

# City of Newcastle

## Urban Design Review Panel

### Modification Application (2<sup>nd</sup> Mod) MA 2024 00381 – 124 – 126 Bull St Newcastle

Further to the consideration by the Hunter and Central Coast Regional Planning Panel of 21 May 2025, the following further information was identified by the RPP as being required for its consideration:

- i. A comprehensive analysis and comparison of the accurate solar access achieved by the original approval, first modification, and current modification.
- ii. Demonstration that the calculation of solar access percentage is based on a “minimum of 1sqm of direct sunlight, measures at 1m above the floor level, achieved for at least 15 minutes”
- iii. Clarification of the discrepancies between Council calculations and the applicants
- iv. Documentation outlining how the mistakes came to be, the chronology and actions taken.

The Applicant’s response to the RPP’s, in addition to CN Officers’ preliminary assessment of the additional information has been provided to the Chair of the CN Urban Design Review Panel for further comment – which is provided below.

#### **The Site**

Although the site can correctly be described as a “corner site”, the relationship with the surrounding road layout is such that it has only a very short north-western frontage to Ravenshaw Street. Its long frontages are to King Street- which receives excellent northern solar exposure, and Bull St, which receives no winter sun. The Ravenshaw Street corner is of a limited dimension such that only one apartment per floor of building A - that faces Ravenshaw Street (and King Street) - can obtain any winter solar access. Thus the site does not significantly benefit from solar access arising from its corner location.

While the site is an attractive one in many respects, and has three street frontages, its configuration is such that a direct comparison is not considered appropriate to the winter solar access that might typically be obtained from a design for an apartment building on a more regular, rectangular corner site with three street frontages.

The site becomes progressively deeper from west to east, and its common eastern boundary with West’s Club is substantial in length. The site provides emergency egress to the Club’s main auditorium by way of an easement over the site. The original proposal and subsequent Development Approval was obtained by the Club, and the design brief included the provision for a landscaped public walkway between King Street and Bull Street, incorporating a water feature memorial to those who lost their lives when the former Workers’ Club building collapsed in the 28 December 1989 earthquake. This positive element has been retained through the iterations of the proposal.

## **Additional Information and Analysis**

The UDRP notes the additional information provided by the Applicant's consultants and the analysis undertaken by CN Officers. As per usual practice, the UDRP has not undertaken an independent in-depth interrogation of this information, but the documentation appears comprehensive, and the methodologies adopted are appropriate. The level of information provided is considered adequate for the purposes of determining amenity levels across the proposed apartments.

### **Apartment Amenity**

The (former) CN Urban Design Consultative Group provided advice across multiple presentations to the original applicant (West's Club) from the Pre-DA stage to the original Development Approval. More recently, the CN Urban Design Review Panel has considered the modifications to the proposal, and has made a range of recommendations in respect to apartment amenity that have been taken up as part of the current Modification Application. These aspects have gone to improving and substantially expanding internal and outdoor communal spaces, including communal spaces now being provided on both roof levels, in addition to expanded and improved communal areas at podium level. A particular focus has been upon providing attractive, comfortable spaces with good winter solar access, that are available for all residents.

The UDRP has been particularly concerned to ensure that there has been good amenity provided on private balconies, which are in the main well protected from wind, and which fully meet the percentages recommended for solar access as per the Apartment design Guide. The amenity of residential corridors has also been improved, with expanded spaces and better access to natural light and ventilation.

The level of residential amenity provided to the apartment residents, though falling short of the ADG recommended minimum percentage of apartments achieving a two hour minimum mid-winter solar access to the Living Rooms, is reasonable as a total of 220 apartments (78%) receive between 1.5 to 2 hours of solar access to living rooms in mid-winter. This outcome falls just 30 minutes short of full compliance for a portion of dwellings, which is not considered to result in a significant adverse impact on amenity. Importantly, the private open space (balconies) performance exceeds ADG the requirements, with 77% of apartments achieving the 2-hour solar access benchmark, further supporting the overall adequacy of solar access provided across the development.

The error identified by the applicant's consultants in respect to the 15degree misorientation of the north point of the site, has been shown to be the prime cause of the reduced percentage of apartments achieving 2 hours of winter sun to Living Room spaces. These apartments are located on the eastern side of Block B.

### **Design Excellence**

The entity that has submitted the current Modification Application has already commenced work on the site, and is part of a vertically integrated group of companies that have in-house access to

a broad range of locally produced and manufactured componentry. This developer has several other further-progressed large-scale developments under construction in the City, which have been subject to Design Excellence Conditions of Consent in their Development Approval. These Conditions relate to the submission of detailed Construction Certificate detailing to CN for concurrence. These submissions and related presentations to the UDRP go to a range of building componentry, including pre-cast concrete structure, window manufacture, balustrade manufacture and other material and finishes, that collectively have a significant influence upon the overall achievement of design excellence in the development. To date this developer and their architects have engaged quite proactively in this facet of the design excellence process, and have consulted with the UDRP to hone the detailing of key building elements to produce good quality outcomes within achievable budgets. Given the fact that building costs in the Lower Hunter are comparable with Sydney's, but the returns are significantly less, achieving design excellence in the City has to be achieved without the benefit of extravagant budgets – hence innovative approaches need to be taken to provide confidence in the capacity for providing design excellence.

The UDRP has considered the question of design excellence and whether it has been maintained in the subject Modification Application, and members are of the view that this capacity has been achieved.