

Newcastle DCP Amendments 2012

“Planning and Infrastructure is proposing an amendment to the Newcastle DCP 2012 city centre controls to enable some aspects of the Newcastle Urban Renewal Strategy to be implemented”

Proposed High-rise Developments for Newcastle’s Heritage City Centre should be rejected.

GPT Group and UrbanGrowth NSW have recently proposed (5 March 2014) major increases to height limits of proposed buildings across specific locations in the Hunter Street Mall precinct. Substantial height increases are proposed, ranging from 20 metres to **69.5 metres** in Newcastle’s heritage city centre. In some cases proposed heights triple existing allowable limits. **This will have damaging heritage consequences.**

Under the previously exhibited strategy (Development Control Plan (DCP) 2012), height limits across this unique heritage site ranged from 20 metres to 27 metres.

(Page 1, FAQ, Proposed Amendments, March 2014)

The amendments should not be supported for the following reasons:

a) This draft development proposal violates at least two of the DCP principles:

- 1. Equity (Page 43, Performance Criteria B2.02)**
- 2. Retention and Enhancement (Page 43, Performance Criteria B2.01)**

b) The justifications for such a significant increase in height limits and population density are not substantiated. The amendments appear to have been devised to allow for the construction of a specific development. This is at odds with usual planning processes in which buildings are constructed to conform to pre-determined planning guidelines that are themselves developed through community consultation and thoughtful urban planning. The latter (community consultation and thoughtful urban planning) are strikingly absent in this instance.

c) The potential adverse impacts on the heritage characteristics of the locality are profound and the impact on local residents has not been adequately assessed.

d) Public consultation on these amendments has been absent. Furthermore the elected council has never formally debated the proposals

(<http://www.theherald.com.au/story/2172205/opinion-tall-city-towers-may-not-be-the-cure-for-inner-city/>)

e) Significant concerns have been raised about the perceived conflict of interest pertaining to these decisions. This concern has been raised in the public domain (Newcastle Herald, March 22nd 2014:

<http://www.theherald.com.au/story/2166644/opinion-urban-renewal-plan-risk-to-city-heritage/>):

“That the Minister for Planning NSW will endorse these significant planning changes to favour his own agency and their corporate partner above the interests of other developers, and to expedite the opportunity for windfall profit, raises serious conflict of interest issues”.

There has yet to be an open response to the community on this issue.

It is noteworthy that ICAC guidelines on conflict of interest direct that *“situations where there is the appearance of a conflict of interest must (also) be avoided, if only because protestations of innocence and integrity may be impossible to judge”.*

a) The proposed high-rise developments are in direct opposition to the guiding principle in the DCP (2012), that significant views to and from the Cathedral and foreshore are **retained AND enhanced**. In the draft amendments there is no evidence to support either retention or enhancement of the views in either direction. In fact, if approved, the outcome will be the opposite.

1. Equity

Essentially, **equity of public access to these spectacular vistas will be violated**. There will be loss of public access to vistas to and from the Cathedral, the heritage precinct of The Hill or the Obelisk.

The Hill heritage district contains many significant contributory heritage buildings and structures, including the Obelisk, St Mary Church, grand and historic terraces (including artist Margaret Olley’s house), the Water Tower, Newcastle East Public School, Newcastle Club, YMCA and Segenhoe apartment building.

Christ Church Cathedral Park and Cemetery, with its historic sandstone walls, are critically important elements in the Cathedral heritage environment. The park has recently undergone substantial renovation to provide an exceptional public recreation area, by virtue of it’s heritage character and vantage point for vistas encompassing the expanse of Newcastle Harbour, Stockton peninsula and Nobby’s headland. These unique visual aspects will be obstructed to the public by the proposed development.

2. Retention and enhancement of vistas

The 2012 DCP states, *“Views to and from Christ Church Cathedral and the foreshore are retained and enhanced.”* (Page 54. Draft DCP. Part 6.01)

The proposed amendments to the City Centre draft DCP seriously underestimates the obstruction to public views of Christ Church Cathedral and other heritage elements on the Hill and inner city, from the harbor and Hunter Street Mall precincts. Instead, the proposal focuses on narrow ‘corridors’, glimpses and limited street sight lines to the cathedral.

Secondly, the proposal does not address the obstruction to harbor vistas – Nobby’s headland and Stockton peninsula from many parts of Newcastle city and surrounding regions, including public spaces (such as the newly renovated public Cathedral park) and streetscapes in the upper Wolfe Street, Church Street, Tyrrell Street and Newcomen Street precincts, as well as the which currently provide extensive vistas of Newcastle Harbour. The cityscape from Stockton across the harbour will be adversely affected. These vistas will be significantly obstructed by the height of the three proposed tower developments (of which, the top of the tallest tower is aligned with the parapet of Christ Church Cathedral).

b) The justification for the proposal is seriously flawed, specifically for the increase in height proposed for the development with the construction of 3 high-rise apartment towers within the Heritage Hunter St Mall precinct. Such a proposal would, for any city, (not only one that has such heritage significance in NSW and Australia), be received with grave concern particularly regarding the adverse impact on the historic character of the city, and on the social and environmental characteristics of the locality. What are the additional long-term benefits to the Newcastle community that the high-rise blocks confer that would justify such significant and irretrievable detrimental impacts? Who is benefitting from such developments (given the adverse impact on so many)? Why is this latest proposed development for high-rise towers at such a level necessary in addition to the proposed retail developments to this precinct? What is known currently about occupancy and demand for residential and office accommodation in the city precinct that could not be met by less destructive developments? Why is this being promoted with such haste preventing thoughtful consideration (by the community) of a range of development options?

I draw to your attention a recent front page article in the Australian Financial Review (Duncan Hughes, AFR, Saturday 15th March, 2014) entitled “*Apartment glut threat to inner cities*”, which refers to an oversupply of inner city apartments in a number of cities, over-development in inner city apartment blocks, high vacancy rates, and what was referred to as the beginnings of “*high rise ghost towns*”. We do not want this for Newcastle.

c) What is the Impact of Increased Height Limits?

The intended height increases, if approved, will deliver three high-rise apartment buildings, in close proximity to one another, ranging up to 19 stories, 15 stories and 14 stories. The location of projected developments is between Hunter Street Mall, Perkins Street, King Street and Newcomen Street.

The proposed towers will undoubtedly damage unique character and iconic value of the historic inner city precinct. **The heritage features and character of this district which will be irretrievably lost** by the completion of the three apartment towers. “Revitalisation” of the city can be achieved (and is currently occurring) without extending the height limits, and without construction of these monolithic towers. If this

goes ahead **the social and environmental cost to the people of Newcastle and the city's character and heritage is too great to calculate.**

Furthermore, the developers have announced that the expansion of commercial activity will be aimed at supporting an “18 hour a day, seven days a week, 365 days a year” economy. The impact on local residents will be profound.

The overshadowing for local residents and businesses caused by these tower developments will be unacceptable and adversely affect the quality of public amenity.

There is grossly insufficient infrastructure to support the density of population proposed, including car parking and local public transport.

d) Public consultation has been grossly inadequate. Plans were reported in the Newcastle Herald on March 6th announcing these amendments. Neither the Council nor the State Government have convened formal community consultation sessions. GPT and UrbanGrowth jointly held two brief meetings in total 1 and 2 days prior to the closure of submissions regarding the LEP. Those attending were told that these were information sessions not consultation sessions ie for community to be told what was going to occur. Information about these sessions was not widely or effectively distributed by GPT. Many of those affected were not informed of the meetings. Community concerns were not addressed. As noted above the local council have not had the opportunity to formally debate these amendments. Such significant changes to a previous plan that have such a substantial impact on local community and on state and national heritage locations deserves more serious and authentic consultation.

e) Conflicts of Interest

Significant concerns have been raised about the perceived conflict of interest pertaining to this decision. In this regard, it is noteworthy that ICAC guidelines on conflict of interest direct that “situations where there is the appearance of a conflict of interest must (also) be avoided, if only because protestations of innocence and integrity may be impossible to judge”. This concern has been raised in the public domain (Newcastle Herald, March 21st 2014 as noted above)

Summary

The recent proposals from GPT Group and UrbanGrowth NSW, seeking changes to the Development Control Plan (2012), are excessive and should be rejected.

The development proposal does not conform to the DCP principles and should be rejected.

These amendments should be rejected for the following reasons:

a) This draft development proposal violates at least two of the DCP principles:

1. Equity (Page 43, Performance Criteria B2.02)

2. Retention and Enhancement (Page 43, Performance Criteria B2.01)

b) The justifications for such a significant increase in height limits and population density are not substantiated or clearly articulated

c) The potential adverse impacts on the heritage characteristics of the locality are profound and the impact on local residents has not been adequately assessed.

e) Public consultation on these amendments has been grossly inadequate.

f) Significant concerns have been raised about the perceived conflict of interest at both the levels of state and local government pertaining to this decision.

The public consultation on these proposals has been inadequate. It is most concerning that this proposed development has reached its current stages without adequate community consultation.

The unique and iconic character of Newcastle's inner city needs to be protected. This can be done at the same time as measured and thoughtful development. High rise towers do not signify development and will have a damaging impact on the local social environment, heritage characteristics and infrastructure. The proposed high-rise towers are neither measured nor thoughtful by any calculation. Such development will benefit a few for a price that will be paid for generations to come. The process, I believe, has been seriously flawed. There is little justification for this development and the situation requires a full review of demand and current vacancies, alternative models to enhance inner city accommodation (if a demand can be demonstrated, such as the renovation of existing vacant heritage buildings) and a full review of the social, environmental and heritage impacts.

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