

EAST END STAGE 3 & 4 BRIEFING

PSSHCC-204 (DA2023/00419) & PPSHCC-220
(MA2023/00175)



OVERVIEW OF APPLICANT

- East End Stage 3 Pty Ltd and East End Stage 4 Pty Ltd are the Applicant.
- Iris Capital are the Development Managers for the proposal.
- Iris Capital delivered the critically acclaimed Stage 1, demonstrating their commitment to design excellence. Stage 1 has been embraced by the Newcastle community and set the benchmark for Stage 3 and 4.
- The Applicant was the second private proponent in City of Newcastle to take on the ambitious task of undertaking an Architectural Design Competition and the first to receive endorsement from the UDRP.
- Iris have demonstrated a willingness to engage early with City of Newcastle, have had extensive discussions regarding public domain, ongoing engagement with the DIP.
- The Applicant sort to ensure the highest level of design excellence for this highly strategic site by providing a variety of design responses to respond positively to the opportunity including engagement with First Nations people to ensure meaningful Connection with Country responses.



OVERVIEW OF PROPOSAL

The key features of Stage 3 and 4 are summarised below:

- Demolition of existing remaining Contributory 1 structures onsite, except for the north and eastern Municipal Building and northern and western façades of 105 and 111 Hunter Street;
- Construction of a mixed-use precinct forming an active ground level, inclusive of retail and commercial tenancies, with five buildings reaching up to 10 storeys (Building 3 South) and comprising 195 apartments.
- Basement car parking comprising 314 car spaces;
- Communal open space for residents located in Building 3 North, Building 4 North and Building 4 South;
- Vehicle access to the site via Thorn Street and Laing Street;
- Associated landscaping and public domain improvements;
- Commercial tenancies will front Hunter Street and the internal Market Plaza to enhance activation of the ground plane and pedestrian traffic. These will be accompanied by appropriate landscaping features to enhance the public domain;
- Market Square forms part of Stage 3 and provides further opportunities for activation. Market Square is aligned with CN's desired public domain outcome and opens the view corridor to the Christ Church Cathedral; and
- Construction of ancillary infrastructure and utilities as required.





NUMERICAL OVERVIEW

Descriptor	Proposed	
Total GFA	<div>- Building 3 West: 5,851m²</div> <div>- Building 3 East: 4,930m² (3N and 3S)</div> <div>- Building 4 North: 3,401m²</div> <div>- Building 4 South: 9,755m²</div> <div>Total: 24,431m² (1,515m² of which is commercial and retail uses)</div>	
Maximum Height of Building	<div>Concept Height</div> <div>- Building 3 West: 30.20m</div> <div>- Municipal Building: + 28.65 and RL + 31.28</div> <div>- Building 3 East: 30.20m</div> <div>- Building 4 North: 28.35m</div> <div>- Building 4 South: 42m</div>	<div>Proposed Height</div> <div>- Building 3 West: 34.30 RL</div> <div>- Municipal Building: 20.43 RL</div> <div>- Building 3 East: 45.65 RL</div> <div>- Building 4 North: 36.92 RL</div> <div>- Building 4 South: 51.70 RL</div>
Floor Space Ratio	3.79:1	
Communal Open Space	<div>- Stage 3: 473m²</div> <div>- Stage 4: 311m²</div> <div>Total: 784m² (12%)</div>	

SITE OVERVIEW



SITE OVERVIEW



Building 3 West – Gibbs and Moore



Building 3 East – Blue Bell and Civic



SITE OVERVIEW



Building 4 North – Portline

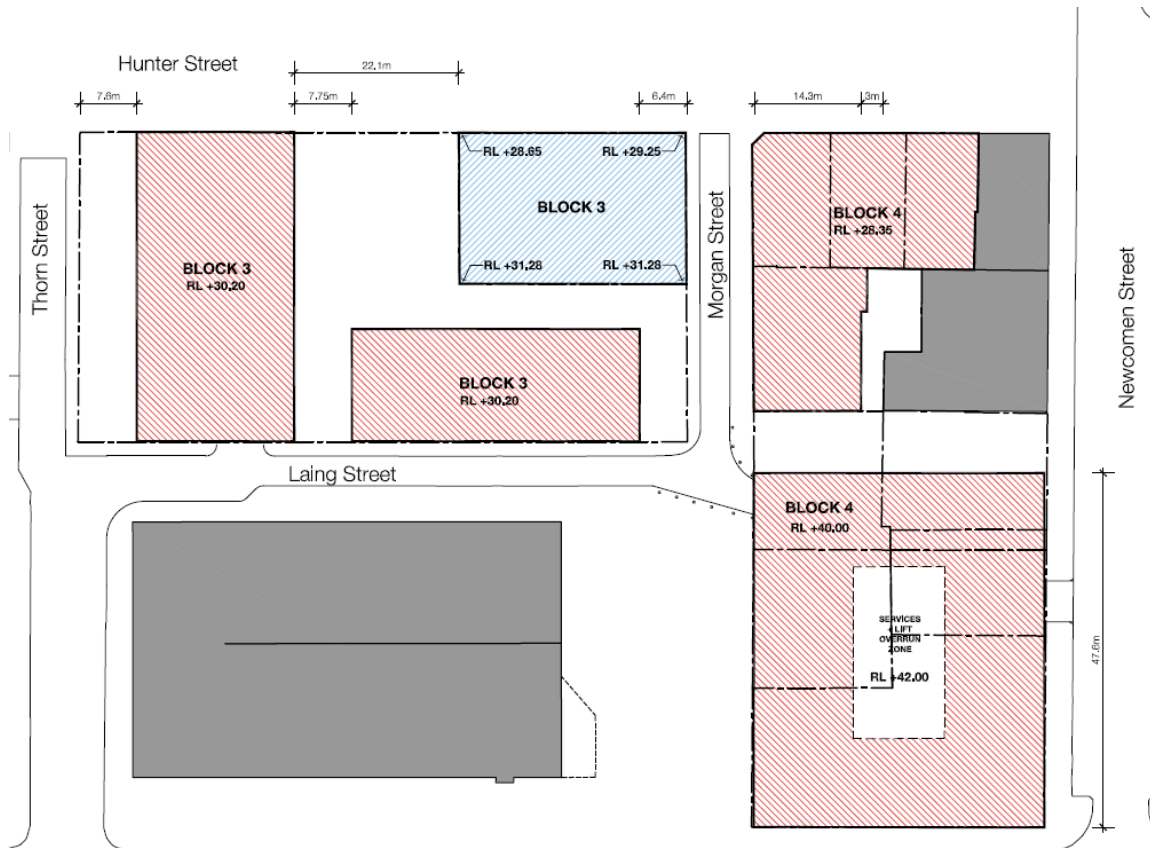


Building 4 South – Kingston

OVERVIEW OF THE CONCEPT PLAN APPROVAL

On the 02 January 2018, the Hunter and Central Coast Planning Panel granted consent for a Concept Development Application (DA2017/00701 which replaced DA2015/10182) across the site, for the following:

Concept Development Application for a major redevelopment of Hunter Street Mall, a mixed-use development comprising retail, commercial, public spaces, residential (563 apartments), associated car parking & site works.



PROJECT TIMELINE



20 May 2022: Meeting between CN and Urbis to discuss the Design Competition Brief and Strategy.

20 May 2022 to 29 June 2022: Ongoing engagement between CN, GANSW, Urbis and Iris to agree on the Design Competition Brief and Strategy and general competition procedure.

29 June 2022: Meeting between CN, GANSW and Urbis to discuss the Design Competition Brief and Strategy.

29 June 2022 to 06 July 2022: Ongoing engagement between CN, GANSW, Urbis and Iris to agree on the Design Competition Brief and Strategy and general competition procedure.

06 July 2022: GANSW endorsed the Design Competition Brief and commencement of competition.

8 November 2022: Meeting between CN and consultant team to discuss public domain concerns and priorities (these discussions are still ongoing).

14 October 2022: Design Integrity Panel #1

26 October 2022: Design Integrity Panel #2

14 November 2022: Design Integrity Panel #3

09 December 2022: Design Integrity Panel #4

20 January 2023: Design Integrity Panel #5

24 February 2023: Design Integrity Panel #6



CONSULTATION – DESIGN INTEGRITY PANEL

The proposal underwent six Design Integrity Panel meetings, as outlined below:

- **14 October 2022:** Design Integrity Panel #1
- **26 October 2022:** Design Integrity Panel #2
- **14 November 2022:** Design Integrity Panel #3
- **09 December 2022:** Design Integrity Panel #4
- **20 January 2023:** Design Integrity Panel #5
- **24 February 2023:** Design Integrity Panel #6

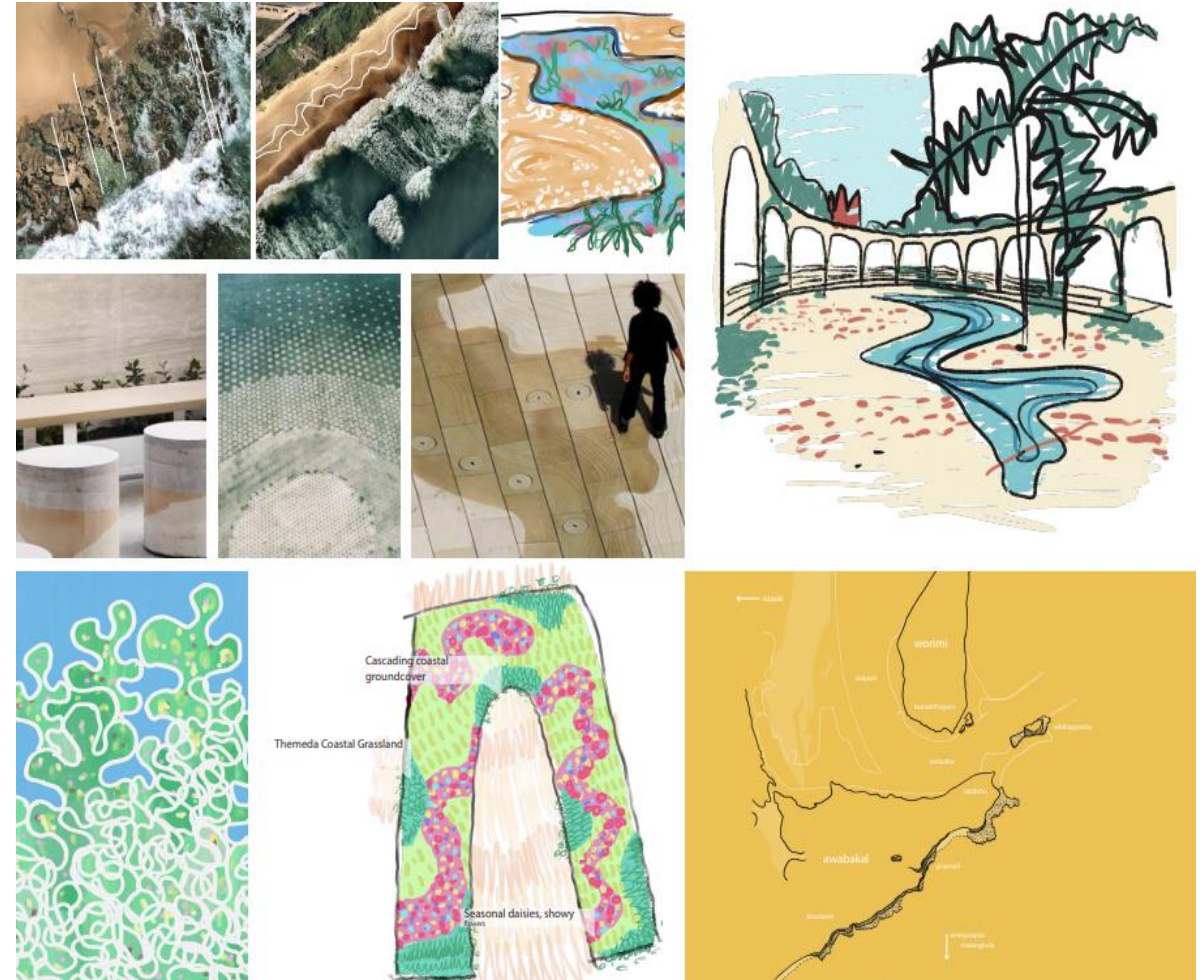
In accordance with the endorsed Terms of Reference (ToR), the three members of the Competition Jury were selected in consultation with the GANSW and CN. The members of the DIP are as follows:

- Paulo Macchia (Chair and GANSW Representative) – Director, Design Governance – Government Architect NSW
- Dr Philip Pollard (City of Newcastle Representative) – Director & Nominated Architect 5241 – AMENITY urban & natural environments.
- Sandra Furtado (Proponent Representative) – Director, Furtado Sullivan Architects

The DIP sessions were held online and attended by key members of the SJB, DBJ and Curious Practice Architecture team and the applicant. Key stakeholders were also invited to attend the DIP session via Microsoft Teams as observers (including representatives from CN). Urbis as the DIP manager were also in attendance.

After the six sessions, the DIP endorsed the lodgement of the DA to CN. The design team have addressed the comments relating to design refinement and resolution from the DIP.

- The proposal strongly adheres to the NSW Government Architect's "Connecting with Country" framework which aims to recognise the value of First Nations knowledge in the intersection of Country and architecture. A Connecting with Country Report was prepared by Dhiira in collaboration with SJB, which strives to establish an enduring mutually beneficial partnership with First Nations peoples and embedding Connecting with Country principles beyond the lifespan of the project.
- Dhiira commenced early-engagement with the First Nations community to explore the Connecting with Country methodology and introduce the project; which was well received. Subsequent workshops explored collaborative ideas and concepts built on the discussions of the initial workshop.
- Dhirra were also engaged to lead the designing with country, community co-design. Leroy Wilkinson-Maher the Manager Director of Dhirra commented that *"There were no rules for our community counterparts, meaning that community led the process. This highly effective process and model has not only been endorsed by our community partners but has now be observed by architecture firms with many looking to this process in particular to understand how they too can embed the practice and principles of this designing with country model."*

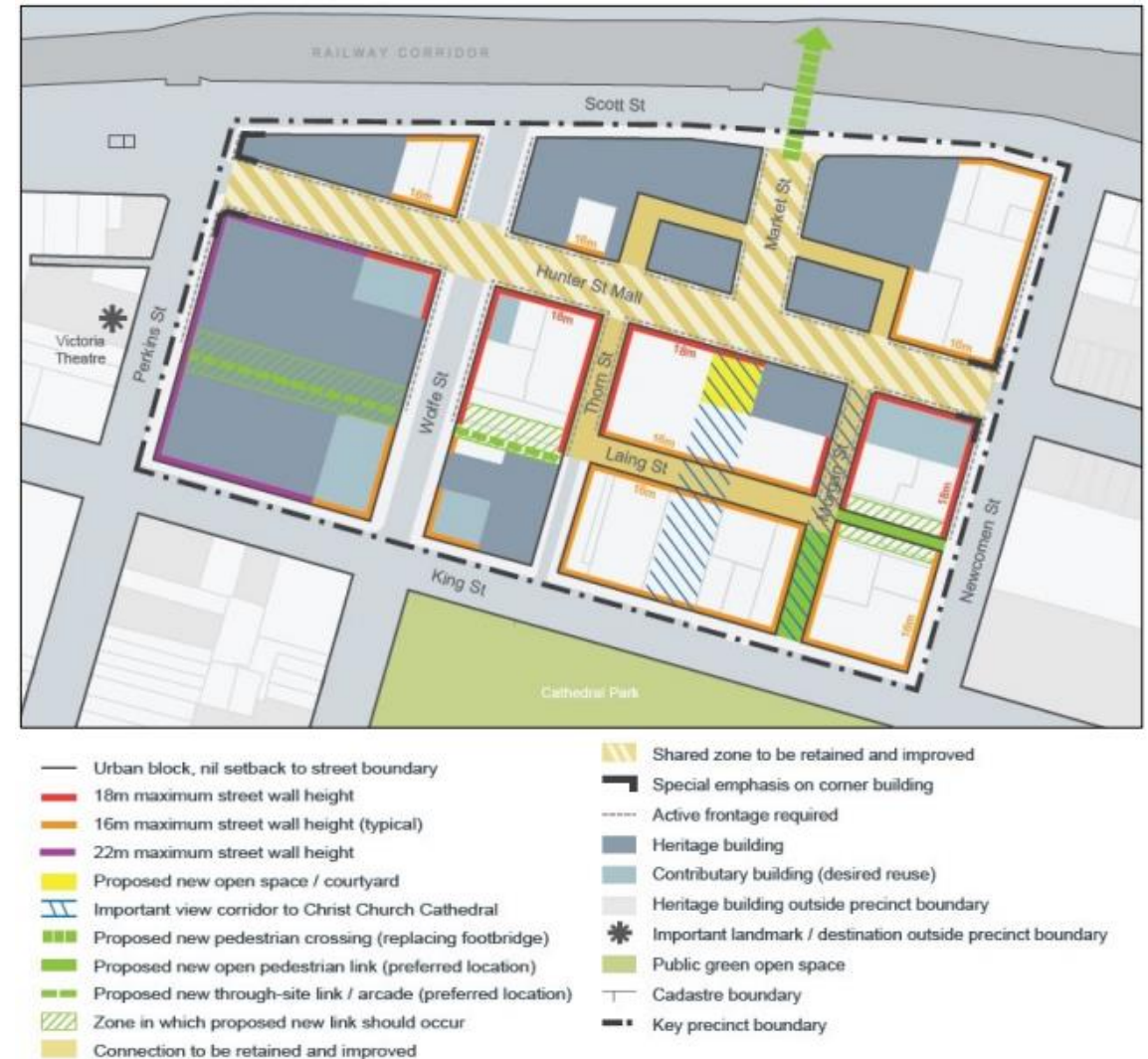


CONSULTATION – CN'S DESIRED PUBLIC DOMAIN OUTCOME

During the preparation of the Design Competition Brief, CN articulated they have a desired public domain outcome for the site that is inconsistent with the approved Concept DA. This desired public domain outcome is reflected in the Newcastle DCP. The blue hatched area is an 'important view corridor to Christ Church Cathedral'. The Newcastle DCP 2012 states the future character as:

This precinct has the potential to develop as boutique pedestrian-scaled main street shopping, leisure, retail and residential destination. Infill development is encouraged that promotes activity on the street and which responds to heritage items and contributory buildings. Views to and from Christ Church Cathedral and the foreshore are retained and enhanced. Foreshore access is improved.

CN see the Harbour to Cathedral Park (previously called the Stairway to Heaven) concept as the pathway to achieve the desired future vision.

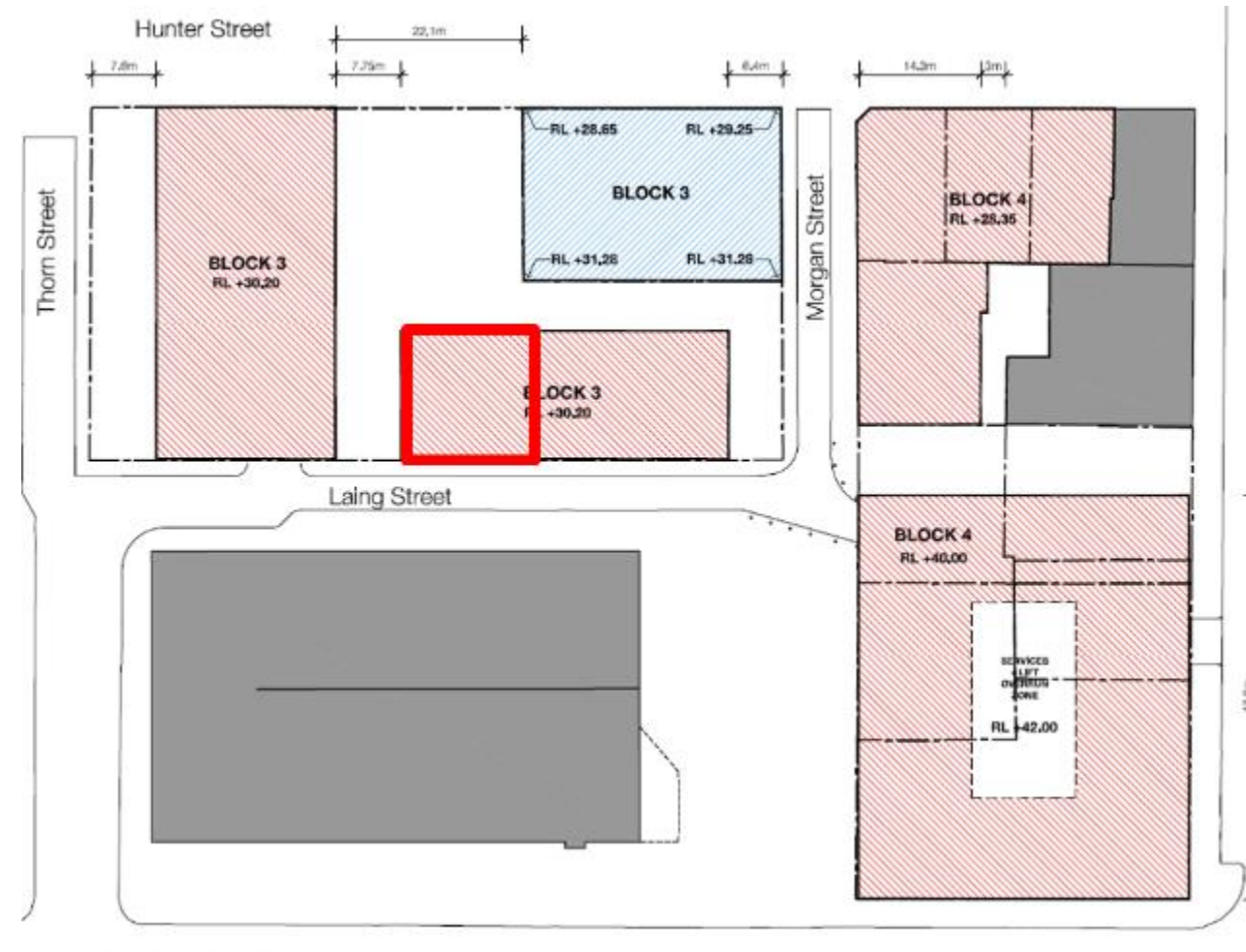


CONSULTATION - CN'S DESIRED PUBLIC DOMAIN OUTCOME (CONT.)

The desired public outcome is currently restricted by a small component of the western end of Building 3 South.


For context, Building 3 South was placed and approved in the current location with CN's endorsements to obscure the existing CN carpark to the south of the site. This context for CN has changed since the approval of the Concept DA, and demolition of the car park is now complete with exploration of redevelopment opportunities being explored by CN.

The Design Competition Brief, encouraged the mass of the Building 3 South to be redistributed to achieve a balance between preserving the approved massing and amenity from the Concept DA and CN's desired outcome of establishing the Harbour to Cathedral corridor.



UDRP FEEDBACK

- **Built form and scale:** The UDRP noted that the master planning of Stages 3 and 4 demonstrated a strong and clear resolution of the proposed public spaces and siting of built form.
- **Density:** The avoidance of overly uniform heights and relatively slender buildings separated by generous public spaces are considered by the UDRP to be a positive urban outcome that is consistent with the topographic form of the Hill and the built form character of the original heart of the City.
- **Sustainability:** The proposal utilises extensive use of materials like face brick and glazed bricks that require little if any maintenance, which the UDRP supported.
- **Landscape:** The landscape response was considered to be of high quality and reflected consultation with First Nations community members.
- **Amenity:** Providing multiple cores is very beneficial in terms of amenity, cross ventilation, and solar access. A good level of compliance with ADG recommendations is achieved for both solar access and cross ventilation.
- **Views:** The Panel considered the Visual Impact Assessment prepared by Urbis to be a comprehensive and well researched document that provided a balanced assessment of visual impacts of the proposal.
- **Safety:** The master planning and detailed layout of the site demonstrates consideration of CPTED consideration, with places of concealment being minimised and provision for good casual surveillance of ground plane spaces from the apartments above.
- **Aesthetics:** The Panel agreed that the strength in the proposal is that the new work in the overall East End has been developed at the same time yet maintains a positive level of variety and difference.

Selected Recommendation	Description	Action
<p>Green</p> 	<p>The UDRP support the proposal in its current form.</p> <p>The panel advises that this is a well-considered and presented scheme and that the architectural, urban design and landscape is of a high standard.</p>	<p>Only fairly minor changes are suggested as noted and provided these changes are incorporated, and presented to CN.</p> <p>The UDRP does not necessarily require to review this application in full again. However, areas noted for design development should be referred again to the Panel.</p> <p>Given the significance of the site and its surroundings, and the need to integrate the proposal with the streetscape and public realm, it is expected that as occurred in the previous East End stages, input from the Panel will be provided from time to time to the development to assist in ensuring design excellence is achieved.</p>

CONSULTANT INPUT OVERVIEW

Document Name	Prepared by
Architectural Drawings	SJB, DBJ & Curious Practice
Design Report and Design Excellence Statement	SJB, DBJ & Curious Practice
Survey Plan	Monteath & Powys
Landscape Plans	Cola Studio
ASP 3	Powersol
Cost Report	Altus
Traffic Impact Assessment	CPJ Consulting Engineers
Concept Green Travel Plan	CPJ Consulting Engineers
Waste Management Plan	MRA Consulting
Heritage Impact Statement & Conservation Management Plan	City Plan
BASIX / Section J	Ecoplus Consultants
Connecting with Country	Dhiira
Services Infrastructure Report	Xavier Knight
Façade Retention Plans	James Taylor + Associates
Fire Engineering Report	GHD
Acoustic Report	Renzo Tonin
Detailed Site Investigation	Foundations Earth Sciences
Geotechnical Report	Tetra Tech Coffey
Acid Sulfate Soils Management Plan	Tetra Tech Coffey
Access Report	Projected Design MGT
BCA Report	Philip Chun
Visual Impact Assessment	Urbis
EV Charging Plan	Neuron
Engineering Report - Structure	Xavier Knight
DCP Compliance Table	Urbis
Clause 4.6 Variation Request – Height	Urbis
Hunter Water Services	Wallace Design Group
Archaeology Report	Umwelt
Services Report – Electrical, Mechanical and hydraulics	Neuron



SUMMARY OF PUBLIC SUBMISSIONS

21 submissions in total have been registered for the Detailed DA. 3 submissions were in support and 18 were objections. The main objection matters relate to:

- Visual impact, to the Newcastle Club
- Height exceedance
- Heritage and the impact of development on the Municipal building as well as the Christ Church Cathedral
- Solar access and overshadowing of neighbouring developments
- Privacy and overlooking
- Traffic during and post construction.

11 submissions in total have been registered for the Modification application. 11 objections however 6 of these were double ups from the Detailed DA. The objection matters relate to:

- Visual impact
- Height exceedance and overshadowing
- Heritage
- Traffic

8 submissions across the Detailed DA and Modification are identical.



PARKING

Condition 19 of Concept DA

- City of Newcastle claim that a 159-car parking space deficit is required to be accommodated on Stage 3 and 4.
- CN's position on the matter is largely derived from on consent condition 19 of the approved Concept DA under DA2017/00701, which is reproduced adjacent. Given City of Newcastle demolished their carpark, they do not believe a reduction can be provided on visitor, commercial and retail staff parking.

Revised parking assessment (currently being completed) will conclude:

- Residential parking across the whole development is compliant with the current DCP - parking does not exceed maximum rates.
- Retail parking is compliant with the current DCP with a rate of 1 space per 60sqm of retail GFA, a total of 93 spaces.
- Visitor parking is merit based - there are no maximum or minimums, Iris have provided visitor parking of 31 spaces at rates specified in the concept consent.
- QT Hotel parking has own specific DA approved by City of Newcastle and is not factored into any of the numbers in the overall analysis.
- Iris can comply with the minimum parking as prescribed by the concept consent.

- 19) The number of car parking spaces shall be provided within each stage in accordance the requirements of Section 7.03 of Newcastle Development Control Plan 2012 (NDCP 2012) or the applicable standard at the date of lodgement of the application for each stage. The submitted plans and Traffic and Parking Impact Assessment for each stage shall detail the number and location of spaces required in accordance with this condition:
 - a) 100% of car spaces required for residents are to be provided on site;
 - b) A minimum of 25% of the required number of residential visitor parking spaces shall be provided for residential visitor parking in each of the car parks for each Block contained in Stages 1-4 inclusive. These spaces are not to be subdivided, leased or controlled by or on behalf of particular unit owners or residents. Spaces cannot be allocated or deferred to different Blocks/stages. The remaining 75% is to be accommodated by the existing Council carpark and on-street parking.
 - c) Stages 1 to 4 of the development shall each provide on-site car parking for the parking for commercial and retail staff at the rate of 50% required by Council's DCP for commercial and retail use. The remaining 50% is to be accommodated by the existing Council carpark and on-street parking.

VIEW IMPACT – PUBLIC VIEWS

10 views from representative and significant public places, as identified by the NDCP 2012, were selected for modelling in photomontages and were used for further analysis to consider the extent of visual change, the effects of those changes on the existing visual environment and the importance of those changes, being the final rating of visual impacts.

View #	Location	Overall rating of significance of visual impact
1	View South Towards Newcastle CBD from Stockton Ferry Wharf	Low
2	View South-West Towards Site from Fort Scratchley Parade Ground	Low
3	View South-West Towards Site from Nobbys Pedestrian Walkway	Low
4	View South Towards Cathedral from Market Place	Low-medium
5	View South Towards Cathedral from Queens Wharf Promenade (Cathedral to Harbour Corridor)	Medium
6	View South Towards Cathedral from Queens Wharf Promenade (Cathedral to Harbour Corridor)	Medium
7	View North Towards Site from North Side of the Cathedral	Low
8	View East Towards Site Along Hunter Street	Low
9	View South Towards Cathedral from the Station Public Domain	Low
10	View North Over Site from Cathedral Park Steps	Medium

UDRP Comments:

The Panel considered the Visual Impact Assessment prepared by Urbis to be a comprehensive and well researched document that provided a balanced assessment of visual impacts of the proposal.

Public views are particularly important given the significance of the Hill and the area's Indigenous and Colonial heritage, and the Panel found these views to be considered appropriately.

Key views, such as that illustrated from the Stockton foreshore in Figure 13 of the Urbis analysis, demonstrated the legibility of the Hill and surrounding terrain, and the retention of views to the Cathedral Park and the full length of the Cathedral.

VIEW IMPACT – PRIVATE VIEWS

Urbis determined that three close neighbouring developments were likely to be affected to some extent by potential view loss. The three buildings include:

- Segenhoe Flats at 50 Wolfe Street (specifically upper-level apartments)
- Herald Apartments at 60 King Street (specifically upper-level apartments)
- The Newcastle Club at 40 Newcomen Street (specifically north facing areas). It should be noted that the Newcastle Club is a commercial premises not a residential premises.

As access to these buildings was not possible, Urbis used available real estate floorplans and photos to understand likely views access and compositions and potential visual impacts of the proposal on those views.

View #	Location	Indicative view impact for the whole building
1	Segenhoe Flats at 50 Wolfe Street	Minor
2	Herald Apartments at 60 King Street	Minor or less
3	The Newcastle Club at 40 Newcomen Street	Minor – moderate

The view assessment concludes that for private views:

- The additional height sought, may impact views from the upper levels of the Segenhoe Flats to Fort Scratchley, a minor extent of open water and built form within the CBD. The additional height sought when viewed from lower levels would likely block views of built form within the CBD, as well as sections of the Hunter River and Nobbys Head. This is deemed as acceptable based upon the VIA assessment criteria.
- The additional height sought, will block views of open sky beyond and will not block any scenic or highly valued features for the Newcastle Club or The Herald Apartments. This is deemed as acceptable based upon the VIA assessment criteria.

UDRP Comments:

The Approved Master Plan would have had an impact upon the views obtained from the Newcastle Club that is not dissimilar in its impacts to that of the proposed Modification. Given the relatively low scale of the club as compared to the permissible heights on the subject site, views to the Harbour from the Club would inevitably have been impacted by development on the site. The additional impacts arising from the proposed height increases sought, are sky views and are not significant, given that the Approved Master Plan had already accepted water view losses from the Club.

Further accurate modelling of the views from private locations may be considered warranted by CN, but the principles outlined in the VIA are accepted by the UDRP, and private view impacts are not likely to be higher than “moderate” at most.

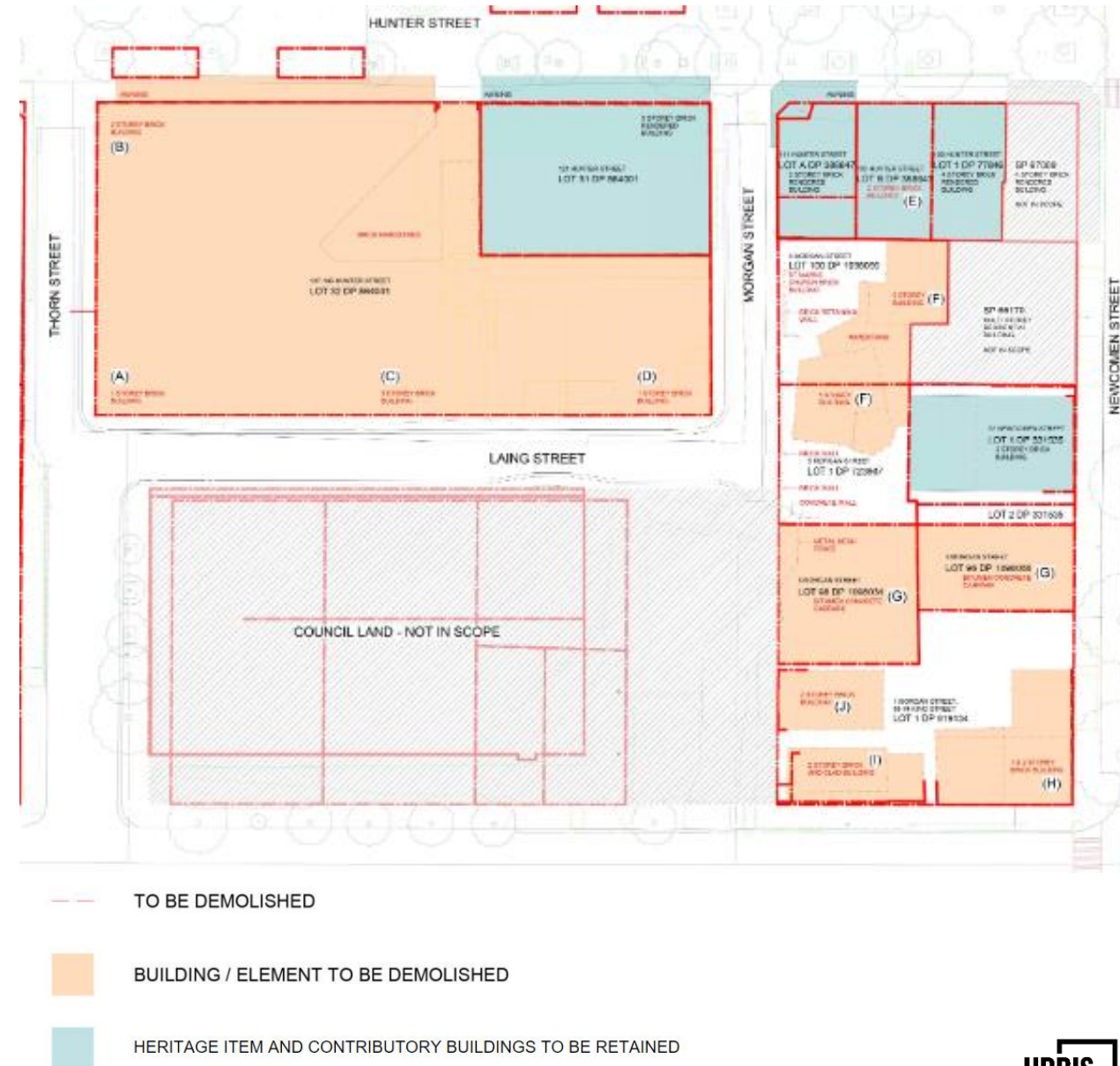
DEMOLITION DA FOR STAGE 3 & 4

DA2023/00336 was approved on 28 April 2023 for the demolition and removal of existing non heritage and non-contributory buildings and structures at 137-145 Hunter Street, 3 Morgan Street, and 66-74 King Street, Newcastle (orange buildings).

The locally significant heritage item 'Municipal Building' (No. 1403) and the contributory buildings at 105-111 Hunter Street and 22 Newcomen Street (Blackall Hall) were excluded from the proposed demolition and removal works (blue buildings).

After consultation with CN, CN committed to expedite the assessment of this DA over concerns the abandoned sites pose a safety risk.

No excavation or groundworks were approved as part of this DA.



HERITAGE

Significance

The site in particular, Stage 3 is known for having locally listed heritage item onsite, the Municipal Building. The Municipal Building is categorised as a contributory building and is particularly important for its external appearance.

Originally designed by T.W. Silk in the Federation Free style in 1908, the Municipal building was one of the last buildings erected by the Newcastle Borough Council in an attempt to revitalise the retail hub of the city. It is significant for its siting over a portion of the market square reserve set aside in Henry Dangar's town plan of 1822. Dangar's plan organised Newcastle by planning out areas for schools, churches, municipal buildings, of which this is one, and the surrounding streets of Hunter, Thorn, and Morgan Streets.

The former Municipal building is externally considered an exceptional example of a building designed in the Federation Free Classical style. Of particular note of the façade detailing is the arched window fenestration and decorative parapet detailing.

Conclusion

The Municipal Building structure will remain onsite however the internal layouts will be demolished behind the eastern and northern facades, which has been endorsed by the DIP and UDRP. According to the Heritage Impact Statement prepared by City Plan, the proposed integration of the heritage and contributory buildings as a mixed use and redevelopment of Stage 3 & 4 is of a high quality. City plan believe the design will renew and reactivate the Hunter Street Mall area, while also enhancing the appearance and functionality of the existing heritage and contributory items.

