precinct does not have these limitations, and a much greater FSR can be achieved.

The proposed 4:1 FSR is lower than adjoining land to the north and east (6:1 increasing up to 8:1) and transitions into the lower FSRs to the south (2:1 decreasing to 0.9:1). This will encourage new development to occur to the northern edge of the site to better match the denser and taller development along Hunter Street.

It is noted in the Draft Strategy that *mixed use developments ... will have smaller building floor plates and achieve a lower FSR within overall height limits, than would a purely commercial building* (p.142) and as a result the areas of R4 zoning have been given a reduced FSR. A preliminary review of the height, setbacks, building form and design guidelines demonstrate that 4:1 is a realistic and achievable control for the site, given its deep and long block dimensions which are similar to other blocks with the 4:1 FSR such as the land at the north-eastern corner of Hannell Street and Honeysuckle Drive. The Parry, Steel, Ravenshaw, King block has been recently developed with this control, and included residential floor space.

We note and support the provision for a 3:1 FSR for sites less than 1,500 square metres. A number of small holdings form part of the Precinct, and this provision will give incentive for holistic planning across the Precinct. Without a larger FSR across the bigger holdings, there is greater likelihood of disconnected outcomes and poorer results across the Precinct.

No change is proposed to the FSR over the RE2 zoned land.



3. Amend the Height of Buildings Map, so that the area to be zoned R4 has a maximum height of 60 metres, as shown in **Figure 5**.

The Precinct has a current maximum height of 17 metres in *Newcastle Local Environmental Plan 2012* and with rationalisation of the height controls, the Draft Strategy proposes 18 metres. Like its FSR, the height controls for this Precinct are not consistent with what this land can support or the desired outcomes. Other areas with low heights are significantly affected by mine subsidence, within protected heritage streetscapes, in visually sensitive harbourside locations or areas with an existing (or proposed) village residential character. This Precinct does not have these limitations.

The proposed 60 metre maximum height is similar to the adjoining land to the north and east (60 metres increasing up to 90 metres) and transitions into the lower heights to the south (17 metres to 10 metres).

The Draft Strategy *encourages development of key opportunity sites with appropriate heights* (p. 146), and *taller buildings [are provided for] at the western end of the city where there are fewer constraints* (p.146). This Precinct meets both objectives of the Draft Strategy. The design excellence clause of the *Newcastle Local Environmental Plan 2012* will also apply to the site. This requires the consent authority to have regard to the standard of design, the form and appearance of the development and ensure that design excellence is achieved.

The Draft Strategy acknowledges that the taller heights introduced into the Newcastle LEP in 2008 *“have been analysed from an urban design and economic perspective [and] are generally appropriate, subject to some amendment [no amendments proposed for any adjoining land] and the inclusion of additional information in the DCP detailing street wall heights and setbacks for taller building forms to ensure that tower forms develop appropriately and have a good relationship with the street, each other and the wider city centre* (p.146). It is therefore reasonable to expect that this site, which is surrounded by some of the tallest heights in the Draft Strategy, is suitable for an increased height and associated DCP controls.

No objection is made to the requirement for an architectural design competition for development in excess of \$5 million.

A preliminary review of the height, setbacks, building form and design guidelines demonstrate that the 60 metre height is a realistic and achievable control for the site, given its deep and long block dimensions. Siting the taller buildings towards to north and central parts of the site, aligning them with Hunter Street and articulating the bulk of the buildings will maintain amenity for nearby medium density residential and open space areas, whilst achieving the arrival and way-finding outcomes. This can be further demonstrated and controlled as part of the Special Area planning (see item 4 below).

A visual curtilage will also be maintained around the Cathedral to achieve the open space objective.

No change is proposed to the maximum height over the RE2 zoned land.

4. Introduce development controls into the Newcastle Development Control Plan 2012, to identify the site as a Special Area or Key Precinct.

Detailed precinct planning has been undertaken as part of the Draft Strategy for a number of special sites in the city centre. These areas were identified because of their location, size and development potential. It is considered that the Sacred Heart Precinct has similar qualities to a number of the special areas listed in Section 5.3 of the Draft Strategy (p. 157), especially in relation to the size of the holding (similar to Site 4 Stegga's Emporium and Site 3 Civic), the Gateway location (Site 6 Birdwood Park and Site 7 The Stores) and its development potential (Site 8 Wickham railway edge).

Detailed special area controls have not been prepared for all of the areas, and this Precinct would benefit from the same additional investigations proposed for the Wickham railway edge, Wickham Village and Honeysuckle Special Areas.

The following draft guideline indicate the matters that the Special Area controls could address.

### *Special Area – Sacred Heart Precinct*

*The Sacred Heart Precinct is part of the western Gateway to the city centre and is a clear boundary between the city centre and its surrounding urban and suburban areas. The most significant redevelopment potential for the western Gateway is the land west of the Sacred Heart Cathedral. A grand open space is to be established to the east of the Cathedral, providing an attractive and landscaped place for large gatherings and quiet areas for reflection and sanctuary.*

#### *a. Objectives of the special area, and special area purpose statement*

- i. Strengthen the sense of place and urban character at the western gateway and around the Sacred Heart cathedral*
- ii. Build upon the existing heritage and cultural character to enhance the area's identity*
- iii. Interpret the historic significance of the Sacred Heart cathedral and return it to the public domain with an attractive public space*
- iv. Activate the Hunter Street frontage*
- v. Ensure design excellence of new buildings and public spaces that contribute to the identity of Newcastle*
- vi. Manage the interfaces at the edge of the City*

#### *b. Controls to achieve these objectives*

- i. Access and connections, including building entry, pedestrian access and car parking*
- ii. Built form, including building envelopes, articulation of buildings, street setbacks*
- iii. Residential amenity, including amenity within the site and adjoining areas, solar access, building access, private open space*
- iv. Public domain interface, including solar orientation, relationship with open space*
- v. Landscaping of the open space*



We feel that these provisions would be added to Section 6.01.04 Key Precincts of the Draft DCP and we would be happy to work with the Department to prepare suitable development controls for the Precinct to be included in a future amendment to the DCP.

## STRATEGIC JUSTIFICATION

We believe that the objectives and amendments to planning controls are reflective of the urban renewal initiatives in the Draft Strategy, and respond to the natural characteristics of the Precinct. To strengthen our submission, we can demonstrate the strategic justification and alignment with the applicable initiatives.

### Place initiatives of NURS

The Precinct will:

- **Assist in reshaping Hunter Street** as the main street by improving the built form and bring buildings to the front of Hunter Street (within the R4 zone), and then opening out into a grand open space surrounding the Cathedral.
- **Activate the site** through the creation of a large and high quality green landscape, with cafes and gathering spaces that will encourage people to be “present” in the city. Clear public access and linkages through the site will also help with activation.
- **Be an important landmark** within the city centre, providing the reference point for way-finding both with a taller building forming the city edge as well as the revealing of the Cathedral.
- **Green the public domain** with much needed open space in the city centre that will provide generous public benefit at no public expense.
- **Celebrate the City’s heritage** by returning the Sacred Heart Cathedral into the public conscious, opening up its curtilage and beautifying its surrounds. This is supported by our preliminary heritage analysis (see attached).

### Economic initiatives of NURS

A stronger economy will result from development of this Precinct, because it will:

- **Enhance the diversification of the City’s economy**, with activities such as community function spaces, public gathering spaces and affordable housing that are unlikely to be provided by other landowners within the city centre, but will be provided because of the social responsibilities of the Diocese.

- **Enliven the city** with a residential population. The Draft Strategy wants a greater number of residents living in close walking distance to the CBD, to reduce transport demands into the CBD, to utilise the new transport interchange at Wickham and to create the demand for 24/7 activities. This site is incredibly well placed to attract new residents and deliver the envisaged residential growth. Subject to further site planning, there is potential for 400 residents on this site over the next 15 years.
- **Be feasible**, coming in at a lower cost than other constrained or infrastructure-deficient sites. Development economics for this site are helped by the large size and long holding time, whilst at all times, considering the need for a balance between the higher yields of the development controls and loss of existing floor space that comes with the open space. This will directly flow into more affordable housing prices.

### Transport initiatives of NURS

Development of this Precinct will provide strong access and connectivity to and within the city centre because it will:

- **Make the most of the public transport network** with strategic bus corridors coming to the Precinct to get people to and from work, recreation and education destinations across the wider Newcastle area.
- **Change transport behaviours for a better city** as the availability of high frequency public transport options (for example 10 min light rail), will be a major motivation to shift away from private vehicle travel. An increase in the efficiency of the road network in the city centre is expected as the development will support public transport along Hunter Street.
- **Meet people's needs** by more easily connecting people to the places they want to visit such as open spaces, commuter transport and affordable housing.
- **Take a long term view to car parking.** Demand for car parking may reduce over time with the change in transport behaviour, but because of its edge of centre location, it will always be needed. There is opportunity to provide on-site car parking owing to the size of the site, the distance from the harbour reducing the likelihood of watertable issues, and lower mine subsidence geotechnical constraints. The location of parking will be determined through more detailed site planning in the Special Area controls. We also support further investigations into a citywide car parking strategy.

## COMMITMENT FROM THE DIOCESE

The Diocese accepts a responsibility that comes with the custodianship of an important site for the renewal of Newcastle and is committed to a sustainable future for this Precinct. This includes the opportunity to create a special open space surrounding the Sacred Heart Cathedral in conjunction with an increased development potential on the balance of the site.

Despite the inclusion of the site within the boundaries of the Newcastle City Centre LEP 2008 and Draft Strategy, this is the first time that the Diocese has considered the planning controls for the site, and made active steps to investigate and explore the role of the site in the Newcastle city centre. Without this indication of support or interest from the Diocese, there may not have been initiative to investigate the site's potential. However, this history of planning indifference should not be repeated when great public benefit can be achieved.

2015 is the sesquicentenary of the appointment of the first Bishop to the Diocese and the 20<sup>th</sup> anniversary of the re-naming of the Diocese and the Papal Brief establishing Sacred Heart as the Cathedral of the Catholic Diocese of Maitland-Newcastle. It would be timely to celebrate these milestones with new plans for the Precinct.

The Diocese does not have trusteeship over all the land within the Precinct (refer to **Figure 2**), but is committed to working with the other landowners (mostly residential holdings) for coordinated planning.

## CONCLUSION

There is strong alignment between the Diocese's objectives for the site and the urban renewal initiatives. In fact, without an increase in the FSR and height for this site, it will be difficult for the adjoining lands to re-develop to achieve their potential as they will be required to scale back their buildings to respect (what will be viewed in the planning controls as) a low density residential and commercial site. This could have significant flow-on effects to the urban development potential envisaged for the Newcastle West Precinct.

Without a change in the planning provisions, the vision of a grand open space surrounding the Cathedral will not be realised, as there is no feasible development alternatives for the site to replace the loss of built space and value that would be required. The opportunity for a greener landscape would be lost, resulting in a less attractive and lower amenity

streetscape. Again, there are no planned alternatives for open space in the west of the city centre.

There are no insurmountable challenges for this site to accommodate significant housing and employment space, and there is willingness and capacity for the Diocese to proceed with re-development.

Therefore in summary, we are requesting changes to the planning controls for this Precinct which support:

- RE2 Private Recreation and R4 High Density Residential zones
- An increase in height (up to 60 metres) and floor space ratio (to 4:1)
- Recognition as a Special Area/ Key Precinct for detailed development control planning

We would welcome an opportunity to discuss any aspect of this submission with the Department, and have no objection to the submission being made publicly available. The Diocese looks forward to thoughtful consideration of the requested changes to the strategic plans and planning controls, and sharing a positive future for this site to celebrate 150 years of the first Bishop of the Diocese.

## **Appendix 1: FIGURES 1-5**



Source: Reamap 15 Oct 13  
Issued: 15-1-14  
1404-12007a-Hg\_A

Figure 1: Sacred Heart Precinct





Source: Neermap 10 Oct 12  
Revised 15-1-14  
MFA-1205Tol-4g\_A

Figure 2: Boundary of Diocese Land

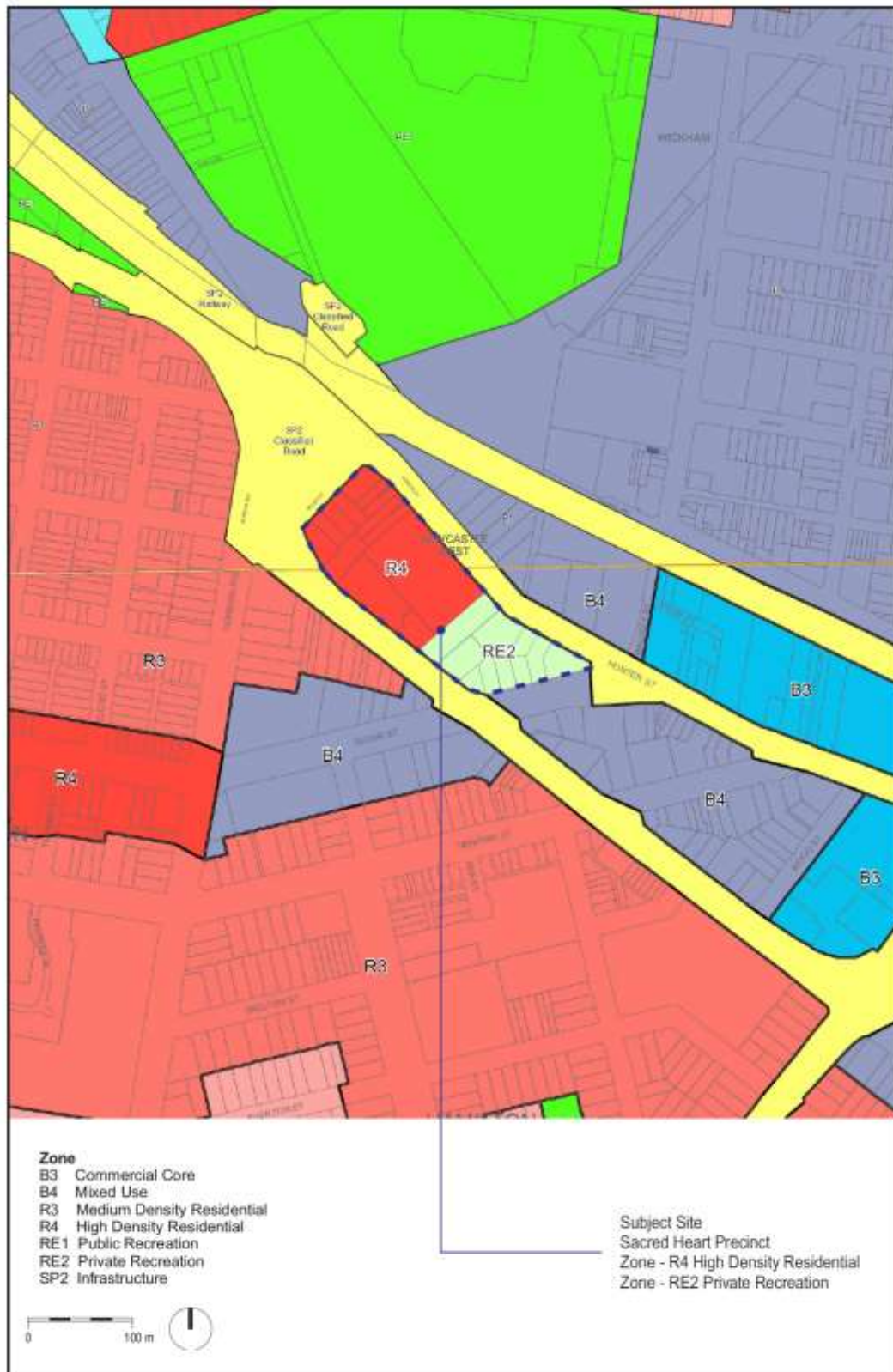
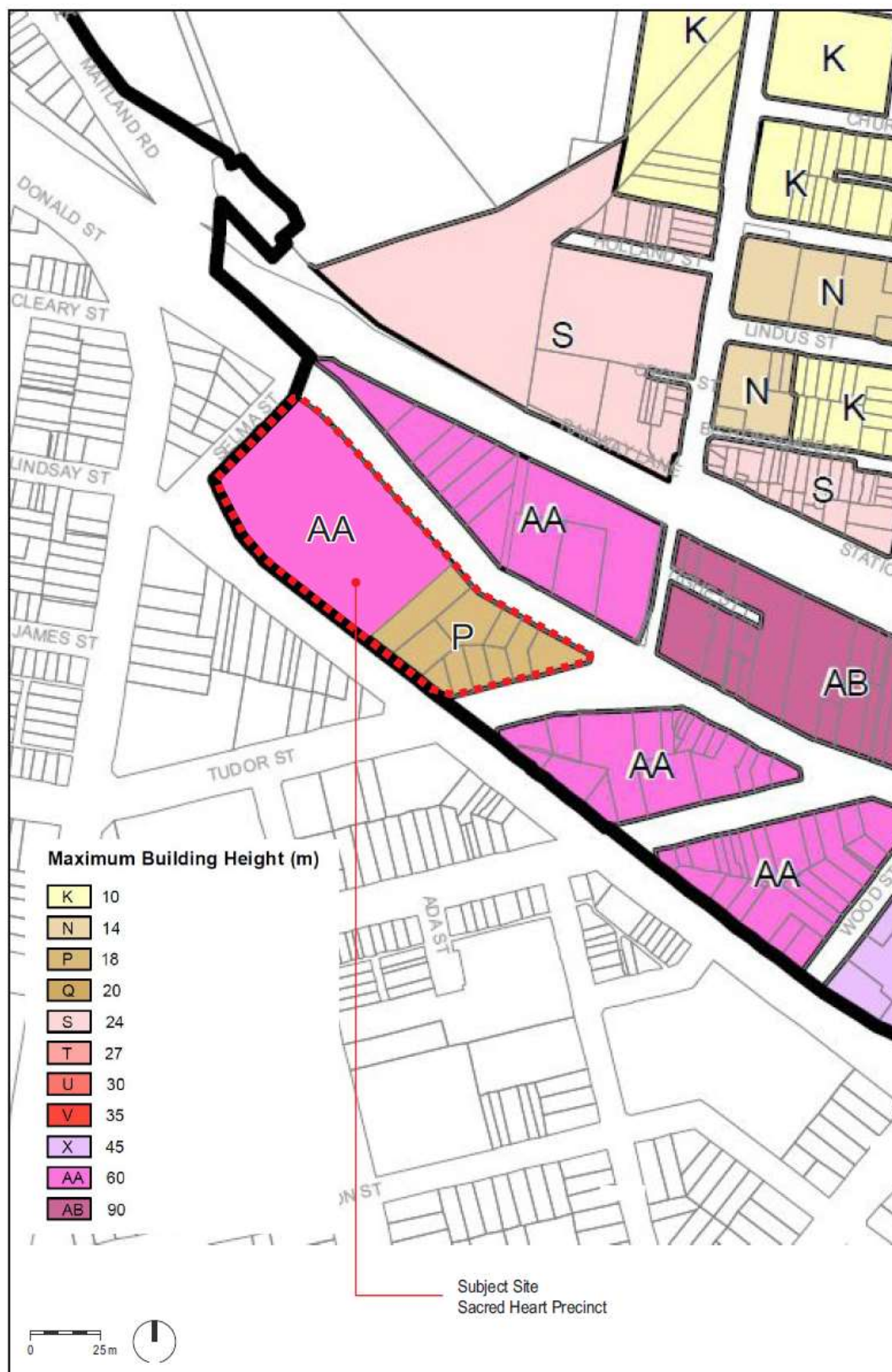


Figure 3: Proposed Land Zoning Map





Figure 4: Proposed Floor Space Ratio Map



Base source: Newcastle City Council  
Issued 15-1-14  
14W-12067-Is-Fig\_A

Figure 5: Proposed Height of Building Map