



## STAGE 3 AND 4 EAST END – SUBMISSIONS MATRIX

The standard notification period, as per the Community Participation Plan, was completed between 31 May 2023 and 28 June 2022. On 26 June 2023, Council advised that re-notification is required until 7 July 2023 because “*the incorrect government agencies had been listed on the previous notification letter.*”

On 07 July 2023, CN advised the Development Application was required to be re-notified again until 14 July 2023 because of issues with their DA tracker.

It is noted, that even with the extended notification numerous submissions were lodged late. Considering this, the following provides an accurate summary of the valid submissions during the notification period:

- **Detailed DA:** 3 letters of support and 14 objections. Based upon the information and dates on CN’s DA tracker, CN incorrectly identify that 25 submissions have been received, 22 objections and three in support.
- **Section 4.55 Modification:** 11 objections. Based upon the information and dates on CN’s DA tracker, CN incorrectly identify that 24 submissions have been received.

Nevertheless, this response provides a detailed response to the key themes raised in the submissions. It is noted that the submission and matters raised within the RFI double up, therefore do not require a separate detailed response. A response per key issue rather than individual submissions is considered appropriate and a standard approach. This approach has been adopted by NSW Department of Planning and Environment for State Significant Development and Infrastructure projects therefore sets a valid industry standard regarding Urbis’ approach.

This submission matrix is structured as follows:

- **Table 1:** summary of each submission including the name, date and if the submission related to either the Detailed DA, s4.55 modification or both.
- **Table 2:** detailed responses to the matters raised in the Detailed DA objections.
- **Table 3:** detailed responses to the matters raised in the s4.55 modification objections.

This submissions matrix should be read in conjunction with RFI responses issued to CN between November and December 2023. In respect to the view matters raised, view inspections were completed on Thursday 30 November and the report will be available in January 2024. The revised report will respond to the submissions that raised view concerns.

Table 1 matrix of each submission

#	Name	Date	Response
1	Josh Ford	DA – 17/06 Mod – 10/07	Object (within notification period)
2	Peter Ross	DA – 19/06	Object (within notification period)
3	Angie Ling	DA – 22/06	Object (within notification period)
4	Reg Moroney	DA - 10/07	Support
5	John Harrington	DA - 11/07	Support
6	Hemi Mizrahi	DA - 12/07	Support
7	Marilyn Carey	DA - 14/07 Mod – 14/07	Object (within notification period)
8	Karen Read on behalf of Newcastle East Residents Group	DA – 14/07 Mod – 17/07 – late submission	Object (within notification period) Object (outside of notification period)
9	Osvaldo Vallati	DA - 14/07 Mod – 14/07	Object (within notification period)
10	Ashley and Susan Mills	DA - 14/07 Mod – 14/07	Object (within notification period)
11	Garth Tuckey	DA - 15/07 – late submission Mod – 15/07 – late submission	Object (outside of notification period)

#	Name	Date	Response
12	Julieann Hemaridis on behalf of from Strata Committee SP66170 The Newcomen Apartments, 16-18 Newcomen Street, Newcastle	DA - 14/07 Mod – 14/07	Object (within notification period)
13	Paul Scott	DA - 14/07 Mod – 20/07 – late submission	Object (within notification period) Object (outside of notification period)
14	Mick Innes	DA - 16/07 – late submission Mod – 20/07 – late submission	Object (outside of notification period) Object (outside of notification period)
15	Gael Davies	DA - 14/07	Object (within notification period)
16	Elizabeth Thwaites	DA - 15/07 – late submission	Object (outside of notification period)
17	Barbara Ferris	DA - 14/07 Mod – 18/07 – late submission	Object (within notification period) Object (outside of notification period)
18	Ian Baker on behalf of the Newcastle Club	DA - 14/07 Mod – 14/07	Object (within notification period)
19	Ben Ewald	DA - 18/07 – late submission Mod – 18/07 – late submission	Object (outside of notification period)
20	Catherine Whelan	DA - 18/07 – late submission Mod – 18/07 – late submission	Object (outside of notification period)

#	Name	Date	Response
21	Nicole Geoghegan	DA - 18/07 – late submission Mod – 18/07 – late submission	Object (outside of notification period)
22	Brian Ladd on behalf of The Newcastle Inner City Residents Alliance (NICRA)	No date on letter but uploaded by CN to DA tracker on following dates: DA - 20/07 – late submission Mod – 20/07 – late submission	Object (outside of notification period)
23	Mark Metrikas – lodged part 1 and part 2 documents on behalf of National Trust	DA - 17/07 – late submission Mod – 17/07 – late submission	Object (outside of notification period)
24	Dorothy Ramplin	DA - 31/07 – late submission	Object (outside of notification period)
25	David Rogers	DA- 14/07 Mod – 14/07	Object (within notification period)
26	Maralyn Foureur	25/08 – late submission 25/08 – late submission	Object (outside of notification period)
27	Martin Tongue	Mod - 11/07	Object (within notification period)
28	Etta Gwen Hamilton	Mod - 11/07	Object (within notification period)
29	Geoffrey Shamrock	DA – 12/07 Mod - 12/07	Object (within notification period)

#	Name	Date	Response
30	Gabrielle Ritchie	Mod - 13/07	Object (within notification period)
31	Bronwyn Raunch	Mod – 16/07 – late submission	Object (outside of notification period)
32	Terese Innes	Mod – 16/07 – late submission	Object (outside of notification period)
33	Dayne Steggles	Mod – 15/07 – late submission	Object (outside of notification period)

## STAGE 3 AND 4 EAST END SUBMISSIONS TABLE

### DETAILED DA | DA2023/00419

Table 2 detailed responses to the matters raised in the Detailed DA objections

Matter	Summary of Key Issues	Response to Key Issues
Visual impact	<ul style="list-style-type: none"> <li>The development will detract from the Christ Church Cathedral</li> <li>The proposal obstructs existing view corridors and iconic view corridors.</li> <li>View loss toward the Newcastle Club</li> <li>The Cathedral view from Queens Wharf Promenade will be severely obstructed. Building 3E (aka 3S) blocks the eastern side of the Cathedral and Cathedral Park, reducing the view of the Cathedral to little more than the central tower.</li> <li>View loss of apartments in Newcomen Street Building.</li> </ul>	<p>An amended Visual Impact Assessment is being prepared to address view concerns raised within the public submissions.</p> <p>Urbis undertook site inspections (30 November 2023) to assess view loss and view impacts of the proposal on the Segenhoe Flats, The Newcastle Club, The Herald Building and Newcomen Street Building.</p> <p>As agreed with CN, this amended response will be provided in due course.</p> <p>The revised report will respond to the submissions that raised view concerns.</p>

Matter	Summary of Key Issues	Response to Key Issues
	<ul style="list-style-type: none"> <li>▪ Sharing of views to the cathedral and Newcastle club from Stockton – the proposal will block views.</li> <li>▪ No access was undertaken to the Newcastle Club by Urbis, so the visual impact assessment undertaken is approximate and does not reveal the full view loss.</li> <li>▪ Views from Segenhoe Flats will be affected.</li> </ul>	
Height Exceedance	<ul style="list-style-type: none"> <li>▪ The proposal breaches the NLEP 2012 maximum height of buildings.</li> <li>▪ The proposal breaches the Concept DA approval.</li> </ul>	<p>A Clause 4.6 Variation Request has been submitted outlined the reasons for the exceedance. The proposed variation to the height standards demonstrates that compliance with the standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient planning grounds to justify this variation.</p> <p>In summary, these circumstances can be summarised as follows:</p> <ul style="list-style-type: none"> <li>▪ <b>The proposed height variation will assist in delivering a <u>better heritage and conservation outcome for the Municipal Building</u>.</b> The Concept DA and LEP controls allow for additional built form to be constructed on top of the Municipal Building. The Municipal Building has been retained ‘freestanding’ and unencumbered of additional storeys. This is because of the redistribution of building mass. Given this key move, the building mass above the Municipal Building was distributed and contributed to the height variation. The heritage benefit outweighs the impacts associated with the additional height of Stage 3.</li> <li>▪ <b>The proposed height variation allows for a significantly <u>improved public domain experience, enhanced public views</u>, and pedestrian experience by the redistribution of massing.</b> The Concept DA and LEP controls allowed for a</li> </ul>

Matter	Summary of Key Issues	Response to Key Issues
		<p>smaller 'Market Square.' In conjunction, with unlocking the view corridor, the reconfiguration improves the public domain experience and improves solar access to the City of Newcastle site to the south which will also be required to contribute to the Harbour to Cathedral link.</p> <ul style="list-style-type: none"> <li>▪ <b>The re-massing of the Stage 3 <u>unlocks the view corridor between the Harbour and the Cathedral, which was not envisaged in the Concept DA.</u></b> The Concept DA and LEP controls allowed building mass across the view corridor. This building mass has been located atop of the proposed building to deliver CN's desired public domain outcome and preserves the high amenity that was inherent in the approval building mass scheme.</li> <li>▪ <b>The proposed variation <u>does not result in any unreasonable impacts to surrounding private and adjacent properties.</u></b> The additional building height (above the Concept DA) will not result in unreasonable impacts to public spaces adjacent residential developments. Most overshadowing falls within the approved concept DA massing with only small increments of shadow falling outside of the approved envelopes.</li> </ul> <p>Overall, the additional height as a result of the re massing of the Concept DA is considered justifiable from an environmental planning perspective as it delivers a significant public benefit.</p> <p>Furthermore, a key driver for the proposal is to strategically redistribute height and floor space from the part of the approved Concept DA (specifically the part of the building envelope which impeded the visual and pedestrian links to the Cathedral).CN were not supportive of a competition brief for proposals which would have maintained the building envelope/form of the approved</p>

Matter	Summary of Key Issues	Response to Key Issues
		<p>Concept DA. Therefore, the competition winning scheme (and subsequent DIP and UDRP meetings following this) have reviewed the appropriateness of this change to the original Concept DA in a very detailed manner from a design, form and impact perspective.</p>
Overshadowing	<ul style="list-style-type: none"> <li>▪ The proposal will create overshadowing to nearby residents.</li> <li>▪ The proposal will overshadow public domain.</li> </ul>	<p>Additional Shadow Analysis has been prepared by SJB and accompanies this RFI response. As pictured within the updated diagrams, most overshadowing falls within the approved Concept DA massing with only small increments of shadow falling outside of the approved envelopes.</p> <p><u>Residents:</u></p> <p>In terms of key surrounding development:</p> <ul style="list-style-type: none"> <li>▪ <b>The Herald:</b> the Herald apartments in the south-west corner of the site will be slightly impacted by the additional height between 1:00pm and 2:00pm at level 1 only – it is assumed 1 to 2 apartments are impacted briefly. Apartments above Level 02 will receive solar access at 1:00pm (refer to <b>Figure 17</b>). The concept DA massing would have overshadowed The Herald after 2:00pm. However, they will receive more than 3 hours of morning sun between 9am and 1pm.</li> <li>▪ <b>Newcomen Street residents (eastern side):</b> the eastern side of Newcomen Street will be self-shadowed between 9am and 10am. These residents will receive solar access between 11am and 1pm (2 hours).</li> <li>▪ <b>Newcomen Street residents (western side):</b> the western side of Newcomen Street will receive morning sun between 9am and 11am. The modification to the Concept DA will not change the solar access provisions for these buildings.</li> </ul>



Matter	Summary of Key Issues	Response to Key Issues
		<p><u>Newcastle Club:</u></p> <ul style="list-style-type: none"> <li>the overshadowing impacts are marginally increased, specifically for the northern garden area. The building itself will not be overshadowed after 11am. However, the additional shadowing does not prevent the northern façade of the club receiving solar access between 9am and 3:00pm.</li> </ul> <p><u>Public Domain:</u></p> <p>The diagrams reveal that the proposed overshadowing does not fall onto public open spaces and the proposed Market Square will receive plenty of sunlight during mid-winter making it a pleasant space for residents and visitors to enjoy. This assessment is based upon the 21 June time period (winter solstice).</p> <p>In addition, the overshadowing impacts are improved on CN's carpark site with the proposed scheme compared to the Concept DA because of the redistributed building mass. The re massing and inclusion of the view corridor improves solar access between 9am and 1pm. Considering this, the proposed scheme does not impact the developability of this site more than that identified in the Concept DA assessment, and results in an improved outcome.</p>
Traffic	<ul style="list-style-type: none"> <li>The proposal will cause impacts to traffic flow during construction and residential completion.</li> <li>Parking becoming worse in the city centre, particularly while development is under construction.</li> </ul>	<p>As discussed within the Traffic Report lodged with the DA, and the additional Traffic Response information provided to CN 10 November 2023, mitigation measures will be put in place to deal with the traffic impacts during construction.</p> <p>CN will impose conditions of consent related to traffic management during the construction phase.</p> <p>The proposal also has plenty of car parking allocated for residents within the proposed basements as well as visitor parking spaces.</p>

Matter	Summary of Key Issues	Response to Key Issues
Privacy	<ul style="list-style-type: none"> <li>Existing trees provide screening from residential apartments across Newcomen Street.</li> <li>New apartments will overlook into neighbouring Newcomen Street Building.</li> <li>4N will overlook into nearby apartments.</li> </ul>	<p>The proposed development generally complies with the ADG, which is a State-wide policy that provides guidance on building separation and what is an equitable setback share in different building scenarios.</p> <p>The remove of street trees in public open spaces is not proposed by Iris.</p> <p>16-18 Newcomen Street does not provide an equitable setback as per the Apartment Design Guidelines. The proposal is not required to provide additional setbacks to compensate the reduced setback of 16-18 Newcomen Street development.</p> <p>Where these setbacks do not comply, the proposal provides appropriate screening to ensure privacy of existing and future residents.</p> <p>Additionally, clause 7.4 of the <i>Newcastle Local Environmental Plan 2012</i> discusses the requirement for buildings at a height of 45 metres or higher to have a building separation of a minimum 24 metres. However, given the development does not propose any buildings above 45 metres, the proposal is compliant with this clause.</p> <p>In addition, the perceived privacy impacts are not worsened from the Concept DA.</p>
Solar Access	<ul style="list-style-type: none"> <li>The high-density of the proposal demonstrates significant impact on the sunlight exposure that residents enjoy for light and heating.</li> <li>Solar access loss to apartments, in particular noting winter less exposure to sun.</li> <li>Laing Street walkway / connection blocking sunlight</li> </ul>	<p>As demonstrated above, a Shadow Analysis was prepared and submitted within the Architectural Design Report lodged with the DA. Most overshadowing falls within the approved Concept DA massing with only small increments of shadow falling outside of the approved envelopes. The neighbouring residents within the Herald Building and Newcomen Street Building will still receive a minimum of 2 hours of solar access each day.</p>

Matter	Summary of Key Issues	Response to Key Issues
	<ul style="list-style-type: none"> <li>Newcomen Apartments claiming reduction in solar access.</li> </ul>	
Setbacks & Density	<ul style="list-style-type: none"> <li>The proximity on plans indicates a distance of 3 metres from the rear boundary to Newcomen Street Building.</li> <li>The proposal is a gross overdevelopment of the site.</li> <li>Proximity of building 4N: The proposed distance between my unit and the proposed building 4N is only 3 m.</li> </ul>	<p>As shown on the Architectural plans, the proposal is generally compliant with ADG separations and setbacks. 16-18 Newcomen Street does not provide an equitable setback as per the Apartment Design Guidelines. The proposal is not required to provide additional setbacks to compensate the reduced setback of 16-18 Newcomen Street development.</p> <p>Where these setbacks do not comply, the proposal provides appropriate screening to ensure privacy of existing and future residents.</p> <p>Additionally, as stated above, given the proposal is not above 45m it is compliant with clause 7.4 of the <i>Newcastle Local Environmental Plan 2012</i>.</p>
Heritage	<ul style="list-style-type: none"> <li>The proposal is a gross over development in a city with rich heritage assets.</li> <li>A mix of heritage listed and historic buildings give this part of Newcastle a unique character and offer interesting and eclectic streetscapes, the proposal will take away from the historical significance.</li> <li>The heritage items will be completely dominated by huge, unsympathetic structures.</li> <li>The privatisation of the roof area of the Municipal Building is at odds with its historic function.</li> <li>The Municipal Building is dwarfed by the proposed new buildings.</li> </ul>	<p>Part of the site is a local heritage item, the Municipal Building (No. 1403) located at 121 Hunter Street. The Municipal Building has been retained as 'freestanding' and unencumbered of additional storeys. This key move provides a positive heritage response as the heritage fabric of the building is able to be maintained and adaptively reused.</p> <p>The proposal also includes the retention of contributory heritage facades on Hunter Street. This ensures the new built form, mixed with the unique and historic facades complements the historical significance of the area by providing a unique mix of architecture within the city centre.</p> <p>Located south of the site is a state heritage item, known as Christ Church Cathedral, Cemetery and Cathedral Park (No. 1562), situated at 52A Church Street. The proposal is very cognisant of the significance of this item and accordingly provides a view</p>

Matter	Summary of Key Issues	Response to Key Issues
	<ul style="list-style-type: none"> <li>109 Hunter Street which the proponent intends to demolish - NERG believes that the historic building (1926 Mick Simmons Building) has enough integrity to be retained.</li> <li>The timber building at 74 King Street is dismissed as dating from pre-1930s and having little historic merit.</li> </ul>	<p>corridor from the Harbour all the way up to the cathedral. This view frames the item between the new built form, creating a highly positive heritage and public domain response.</p> <p>The timber building at 74 King Street has been approved for demolition by CN, therefore this is no longer a valid consideration for this DA.</p>
Mine Grouting	<ul style="list-style-type: none"> <li>The impact of the possible grouting of old mine workings will have in the event of a future seismic event.</li> </ul>	<p>Non-issue. The proposal will provide appropriate mitigation measures to ensure mine grouting works will have no environmental impacts as per the requirements outlined by Subsidence Advisory NSW.</p>
Water Flow	<ul style="list-style-type: none"> <li>Newcomen Street Building experiences subterranean water ingress into the lower garage – the proposal could make this flow of water worse. How will developers accommodate this mysterious flow of water down Newcomen Street.</li> </ul>	<p>Non-issue. Applicant should not be held responsible for stormwater issues of neighbouring sites.</p>
Tree Removal	<ul style="list-style-type: none"> <li>Removal of trees and will damage bird habitats</li> </ul>	<p>The remove of street trees in public open spaces is not proposed by Iris.</p> <p>An extensive landscaping strategy has been proposed to counteract the removal of trees onsite. CN is also currently preparing street trees and public domain landscape work plans.</p>
Roof Elements	<ul style="list-style-type: none"> <li>Object to the non-inclusion of additional roof elements in the described height of the proposed buildings. For instance, rooftop plants, lift over-runs, roof top gardens and communal areas are not included in the total height control.</li> </ul>	<p>This is factually incorrect.</p> <p>A Clause 4.6 Variation Request has been submitted outlined the reasons for the exceedance. The Clause 4.6 Variation Request calculates height as per the NLEP 2012 definition and includes rooftop plants, lift over-runs, roof top gardens and communal areas in the total height control.</p>

Matter	Summary of Key Issues	Response to Key Issues
Street wall Heights	<ul style="list-style-type: none"> <li>Four buildings do not comply with NDCP2012 street wall heights. For instance, Building 3W does not comply with the street wall height of 16m (6.01.03 General Controls). Instead the proponent intends a wall height of 30m with no setbacks.</li> <li>Buildings 3E, 4N and 4S do not comply with wall heights as set out in the NDCP2012.</li> </ul>	<p>The proposal does not comply with the street wall heights as set out within the Newcastle Development Control Plan 2012. However, during the design excellence competition and subsequent design integrity panels, the Panel were in agreeance that the proposed street frontage heights of the proposal were appropriate to the site and surrounding development. The proposed built form has been through a rigorous design process and was agreed by the Panel, has potential to achieve design excellence, despite being non-compliant with street wall heights.</p>

## MODIFICATION | MA2023/00175

Table 3 detailed responses to the matters raised in the s4.55 modification objections.

Matter	Summary of Key Issues	Response to Key Issues
Height Exceedance	<ul style="list-style-type: none"> <li>Proposal exceeds NLEP 2012 height control</li> </ul>	<p>As discussed above, a Clause 4.6 Variation Request has been submitted outlined the reasons for the exceedance. The proposed variation to the height standards demonstrates that compliance with the standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient planning grounds to justify this variation.</p> <p>In summary, these circumstances can be summarised as follows:</p> <ul style="list-style-type: none"> <li><b>The proposed height variation will assist in delivering a <u>better heritage and conservation outcome</u> for the Municipal Building.</b> The Concept DA and LEP controls allow for additional built form to be constructed on top of the Municipal Building. The Municipal Building has been retained 'freestanding' and unencumbered of additional storeys. This is because of the redistribution of building mass. Given this key move, the building mass above the Municipal Building was distributed and contributed to the height variation. The heritage benefit outweighs the impacts associated with the additional height of Stage 3.</li> <li><b>The proposed height variation allows for a significantly <u>improved public domain experience</u>, <u>enhanced public views</u>, and <u>pedestrian experience by the redistribution of massing</u>.</b> The Concept DA and LEP controls allowed for a smaller 'Market Square.' In conjunction, with unlocking the</li> </ul>

Matter	Summary of Key Issues	Response to Key Issues
		<p>view corridor, the reconfiguration improves the public domain experience and improves solar access to the City of Newcastle site to the south which will also be required to contribute to the Harbour to Cathedral link.</p> <ul style="list-style-type: none"> <li>▪ <b>The re-massing of the Stage 3 <u>unlocks the view corridor</u> between the Harbour and the Cathedral, which was not envisaged in the Concept DA.</b> The Concept DA and LEP controls allowed building mass across the view corridor. This building mass has been located atop of the proposed building to deliver CN's desired public domain outcome and preserves the high amenity that was inherent in the approval building mass scheme.</li> <li>▪ <b>The proposed variation <u>does not result in any unreasonable impacts to surrounding private and adjacent properties</u>.</b> The additional building height (above the Concept DA) will not result in unreasonable impacts to public spaces adjacent residential developments. Most overshadowing falls within the approved concept DA massing with only small increments of shadow falling outside of the approved envelopes.</li> </ul> <p>Overall, the additional height as a result of the re massing of the Concept DA is considered justifiable from an environmental planning perspective as it delivers a significant public benefit.</p> <p>Furthermore, a key driver for the proposal is to strategically redistribute height and floor space from the part of the approved Concept DA (specifically the part of</p>

Matter	Summary of Key Issues	Response to Key Issues
		the building envelope which impeded the visual and pedestrian links to the Cathedral).CN were not supportive of a competition brief for proposals which would have maintained the building envelope/form of the approved Concept DA. Therefore, the competition winning scheme (and subsequent DIP and UDRP meetings following this) have reviewed the appropriateness of this change to the original Concept DA in a very detailed manner from a design, form and impact perspective.
Overshadowing	<ul style="list-style-type: none"> <li>▪ The proposal will create overshadowing to nearby residents.</li> <li>▪ The proposal will overshadow public domain.</li> </ul>	<p>Additional Shadow Analysis has been prepared by SJB and accompanies this RFI response. As pictured within the updated diagrams, most overshadowing falls within the approved Concept DA massing with only small increments of shadow falling outside of the approved envelopes.</p> <p><u>Residents:</u></p> <p>In terms of key surrounding development:</p> <ul style="list-style-type: none"> <li>▪ <b>The Herald:</b> the Herald apartments in the south-west corner of the site will be slightly impacted by the additional height between 1:00pm and 2:00pm at level 1 only – it is assumed 1 to 2 apartments are impacted briefly. Apartments above Level 02 will receive solar access at 1:00pm (refer to <b>Figure 17</b>). The concept DA massing would have overshadowed The Herald after 2:00pm. However, they will receive more than 3 hours of morning sun between 9am and 1pm.</li> <li>▪ <b>Newcomen Street residents (eastern side):</b> the eastern side of Newcomen Street will be self-</li> </ul>



Matter	Summary of Key Issues	Response to Key Issues
		<p>shadowed between 9am and 10am. These residents will receive solar access between 11am and 1pm (2 hours).</p> <ul style="list-style-type: none"> <li>▪ <b>Newcomen Street residents (western side):</b> the western side of Newcomen Street will receive morning sun between 9am and 11am. The modification to the Concept DA will not change the solar access provisions for these buildings.</li> </ul> <p><u>Newcastle Club:</u></p> <ul style="list-style-type: none"> <li>▪ the overshadowing impacts are marginally increased, specifically for the northern garden area. The building itself will not be overshadowed after 11am. However, the additional shadowing does not prevent the northern façade of the club receiving solar access between 9am and 3:00pm.</li> </ul> <p><u>Public Domain:</u></p> <p>The diagrams reveal that the proposed overshadowing does not fall onto public open spaces and the proposed Market Square will receive plenty of sunlight during mid-winter making it a pleasant space for residents and visitors to enjoy. This assessment is based upon the 21 June time period (winter solstice).</p> <p>In addition, the overshadowing impacts are improved on CN's carpark site with the proposed scheme compared to the Concept DA because of the redistributed building mass. The re massing and inclusion of the view corridor improves solar access between 9am and 1pm. Considering this, the proposed scheme does not impact the developability of this site more than that identified in</p>

Matter	Summary of Key Issues	Response to Key Issues
		the Concept DA assessment, and results in an improved outcome.
View Impact	<ul style="list-style-type: none"> <li>▪ The proposal obstructs views of the Christ Church Cathedral</li> <li>▪ The proposal will spoil the view to / from many precious buildings on the Hill</li> </ul>	<p>An amended Visual Impact Assessment is being prepared to address view concerns raised within the public submissions.</p> <p>Urbis undertook site inspections (30 November 2023) to assess view loss and view impacts of the proposal on the Segenhoe Flats, The Newcastle Club, The Herald Building and Newcomen Street Building.</p> <p>As agreed with CN, this amended response will be provided in due course.</p> <p>The revised report will respond to the submissions that raised view concerns.</p>
Heritage Impact	<ul style="list-style-type: none"> <li>▪ The proposal is a gross over development in a city with rich heritage assets.</li> <li>▪ A mix of heritage listed and historic buildings give this part of Newcastle a unique character and offer interesting and eclectic streetscapes, the proposal will take away from the historical significance.</li> <li>▪ The heritage items will be completely dominated by huge, unsympathetic structures.</li> <li>▪ The privatisation of the roof area of the Municipal Building is at odds with its historic function.</li> <li>▪ The Municipal Building is dwarfed by the proposed new buildings.</li> </ul>	<p>Part of the site is a local heritage item, the Municipal Building (No. 1403) located at 121 Hunter Street. The Municipal Building has been retained as 'freestanding' and unencumbered of additional storeys. This key move provides a positive heritage response as the heritage fabric of the building is able to be maintained and adaptively reused.</p> <p>The proposal also includes the retention of contributory heritage facades on Hunter Street. This ensures the new built form, mixed with the unique and historic facades complements the historical significance of the area by providing a unique mix of architecture within the city centre.</p> <p>Located south of the site is a state heritage item, known as Christ Church Cathedral, Cemetery and Cathedral</p>

Matter	Summary of Key Issues	Response to Key Issues
	<ul style="list-style-type: none"> <li>109 Hunter Street which the proponent intends to demolish - NERG believes that the historic building (1926 Mick Simmons Building) has enough integrity to be retained.</li> <li>The timber building at 74 King Street is dismissed as dating from pre-1930s and having little historic merit.</li> </ul>	<p>Park (No. I562), situated at 52A Church Street. The proposal is very cognisant of the significance of this item and accordingly provides a view corridor from the Harbour all the way up to the cathedral. This view frames the item between the new built form, creating a highly positive heritage and public domain response.</p> <p>The timber building at 74 King Street has been approved for demolition by CN, therefore this is no longer a valid consideration for this DA.</p>
Traffic	<ul style="list-style-type: none"> <li>The proposal will increase traffic leading to further congestion of inner-city roads.</li> </ul>	<p>As discussed within the Traffic Report lodged with the DA, and the additional Traffic Response information provided to CN 10 November 2023, mitigation measures will be put in place to deal with the traffic impacts during construction.</p> <p>The proposal also has plenty of car parking allocated for residents within the proposed basements as well as visitor parking spaces.</p>