

COMPETITIVE DESIGN PROCESS EXEMPTION

21 May 2026

The Trustee for 711 Hunter Street Unit Trust
c/o Zac Smurthwaite
7/335 Hillsborough Road
Warners Bay

Development Application No:	DA2025/01348
Land:	Lot 1 DP867617
Property Address:	711 Hunter Street Newcastle West
Development Description:	Mixed use development, comprising commercial premises (including ground floor retail premises) and shop top housing, associated demolition and stratum subdivision (1 into 3 lots)

Your request for a competitive design process exemption for the above referenced development has been considered.

In considering this request, the following is noted:

- The subject development proposal will result in a building higher than 48 meters in height, and as such triggers the competitive design process requirements under cl. 7.5(4) of the *Newcastle Local Environmental Plan 2012* ('NLEP 2012').
- However, the proponent seeks a competitive design process exemption in accordance with cl. 7.5(5) of the NLEP 2012.
- The support of CN's Urban Design Review Panel ('UDRP') is fundamental in CN's consideration of an exception to the competitive design process requirements under cl. 7.5(4) of the NLEP 2012.
- Consultation with the UDRP was undertaken and written advice obtained confirming the UDRP consider the proposed development capable of achieving design excellence.
- As an alternative to undertaking a competitive design process, the proponent has provided a Design Excellence Strategy ('DES') (Document titled Design Excellence Strategy 711 Hunter Street Newcastle West, prepared by ADW Johnson, issue A, dated 13 May 2026) to outline an alternative process to achieving design excellence.

This letter certifies in writing that the above referenced development proposal is one for which a competitive design process is not required subject to the terms set out in the provided DES, and the following:

1. A process of design integrity is to be established to ensure the approved development retains design excellence through to completion, including the following:
 - a. Newcastle City Councils Urban Design Review Panel are to be appointed as the design integrity panel to oversee the development for its duration and are to review,

- assess and advise on the extent to which design excellence is realised. The program of design review post development consent is to include:
- i. Prior to the submission of every construction certificate application, to confirm the detailed design is consistent with design quality as approved
 - ii. Prior to the submission of any application to modify development consent affecting the design, to confirm detailed design is consistent with design quality endorsed as approved
- b. The nominated architects of the approved development are to be retained until the completion of the development (issue of an occupation certificate). In the event the nominated architects need to be replaced, appointment of an alternate architectural firm is to be endorsed by Newcastle City Council's Urban Design Review Panel prior to the replacement of the nominated architect coming into effect. Written notification must be provided to Newcastle City Council and the Registered Certifier upon the endorsement of the newly appointed architect.
2. Meetings of Newcastle City Council's Urban Design Review Panel will be scheduled to meet CN's operational need. The cost of attending a design review meeting will be borne by the applicant. The related fee is that which is applicable for referral to the Newcastle City Council's Urban Design Review Panel outside of the application assessment process (i.e. the fee for design review undertaken prior to submission of a development application) as set out in CN's fees and charges document.

It is noted that this exemption is specific to the subject development proposal. It should not be taken as a precedent for the position CN may take for other development proposals on the subject site or elsewhere within the Newcastle local government area.

Yours sincerely



Amy Ryan
EXECUTIVE MANAGER PLANNING AND DEVELOPMENT