

# URBAN DESIGN REVIEW PANEL

## Report



<b>Meeting:</b>	<b>UDRP</b>
<b>Date</b>	Wednesday, 5 July 2023
<b>Chair:</b>	Dr Philip Pollard, Urban Design Review Panel
<b>Attendees:</b>	Kerry Hunter, Urban Design Review Panel Colin Brady, Urban Design Review Panel
	Geof Mansfield –Urban Design Review Panel Coordinator & Principal Development Officer (Planning), City of Newcastle Ellise Redriff, Business Support Officer

<b>AGENDA</b>	<b>Item</b>	<b>Description</b>
	<b>2</b>	<b>Matters for consideration</b>
9:30am-10:30am [60 mins]	<b>2.1 and</b>	<b>UD2017/00028.01 - MA2023/00175</b>  <b>121 Hunter Street Newcastle</b>  CONCEPT - Staged development comprising of retail, commercial, residential and shop top housing
10:45am-12:45am [60 mins]	<b>2.2 &amp; 2.3</b>	<b>UD2023/00340 – DA2023/00419</b>  <b>121 Hunter Street Newcastle</b>  Development Application is for a mixed-use development at 105-137 Hunter Street, 3 Morgan Street, 22 Newcomen Street and 66-74 King Street, Newcastle.  <b>Attendees:</b>  Applicant: Warren Duarte, C/- Iris Capital Andrew Harvey, C/- Urbis Naomi Ryan, C/- Urbis Isabella Tonks, C/- Urbis Adam Haddow, C/- SJB Jane Maze-Riley, C/- Urbis

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Chris Palmer, C/- CJP Consulting Engineers

Kaylie Salvatori, Cola Studio

Nathan Dawes, Durbach Block Jagers

Greg Lee, C/- Curious Practice

Rachel Yabsley, C/- SJB

Warren Duarte, C/- Iris Capital

**Officer:** Damian Jaeger

Senior Development Officer (Planning)

City of Newcastle

*In the interest of providing open access to information to the public this referral will be made available on City of Newcastle's (CN's) Application Tracking system.*

*The content of this advice is intended to provide information for the Assessment Officer to consider in the determination of the relevant application. The Urban Design Review Panel (UDRP) is an advisory Panel only and the advice provided by the Panel is to inform the assessment process.*

*It is not the purpose of the UDRP to have any role in the determination of development applications, nor are its recommendations binding on CN's determination of an application.*

### Scope

The following drawings / documents have been reviewed:

Plan No / Supporting Document	Prepared by	Reference/ date
Façade Retention Plans (16 pages)	James Taylor & Assoc.	11/04/23
Landscape Plans (10 pages) Stage 3W +E	Cola Studios	6/04/23
Stage 3 +4 Landscape Public Domain (15 pages)	Cola Studios	6/04/23
Stage 4N +S Landscape (39 pages)	Cola Studios	5/04/23
Heritage Impact Statement (150 pages)	CityPlan	April 2023
Geotechnical Report (376 pages)	Tetra Tech Coffee	19/03/23
DA Design Report (137 pages)	Curious Practice	March 2023
Endorsement Designing with Country (16 pages)	Dhiira	April 2023
Community LED Design cover letter (1 page)	Dhiira	April 2023
Conservation Management Plan (242 pages)	CityPlan	March 2022
Visual Impact Statement (84 pages)	Urbis	April 2023
Architectural Plans (13 pages)	SJB Architects	19/04/23
Yield Schedule (9 pages)		

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Traffic & Parking Assessment Report (90 pages)	CJP Consulting Engineers	10/03/23
Survey Plans (28 pages)	Monteath & Powys	Revision B
Landscape Development Application (68 pages)	Cola	April 2023
Remediation Action Plan (138 pages)	Foundation Earth Sciences	April 2023
Statement of Modification (65 pages)	Urbis	May 2023

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### Background

The Master Plan proposal was considered previously by the UDCG on several occasions including 15 March 2017 & 27 September 2017, 19 October 2017. In 29 September 2021 & 24 November 2021(UD2021/00292) the UDRP also considered a Pre-DA proposal for a revised Master Plan for Stages 3 and 4, prepared by architects PTW. In the light of feedback provided by the Panel, and other considerations, Iris Capital decided to proceed to a Design Competition under the framework provided by the Government Architect's Office.

Four design teams produced proposals in response to the Competition invitation and design brief for the remaining stages of the East End development – that being Stage 3 – which is the block between Thorn Street and Morgan Street, and Stage 4 – which is the block between Morgan Street and Newcomen Street.

The Three person competition jury comprised Paulo Macchia (Director Design Governance Government Architects Office, Jury Chair); Sandra Furtato (Principal Furtato Sullivan); and Dr Philip Pollard (CN UDRP Chair). All entries were considered to achieve a commendable standard. However, the Jury was unanimous in its selection, with the winning design considered to be an outstanding proposal.

The winning design team constituted architects SJB, Durbach Block Jagers and Curious Practice, in collaboration. Landscape Architects were Cola Studios.

Each architectural practice was responsible for specific buildings, with SJB maintaining a master planning lead role and each team, including the Landscape Architects, contributing collaboratively to the overall design.

A Design Integrity Panel (with members constituting the Jury) met on six occasions following the selection of the winning proposal. At these DIP meetings, the further developed design was presented in response to DIP and CN input, and as a result of further consultation with local First Nations representatives in respect to Design for Country. Through the DIP process, in the view of the DIP members, there were no significant departures by the winning competition design from the design brief, and no identified aspects of the revised Master Plan proposal that were considered less than satisfactory. The suggested refinements to the design made by the DIP were responded to by the design team and presented over the six post-competition DIP reviews, with no outstanding issues remaining, in the opinion of the DIP, at the conclusion of the DIP processes.

The proposal is the subject of a current Development Application – DA2017/00701 and current modification reference: MA2023/00175. Additionally, UD2023/00340 – DA2023/00419 is being considered concurrently. The S4.55 modification (MA2023/00175) is to address the variation to the separate concept plan (DA2017/00701) and DA2023/00419 has been lodged intending to pursue the varied height proposal.

The report below details the consideration of both applications concurrently.

1.	<b>Context and Neighbourhood Character</b>
2.	<b>Built Form and Scale</b>
3.	<b>Density</b>

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### ***1. Context and Neighbourhood Character***

The context of the area changed significantly with the decision of CN to demolish the King Street Car Park, due to serious structural issues. The structure extended between Thorn Street in the west and Morgan Street in the east, and its northern face was onto Lang St. This demolition of the car park structure enabled the opening up of views including views to the northern face of the Cathedral transept. Pedestrian access is available from the Harbour-front, up Market Street, to Laing Street. Council has indicated that as per the DCP, the corridor is intended to continue across its former car park site to King Street and potentially to the Cathedral Park. The Approved Master Plan included a building in Stage 3 that had been sited deliberately to screen the unsightly car park as viewed from the north. However, the existing DCP plan for the area had taken into account the possibility that the car park may eventually be demolished, thereby offering the possibility of a public space and vista that extends from the waterfront up to King Street and the Cathedral Park. The design brief for the competition reflected the opportunity for a public space with visual connection and physical access to King Street and Cathedral Park.

Development of the design for the proposal has had a long and comprehensive gestation. It has evidently been carefully considered. A fantastic engagement can be seen to have evolved through the design development process with the local First Nations community. Designing for Country has meaningfully informed a broad range of urban design, landscape and public art initiatives, which have been deeply integrated into the proposal. This commitment to Connection to Country is proposed to be carried on through the detailed design and delivery of the proposal, in particular the landscape and public art components.

The design brief for the architectural design competition included the requirement for the approved stage 3 building to be removed from the corridor, with the expectation that space would be located elsewhere in Stages 3 and 4, in comparably amenable locations.

### ***2. 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. Good building separations are provided between buildings with residential spaces appropriately distanced from public domain areas. A positive variation in apartment typology has been achieved.

Several heritage structures in Stages 3 and 4 were identified in the Approved Master Plan as being partially retained. The single heritage-listed building within Stages 3 and 4 is the Municipal building, at 113 -121 Hunter Street, a locally listed heritage item I403. Also retained are the street façades of contributory buildings at 105 and 111 Hunter Street in Stage 4. A timber cottage at 74 King Street whilst exhibiting aspects of Federation period design is not heritage listed, and has been designated of low significance in Heritage Impact Statements and Conservation Plans throughout the development of the Approved Master Plan. The building is noted as being in poor condition, with signs of deterioration and damp. It was proposed to be demolished under the Approved Master Plan, and building 4 South was approved to occupy this component of the site. The proposed Modification to the Master Plan retains essentially the same footprint for Building 4 South.

The urban response to the design competition brief involved the creation of a generously proportioned public space as an extension of Market Street through to Lang Street. It is assumed that any future development on the former CN car park site will adhere to the intent of the DCP, and continue a generous opening and pedestrian access through to King Street. The gesture of rotating building 3W towards the west, to create a trapezoidal plan form, has allowed the wider opening of the public plaza to its junction with Hunter Street. This is considered to be a very positive move in creating an invitation into the public space, and to allowing it greater volume. A continuous, landscape-capped awning wraps around three sides of the plaza space, defining it and providing shelter to the adjacent building frontages. The under-side “belly” of the awning is proposed to be a sculptural form that is a component of the Indigenous Public Art program for the development.

The building to the east of the plaza, Building 3E, is the Municipal building. This locally-listed heritage building was significantly modified post the 1989 earthquake, and there are no heritage elements remaining visible on the building’s interior, with the exception of the external fenestration - which is retained in two of the original facades of the structure. The existing heritage facades, such as they remain, are fully retained, as are the floor levels within the building. The overall volume of the building is also to be reinstated. A deliberate strategy has been adopted not to increase the Municipal building’s vertical volume to take full advantage of the permissible height control above the existing structure. This approach has resulted in two positive outcomes. Firstly, the plaza remains more open to morning sun, in addition to good winter solar access through the middle of the day. Secondly, the limitation of height on Building 3E contributes to the heritage building’s remaining more readily interpretable, and contributes to the generous spatial character of the plaza.

Building 3S is a new structure to the south of the Municipal building, with a small pedestrian bridge connection to communal open space situated at roof level, behind the parapet of the Municipal building. Building 3S has a fairly small footprint, and is a unique form. The building steps in slightly at each level rising up the building, creating a tapered form that is topped by a simple, uncluttered, domed roof form. The building’s external walls are of glazed brickwork which is of darker tones at ground, becoming lighter with each level, to a pale green glazed-brick façade on its upper floor. The building is playful but carefully considered, and makes a “nod” to the Stage1 face-brick building above the former David Jones food hall in Thorne Street, designed also DBJ architects.

Building 4N on the eastern side of Morgan Street was designed by Curious Practice. The building retains both the Hunter Street and Morgan Street facades of 111 Hunter Street. The Hunter Street façade of 105 Hunter Street is also preserved. Both structures also retain the high floor-to-floor dimensions of the original buildings, meaning that openings align

appropriately. The solid volumes of the new structures behind the retained facades continue the form of the original volumes. New development above the retained facades is strongly articulated and visually more open than the existing solid forms below, thus allowing new works to be readily differentiated from retained earlier forms.

The protection of retained façades and their final condition needs to be detailed. The Panel recommended that heritage elements be covered by deeds of agreement, to ensure that the heritage outcomes are achieved. The heritage treatment needs to be undertaken with high sensitivity – for example, they should retain their patinas gained over time, rather than cleaned to appear as new.

Building 4S on the corner of King Street and Newcomen Street retains the footprint of the approved master plan design, with its upper levels being expressed in four cubic elements, which terminate at different levels, providing an articulated, landscaped roofscape.

The proposed Master Plan revision was considered by the Panel to have achieved the two key objectives identified since the outset of proposals for the overall site, more than a decade ago. That is to retain the legibility of the remarkable terrain of the Hill, seen from both nearby and distant locations, including Fort Scratchley and Stockton, and to retain views to Cathedral Park and the Cathedral from key locations on the Harbour-front. The latter has been considerably enhanced by the opportunity of continuing the Market Street corridor across Hunter Street, Laing Street, and King Street to the Heritage listed sandstone wall and the Cathedral Park. Views to the Cathedral are currently filtered from close quarters by trees within the Cathedral Park, but the upper form of the building remains visible from both mid-distance and further afield. Excellent views from Stockton and Fort Scratchley to the Cathedral and the Hill remain, with the Hill's topography remaining undiminished an essential element. Multiple closer views to the Cathedral Park are retained and are attractively framed by the proposed streetscape treatments, including those in Morgan Street and Thorne Street.

The proposal is considered to have been successful in terms of balancing the legibility of the Hill's topography and retention of the existing buildings, while sleeving in high quality new built form and streetscapes. To the extent that moderate exceedances of the LEP height controls are proposed, these are considered to be achieved without significant adverse impact. The UDRP agreed with the architects that some variety in heights was preferable to a homogenous form, and allowed smaller footprints of buildings and more generous public spaces. It also permitted a continuation of Newcastle's established heritage precedent of producing visually interesting building profiles and rooftops. The limitation of height above the Municipal building was also considered to be a worthwhile move that assisted in offsetting the greater height of the adjacent building 4S.

### **3. Density**

The Panel noted that the CityPlan Heritage report reinforced the understanding that Newcastle has never had a uniformity of buildings in age and scale – there has always been a contrasting variety. The current proposal mirrors this approach in its development, with differing but compatible designs. 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.



The numeric FSR is noted in the Statement of Environmental Effects as being 3.79:1 for the proposal. The Modification to the Master Plan seeks additional floor space in Stage 4 and a reduced floor space in stage 3. This move is a consequence of the creation of the open space Market Street corridor in Stage 3. The SoEE indicates that the GFA of the overall Stage 1 to Stage 4 development represents some 1800m<sup>2</sup> less than the maximum potential under the LEP, excluding bonuses for design excellence. Stages 1 and 2 were granted design excellence bonuses for FSR, while a design excellence for Stages 3 and 4 seeks extra height. Thus the SoEE indicates that the density of the proposal for Stages 3 and 4 is consistent with both the Approved Master Plan and the LEP.

4.	<b>Sustainability</b>
5	<b>Landscape</b>
6.	<b>Amenity</b>

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### Sustainability

The proposal utilises extensive use of materials like face brick and glazed bricks that require little if any maintenance, which the UDRP supported. High quality materials with good corrosion resistance and longevity are intended to be utilised.

The Architect for Building 3S advised that Glazing is not intended to be darkly tinted, and is intended to appear as transparent. This was supported by the Panel as very dark (over 30% light transmission reduction) tinting reduces natural light in the interiors and is aesthetically unappealing – both internally and externally. **The Panel also noted that the proposed extensive use of exposed glazing on Building 3S requires further resolution for shading systems that deliver a holistic integrated facade design.**

A detailed plan for electric vehicle charging in the car parks has been devised, with good provision for future EV charging demand.

Air conditioning outdoor units have been located in the documentation and are appropriately screened.

### Landscape

The landscape response was considered to be of high quality and reflected consultation with First Nations community members.

Fanning out of the awning and its curving is expressed in the careful consideration of the topography rising up the Hill, and is a very important element. No information is currently available from CN in respect to the future of the former car park site, but a notional built form is indicated in some representations of this neighbouring site in some renderings. In others representations it is depicted by block forms as per the controls, which also assume a continued open corridor across the centre of the car park site. The ground plane transition through this space is an important consideration, and the interfaces between the subject

proposal, Laing Street and the former car park site will continue to be a crucial element to the success of the overall space.

The Panel also recommends that CN liaise with the Proponent to ensure a coordinated urban approach in respect to landscape, street furniture, paving and street trees. Any conflicts that might arise between street trees and the building outcomes is an important issue to resolve at an early stage.

### 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.

Solar access to Building 4 South, one of the more difficult sites for solar access, due to a substantial existing building to the north, achieves 72% of apartments receiving 2 hours or more of sunlight to their Living areas – and complies with the ADG recommended 70-%.

The extent of glass balustrades was one issue that may be a concern. Solid upstands to balcony edges, which were included in some buildings, were encouraged as a means of providing some screening while allowing for extensive views.

In respect to Building 3W It was noted that a Substation is proposed. A question was raised regarding the “blast zone” and no-ventilation zone, and whether this would affect the nearby apartments and the capacity to provide opening windows. This will be addressed further by the architect.

The Panel considered the relationship of the proposed Laing Lane café with its surroundings. This building accesses the lane towards Newcomen Street, and provides a buffer to the apartment building to its north. This apartment building adjoins the northern side of the café building, and it has a small number of windows at less than ADG recommended setbacks. The design for the café has provided good privacy to these adjoining windows, and an outlook that is considered reasonable. The café building design is well executed and achieves a good relationship with the surroundings that make the level change from Laing Lane to Newcomen Street work well. The Panel suggested that it may be helpful to the general public if more graphic representation was made available to explain this building and its context, and noted that it was considered to be a very positive inclusion in the overall design.

### 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.

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. Similarly, closer views from Fort Scratchley as modelled in Figure 16, illustrate the retention of visual access to the crest of the Hill and the Norfolk Pines in Wolfe Street. Close views from Market Street as seen in Figure 22, which were previously largely obscured by the now-demolished car park, and which would have been somewhat further obscured by the Approved Master Plan design, will become dramatic views to Cathedral Park and the Eastern transept of the Cathedral. It is noted that proposed demolition of former retail premises on the western side of the Municipal building in Hunter Street will further open up the foreground view directly to the heritage stone wall of King Street and the Cathedral Park. Figure 28 illustrates a view towards the north east from the lower level of Cathedral Park. Both the existing Herald apartment building on the eastern side of Newcomen Street and the Approved Master Plan for Stages 3 and 4 obstruct any potential water view from this point, and there is not a significant difference in respect to degree of impact between the Approved design and the proposed Modification.

Locations of private properties likely to be impacted by the development were also considered. These include The Newcastle Club, Segenhoe Apartments and The Herald Apartments. 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.

View losses to The Herald residences arising from the proposed Master Plan as opposed to the Approved Master plan are not considered likely to be significant, given the Herald's location at a similar ground level, and with similar exposure to a northerly aspect to that achieved from the adjacent Building 4S.

Apartments in Segenhoe Flats are more distant from the subject site, which is at a higher ground level than the site. Higher levels within the Segenhoe building enjoy panoramic views, in some instances taking in Nobbys Headland and the Harbour mouth. View loss towards the north east is likely in some instances to include some obstruction of views to valued locations such as Nobbys, however the proposed development will not be overbearing or visually dominant because of the natural elevation of the Segenhoe ground plane, and the distance of the site from it. The panoramic nature of views will remain available, if not some elements currently enjoyed. 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.

7.	<b>Safety</b>
8.	<b>Housing Diversity and Social interaction</b>

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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.

The lighting design should provide low glare, even lighting, with light sources fully shielded to avoid glare.

9.	Aesthetics
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### ***Aesthetics***

The Laing Lane Café has brick finishes to its façade and roof – which are visually appealing. The question was raised as to whether this roofing material will likely change in the future due to cost considerations, and if so, what the roof finish might be.

**Building 4N:** The pre-coloured concrete panels used in juxtaposition with the nearby Newcastle Bricks need to have a strong colour relationship. The strength of visual statement arising from the colour/material palette needs to be durable and robust. This is particularly so in the context of the deep terracotta of the original bricks in the Municipal Building (3N). The exposed eastern side of Building 4N in particular requires a robust expression of colour and depth that relates to the Municipal Building's face brickwork.

A clear approach is required in respect to the degree of cleaning applied to the heritage facades, considering the streetscape relationship between the different elements in the East End. The heritage elements should be able to be interpreted, and should not be made to look "new". Protection during demolition and construction of the heritage facades needs to be sensitive.

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.

The heritage Standard-Waygood Elevator car in the building at 105 Hunter Street, and the lift motor are both proposed to be displayed. In the case of the lift car, which is an attractive timber structure with open basket-weave inlaid panels, this is proposed to be suspended in the high void space of the entry to the building and treated as a sculptural element. This proposal was supported by the Panel.

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### **Panel Recommendation**

The UDRP noted the process that the development has been through has been quite remarkable. It is considered to have been an excellent process to date, especially in terms of Connection to Country which has been a meaningful and valuable process, resulting real expressed outcomes.

The Modification to the Master Plan and the Development Application for Stages 3 and 4 are supported, subject to provision of information as noted under the headings above.

# URBAN DESIGN REVIEW PANEL Report



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>

- CONCEPT PLAN & DA 2023-00419 – 9:40 – 5/6/23  
(applicant/panel covered both at once)