



Planning & Infrastructure NSW  
23-33 Bridge Street  
Sydney NSW 2000

Attn: Brendan O'Brien

10 April 2014

**Re: Submission on Exhibition of Draft Newcastle City Centre –  
Locality Specific Provisions Newcastle DCP 2012– Hunter St Mall Newcastle East**

Dear Brendan,

SJB Planning act on behalf of GPT and Urban Growth NSW in respect to their land holding generally bound by King, Hunter, Newcomen and Perkins Street in the east end of the Newcastle City Centre.

The recently exhibited amendments to the Newcastle DCP 2012 apply to our client's site.

We have recently lodged a Concept Proposal as part of a Staged DA to provide a co-ordinated development response to the site.

While we recognise the need and the appropriateness of providing DCP controls, such controls are often broad based and cannot readily take into account how a site may alternatively be developed. A Staged DA provides an opportunity to set a framework for development across a larger holding allowing for a greater level of flexibility along boundary conditions.

Our submission relates to the Key Precinct provisions at 6.01.04 specifically the Hunter Street Mall provisions. We raise no objection to the objectives at page 54 or provisions at B.01 to B.05. We are however of the view that these Precinct controls should override the more general controls in Section 6.01.03 in the event of any inconsistency.

Our concerns are outlined as follows:

#### **Precinct Plan**

The Precinct Plan at Figure 6.01-28 cannot take into account, the fact that our client's site is to be developed in accordance with an overall concept plan, which provides opportunities to relocate major infrastructure – specifically streets - and opportunities for alternate approaches to pedestrian links and built form relationships at lot boundaries

Our submission is that where applications apply to key sites and are the subject of a Staged DA in order to provide an overall concept for the site – different approaches to the development of the block are possible.

This is reflected in the attached revised Precinct Plan and section, which we suggest could apply where a Staged DA is lodged for the whole of the key site.

This plan still meets the objectives outlined at page 54, but provides for changes around pedestrian links as a result of the potential to relocate Laing Street, and because a Staged DA can address built form relationships internal to the site. It also seeks to alter the wall height and podium controls, which are discussed further. The plan provides an alternate approach but only where the development of the block is addressed as a Staged DA.

Attached is a proposed Precinct Plan and altered section plan.

### **Wall Height and Podium Setback**

Wall height and podium setback to streets detailed at A1 Street Wall Heights p 24 and 25 have also been reviewed, following the preparation of the Staged DA. This is discussed below:

#### ***Wall Height***

A 24m wall height is proposed to Hunter Street and differs from the 18m outlined in the exhibited DCP.

This approach takes design cues from important and retained built elements. The height and rhythm of the Hunter Street wall is referenced against existing buildings, located along the length of the site.

The David Jones building remains the prominent feature within the Hunter streetscape, with the dome (28.2m) and parapet line (24m) the tallest elements.

The street wall along Hunter Street is also characterised by the breaks and spaces along its length, typically associated with the location of streets. The addition of a market square (new open space in yellow) on Hunter Street creates a regular rhythm along the horizontal and vertical proportions of the street wall.

The sense of enclosure along the Hunter Street Mall is created without impacting on the solar access to this important public space, being on the southern side of the street.

The 24 metre wall height retains the dome as a prominent corner feature of the David Jones building as it sits 4m above the proposed 24m street height.

The King Street wall is less contiguous compared to Hunter Street. The retention of the Council car park, telephone exchange and terraces (within the key site boundary) provides few design cues for the scale and rhythm of the street wall.

It is proposed that the 24m street wall from Hunter Street continues along the Perkins Street frontage, and around the corner to the King Street frontage to form a continuous built edge.

The street wall height at the corner of Newcomen and King Streets takes its reference from the 24m at the two (2) opposing ends Perkins and King, Newcomen and Hunter. The street wall height at 16 metres is retained between Morgan and Wolfe Streets, to protect key view corridors.

#### ***Podium Setback***

A setback for tall buildings above the street wall is supported. The exhibited DCP seeks a blanket 6m setback above the street wall (refer A1.01 at p 25). We seek to amend the DCP control to 3 metres as:

- 3m setback achieves a delineation between vertical built form elements, i.e. podium and tower;
- The separation of built form elements reduces the perceived bulk and scale of the tower, and this can be achieved with a 3m setback;
- A reduced setback increases the scale of the residential amenity spaces at the podium roof level;
- A 3m setback reduces the visual prominence of the tower element, inasmuch as the tower will be visible but the sense of enclosure at street level is reduced; and

- Views to and from the Cathedral are maintained and solar access is maintained to streets and key public spaces.

It is our view that this amendment should be incorporated in to the Precinct Plan provisions and apply where development is the subject of a Staged DA.

In respect to the Wolfe Street tower, it is proposed that there be no setback from the street.

## Conclusion

Our submission seeks to alter the Precinct Plan applying to the Key Sites where a Staged DA is proposed. It is also our position that the Precinct Plan section should override the broader controls at section 6.01.03. This could be achieved through an additional clause at 6.01.04. A suggested clause could read as follows:

### *Key Sites*

*Where a Key Site is the subject of a Staged DA the Development should meet the criteria outlined in Fig XX and Fig XX*

*Any development above the street wall height is to be set back and minimum of 3m.*

Your consideration of this request would be appreciated. We would welcome the opportunity to discuss this matter further if required. Please do not hesitate to contact me on (02) 9380 9911 or by email at amccabe@sjb.com.au should you require clarification or additional information.

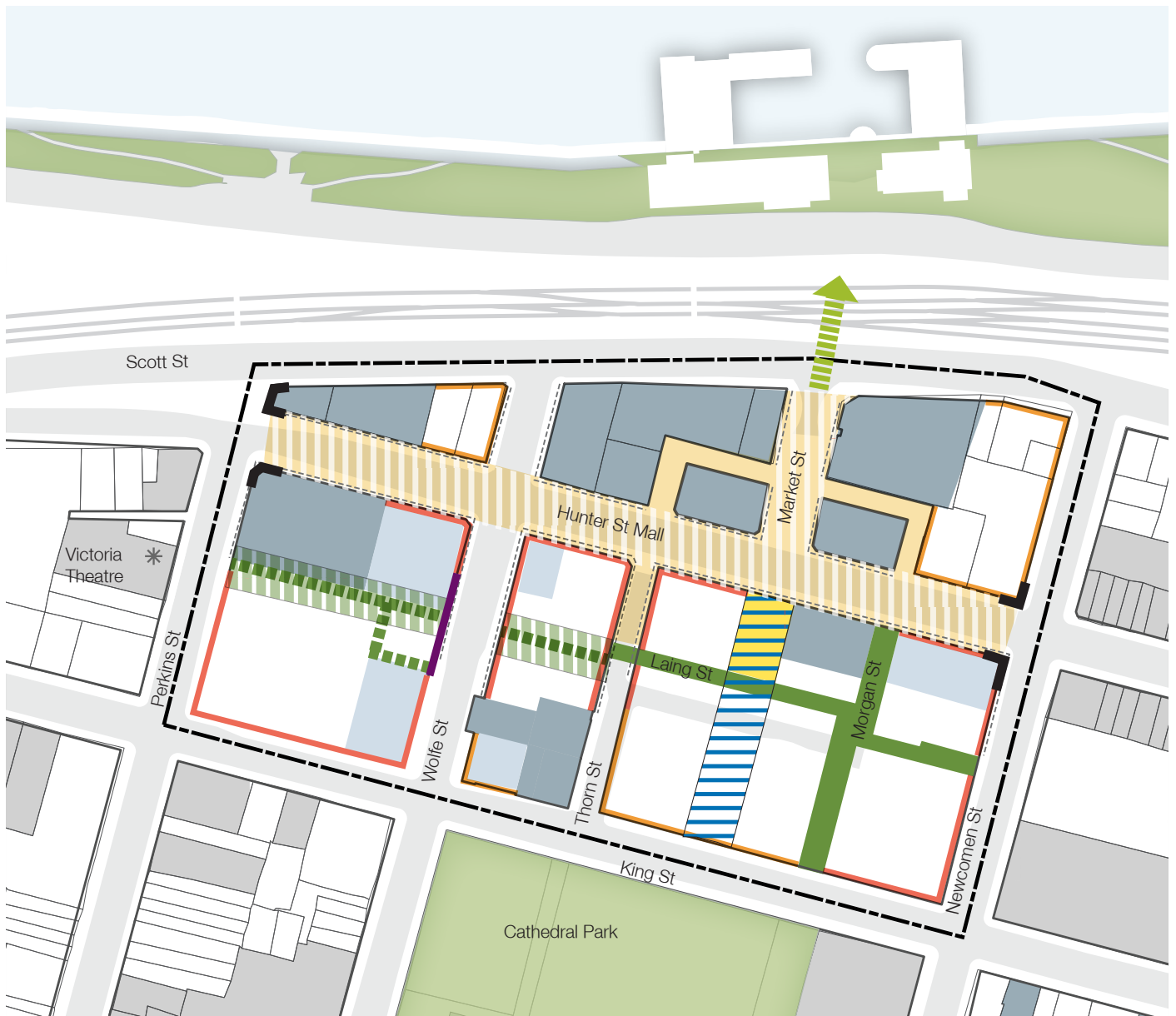
Yours sincerely



Alison McCabe  
Director

Encl.

- Precinct Plan
- Section Plan



— Urban block, nil setback to street boundary

— 24m maximum street wall height

— 16m maximum Street wall height (typical)

— Zero street setback

— Proposed new open space/ courtyard

— Important view corridor to Christ Church Cathedral

— Proposed new pedestrian crossing (replacing footbridge)

— Proposed new open pedestrian link (preferred location)

— Proposed new through-site link/ arcade (preferred location)

— Zone in which proposed new link should occur

— Connection to be retained and improved

— Shared zone to be retained and improved

— Special emphasis on corner

— Activated frontage required

— Heritage building

— Contributory Building (desired reuse)

— Heritage Building outside precinct boundary

\* Important landmark / destination outside precinct boundary

— Public green open space

— Cadastre boundary

— Key precinct boundary

