

6.01 Newcastle City Centre

Amendment history

Version Number	Date Adopted by Council	Commencement Date	Amendment Type
1	-	September 2014	New
2	12/12/2017	17/04/2018	Amended
3	23/10/2018	16/11/2018	Amended
4	24/11/2020	25/03/2021	Amended

Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined taking into consideration the provisions of this section.

Land to which this section applies

This section applies to the Newcastle City Centre as shown in Figure 6.01-1 below.

Figure 6.01-1: Newcastle City Centre Land Application Map



Development (type/s) to which this section applies

This section applies to all development consisting:

- New buildings or structures
- Additions or alterations to existing buildings or structures

Applicable environmental planning instruments and legislation

The provisions of the following listed environmental planning instrument/s also apply to development applications to which this section applies:

- Newcastle Local Environmental Plan 2012
- State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development
- State Environmental Planning Policy No 71 - Coastal Protection
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

In the event of any inconsistency between this section and the above listed environmental planning instrument, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: The *Environmental Planning and Assessment Act 1979* enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

Related sections

The following sections of this DCP **will** also apply to development to which this section applies:

- Any applicable land use specific provision under Part 3.00
- 4.04 Safety and Security
- 7.02 Landscaping, Open Space and Visual Amenity
- 7.03 Traffic, Parking and Access
- 7.05 Energy Efficiency
- 7.06 Stormwater
- 7.07 Water Efficiency
- 7.08 Waste Management

Note 1: Any inconsistency between the locality specific provision and the landuse specific provision, the locality specific provision will prevail to the extent of the inconsistency.

Note 2: Provisions within Section 6.01.04 - Key Precincts will have precedence over other sections of the DCP.

The following sections of this DCP **may** also apply to development to which this section applies:

- 3.01 Subdivision - where subdivision of land is proposed
- 4.01 Flood Management - all land which identified as flood prone under the Newcastle Flood Policy or within a PMF or area likely to flood.
- 4.03 Mine Subsidence - within mine subsidence area
- 5.01 Soil Management - works resulting in any disturbance of soil and/or cut and fill
- 5.02 Land Contamination - land on register or where risk from previous use
- 5.03 Vegetation Management - trees within 5m of a development footprint or those trees likely to be affected by a development
- 5.04 Aboriginal Heritage - known/likely Aboriginal heritage item/site and/or potential soil disturbance
- 5.05 Heritage Items - known heritage item or in proximity to a heritage item.

- 5.06 Archaeological Management - known/likely archaeological site or potential soil disturbance
- 6.02 Heritage Conservation Areas - known conservation area
- 7.04 Movement Networks - where new roads, pedestrian or cycle paths are required.
- 7.09 Advertising and Signage
- 7.10 Street Awnings and Balconies - awnings or balconies located over public land

Associated technical manual/s

- City Centre Public Domain Technical Manual

Definitions

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Section 9.00 - Glossary, of this plan.

Additional information

This Newcastle Development Control Plan (DCP) section provides detailed standards and guidance for development in Newcastle's city centre.

This section forms part of the community vision and is consistent with the provisions of the Newcastle Local Environmental Plan (LEP) 2012. It is to be read in conjunction with the LEP and other relevant sections of the DCP for the assessment of all development applications in the city centre.

This guide has been developed to consolidate and replace sections 6.01 and 6.02 of the Newcastle Development Control Plan 2012. This guide has performance criteria that explain the planning outcomes to be achieved. Accompanying the performance criteria are acceptable solutions that illustrate the preferred way of complying with the corresponding performance criterion. There may be other ways of complying with performance criteria and it is up to the applicant to demonstrate how an alternative solution achieves this.

Development Application requirements

3D modelling: any application to carry out development that exceeds two storeys in height, or development that is in a "Key Precinct" is to be accompanied by a 3D file of the proposed development within in the context of the Newcastle CBD 3D model. The format should be compatible to that used by the City of Newcastle council.

The 3D Model should be used to develop the following information:

- context 'before' and 'after' streetscape drawings/images and/or photomontages;
- shadow diagrams; and
- assessment of impact on view corridors.

Urban Design Consultative Group

Council has established an Urban Design Consultative Group to provide independent urban design and architectural advice on major development proposals within the Newcastle City Centre. The Urban Design Consultative Group is recognised by the Minister for Planning as a SEPP 65 Design Review Panel. In addition to providing advice on SEPP 65 matters, the Group may consider any development matters in accordance with the approved Charter for the Urban Design Consultative Group.

Note : Clause 7.5 (4) of the *Newcastle Local Environmental Plan 2012* requires an architectural design competition for certain types of development.

Clause 7.5 (6) of the *Newcastle Local Environmental Plan 2012* states that the consent authority may grant consent for a variation of up to 10% of the maximum floor space ratio or height control if the proposal has been reviewed by a Design Advisory Panel.

6.01.01 Introduction

The vision

Newcastle City Centre will continue to grow and evolve to strengthen its position as the Hunter Region's capital. The city centre will reflect the Newcastle Community Strategic Plan 2030 vision to be a 'Smart, Liveable and Sustainable City', and the initiatives of the Newcastle Urban Renewal Strategy. Newcastle city centre will be an attractive city that is built around people and reflects our sense of identity.

Image 6.01- 1: Potential public domain improvements to Crown Street, with active uses such as outdoor dining (Impression: Arup 2012)



Purpose of this section

This Development Control Plan section has been prepared as an implementation action of the Newcastle Urban Renewal Strategy. It integrates place-based planning for Newcastle East, Honeysuckle and Newcastle West. The Development Control Plan section contains a comprehensive set of planning and design guidelines. The design guidelines are derived from the characteristic features of distinct areas within the city centre.

Aims of this section

1. To implement the Newcastle Urban Renewal Strategy
2. To integrate planning for Newcastle East, Honeysuckle and Newcastle West
3. To provide a comprehensive set of planning and design guidelines based on the characteristic of distinct areas within the city centre.

6.01.02 Character Areas

A. Character Areas overview

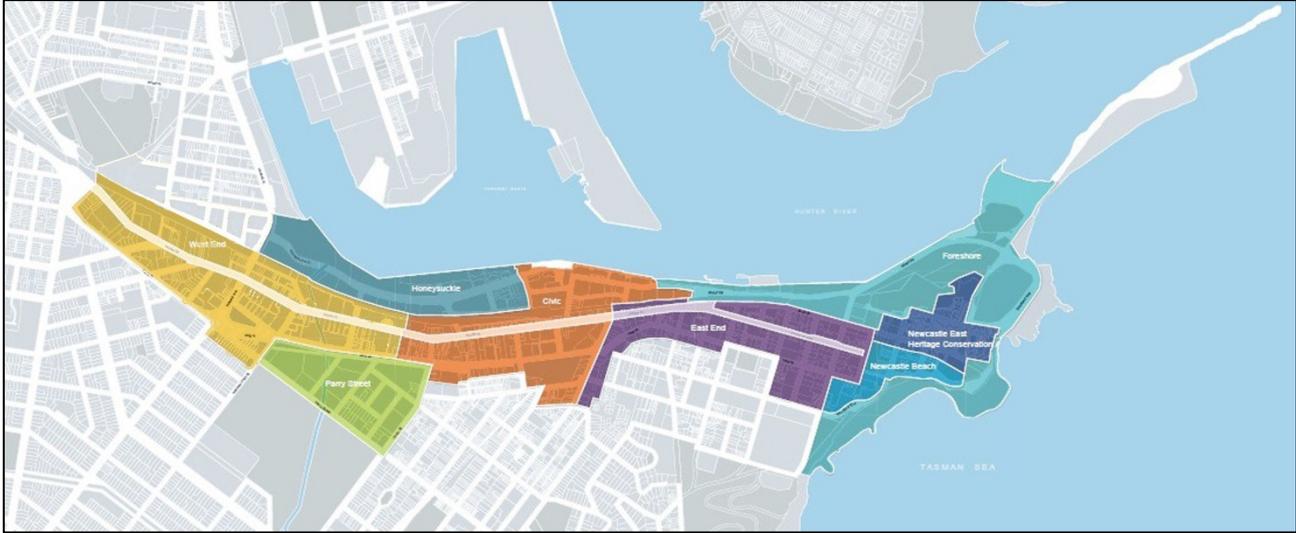
Within the city centre there are a number of areas with distinct characteristics. These 'character areas' each have their own unique setting that provide opportunities for the ongoing renewal and revitalisation of the city centre. They are divided into areas based on their attributes, including topography, landscape, heritage, streetscape, land uses and built form. The character areas are described in the following character statements in this part and are identified in Figure 6.01-2.

In addition to the character areas, seven 'key precincts' have been identified. The key precincts are focused around major public spaces in the city centre and have special provisions outlined in Part 6.01.04 of this DCP section that need to be considered.

This part contains the character statements and supporting principles for development within all character areas of Newcastle's city centre. The statements are place-specific and build on the existing urban structure, character of the neighbourhoods and important elements that will

contribute to the future quality of the area. The statements are supported by a number of principles that help reinforce and enhance the character of each locality.

Figure 6.01-2: Character Areas Overview



Overall principles

1. The unique character of each Character Area is enhanced.
2. New development has regard to the fabric and character of each area in scale, proportion, street alignment, materials and finishes and reinforce distinctive attributes and qualities of built form.
3. Heritage items and their setting are protected.
4. Public spaces, including streets, lanes and parks maintain high levels of solar access.
5. Active frontages address the public domain.
6. Existing significant views and vistas to buildings and places of historic and aesthetic importance are protected.

B. West End

This area is the western gateway to Newcastle's city centre and is an area of unrealised potential. It currently has showroom and bulky goods facilities, retail, car dealerships and self storage. The predominance of larger consolidated land holdings and fewer environmental and heritage constraints make this precinct ideally suited to become the future CBD of Newcastle. This precinct has fewer public domain assets. Improvement of public open space is needed to ensure the precinct is well-served as it evolves into a commercial precinct. Public domain opportunities include improvements to Birdwood Park, the Cottage Creek corridor and connections to the river foreshore. Public domain improvements should be in accordance with any adopted public domain plan of Council.

Principles

1. New public spaces are created to meet the demands of the future CBD and existing public open spaces are improved, such as Birdwood Park and Cottage Creek. Opportunities for new publicly accessible spaces are identified.
2. Birdwood Park is recognised as an important element in the public domain network and as the western 'gateway' to the city centre.
3. New development fronting Birdwood Park addresses the park edge and promotes a sense of enclosure by being built to the street alignment. Any new development ensures adequate midwinter lunch time sun access to Birdwood Park.
4. Development along the former rail corridor, Cottage Creek, lanes or through-site links provide a building address to encourage activity, pedestrian and cycleway movement, and improve safety.
5. Building entries are inviting with activate frontages that allow visual permeability from the street to within the building.
6. Distinctive early industrial, warehouse and retail buildings that contribute to the character of the area are retained and re-purposed.
7. Heritage items and their setting are protected.

C. Honeysuckle

Figure 6.01-3: West End Character Area



Image 6.01-2: Wood Street, view towards the Stores on Hunter Street



Figure 6.01-4 - Honeysuckle Character Area

Honeysuckle is currently the premier locale for A-grade large floor plate commercial office development. A range of complementary uses include higher density residential development, restaurants and hotels which take advantage of Honeysuckle’s prime position on the Hunter River foreshore. Honeysuckle has opportunities for significant public domain. The extension of the foreshore park westwards will form a continuous publicly accessible foreshore that extends from Maryville to Merewether around the city centre peninsula.

Principles

- 1. Development between the former rail corridor and Honeysuckle Drive provides a building address to both frontages.
- 2. Development along the waterfront, Cottage Creek, lanes or through-site links provide a building address to encourage activity, pedestrian and cycleway movement, and improve safety.
- 3. Heritage items and their setting are protected Principles

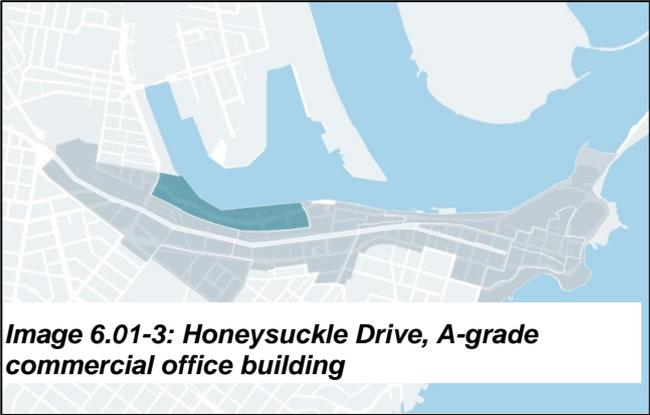


Image 6.01-3: Honeysuckle Drive, A-grade commercial office building

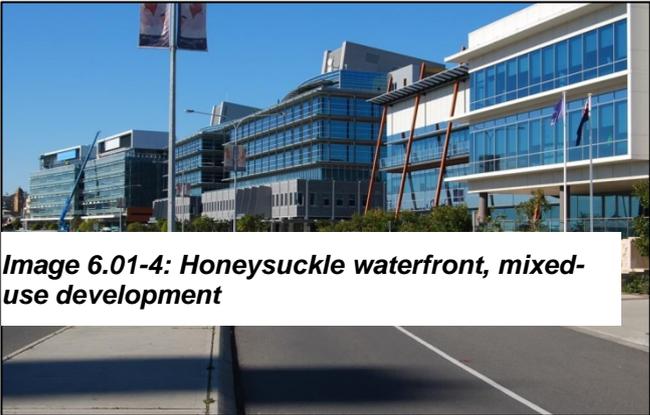


Image 6.01-4: Honeysuckle waterfront, mixed-use development



D. Civic

Civic is the administrative, cultural and educational centre of Newcastle. It includes facilities that reflect Newcastle's importance as a major regional city such as Newcastle Museum, Newcastle Art Gallery and City Hall. It is the location of major public assets such as Wheeler Place and the Civic Theatre.

The relocation of the courts to Civic and the introduction of more educational facilities associated with the University of Newcastle will have a major effect on the future character and activity within this area. Smaller commercial spaces will redevelop as support services for the courts and the university, and an increased student population will create flow-on demand for housing, retail and other services.

Principles

1. The pedestrian connection linking a number of the city's cultural buildings and spaces is reinforced, between Newcastle Art Gallery, through Civic Park and Wheeler Place, past the Newcastle Museum to the foreshore of the Hunter River.
2. Visual and physical connections through the area and between Civic and the Hunter River foreshores are opened.
3. Development between the former rail corridor and Hunter Street provides a building address to both frontages.
4. Public open space in the heart of Civic is improved and expanded through the addition of the Civic Link to complement and enhance Wheeler Place.
5. Development along publicly accessible spaces, lanes or through-site links provide a building address to encourage activity, pedestrian and cycleway movement, and improve safety.
6. Mid-winter lunch time sun access is protected to the footpath on the south side of Hunter Street and to Wheeler Place, Civic Link, Civic Park and Christie Place.
7. Distinctive early industrial, warehouse, and retail buildings that contribute to the character of the area are retained and re-purposed.
8. Development is encouraged that will support the role of Civic as the primary administrative, cultural and educational centre of Newcastle.
9. The expansion of Civic should extend northwards to link the Civic public realm to Newcastle Museum.

Figure 6.01-5: Civic Character Area

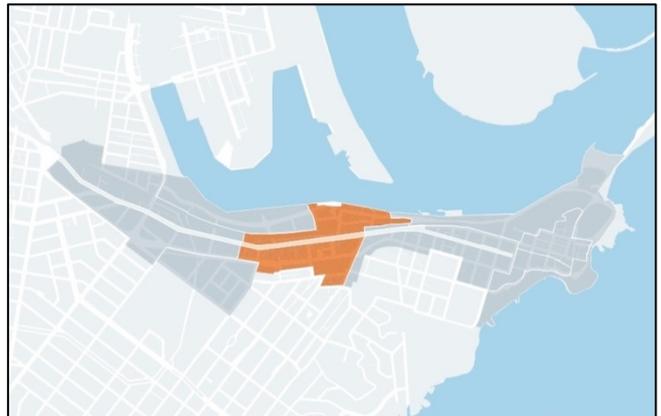


Image 6.01-5: Christie Place, between University House and City Hall



E. Parry Street

The area to the north of National Park and south of King Street is currently a mixture of commercial development with some residential and retail development such as the shopping centre, Marketown. In the future, this precinct will be characterised by more high density residential development taking advantage of the good amenity offered by proximity to the city centre and National Park and available services such as retail, entertainment and employment opportunities.

Figure 6.01-6: Parry Street Character Area

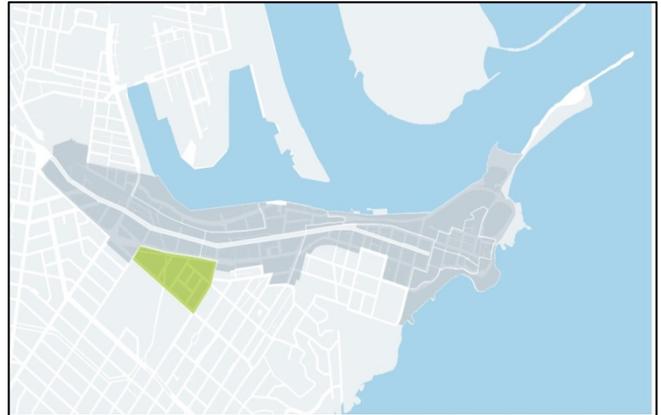


Image 6.01-6: Hall Street, an area in transition



Principles

1. Public domain spaces are improved to support the evolving character of the area into a high-density residential and mixed use precinct.
2. Distinctive early industrial and warehouse buildings that contribute to the character of the area are retained and re-purposed.
3. Development along Cottage Creek provides a building address to encourage activity, pedestrian and cycleway movement, and improve safety.

Image 6.01-7: Parry Street, new residential development



F. East End

East End centres on the former Hunter Street Mall (between Perkins and Newcomen Street) and the terminus of Hunter Street at Pacific Park. The precinct is characterised by hilly topography and a mix of uses focusing on the retail spine of Hunter Street Mall. The subdivision is more finely grained than other areas of the city centre. A mix of heritage listed and historic buildings give this part of Newcastle a unique character and offer interesting and eclectic streetscapes.

Principles

1. Hunter Street continues to be the main retail spine of the area, supported by a range of complimentary uses, including residential, commercial, entertainment and dining.
2. Hunter Street is recognised and enhanced as a major pedestrian space and an informal meeting place.
3. The historic fine grain character is maintained and enhanced.
4. Significant views to and from Christ Church Cathedral are protected, including views from Market Street and Morgan Street. Views to Hunter River are protected and framed along Market Street, Watt Street and Newcomen Street.
5. Vistas that terminate at significant heritage buildings are protected, such as Fort Scratchley.
6. Distinctive early industrial, warehouse and retail buildings that contribute to the character of the area are retained and re-purposed, including prominent corner buildings.
7. Existing laneways and pedestrian connections are enhanced.
8. Heritage items and their setting are protected. New buildings respect the setting of heritage buildings.
9. In-fill buildings, additions and alterations to respond to the height, massing and predominant horizontal and vertical proportions of existing buildings.
10. Recreational opportunities are created by establishing public space and pedestrian connections from Scott Street to the Hunter River foreshore.

Figure 6.01-7: East End Character Area



Image 6.01-8: Hunter Street, view east



G. Newcastle Beach

With the redevelopment of Newcastle Hospital, Newcastle Beach has emerged as the location of a cluster of high rise tourist and visitor accommodation and high quality residential apartments overlooking the beach.

Newer developments have been accompanied by high quality public domain improvements and good pedestrian through-site connections to the beach front. The area adjoins Newcastle East Heritage Conservation Area, so development on this edge must ensure sensitive transitions responding to the lower scale development in Newcastle East Heritage Conservation Area.

Principles

1. The public domain and amenity is enhanced to support the high-density residential and hotel uses.
2. Pedestrian access is improved to Newcastle Beach.
3. New development addresses the street to provide a good interface with the public domain.
4. Development adjoining Newcastle East Heritage Conservation Area creates a transition in scale by aligning the scale, proportion, form and finishes of the associated buildings.
5. The high environmental quality of the area is maintained.

Figure 6.01-8: Newcastle Beach Character Area

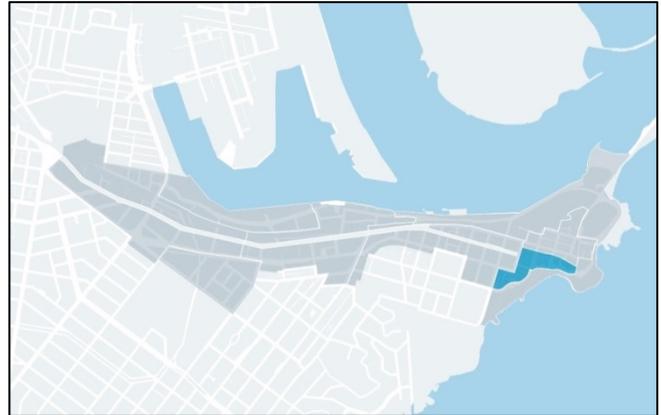


Image 6.01-9: Adaptive reuse of a heritage building



Image 6.01-10: Newcastle Beach



H. Newcastle East Heritage Conservation Area

Newcastle East Heritage Conservation Area is characterised by an intact heritage streetscape which is recognised by its inclusion as a Heritage Conservation Area in Schedule 5 of Newcastle LEP 2012, and by the number of state significant heritage items. It is a highly significant cultural landscape that provides a record of the early development of Newcastle.

The area is primarily residential with terrace housing dating from the late nineteenth century. Small corner shops and other ancillary retail or commercial uses are present. Terrace houses are built to the street boundary, with many featuring first floor verandas that overhang the footpath.

The fringes of the area feature heritage listed warehouses that have been converted for residential and commercial uses, and notable buildings including Fort Scratchley Historic Site, Boatman's Row, the Cohen Bondstore and Coutt's Sailors Home. The north edge of Newcastle East Heritage Conservation Area is bounded by the Coal River Precinct, a place of outstanding heritage significance listed on the NSW State Heritage Register.

Development in this area is subject to the provisions of the Newcastle DCP 2012 heritage provisions and the following principles.

Principles

1. The heritage significance of Newcastle East Heritage Conservation Area is retained and conserved.
2. Development responds to and complements heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.
3. New development respects the scale, character and significance of existing buildings.
4. Existing views and vistas are maintained into and out of the area to the water and the foreshore parkland.
5. The continuity of Newcastle East's heritage conservation is retained and the diverse social mix of the area is maintained.

Figure 6.01 - 9: Newcastle East Heritage Conservation Area

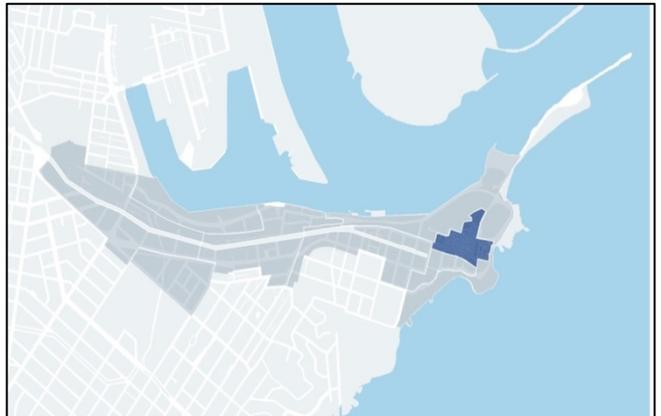


Image 6.01-11: Newcastle East Terraces



Image 6.01-12: Prominent corner building Newcastle East



I. Foreshore

The extensive foreshore is the primary open space asset of Newcastle's city centre. It showcases the city's unique natural setting, between the Hunter River and the Pacific Ocean. The foreshore provides public access linking the river and ocean waterfronts and is also the location of many significant heritage places such as Newcastle Railway Station buildings, Fort Scratchley, Customs House, the Ocean Baths and Nobbys Point lighthouse. Key public facilities can also be found in this precinct such as Nobbys Beach, Newcastle Beach, Queens Wharf, Nobbys Beach Surf Pavilion, and the foreshore cycleway and promenade. Development must complement the leisure, recreation and heritage uses of the Foreshore area.

Principles

1. The area is enhanced and continues to be the city's major recreational open space for Newcastle's workers, residents and visitors.
2. New public open space provides recreational opportunities for the community and key access links to the foreshore.
3. New development respects the scale, character and significance of existing buildings, especially heritage items.
4. New development promotes and facilitates the continuity of public access to the whole foreshore.
5. New development complements the use of public spaces as an events space.
6. Heritage items and their setting are protected, including the Aboriginal cultural heritage and non-Aboriginal archaeology.
7. The adaptive re-use of the Newcastle Railway Station maximises the long term potential of the site as a major visitor and community focal point.

Image 6.01-14: Hunter River waterfront along Foreshore Park



Figure 6.01-10: Foreshore Character Area

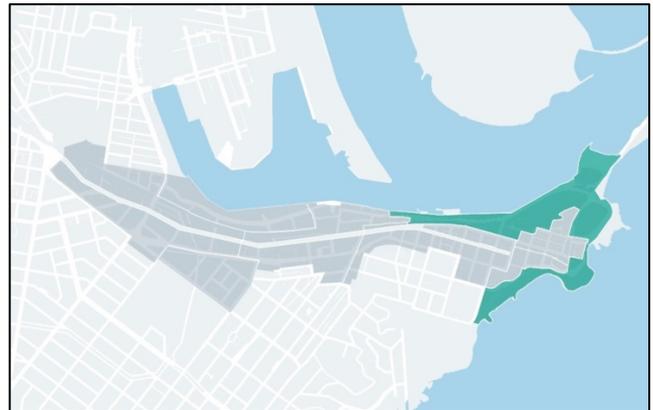


Image 6.01-13: Ocean Baths



6.01.03 General controls

A. Building form

A1. Street wall heights

Street wall heights refer to the height of the building that addresses the public street from the ground level up to the first building setback. They are an important element to ensure a consistent building scale in streets that have a mix of uses, heritage items and infill development.

Street wall heights can provide a sense of enclosure to the street and contribute to the city's character through street alignment with appropriate street-width to building height ratios. They can also have a direct impact on sunlight access to the public domain.

Performance criteria

A1.1. Street wall heights of new buildings define and enclose the street, are appropriately scaled and respond to adjacent development.

Acceptable solutions

1. New buildings have a street wall height of 16m unless indicated otherwise in Figure 6.01-12.
2. Any development above the street wall height is set back a minimum of 6m, as shown in Figure 6.01-11.
3. Corner sites may be emphasised by design elements that incorporate some additional height above the nominated street height.

Alternative solutions

- The street wall height of new buildings may vary if the desired future character is to maintain the existing street wall height of neighbouring buildings, such as heritage streetscapes.
- Deeper setbacks above the street wall height may be needed for heritage buildings or conservation areas to maintain the scale of the streetscape and the setting of heritage items.
- Where it can be demonstrated that there will be no adverse impact in terms of overlooking, overshadowing, or streetscape appearance, a variation to the street wall height setback may be possible.

Image 6.01-15: Consistent street wall heights help define the street



Figure 6.01-11: Section showing the typical 16m street wall height and typical 6m upper level setback

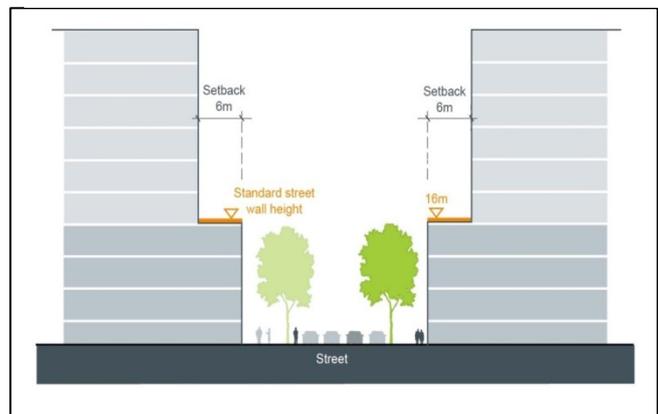


Image 6.01-16: Corners can be emphasised through change in architectural expression, material selection and design elements.



Figure 6.01-12: Street wall heights plan



- 22m street wall height
- 18m street wall height
- 14m street wall height
- 10m street wall height
- 8m street wall height
- block pattern
- public open space
- city centre boundary

A2. Building setbacks

A building setback is the distance between the building and the street boundary, a neighbouring site, waterfront, or any other place needing separation. Building setbacks can enhance development and its relationship with the adjoining sites and the public domain, particularly in terms of access to sunlight, outlook, view sharing, ventilation, wind mitigation and privacy.

In a city centre it is desirable to locate the frontage of lower levels (the podium) on the street boundary to give strong definition to the street and create setbacks in the upper building elements.

Performance criteria

A2.1. Building setbacks define and address the street and public domain spaces, and respond to adjacent buildings.

Acceptable solutions

1. Front setbacks are nil (zero) unless shown otherwise in Figure 6.01-13 and Table 6.01-1.
2. Where it is not possible to meet the setbacks in Figure 6.01-13 and Table 6.01-1 new development aligns with the adjoining front setbacks.
3. When a setback is used, footpaths, steps, ramps and the like may be provided within it.
4. Minor projections beyond the setback are possible for Juliette balconies, sun shading devices, and awnings. Projections into the setbacks are complementary to the style and character of adjoining buildings.

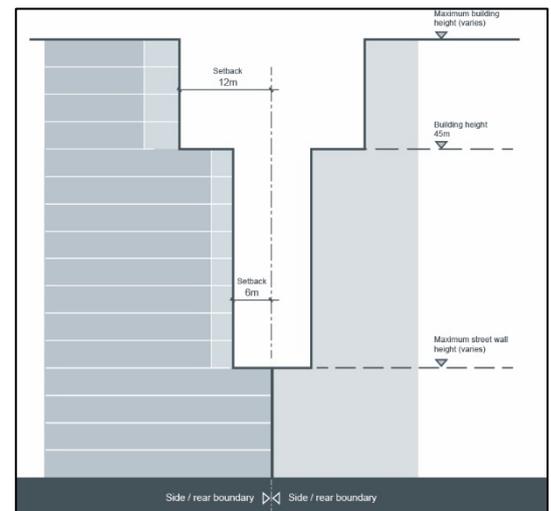
Table 6.01-1: Minimum setback for side and rear boundaries

Minimum setback for side and rear boundaries		
Part of building	Side boundary	Rear boundary
Below street wall height	Nil	Nil
Between street wall height and 45m	6m	6m
Above 45m	12m	12m

Image 6.01-17: Front building line is located on the boundary to define the street.



Figure 6.01-13 Section illustrating minimum side and rear setbacks



Performance criteria

A2.2 Side and rear setbacks enhance amenity and allow for ventilation, daylight access, view sharing and privacy for adjoining buildings.

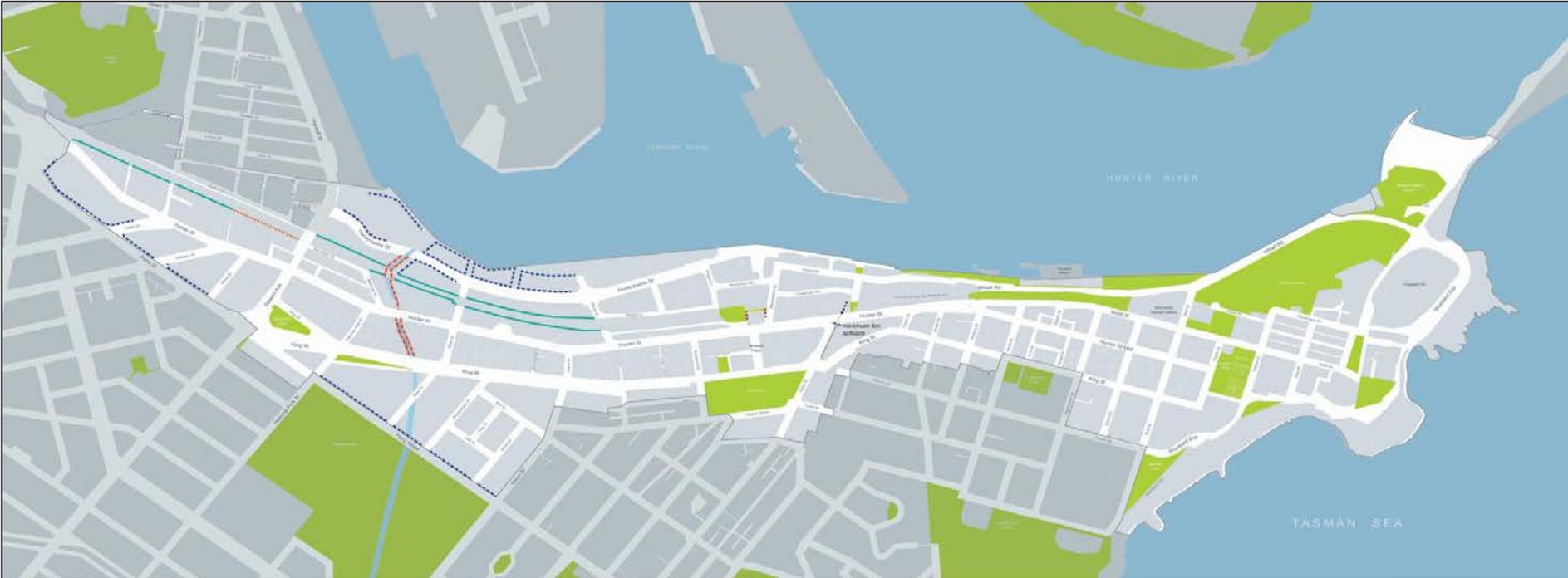
Acceptable solutions

1. Development may be built to the side and rear boundary (a nil setback) below the street wall height.
2. Commercial development above street wall height is consistent with the side and rear setbacks outlined in Table 6.01-1 and Figure 6.01-13.

Alternative solutions

- Where there is no adjoining development to respond to, half the separation distances to boundary recommended in the Apartment Design Guide may be acceptable.
- Where there are no openings within the wall, the side setbacks are consistent with Table 6.01-1 and Figure 6.01-13

Figure 6.01-14: Building setbacks plan



- 4.5m setback from boundary
- Align to Darby Street (eastern side)
- Built form to align to museum building
- 6.0m rear setback to allow for access laneway
- 2.5m primary building setback
- 3.5m primary building setback
- 4.0m primary building setback
- 6.0m primary building setback
- 10.0m primary building setback
- Block pattern/cadastre
- Public open space
- Study area boundary
- *minimum setbacks

A3. Building separation

Building separation is the distance between two or more buildings on the same site. Building separation ensures ventilation, daylight access, view sharing and increased privacy between neighbouring buildings. In residential buildings and mixed-use buildings, separation between windows and balconies from other buildings is particularly important for privacy, acoustic amenity, view sharing and sun access.

Building separation can also enhance the built form by visually separating building elements that can result in more usable public domain spaces in terms of mitigating wind impact and ensuring daylight access. Building separation provided at lower levels, between buildings on the same site, can visually break long building frontages and provide opportunities for mid-block through-site links that connect to other streets or open space.

Performance criteria

A3.1. Sites that accommodate more than one building achieve adequate daylight, ventilation, outlook, view sharing and privacy for each building.

Acceptable solutions

1. Buildings achieve the minimum building separation for commercial buildings within the same site, as shown in Table 6.01-2 and Figure 6.01-14.
2. Building separation distances may be longer for residential and mixed-use developments to satisfy SEPP 65 guidance.
3. Sites with a road frontage 100m or greater include separation between buildings to maximise view corridors between the buildings and provide appropriate through-site links.

Table 6.01-2: Minimum building separation

Minimum building separation			
Up to 16m	Up to 45m	Above 45m	
Nil or 6m for link		9m	21m

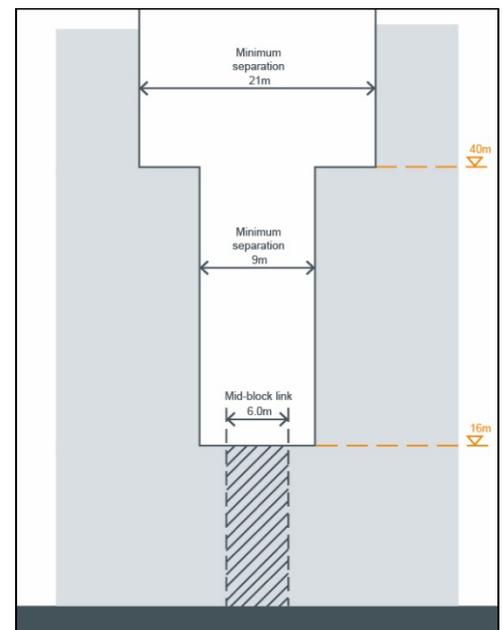
Image 6.01-18: Solid walls with non-habitable room windows are used for end elevations to manage privacy impacts



Image 6.01-19: Building separation in this residential development allows for ventilation, daylight access, view sharing and privacy



Figure 6.01-15: Section showing minimum separation distances between buildings within the same site and a minimum 6m separation where a through-site link is required.



A4. Building depth and bulk

The size of building floor plates has a direct impact on building bulk and urban form. Setting a maximum size of floor plates is also important to allow for ventilation, daylight access, view sharing and privacy in neighbouring development and the public domain.

Performance criteria

A4.1. Building depth and floor plate sizes relates to the desired urban form and skyline of the city centre.

Acceptable solutions

1. Buildings achieve the maximum building depth and floor plate sizes as outlined in Table 6.01-3.
2. Buildings with large floor plates are expressed as separate building elements, as shown in Figure 6.01-15.
3. Buildings above street wall height have a maximum building length of 50m.
4. Floor plates are flexible and allow adaption for multiple configurations or uses.

Table 6.01-3: Maximum building depth and floor plate size

Maximum building depth and floor plate size			
Building typology	Floor plates affected	Maximum GFA per floor	Maximum building depth
Campus style commercial building	All floor plates Honeysuckle	2500m ²	25m
Commercial tower	Above street wall height	1200m ²	25m
Residential tower	Above street wall height	900m ²	18m

Figure 6.01-16: Commercial buildings with large floor plates expressed as separate building elements of not more than 1200sqm.

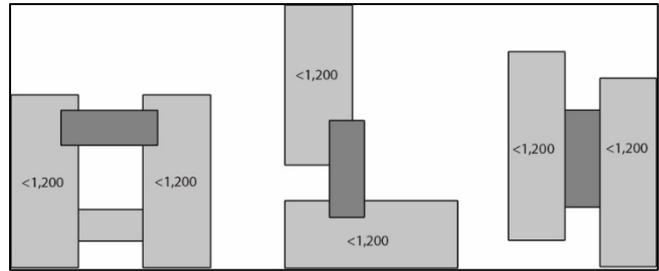
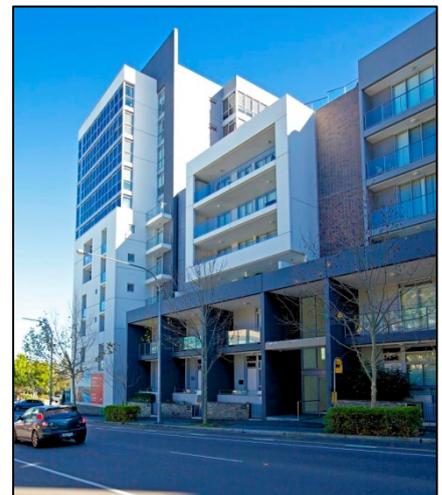


Image 6.01-20: Buildings with large floor plates expressed as separate building elements



Performance criteria

A4.2. Buildings achieve good internal amenity with minimal artificial heating, cooling and lighting.

Acceptable solutions

1. Workspaces in office buildings achieve adequate natural light. Design solutions include windows, atria, courtyards or light wells and by locating workspaces within 10-12m from a window or daylight source.
2. Consider opportunities to incorporate natural ventilation for commercial and mixed use development. Design solutions include the use of cross ventilation or stack effect ventilation via atria, light wells or courtyards to reduce reliance on artificial sources.

A5. Building exteriors

The design of building exteriors create visual interest to the streetscape and unify developments of different styles and lot widths. Detailed architectural treatments, materials, finishes and colour have the potential to reference the history of the precinct and shape the future character of the area.

Performance criteria

A5.1. Building exteriors feature high quality design with robust materials and finishes.

Acceptable solutions

1. Materials and finishes complement the character of the precinct.
2. External walls are constructed of high quality and durable materials and finishes with low maintenance attributes such as face brickwork, rendered brickwork, stone, concrete and glass.
3. An exterior material and finishes sample board and schedule shall be submitted with development application to show the quality of the materials proposed.

Performance criteria

A5.2. Building exteriors make a positive contribution to the streetscape and public domain.

Acceptable solutions

1. Buildings are articulated to differentiate between the base, middle and top.

Image 6.01-21: A well articulated building which differentiates between a base, middle and top, featuring high quality façade materials and adopts materials that are typical of the area.



Image 6.01-22: This building defines the corner and features active uses on the ground floor and a well articulated facade.



2. Visually prominent parts of buildings such as balconies, overhangs, awnings, and roof tops are of high design quality.
3. Roof lines are to be designed to create a visually interesting skyline with roof plant and lift overrun integrated into the overall architectural design of the building.
4. Facades do not incorporate large expanses of a single material, including reflective glass

Image 6.01-23: Balconies and terraces that overlook public spaces contribute to safety and natural surveillance.



Performance criteria

A5.3. Building exteriors are designed to ensure a positive contribution to streets and public spaces.

Acceptable solutions

1. Building exteriors clearly define the adjoining streets, street corners and public spaces, designed with safety in mind and easy to navigate for pedestrians.
2. Where development exposes a blank wall a visually interesting treatment is applied to the exposed wall.
3. Balconies and terraces are provided where buildings overlook parks and squares to contribute to casual surveillance.
4. External building facade lighting is integrated with the design of the building and contributes to the character of the building and surrounding area.

Image 6.01-24: Detailed design and building articulation along the street edge adds interest to the pedestrian environment.



Performance criteria

A5.4. Building exteriors respond to adjoining buildings.

Acceptable solutions

1. Adjoining buildings are considered in terms of:
 - (a) appropriate alignment of building line, awnings, parapets, cornice lines and street wall heights
 - (b) setbacks above street wall heights
 - (c) selection of materials and finishes
 - (d) façade proportions including horizontal or vertical emphasis
 - (e) detailing of the interface with adjoining buildings.

A6. Heritage buildings

This section applies to the assessment of building or alteration work (including demolition) of heritage items listed in Schedule 5 of the Newcastle LEP 2012 that requires development consent.

Additional guidelines for development within Heritage Conservation Areas are provided in the Newcastle DCP 2012, Heritage Technical Manual, City of Newcastle Heritage Strategy and the Newcastle East Heritage Conservation Area City Character Area contained in Part 02 of this Development Control Plan.

Within the city centre there are numerous heritage items of state and local significance that reflect the city's history and culture and make it unique. Retaining heritage buildings is an essential element in revitalising Newcastle.

The city centre contains a concentration of heritage items and streetscapes typified by late 19th and early 20th century buildings of between two and six storeys of a consistent scale, form and character. Many of these buildings have architectural emphasis at the skyline in the form of tower elements and parapet detail. The rich architectural detail of many heritage items is a distinctive characteristic of the Newcastle city centre.

Image 6.01-25 Repurposing of a heritage structure at Honeysuckle into the Newcastle Museum.



Performance criteria

A6.1. Development conserves and enhances the cultural significance of heritage items.

Acceptable solutions

1. A heritage management report, prepared by a suitably qualified heritage specialist, ensures the proposal achieves this performance criteria.
2. New development is consistent with the strategic actions of the City of Newcastle Heritage Strategy and the principles of the Newcastle Heritage Policy 2013
3. New development enhances the character and heritage significance of heritage items, heritage conservation areas, archaeological sites or places of Aboriginal heritage significance.
4. Views and sight lines to heritage items and places of historic and aesthetic significance are maintained and enhanced, including views of the Christ Church Cathedral, T&G Building, Newcastle Courthouse and former Post Office.

Performance criteria

A6.2. Infill development conserves and enhances the cultural significance of heritage items and their settings.

Acceptable solutions

1. Design infill development to respond to the scale, materials and massing of adjoining heritage items. Design solutions include:
 - (a) aligning elements such as eaves lines, cornices and parapets
 - (b) responding to scale proportion, pattern, form or rhythm of existing elements such as the structural grid
 - (c) complementary colours, materials and finishes.
2. Infill development responds to heritage items, historic streetscapes, contributory buildings and the public domain using best practice methods, design philosophies and approaches.
3. Archaeologically excavate and expose the item, and if possible, retain item in situ for permanent public display, allowing for sufficient set back to allow the item to be interpreted by the public. Where items cannot be retained in-situ ensure that the archival recording of the item is of sufficient standard that it can be used for interpretative purposes.
4. Prepare content which communicates and promotes the understanding of the historical context of the archaeological item and allow for content to be provided on an appropriate physical or digital platform.

Image 6.01-26 Combining contemporary infill with heritage buildings creates an interesting relationship between old and new.



Image 6.01-27 The wharf building at Walsh Bay in Sydney is an example of successful adaptive reuse of heritage items.



Image 6.01-28: This historic marine building has been transformed into the Honeysuckle brewery, a popular destination on the waterfront.



Performance criteria

A6.3. Alteration and additions respond appropriately to heritage fabric and the items cultural significance.

Image 6.01-29: The Grand Hotel in Newcastle, built in 1890, has been altered a number of times while retaining its historic integrity.

Acceptable solutions

1. New building work and uses encourage adaption that has minimal impacts and is low maintenance.
2. Internal and external alterations and additions are designed as a contemporary layer that is readily identifiable from the existing building, responding to but not mimicking its forms of architectural details. Design solutions include separating new work from old by:
 - (a) incorporating generous setbacks between existing and new fabric
 - (b) glazed voids between new additions and the existing building
 - (c) using shadow lines and gaps between old and new work
 - (d) using lighting, materials and finishes that enhance and reveal aspects of the heritage item.
3. Employ innovative design strategies to deal with existing physical aspects of heritage buildings that may not be ideal for the proposed new use. Design solutions may include:
 - (a) introducing generously sized voids to improve access to natural light and ventilation when building depth is greater than recommended.
 - (b) facilitate sunlight access in heritage items by using the full depth of rooms and introducing skylights and clerestory windows where ceiling heights are high.
 - (c) expose services, wall and ceiling framing, particularly in public areas and foyers, to reveal the significant internal fabric of heritage items.
 - (d) exposing, re-using and interpreting the fabric of existing interiors.



Performance criteria

A6.4. New building elements support future evolution of the heritage item

Acceptable solutions

1. Alterations are reversible and easily removed.
2. Primary and significant fabric is retained including structure.
3. New work is physically set-off the existing fabric.
4. Alterations and additions allow the ongoing adaptation of the heritage item in the future.

Performance criteria

A6.5. Employ interpretation treatments when altering, adapting or adding to a heritage item.

Image 6.01-30: Example of a supermarket integrated into a heritage building in Pyrmont Sydney

Acceptable solutions

1. Expose the fabric of heritage items by removing later additions that obscure and detract from heritage fabric.
2. Incorporate contemporary insertions in the building in a manner that allows the building layers to be readily identifiable and appreciated.
3. Provide interpretive treatments. Design solutions include:
 - (a) displays of artefacts and objects associated with the heritage item in foyers and public areas.
 - (b) public art that references the cultural significance of the heritage item.



Performance criteria

A6.6. Encourage new uses for heritage buildings.

Acceptable solutions

1. Employ innovative design strategies to enable heritage items and contributory buildings to accommodate new uses. Design solutions may include new building elements/additions that expand the existing envelope of the heritage building while still respecting and minimising impact on cultural significance.
2. Use innovative approaches to provide car parking where the provision of a basement or other onsite car parking is not possible. Design solutions include:
 - (a) allowing heritage building to provide less car parking than is normally required for that land use, or no car parking where not physically possible
 - (b) using car share schemes
 - (c) sharing space within existing nearby car parking structures

Alternative solutions

Key development controls or standards may need to be varied for adaptive re-use residential projects to facilitate appropriate heritage responses and development viability.

Standards and controls that may need to be varied relate to:

- building and room depths
- building separation
- visual privacy
- deep soil requirements
- car parking requirements
- common circulation in apartment buildings.

A7. Awnings

Awnings increase the usability and amenity of public footpaths by protecting pedestrians from sun and rain. They encourage pedestrian activity along streets and in conjunction with active edges, such as retail frontages, support and enhance the vitality of the local area. Awnings, like building entries, provide a public presence and interface within the public domain and contribute to the identity of a development.

Performance criteria

A7.1. Awnings provide shelter for public streets where most pedestrian activity occurs.

Acceptable solutions

1. Continuous street frontage awnings or weather protection to entrances are provided for all new developments in areas requiring an active frontage on Figure 6.01-25 (B3 Active street frontages).
2. Awnings are continuous to ensure pedestrian amenity.

Performance criteria

A7.2. Address the streetscape by providing a consistent street frontage in the City Centre.

Acceptable solutions

1. Awnings are generally flat or near flat and similar to the prevailing awning of each particular streetscape and in keeping with the design of the building.
2. Awnings that break the continuity of the edge fascia with strongly geometrical forms such as triangular or barrel vaulted shapes are avoided.
3. First floor verandahs are permitted in the East End and Newcastle East Character Areas where they are designed to be sympathetic with the overall form, proportion and division of bays of the buildings to which they are attached.
4. Awnings attached to residential terraces are designed in a manner that responds to the division of buildings into vertical bays.

Image 6.01-31: Simple awning design that responds to the building proportions.



Image 6.01-32: Awning contributes to the character of the heritage building.



A8. Design of parking structures

On-site parking includes underground (basement), surface (at-grade) and above ground parking, including parking stations. Underground and semi-underground parking minimises the visual impact of car parks and is an efficient use of the site, which creates the opportunity to increase communal and private open space.

High water table and mine subsidence and the impact of these on development feasibility means that above ground car parking structures are often the only way to accommodate on-site parking in Newcastle. A well designed car parking structure is an opportunity to introduce innovative design to the city, whether it is a new build, freestanding, retrofit or part of an integrated mixed use development.

Parts of Newcastle city centre are flood prone. In these areas, if basement car parking is provided, it should be designed to minimise the potential for inundation during a flood event.

Note: Traffic, parking and access controls for the city centre are covered by Newcastle DCP 2012 Section 7.03. This section contains additional provisions for managing the visual impact of car parking in the city centre.

Performance criteria

A8.1. At-grade or above-ground parking structures are well designed.

Acceptable solutions

1. Proposed at-grade or above-ground parking structures whether freestanding or part of larger developments in the city centre are to be reviewed and endorsed by Council's Urban Design Consultative Group prior to be lodged for development consent as:
 - (a) having fulfilled the requirements of Newcastle DCP 2012 Section 7.03.04 Clause B Parking areas and structures
 - (b) being well designed and well integrated with the streetscape and ground plane of the particular site and minimise the visual impact of parking structures
 - (c) Consultative Group confirms that development meets the performance criteria.

Image 6.01-33: Example of a screened above-ground carpark within a commercial development with ground floor uses in Parramatta. The screen could be improved with a custom art work or green cover.



Image 6.01-34: Example of above-ground car park screening addressing the side street, Melbourne



Performance criteria

A8.2. Minimise the visual impact of at grade or above-ground parking structures.

Acceptable solutions

1. All parking is provided within the building footprint either within basements or well integrated into the building's design using materials and architectural façade treatments that are common to the rest of the development.
2. Where on-site parking cannot be provided within the building footprint it is located to the side or rear and not visible from the primary street frontage.
3. Access to above ground car parking is located in side or rear streets or lanes.
4. At-grade or above-ground car parking is screened from view from public spaces. Design solutions include:
 - (a) green walls and roofs
 - (b) solar panels incorporated into screens and awnings over car parking
 - (c) architecturally designed façade treatments that incorporate artworks
 - (d) using car park roof tops for community facilities such as tennis courts
 - (e) sleeved by active and/or other uses as per Figure 6.01-16 and Figure 6.01-17.

Performance criteria

A8.3. Basement car parks are designed to provide protection against flooding.

Acceptable solutions

1. The design of entry ramps, ventilation points and pedestrian exits prevents water entering the basement until the last possible moment in a flood event, as shown in Figure 6.01-18. Design solutions include warning signage of the hazard and the route to safe refuge affixed in prominent locations.

Figure 6.01-17: Diagram showing sleeved car parking

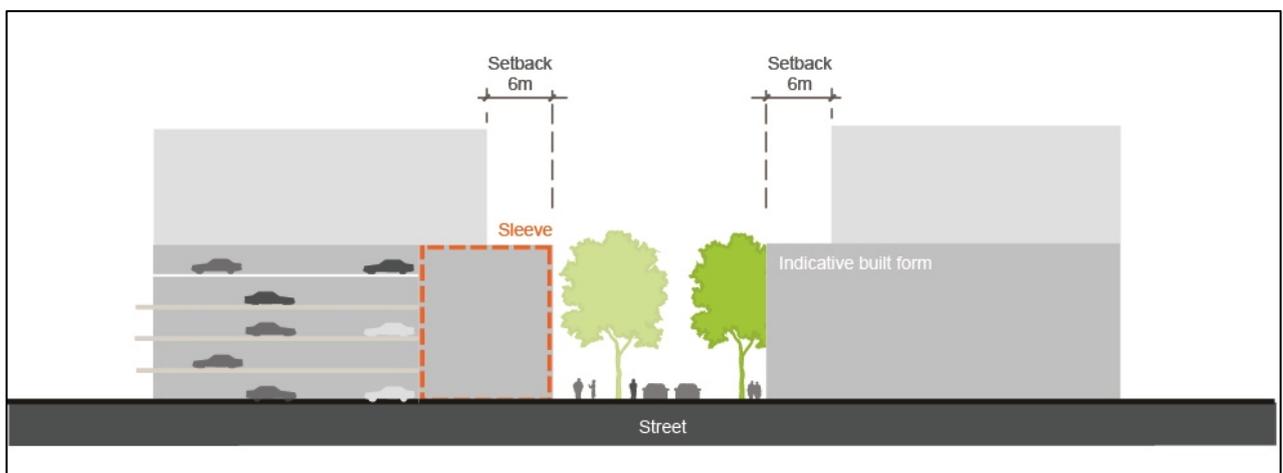


Figure 6.01-18: Diagram showing screened car parking

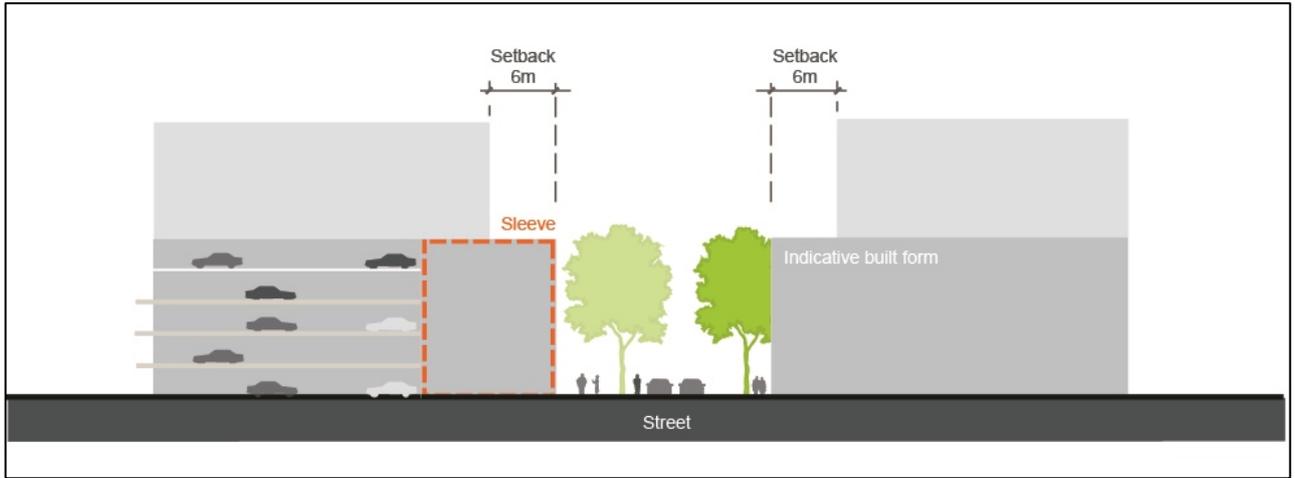
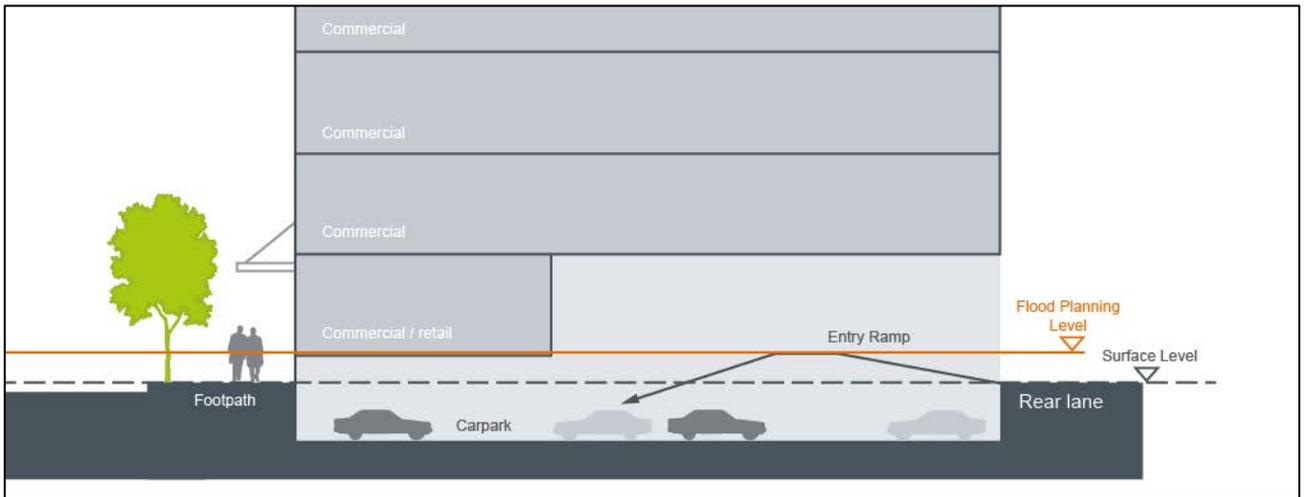


Figure 6.01-19 Basement ramp design to minimise inundation



A9. Landscaping

Performance Criteria

A9.1 New development incorporates landscaping and communal open space that respects the desired character of the streetscape, adjoining land and public spaces.

Acceptable solutions

1. Landscaping and communal open space is provided having regard to the desired streetscape character, building setbacks and relationship to public open space.
2. Landscaping on upper levels and roof tops through the use of roof and wall gardens is encouraged in compliance with Section 7.02.07 Green walls and roof space.
3. Private open space areas which adjoin public open space complement the landscape character of the public open space.
4. Residential buildings in the city centre do not require the provision of a deep soil zone.

B. Public domain

B1. Access network

Streets and lanes provide pedestrian and vehicle connections through the city at all hours. The structure of the access network determines how permeable movement is through the city. Pedestrian activity can be encouraged by developing a fine-grain, connected and legible street and lane network that integrates pedestrians, cycling and public transport.

The promotion of active transport (walking and cycling) increases activity in the city centre by increasing the opportunities for people to move around. More activity equates to a higher retail spend. Active transport promotes well-being and reduces the environmental impacts of congestion. It is critical that streets and bike networks are safe, attractive and well connected to promote active transport.

Performance criteria

B1.1 Streets prioritise pedestrian, cycling and public transport users to support sustainable travel behaviour.

Acceptable solutions

1. Improved and new pedestrian connections are as shown in Figure 6.01-19 and are designed in accordance with the City Centre Public Domain Technical Manual.
2. Sites with a street frontage 100m or greater incorporate additional pedestrian connections to improve access and permeability.
3. New pedestrian connections are within comfortable walking distance to public transport.
4. Streets and lanes are connected to encourage pedestrian use.
5. Way finding signage is incorporated and clearly defined.

Image 6.01-35: Streets need to provide space for cars but also cater for pedestrians, cyclists and public transport users.



Image 6.01-36: A network of integrated and legible connections link the city's public spaces and destinations.



Image 6.01-37: Pedestrian-only lanes provide a safe environment with opportunities for active frontages.



Figure 6.01-20: Network Access Map



- Proposed new streets
- Improve existing pedestrian spaces
- Existing pedestrian link
- ⋯ Proposed pedestrian link
- Existing arcade / through-site link
- ⋯ Proposed arcade / through-site link
- Existing service / shared lane
- ⋯ Proposed new service / shared lane
- Vehicle entry not permitted
- Proposed new service / shared lane
- Potential 10m diameter vehicle turning head (if laneway link to north cannot be provided)
- Maintain access way
- Study area boundary

Performance criteria

B1.2 Lanes, through-site links and pedestrian paths are retained, safe and enhanced to promote access and public use.

Acceptable solutions

1. Retain existing laneways
2. New streets, lanes, through-site links and pedestrian paths are provided as shown in Figure 6.01-19 and designed in accordance with the City Centre Public Domain Technical Manual.
3. Lanes and through-site links maintain clear sight lines from each end.
4. Dead-ends or cul-de-sacs are avoided. Where they exist they are extended to the next street, where possible. Where unavoidable, way finding signage should be provided.
5. Pedestrian bridges are avoided over public spaces, including lanes.
6. Development adjacent to a lane or pedestrian path includes:
 - (a) active uses at the ground level
 - (b) appropriate lighting
 - (c) access for service vehicles if necessary.
7. Streets, lanes and footpaths include lighting and illumination in accordance with the requirements of the City Centre Technical Manual.
8. Blank walls and solid fencing that inhibit natural surveillance and encourages graffiti should be avoided.
9. Laneways, paths and through site links incorporate Crime Prevention Through Environmental Design Principles.

Performance criteria

B1.4 Street and block network is permeable and accessible to promote pedestrian use.

Image 6.01-38: Retail arcade with active frontages and access to daylight.



Acceptable solutions

1. A permeable pedestrian network from the city centre to the foreshore is provided as shown in Figure 6.01-20.

2. Through-site connections on privately owned land:

- Have a public character, are easily identified by users, safe, well lit, highly accessible and have a pleasant ambience;
 - Have a minimum width of 5m with no obstructions;
 - Have buildings which address the frontage and/or contain active uses to provide opportunities for natural surveillance.
 - Have clear and direct through-ways;
 - Are open to the sky and publicly accessible at all times;
 - Are clearly distinguished from vehicle access ways;
 - Align with breaks between buildings so that view corridors are extended and there is less sense of enclosure;
 - Do not contain structures such as electricity substations, carpark exhaust vents, swimming pools or the like);
 - Incorporate signage at street entries indicating public accessibility and the street to which the through-block connections ends; and
 - Are designed in accordance with the Crime Prevention Through Environmental Design principles.
3. Residential developments with a frontage to a through site link incorporate windows, doors and verandahs facing the through-site link at ground level.
 4. Arcades in retail and commercial developments:
 - (a) Are a minimum width of 3m; and
 - (b) Include ground level active uses; and
 - (c) Have access to natural light, and
 - (d) Provide public access during business hours; and
 - (e) Have clear connections to streets and lanes with a direct line of sight between entrances.
 5. Pedestrian crossings are located to enable a direct line of travel for pedestrians.

Figure 6.01-21: Through-site connections on privately owned land.

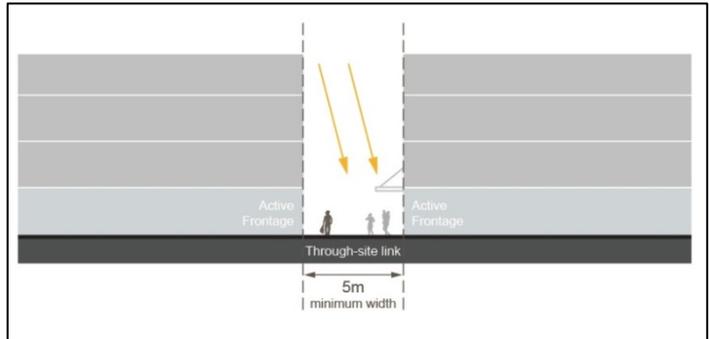
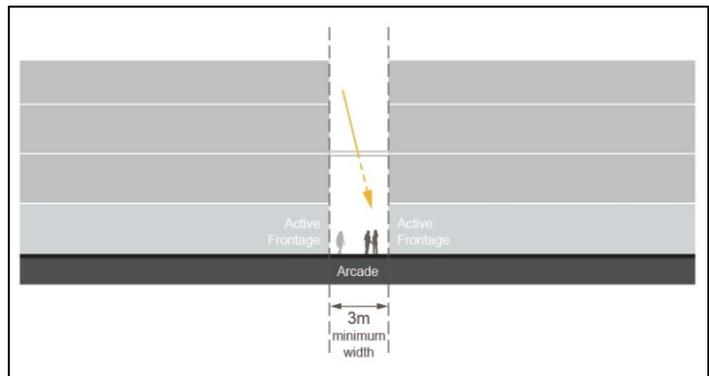


Figure 6.01-22: Arcades in retail and commercial



6. Pedestrian-only public lanes are designed in accordance with the City Centre Technical Manual.

Performance criteria

- B1.5 Public transport facilities are integrated into the access network.

Acceptable solutions

1. Pedestrian access to public transport stops is convenient, safe and accessible.
2. Light rail and bus stop locations are coordinated to enable convenient mode change, i.e. stops are located within walking distance from each other.
3. Cycling routes and cycle parking are coordinated and integrated with the location of public transport stops to enable convenient mode change.
4. The design of public transport facilities has regard to Crime Prevention through Environmental Design Principles.

Performance criteria

- B1.6 Cycle routes are safe, connected and well-designed.

Acceptable solutions

1. Separated cycle ways are provided on Hunter Street as shown in Figure 6.01-19 and designed in accordance with the City Centre Technical Manual.
2. Cycle ways are connected into the network indicated in the City of Newcastle Cycling Strategy and accessible to public transport stops.
3. Safety is maximised through active street frontages. Buildings that adjoin pedestrian and cycle paths are designed to address the path and provide passive surveillance opportunities.
4. Signage should be provided along cycle routes identifying key destinations, transport stops, bicycle parking, travel times and distances.
5. Commercial development includes end of trip cycling infrastructure. Design solutions include:
 - (a) secure bike parking
 - (b) shower and change room facilities.

Image 6.01-39: Example of dedicated cycle lanes



Image 6.01-40: Bicycle parking should be conveniently located and secure.



Image 6.01-41: Undercover bicycle parking off a shared public link.



B2. Views and vistas

Preserving significant views around the city is critical to place-making, wayfinding and for retaining the unique character of Newcastle. Significant views include views from public places towards specific landmarks, heritage items or areas of natural beauty. The most important views in Newcastle tend to be along streets leading to the water or landmark buildings, including Christ Church Cathedral and Nobby's Head.

With the redevelopment of the former rail corridor lands, key views and vistas are to be established and will create a visual connection and link the city to the foreshore.

Image 6.01-42: View corridor along Morgan Street to Christ Church Cathedral

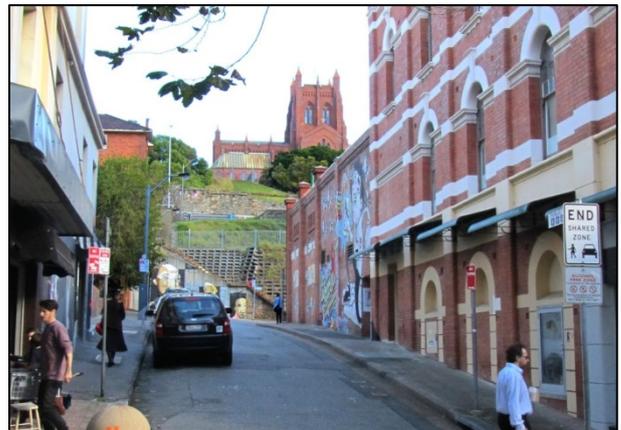
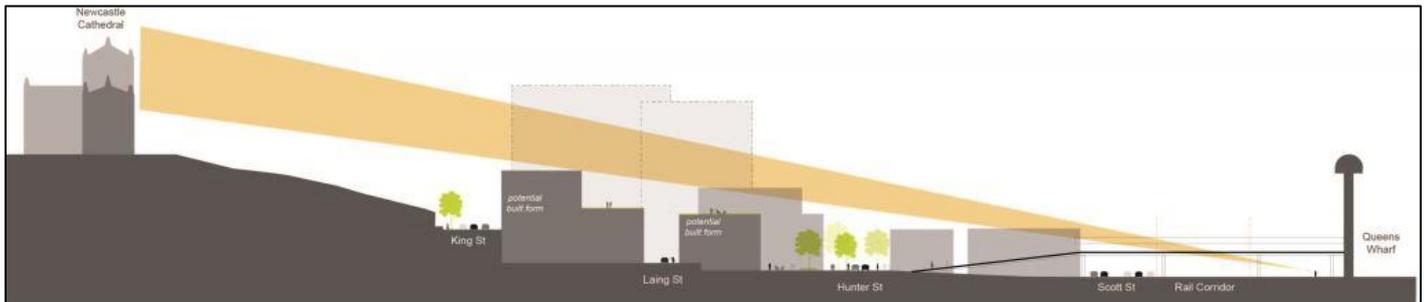


Figure 6.01-23: View axis to Christ Church Cathedral



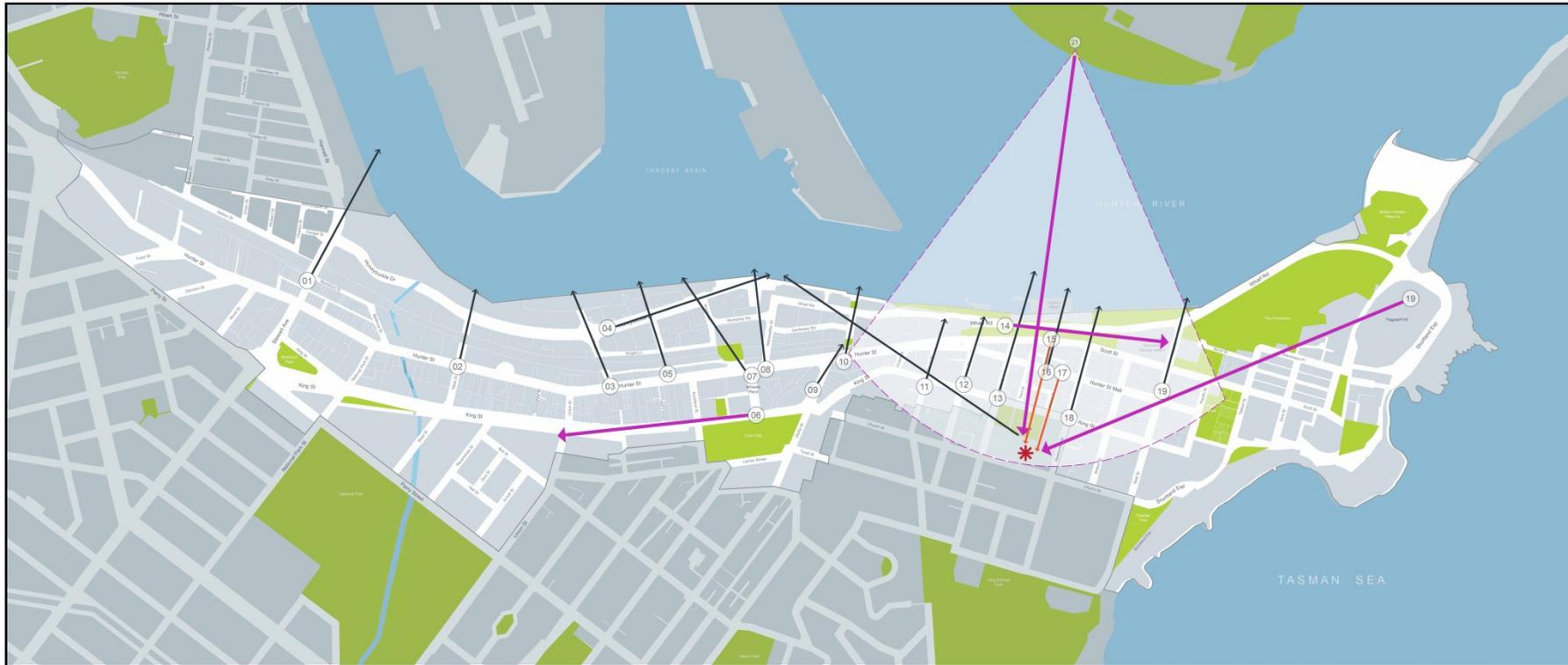
Performance criteria

B2.1 Public views and sight lines to key public spaces, the waterfront, prominent heritage items and landmarks are protected.

Acceptable solutions

1. New development protects the views nominated in Figure 6.01-23.
2. New development in the vicinity of views to Christ Church Cathedral nominated on Figure 6.01-23 must ensure that vistas of the Cathedral's tower, roof-scape and pinnacles of the buttresses are preserved.
3. Open space and breaks in the built form align with existing streets and view corridors as identified in Figure 6.01-23.
4. A visual impact assessment accompanies the application and confirms that this performance criteria has been met.

Figure 6.01-24: Views and Vistas Map



- | | | |
|----------------------------------------------|--------------------------------------|--------------------------------------|
| — Vista towards harbour | View locations | 12 - Perkins St cnr King St |
| — Vista terminating in built form / landmark | 01 - Steward Av cnr Beresford St | 13 - Wolfe St cnr King St |
| * Christ Church Cathedral | 02 - Hunter St cnr Steel St | 14 - Wharf Rd to Customs House Tower |
| — View terminating in Cathedral | 03 - Hunter St cnr Wright Lane | 15 - Wharf Rd cnr Market St |
| — City skyline with Cathedral | 04 - Honeysuckle Dr cnr Worth Pl | 16 - Hunter St Mall cnr Market St |
| — Block pattern/cadastral | 05 - Settlement Ln cnr Civic Ln | 17 - Hunter St Mall cnr Morgan St |
| — Public open space | 06 - King St cnr Wheeler Pl | 18 - King St cnr Newcomen St |
| — Study area boundary | 07 - Wright Lane at Hunter St | 19 - Hunter St Mall cnr Watt St |
| | 08 - Merewether St to Harbour Square | 20 - Parade Ground, Fort Scratchley |
| | 09 - Darby St to Darby Plaza | 21 - Stockton Ferry Wharf |
| | 10 - Argyle St at Hunter St | |
| | 11 - Browne St cnr King St | |

Performance criteria

B2.2 New development achieves equitable view sharing from adjacent development.

Image 6.01-43: View along Honeysuckle Drive towards Nobbys Head



Acceptable solutions

1. Align new development to maximise and frame view corridors between buildings, taking into account topography, vegetation and surrounding development.
2. Where there is potential impacts on views an assessment of the following principles should be submitted with the application:
 - (a) the views to be affected
 - (b) what part of the property the views are obtained
 - (c) the extent of the impact
 - (d) the reasonableness of the proposal that is causing the impact.

Note: Visual Impact Assessments

A visual impact assessment identifies and analyses the affected views in their existing state, includes photomontages of the view once the proposed development is in place and then assess the impact on that view.

B3. Active Street Frontages

Active street frontages promote an interesting and safe pedestrian environment. Shops, studios, offices, cafes, recreation and community facilities provide the most active street fronts. Residential buildings can contribute positively to the street by providing a clear street address, direct access from the street and outlook over the street.

Image 6.01-44: Shopfronts activate the street edge



Performance criteria

B3.1 In identified activity hubs, ground floor uses add to the liveliness and vitality of the street.

Acceptable solutions

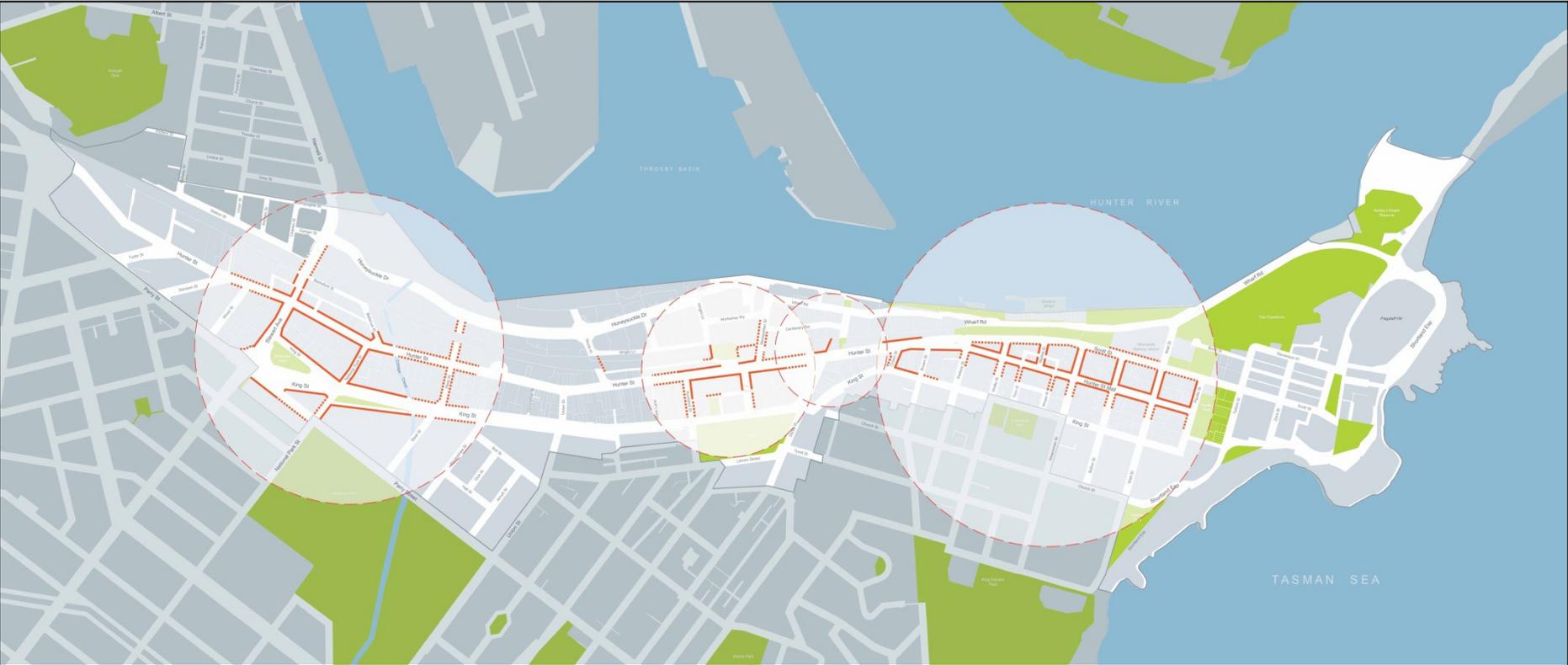
1. Active frontages are a minimum 70% of the primary street frontage. They have transparent glazing to allow unobstructed views from the adjacent footpath to at least a depth of 6m within the building.
2. Active frontages are to be provided in activity nodes:
 - (a) in the locations shown in Figure 6.01-24
 - (b) on through block links, pedestrian only lanes and arcades
 - (c) on all other streets where possible.
3. New development:
 - (a) maximises entries or display windows to shops and/or food and drink premises, customer service areas and activities which provide pedestrian interest and interaction.
 - (b) minimises fire escapes, service doors, car park entries and plant and equipment hatches and grilles, to the active frontage
 - (c) provides elements of visual interest such as display cases, or creative use of materials where fire escapes, service doors and plant and equipment hatches cannot be avoided.
 - (d) provides a high standard of finish for shop fronts.
 - (e) avoid blank walls that inhibit natural surveillance and encourage graffiti.
4. Street frontages are activated through one or more of the following:
 - (a) retail and shop fronts
 - (b) cafés or restaurants
 - (c) active office uses, visible from the street
 - (d) public building or community facilities where activities inside the building are visible from the street
 - (e) entries and lobbies
 - (f) multiple entries for residential buildings
 - (g) uses that overlook the street

- (h) uses that screen or sleeve car parks to a minimum
 - (i) avoiding porte cochères.
5. Ground levels of buildings in commercial core and mixed zones have a minimum 4m floor to ceiling height on the ground floor to ensure flexibility for a variety of active uses.
 6. Foyer and lobby spaces are no more than 20% of the street frontage where active frontages are required as shown in Figure 6.01-24, or no more than 8m of a street frontage elsewhere.
 7. The ground floor level is at the same level as the footpath.
 8. Shopfronts are enclosed, unless they are food and drink premises.
 9. Security grills, where provided, are fitted internally behind the shop front, are fully retractable and at least 50% transparent when closed
 - 10 Active uses in existing and new laneways are encouraged.

Image 6.01-45: Cafes and restaurants enliven the street edge.



Figure 6.01-25: Active Street Frontages Map



- Active frontage - required
- - - Active frontage - highly desired
- Activity nodes
- Block pattern/cadastre
- Public open space
- Study area boundary

B4. Addressing the street

Addressing the street' relates to all development outside the "active frontage areas" shown on Figure 6.01-24 or where a continuous 'active frontage' cannot be achieved.

A positive building address to the street contributes to the safety, amenity and quality of the public domain. The way buildings interface with the public domain also has a direct influence on the urban character of the city. It defines the relationship between the building and the street edge and can determine how accessible and functional a building is. All development adjoining the public domain needs to be well designed, using high quality durable materials.

Performance criteria

B4.1 Buildings positively address streets, footpaths, lanes and other public spaces.

Acceptable solutions

1. Acceptable design solutions include:
 - (a) maximise the number of entries onto the street
 - (b) ground floor internal uses are visible from the street
 - (c) building name and / or street number signage is well designed and easily identifiable
 - (d) well lit building entries
 - (e) well designed efficient external lighting to non-residential buildings
 - (f) building frontages to incorporate Crime Prevention through Environmental Design entries are at the same level as the adjacent footpath on sites not flood affected
 - (g) finished floor levels are no greater than 500mm above or below the adjacent footpath or public domain
 - (h) finished floor levels are no greater than 1.2m above the adjacent footpath or public domain on sites with a cross fall of greater than 1 in 10
 - (i) high quality finishes and public art that is visible from the public domain
 - (j) opportunities for direct surveillance from the building to the adjacent street
 - (k) ground floor residential uses can be elevated up to 1.0m above ground level for privacy

Image 6.01-46: Shopfront and apartments overlooking the street to add to the urban character of the city and contribute to the quality of the public domain.



Image 6.01-47: Ground floor residential elevated up to 1m above the footpath with semi-transparent screening.



Performance criteria

B4.2 Ground levels are designed to mitigate flood risk while ensuring accessibility and a positive relationship to the public domain.

Acceptable solutions

1. Equitable access to a building is provided where the lowest level is elevated above the flood planning level.
2. Locate accessibility ramps from the footpath to the lowest level of buildings above the flood planning level so that a positive address to the street and activated frontages are maintained.

B5. Public artwork

Public art is a defining quality of dynamic, interesting and successful cities. More public artworks are needed in private developments and in the public domain. Public art can be integrated with essential infrastructure, such as stormwater treatment and water collection or aboveground car park screening.

Performance criteria

B5.1 Significant development incorporates public artwork.

Acceptable solutions

1. Public and civic buildings, development on key sites and development over 45m in height are to allocate 1% of the capital cost of development towards public artwork for development.
2. Council is consulted on the location and proposal for public art.

Performance criteria

B5.2 Artworks in new buildings are to be located so they can be appreciated from streets and public spaces

Acceptable solutions

1. Design solutions include:
 - (a) locating artworks in a public foyer so that they are visible from the street
 - (b) integrating public artwork into the design of the building such as its façade or roof features
 - (c) integrating public artworks with the delivery of essential open space infrastructure such as stormwater treatment or rainwater collection.

Performance criteria

B5.3 Public artworks are used to interpret heritage components or recognise former uses of large development sites

Acceptable solutions

1. Work with a heritage consultant and/or a public artist to develop innovative ways to interpret heritage using public art.

Image 6.01-48: Bespoke street furniture in the East End of Newcastle



Image 6.01-49: A sculpture designed to invite interaction, Brisbane.



B6. Sun access to public spaces

Good sun access is a key contributor to the amenity of public spaces, particularly during winter. Sun access in public spaces is becoming more important as more people move into apartments in the city centre. Good sun access ensures that public spaces such as squares and parks are inviting and well utilised. This section should be read in conjunction with section A1 Street wall heights and Part 3 Key precincts (where applicable).

Performance criteria

B6.1 Reasonable sunlight access is provided to new and existing significant public spaces.

Acceptable solutions

1. Sunlight access is provided to significant public spaces for at least 2 hours during mid-winter between 9am and 3pm, demonstrated by shadow diagrams. Significant public spaces in the city centre include:

- (a) Civic Park
- (b) Civic Link
- (c) Wheeler Place
- (d) Birdwood Park
- (e) Little Birdwood Park
- (f) Cathedral Park
- (g) Pacific Park
- (h) National Park
- (i) Christie Place
- (j) Fletcher Park
- (k) Church Walk Park.

Image 6.01-50: Good sun access ensures that public spaces such as parks



Note: Shadow diagrams submitted with the development application are to indicate the existing condition and proposed shadows at each hour between 9am and 3pm on 21 June. Shadow diagrams are not to include vegetation. If required, the consent authority may require additional detail to assess the overshadowing impact.

Image 6.01-51: Good sun access is a key contributor to the amenity of public spaces.



B7. Infrastructure

Performance Criteria

B7.1 Stormwater, water and sewerage infrastructure is integrated into each site and does not create negative off-site impacts.

Acceptable Solutions

1. Drainage, overland flow paths and infrastructure easements are generally as shown in Figure 6.01.26
2. Stormwater management facilities comply with Section 7.06 Stormwater of this DCP.
3. New development has water and sewer links into the existing network with suitable capacity.

B8. Site Amalgamation

To prevent the isolation and fragmentation of former rail corridor land, sites between Worth Place and Darby Plaza should conform to the amalgamations shown in the Figure 6.01-27.

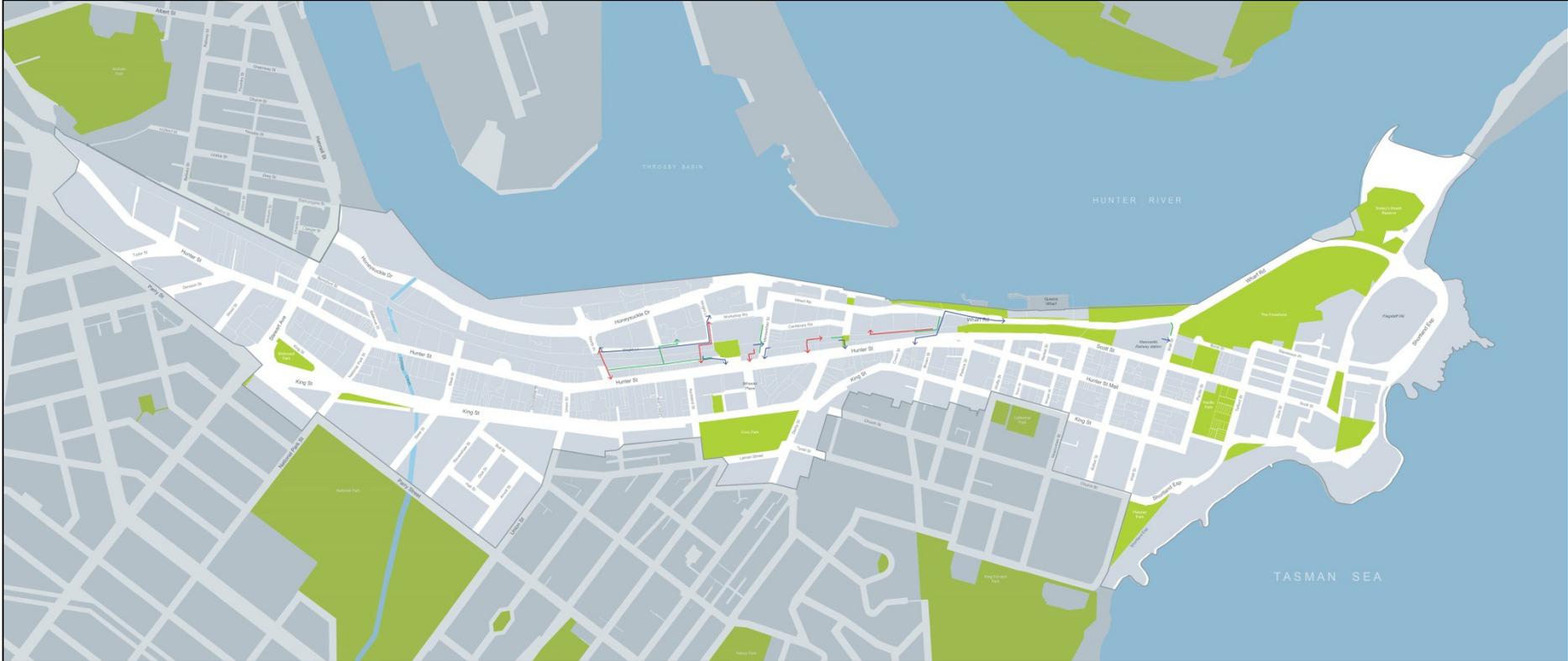
Performance Criteria

B8.1 Former rail corridor land is amalgamated with adjoining land to create useable sites that are consistent with the desired character of the area.

Acceptable Solutions

1. Former rail corridor lands identified in the Figure 6.01-27 are wholly or partially amalgamated with the adjoining land to the north or to the south.
2. The former rail corridor lands are subdivided by an east/west and/or north/south split, to create an amalgamated lot.
3. Potential amalgamated site 1 shown on Figure 6.01-27 does not mean all sites need to be amalgamated but rather a combination of sites that utilises the former rail land effectively.
4. The amalgamation of former rail corridor lands identified in the 'Amalgamated Parcels Map' does not result in the creation of an isolated lot unless it is demonstrated that:
 - (a) The orderly, economic use and development of separate sites can be achieved; and
 - (b) The lots are of a suitable size and dimensions to facilitate new development that is consistent with the desired character of the area; and
 - (c) The Planning Principles outlined by the NSW Land and Environment Court for redevelopment resulting in isolated sites are satisfied.

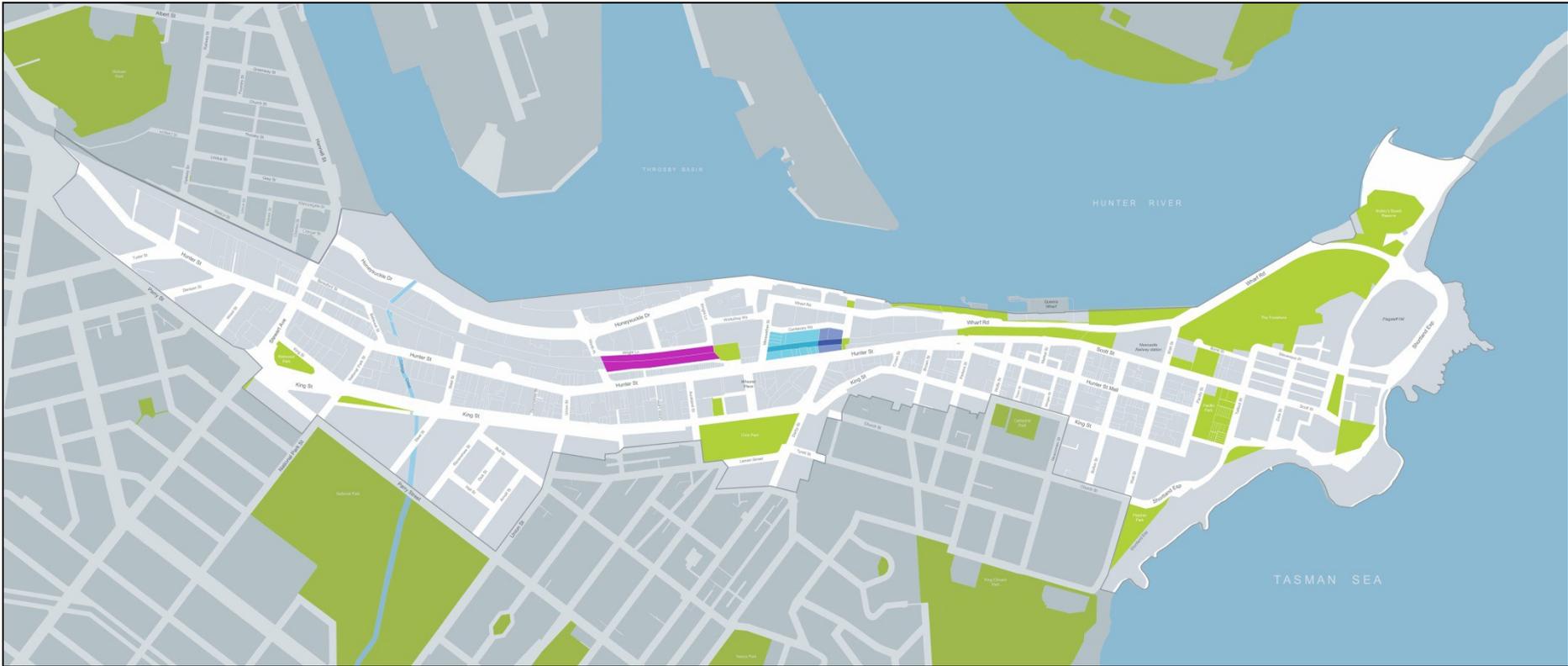
Figure 6.01-26: Infrastructure Plan



Proposed indicative location of:

- Sewer
- ➔ Link into existing sewer system
- Water
- ➔ Link into existing water system
- Stormwater drainage network

Figure 6.01-27 Amalgamated Parcels Map



- Preferred Amalgamation Site 1
- Preferred Amalgamation Site 2
- Preferred Amalgamation Site 3

6.01.04 Key Precincts

A. Overview

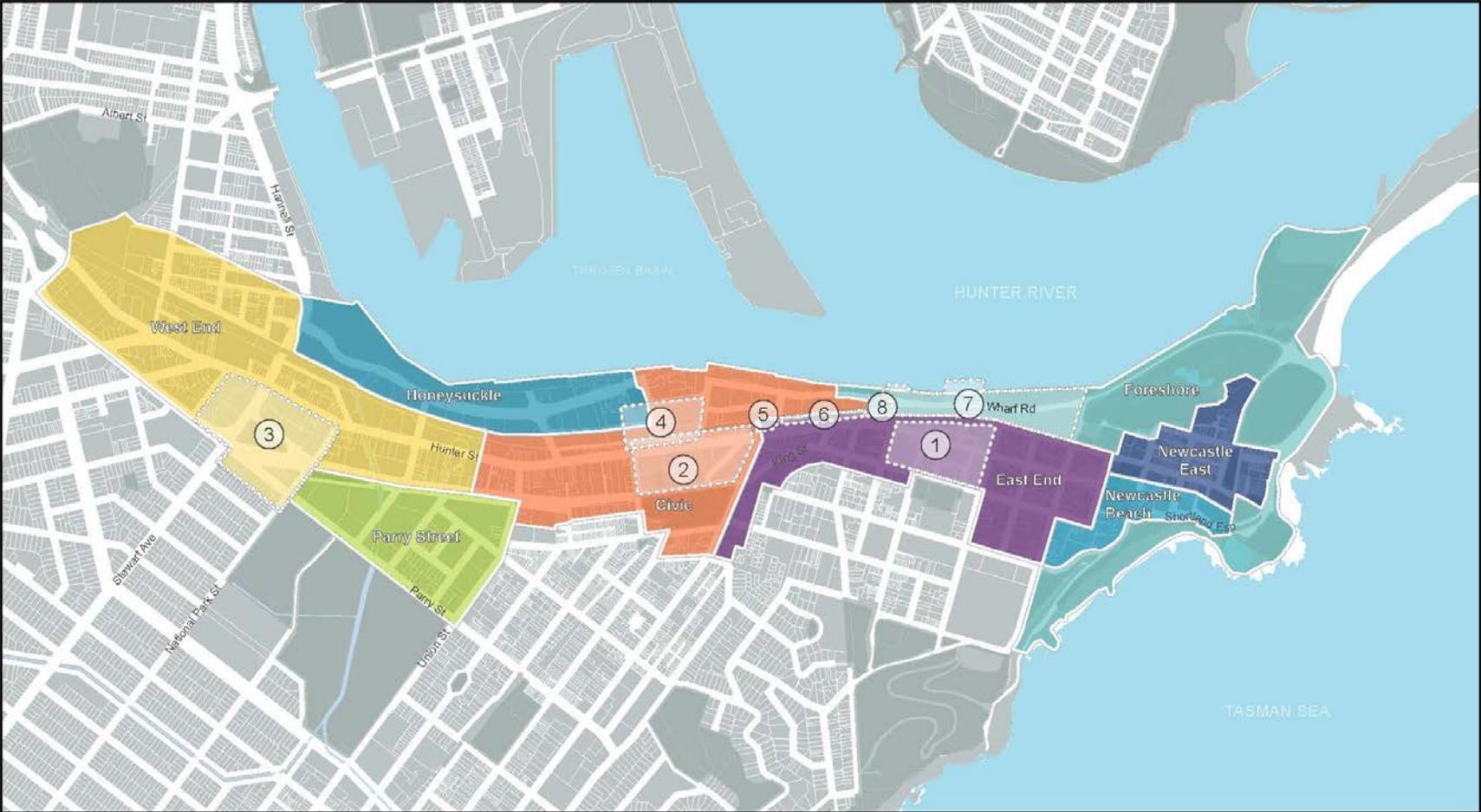
Eight key precincts have been identified within the Character areas of Newcastle's city centre. They are:

- Hunter Street Mall
- Wheeler Place
- Birdwood Park
- Civic Link
- Darby Plaza
- Hunter Street Live-work units
- Newcastle Station and Foreshore Park
- Multi-purpose Community Space

These eight key precincts have their own set of objectives and performance criteria designed to achieve specific outcomes related to particular development and public domain opportunities of that precinct. These specific performance criteria and acceptable solutions must be considered in addition to the general controls in this section.

The key precinct guidelines in this section prevail over the more general guidelines in Section 6.01.03 in the event of any inconsistency.

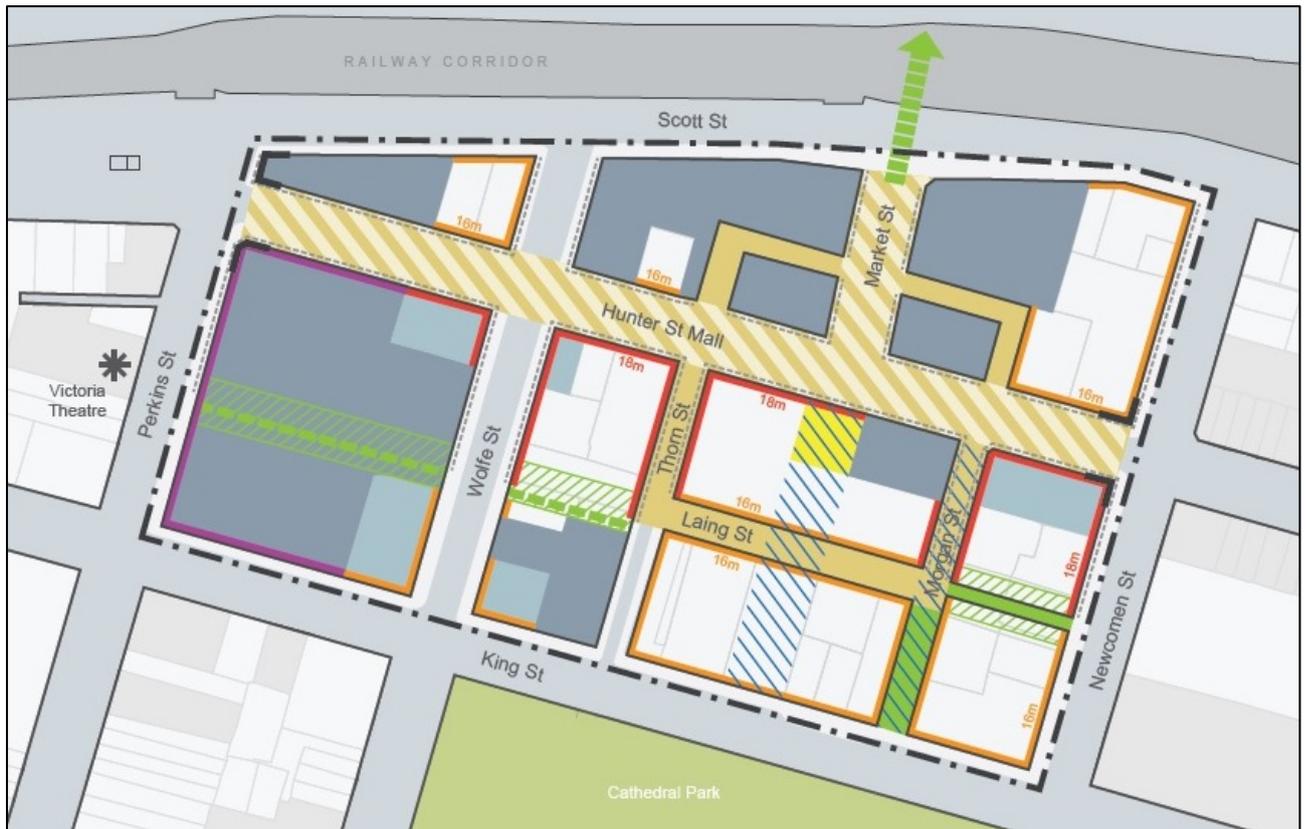
Figure 6.01-28: Key Precincts



- ① Hunter Street Mall
- ② Wheeler Place
- ③ Birdwood Park
- ④ Civic Link
- ⑤ Darby Plaza
- ⑥ Hunter Street
- ⑦ Newcastle Station
- ⑧ Multipurpose Community Space

B. Hunter Street Mall

Figure 6.01-29: Hunter Street Mall Precinct



- | | |
|----------------------------------------------------------------|--------------------------------------------------------------|
| — Urban block, nil setback to street boundary | ▨ Shared zone to be retained and improved |
| — 18m maximum street wall height | ▬ Special emphasis on corner building |
| — 16m maximum street wall height (typical) | --- Active frontage required |
| — 22m maximum street wall height | ■ Heritage building |
| ▨ Proposed new open space / courtyard | ■ Contributory building (desired reuse) |
| ▨ Important view corridor to Christ Church Cathedral | ■ Heritage building outside precinct boundary |
| ▨ Proposed new pedestrian crossing (replacing footbridge) | ✳ Important landmark / destination outside precinct boundary |
| ▨ Proposed new open pedestrian link (preferred location) | ■ Public green open space |
| ▨ Proposed new through-site link / arcade (preferred location) | — Cadastre boundary |
| ▨ Zone in which proposed new link should occur | ▬ Key precinct boundary |
| ▨ Connection to be retained and improved | |

Existing character

The Hunter Street Mall precinct contains a mix of uses and building types. In its centre is the former Hunter Street Mall (between Perkins and Newcomen Streets), a shared street for pedestrians and vehicles and is becoming a popular destination for a variety of activities including specialty retail, dining, entertainment, nightlife and events. The precinct is rich in cultural heritage with views of Christ Church Cathedral. Access to the foreshore is currently constrained.

Future character

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.

Objectives

1. Strengthen the sense of place and urban character of the east end as a boutique retail, entertainment and residential destination.
2. Diversify the role of Hunter Street Mall precinct as a destination for many activities including retail, dining, entertainment, nightlife and events, additions to regular day-to-day services for local residents.
3. Promote active street frontages.
4. Protect heritage items and contributory buildings.
5. Protect views to and from Christ Church Cathedral.
6. Promote a permeable street network in Hunter Street Mall precinct with well connected easily accessible streets and lanes.
7. To create a space that is safe, comfortable and welcoming for pedestrians.

Image 6.01-52: Potential public domain upgrades to Hunter Street Mall (Impression: JND Design 2012)



Performance criteria

- B1 Pedestrian permeability and amenity is improved.

Acceptable solutions

1. New lanes and through-site links are provided in the locations identified in Figure 6.01-28. They are designed in accordance with the Public Domain section of this Development Guide and the City Centre Technical Manual.
2. New links include:
 - (a) a continuous pedestrian connection between Newcomen and Perkins Streets mid block between Hunter and King Streets.
 - (b) a minimum 3m wide pedestrian only link between Newcomen and Laing Streets connected to the Laing Street alignment.

- (c) a new pedestrian link or arcade between Thorn and Wolfe Street.
- (d) a pedestrian connection between Morgan and King Street.

Performance criteria

B2 Significant views and protected (refer to section B3).

Acceptable solutions

1. Development between Thorn and Morgan Street provides an opening on the Market Street alignment to preserve views of Christ Church Cathedral.

Performance criteria

B3 Building form integrates with existing heritage character and retains contributory buildings.

Acceptable solutions

1. Street wall heights ensure a minimum two hours of sunlight between 9am and 3pm in mid-winter to the southern side of Hunter Street.
2. Large scale new development is articulated so that large expanses of building form are broken down into smaller elements to relate to the fine grain of the precinct.
3. Retain and adaptively re-use existing character buildings that are not heritage items but contribute to the historic identity of the precinct.

Performance criteria

B4 Hunter Street is a pedestrian and vehicular thoroughfare and a place of activity.

Acceptable solutions

1. Remove existing lightweight and concrete freestanding awnings structures.
2. Define clear pedestrian spaces along the fronts of buildings.
3. Provide a centrally located one way share-way for vehicles with threshold treatments between Perkins and Newcomen Streets.
4. Provide limited short stay car parking with priority given to accessible parking spaces.
5. Provide a centrally located space that is relatively clear of obstructions that can be used for special events.
6. Remove the pedestrian bridge along Market Street to promote connections to the waterfront and future light rail stops.
7. Integrate Market Street into the mall using common public domain materials and treatments.
8. Provide additional street trees, new street furniture, new lighting, bike rings and way finding signage.

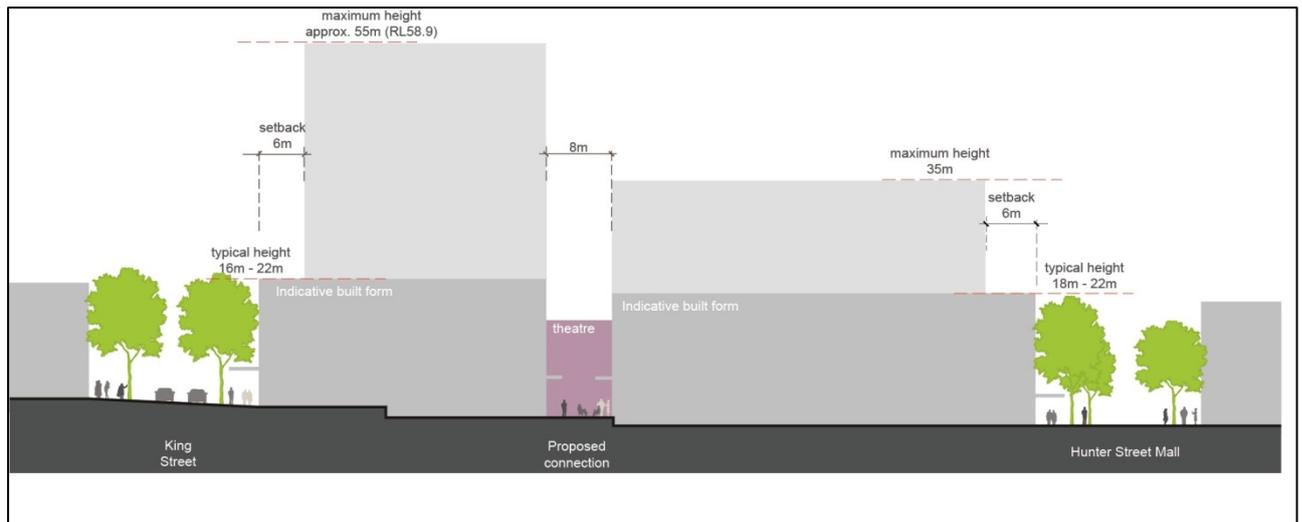
Performance criteria

B5 Servicing and access is designed to minimise conflicts with pedestrians.

Acceptable solutions

1. Hours for service deliveries from Hunter Street are restricted to minimise potential conflicts with other activities.
2. Vehicle access and servicing is located to minimise conflicts with pedestrians.
3. Loading docks and their access points are not located on Hunter Street.

Figure 6.01-30: Section through the former David Jones building, showing a proposed connection terminated by the view of Victoria Theatre.



C. Wheeler Place

Figure 6.01-31: Wheeler Place Key Precinct



- | | |
|---------------------------------------------------------------|---------------------------------------------------------|
| — Urban block, nil setback to street boundary | ----- Active frontage required |
| — 18m maximum street wall height | ■ Heritage building |
| — 16m maximum street wall height (typical) | ■ Contributory building (desired reuse) |
| — 14m maximum street wall height | ▨ Site currently under construction / in planning phase |
| ▨ Solar access setback zone | ▨ Carpark entry/exit (Council Administration building) |
| — Proposed new open pedestrian link (preferred location) | ▨ Heritage building outside precinct boundary |
| ▨ Through-site link to be retained (Undercroft Fred Ash bldg) | ■ Civic open space |
| ▨ Connection to be retained and improved | ■ Public green open space |
| ▨ Shared zone to be retained and improved | — Cadastre boundary |
| — Special emphasis on corner building | — Key precinct boundary |

Note: As of October 2019, City of Newcastle Administration Building is located at 12 Stewart Avenue, Newcastle West

Existing character

The Wheeler Place precinct contains the primary administrative and cultural facilities of Newcastle. These facilities reflect Newcastle's importance as a major regional city and include the City of Newcastle Administration Building, Newcastle Courts Complex, Newcastle Art Gallery, Civic Theatre and City Hall. The precinct also contains major public open space in the form of Wheeler Place and Civic Park.

Future character

The civic importance of the precinct will be reinforced by improving pedestrian access through the precinct and linkages to Newcastle Museum and the foreshore in the north and Darby Street to the east. Major new education facilities will be provided through the redevelopment of the Civic Arcade site for new faculties for the University of Newcastle.

Objectives

1. Promote Wheeler Place precinct as the civic, administrative, education and cultural heart of Newcastle.
2. Promote a permeable street network and enhance pedestrian connections to Newcastle Museum and the foreshore in the north and Newcastle Art Gallery and Darby Street to the south via Wheeler Place and Civic Park.
3. Promote active frontages to streets and public spaces along the pedestrian route through the precinct.
4. Protect heritage items and contributory buildings.
5. Protect sunlight to Christie Place, Wheeler Place, Civic Park and the southern side of Hunter Street.

Image 6.01 1-53: Potential public domain upgrades to Wheeler Place (Impression: JMD Design)



Performance criteria

C1 Pedestrian permeability and amenity is improved.

Acceptable solutions

1. New lanes and through-site links are provided as shown in Figure 6.01-30.
2. The pedestrian crossing on Hunter Street linking Wheeler Place and Civic Link is enhanced by increasing the width of the crossing.
3. A new through site-link or arcade from Christie Place to Hunter Street is provided.

4. A new through-site link or arcade is provided from Christie Street to Auckland Street.
5. New development provides an address to Christie Place with active frontages.

Performance criteria

C2 Building form integrates with existing heritage character and retains contributory buildings.

Acceptable solutions

1. Redevelopment of the former Civic Arcade site on the corner of Hunter and Auckland Street provides (as shown in Figures 6.01-31 and 6.01-32):
 - (a) a slender tower located near the corner of Hunter and Auckland Streets, no wider than University House (former Nesca House)
 - (b) ensure the clock tower of City Hall retains its prominence in the precinct
 - (c) an appropriate curtilage is provided to Civic Theatre
 - (d) protect sunlight access to Christie Place
 - (e) a 6m setback to the tower from the rear façade of University House.

Performance criteria

C3 Wheeler Place is designed to support a range of uses and events.

Acceptable solutions

1. A light weight stage can be erected to host events in accordance with any adopted public domain plan of Council.
2. Wheeler Place is redesigned to improve pedestrian amenity by increasing shade and providing a water feature, seating and bike rings.
3. Bespoke street furniture, fixtures and public art is provided to distinguish Wheeler Place from other public places in Newcastle city centre and in accordance with any adopted public domain plan of Council.
4. A Water Sensitive Urban Design Strategy is developed for landscaping to sustainability manage stormwater.
5. The quality of public domain treatments is improved, with materials, finishes and fixtures, including bespoke fixtures and public art, selected in accordance with the performance standards and specifications of the City Centre Technical Manual.

Performance criteria

C4 Servicing and access minimises conflicts with pedestrians.

Acceptable solutions

1. Service deliveries are not to be made from Hunter Street for development which has access to another street frontage.
2. For development that has no other frontage than Hunter Street, hours for service deliveries are restricted to minimise potential conflicts with other activities.
3. Vehicle access and servicing is located to minimise conflicts with pedestrians.
4. Loading docks and their access points are not permitted on Hunter Street.

Figure 6.01-32: Section through Christie Place and the University site showing building form and setbacks.

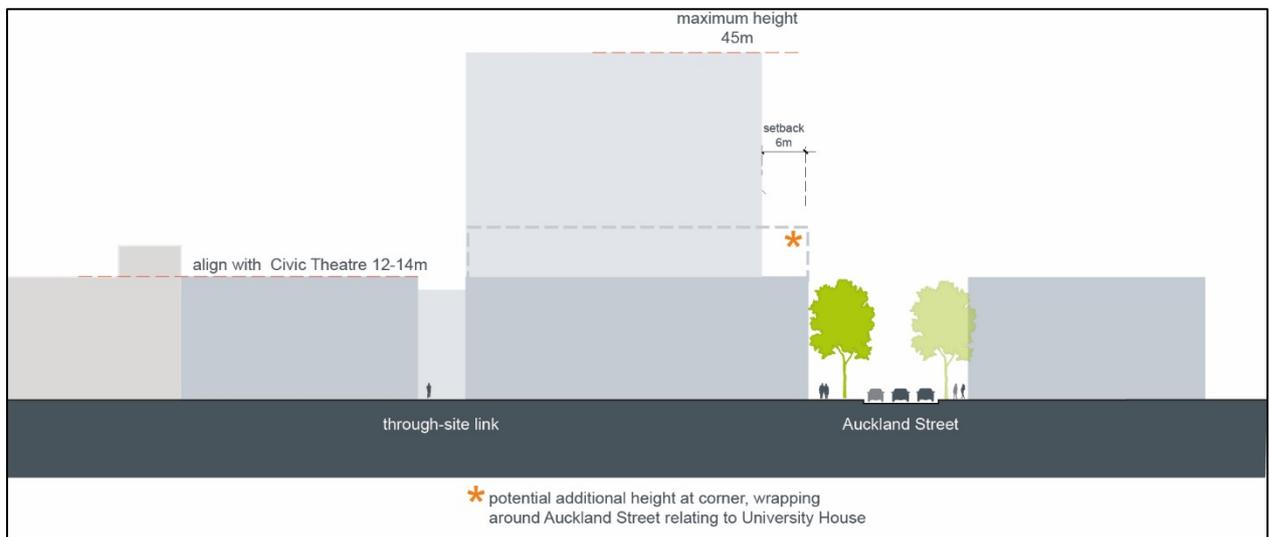
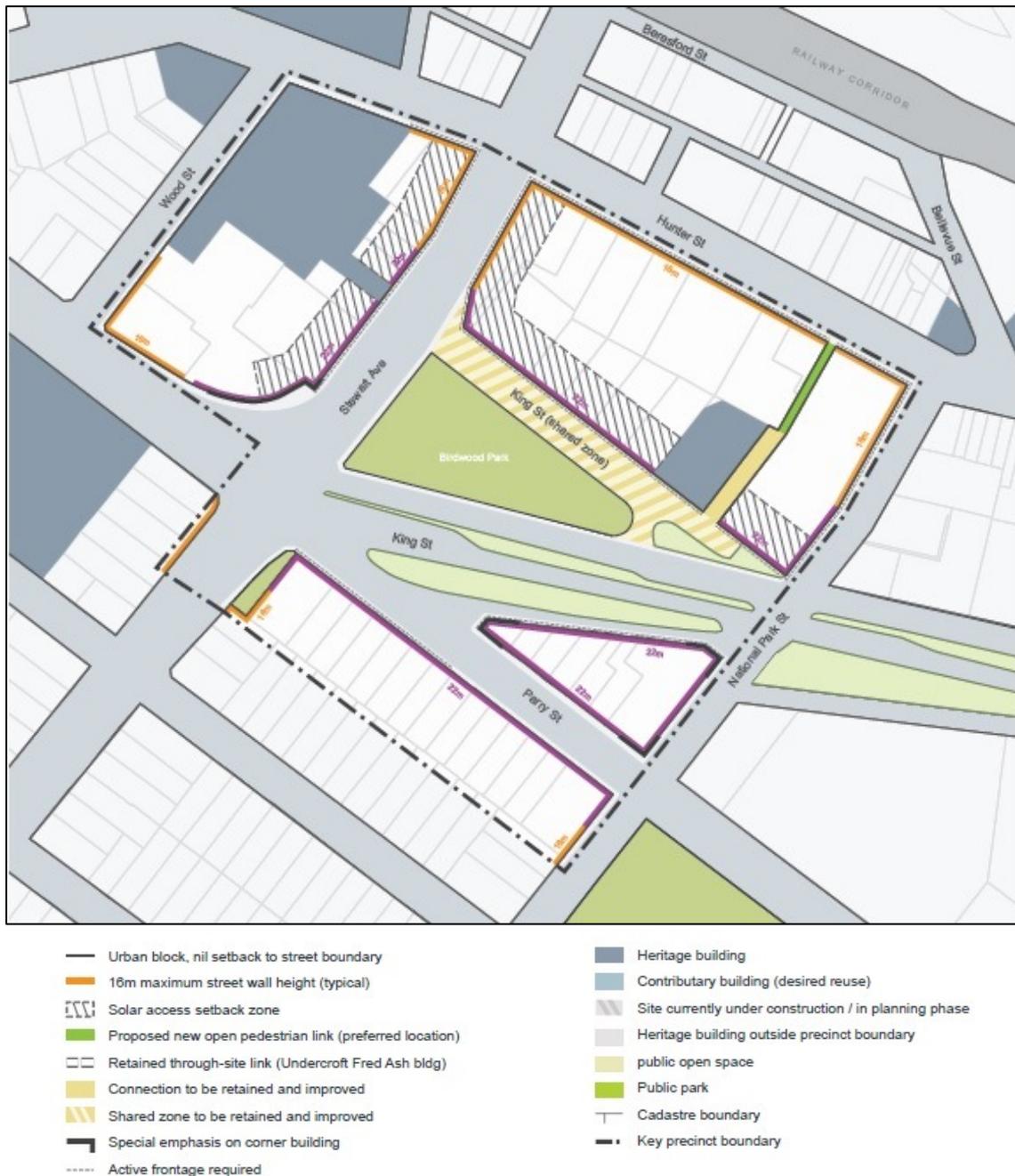


Figure 6.01-33: Section through the University site showing building form and setbacks.



D. Birdwood Park

Figure 6.01-34: Birdwood Park Key Precinct



Existing character

The Birdwood Park precinct is the western gateway to Newcastle city centre and currently houses a range of uses including showroom and bulky goods retail, car dealerships and self storage. This precinct contains the major heritage assets, including the former brewery.

Birdwood Park is the primary open space but is currently surrounded by busy roads resulting in sub-standard amenity.

Future character

This precinct has the potential to become part of the future central business district of Newcastle. This is due to the location of the new transport interchange in the precinct. There is also a predominance of larger consolidated land holdings and fewer environmental and heritage constraints combined with generous floor space and height allowances. Improvements to streetscapes and Birdwood Park will raise the quality of the public domain, while adaptive re-use of the former brewery will enrich built form character in this precinct.

Objectives

1. Guide development that contributes to the realisation of a future commercial core.
2. Create a sense of arrival into the city centre from the western approach.
3. Promote active street frontages.
4. Protect heritage items and contributory buildings.
5. Promote a permeable street network in Birdwood Park precinct with well connected easily accessible streets and lanes.
6. Provide new public spaces and improve pedestrian amenity, particularly to Birdwood Park.
7. Improve Birdwood Park with a strong built edge and protecting sunlight access.

Image 6.01-54: Potential transformation of King Street edge alongside Birdwood Park (Impression Arup, 2012)



Performance criteria

D1 Pedestrian permeability and amenity is improved.

Acceptable solutions

1. New lanes and through-site links are provided in the locations identified in Figures 6.01-33 and 6.01-34. They are designed and constructed in accordance with the Public Domain section of this Development Guide and the City Centre Public Domain Technical Manual.

2. The design of the laneway network integrates with the ground floor uses of adjoining buildings and provides opportunities for external activities.

Performance criteria

- D2 The bulk of building form is managed to promote good amenity for pedestrians and neighbouring buildings and to integrate well with heritage items and contributory buildings.

Acceptable solutions

1. Large scale new development is articulated so that large expanses of building form are broken down into smaller elements to reduce building bulk.
2. Taller buildings are set back from Hunter Street, to provide a gradual increase in scale from Hunter Street.

Performance criteria

- D3 Public domain - promote Birdwood Park as the primary open space asset in the precinct.

Acceptable solutions

1. New development in the precinct ensures that a minimum of 3 hours of sunlight is provided to 50% of Birdwood Park between 9 am and 3pm on 21 June.
2. Reshape King Street, along Birdwood Park, as a shared pedestrian and vehicular street and a place of pedestrian activity by:
 - (a) reducing the road carriageway to minimum widths to maximise space on the footpath for pedestrians, landscaping, public art or outdoor dining.
 - (b) raising the level of the carriageway and marking the space with indicators to slow drivers and signal arrival into a shared space.
 - (c) incorporating other traffic calming measures such as landscaping and low speed limits.
 - (d) restricting service vehicle access at certain times of the day to allow for other activities.
3. Public domain works including tree planting, furniture, lighting and materials, is carried out in accordance with the City Centre Public Domain Technical Manual.

Performance criteria

- D4 Servicing and access minimises conflicts with pedestrians.

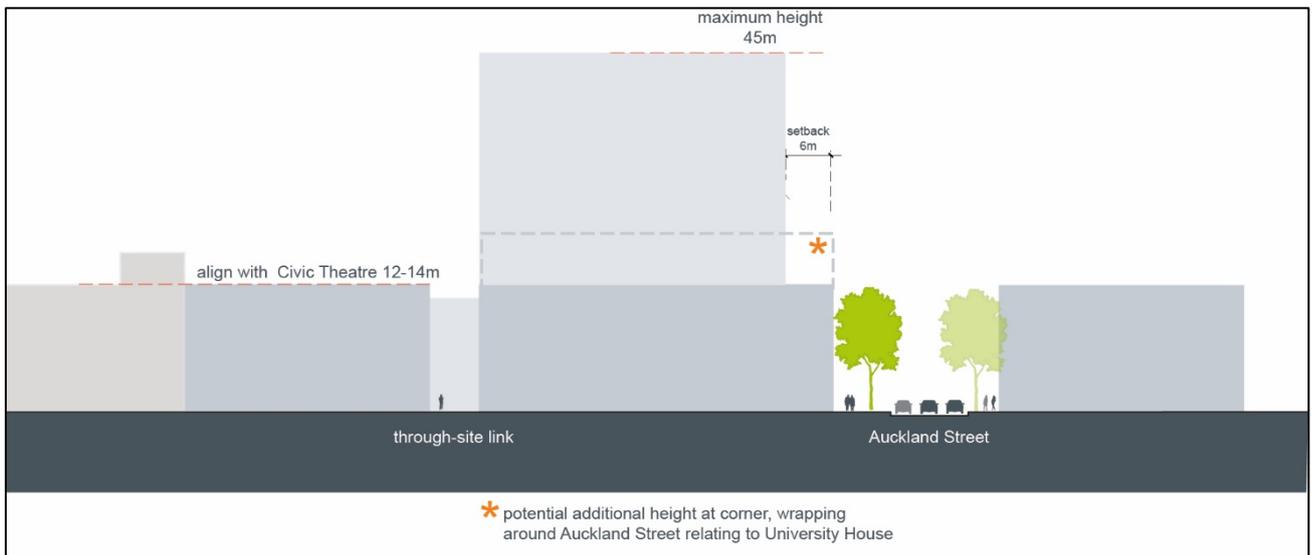
Acceptable solutions

1. Service deliveries are not to be made from Hunter Street or Stewart Avenue for development which has access to another street frontage.
2. For development that has no other frontage than Hunter Street, hours for service deliveries are restricted to minimise potential conflicts with other activities.
3. Vehicle access and servicing is located to minimise conflicts with pedestrians.
4. Loading docks and their access points are not permitted on Hunter Street.

Figure 6.01-35: Section through the former brewery/regional museum site between Stewart Avenue and Wood Street.



Figure 6.01-36: Section through buildings fronting King Street and Birdwood Park showing 20m solar access plane setback



E. Civic Link

Figure 6.01-37: Civic Link Precinct



Existing character

Civic Link Precinct sits within the Civic Character zone to the north of Hunter Street and is bound by Workshop Way and Merewether Street. The Precinct encompasses the former Civic Station and railway corridor, and the Newcastle Museum.

Future character

This part of the city is intended to form part of the civic heart of Newcastle and will provide an important link between some of the region's most important civic and cultural assets, including Civic Park, City Hall, Civic Theatre, Newcastle Museum and the foreshore.

The focus on Civic is to leverage the best value from new investments by creating open space and walking and cycling connections that link Newcastle's civic buildings to the waterfront and the light rail system.

Creating a new civic focused public space, linking Hunter Street to the museum will provide a direct visual and physical connection from Wheeler Place to the harbour and meet the needs of the incoming populations.

Objectives

1. Provide a new public space that links the civic, administrative, education and cultural heart of Newcastle to the foreshore.
2. Guide development surrounding the new Civic Link and along Civic Lane that contributes to the realisation of the area as the civic heart of Newcastle.
3. Promote a permeable street network and enhance pedestrian connections from Hunter Street to the foreshore.
4. Promote active frontages to streets and public spaces.
5. Respect heritage items and contributory buildings.

Performance Criteria

- E1. Civic Lane provides an accessible, attractive link between Civic Link/Hunter Street and Wright Lane/Workshop Way. Vehicular and service access to the properties on the northern side of Hunter Street and the new developments between Civic Lane and Wright Lane is from Civic Lane.

Acceptable solutions

1. Civic Lane provides vehicular access, including basement carpark access to properties on the northern side of Hunter Street and the new developments between Civic Lane and Wright Lane.
2. Civic Lane provides one-way vehicular movement in an east to west direction with an entry via a shared way through Civic Link onto Hunter Street.
3. A minimum 1.2m wide footpath is provided on the southern side of Civic lane.
4. Consolidated access points are provided to building lots along Civic Lane to reduce the dominance of driveways.
5. Pedestrian access along the northern side of Civic Lane is integrated within the building setback of the associated development.

Performance criteria

- E2. Pedestrian permeability and amenity is improved by the connection of the Wheeler Place Key Precinct through Honeysuckle to the waterfront.

Acceptable solutions

1. New lanes and open pedestrian links are provided in the locations identified in Figure 6.01-36.
2. New or enhanced links include:
 - (a) Direct pedestrian connection between Hunter Street and Wright Lane / Honeysuckle Drive.
 - (b) A minimum 4.5m wide pedestrian only link on the northern side of the former railway corridor between Civic Link and Merewether Street.

Figure 6.01-38: Civic Lane

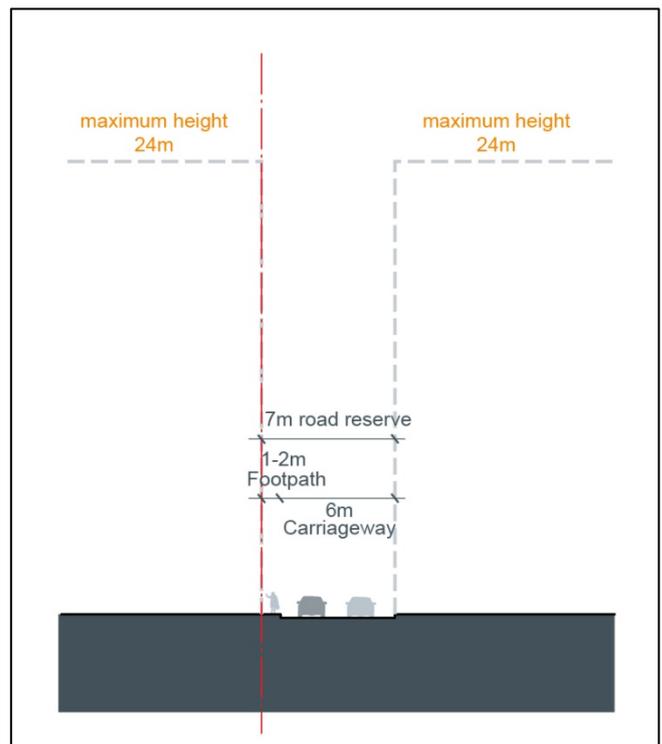
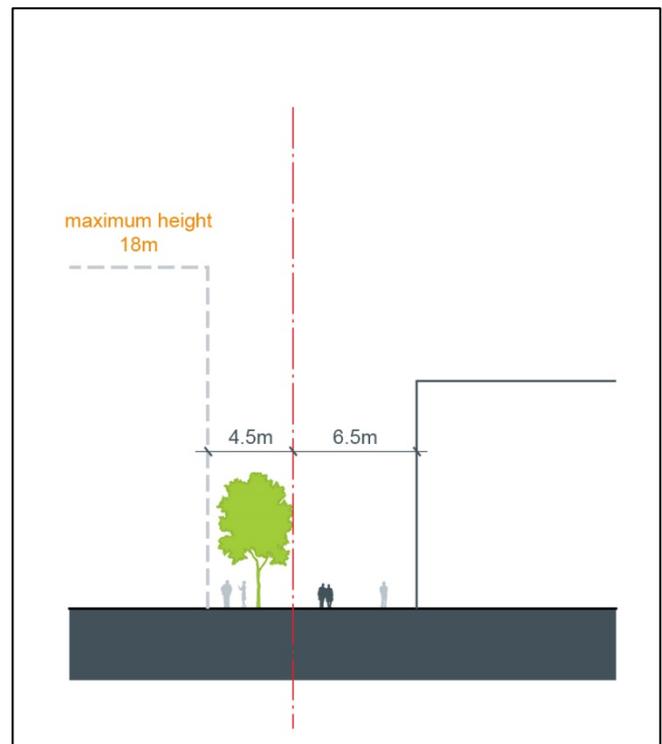


Figure 6.01-39: New accessway way between Merewether Street and Civic Link



- (c) A minimum 8m wide vehicular accessway adjoining the southern boundary of the former railway corridor accessed from Merewether Street.

Performance Criteria

E3. Servicing and vehicular access minimises conflicts with pedestrians.

Acceptable solutions

1. Service deliveries and garbage collection hours are restricted to minimise potential conflict with pedestrians and other activities within the shared zone of the Civic Link open space.
2. Vehicle access and servicing to the sites adjoining Civic Lane is provided from Civic Lane to minimise conflicts with pedestrians.

Performance Criteria

E4. The bulk of building form is managed to achieve good amenity for pedestrians and neighbouring buildings, and to respect and integrate well with nearby heritage items and contributory buildings.

Acceptable solutions

1. New development is articulated so that large expanses of building form are broken down into smaller elements.
2. Taller buildings are set back from Civic Link, to provide a gradual increase in scale along the former railway corridor from Civic Link to the east and from Civic Link to the west.
3. Street wall heights ensure a minimum two hours of sunlight between 9am and 3pm in mid-winter to at least 50% of the Civic Link open space.
4. Buildings facing Civic Link include prominent architectural features or design on corners.
5. Buildings with a secondary frontage to a laneway incorporate setbacks that enable ground floor active uses, vehicular access and off-street loading zones. Upper level setbacks enable compliance with the Apartment Design Guide.
6. A reduced setback above the street wall height of 3m may be appropriate within sites bounded by Civic Link and Merewether Street.

Figure 6.01-40: Civic Link Section View Wheeler Place to Newcastle Museum



F. Darby Plaza

Figure 6.01-41: Darby Plaza Key Precinct



Existing character

Darby Street is the main dining centre of Newcastle and offers a mix of shops, cafes and restaurants and night life. At present Darby Street ends at the intersection with Hunter Street.

Future character

Darby Plaza will form a new community focused public space, providing a pedestrian and cycle connection from Hunter Street to the harbour.

Objectives

1. Provide new open space and improve pedestrian amenity.
2. Promote a permeable street network and enhance pedestrian connections from Darby Street to the foreshore.
3. Promote active street frontages.
4. Respect heritage items and contributory buildings.
5. Provide a strong built edge to Darby Plaza and create an integrated space between the public and private land.

Performance criteria

- F1. Pedestrian permeability and amenity is improved with the capacity to generate safe public movement from Darby Street and Argyle Street to the waterfront.

Acceptable solutions

1. Adjacent mixed use development provides active frontages to both Hunter Street and the new Darby Plaza with active ground floor uses and natural surveillance from floors above.
2. Extension of view corridors from the eastern side of Darby Street and Argyle Street improves lines of sight increasing safety and wayfinding.

Performance criteria

- F2. Darby Plaza supports a range of uses and activities and is edged by mixed use development along the western edge including active ground floor uses.

Acceptable solutions

1. Buildings adjoining Darby Plaza incorporate a ground floor setback from Darby Plaza as shown in Figure 6.01-40, which aligns with the eastern side of Darby Street.
2. Buildings adjoining Darby Plaza are designed to integrate into the public open space.

Performance criteria

- F3. Servicing and access minimises conflicts with pedestrians.

Acceptable solutions

1. Vehicular access and servicing is from Argyle Street via a shared way within Darby Plaza and located so as to minimise and manage potential conflicts with pedestrians.
2. Hours for service delivery are restricted to minimize potential conflicts with pedestrian activities within the plaza.

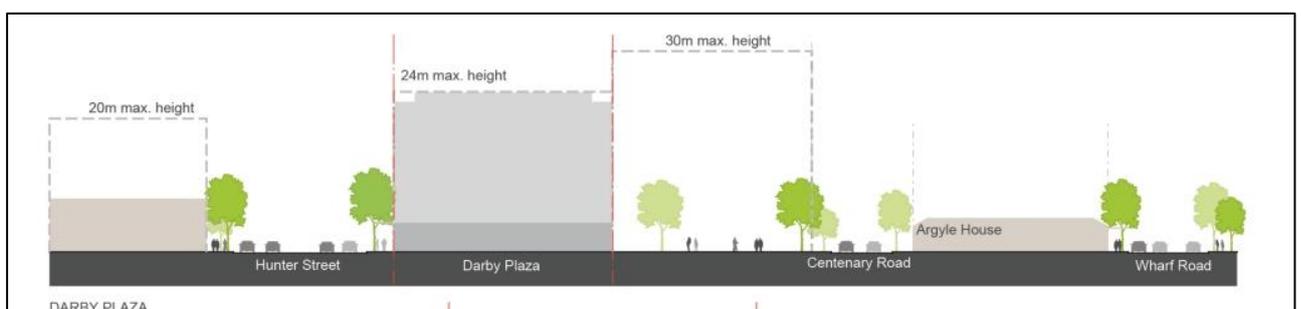
Performance criteria

- F4. Significant views are strengthened (refer to Section B2 View and vistas).

Acceptable solutions

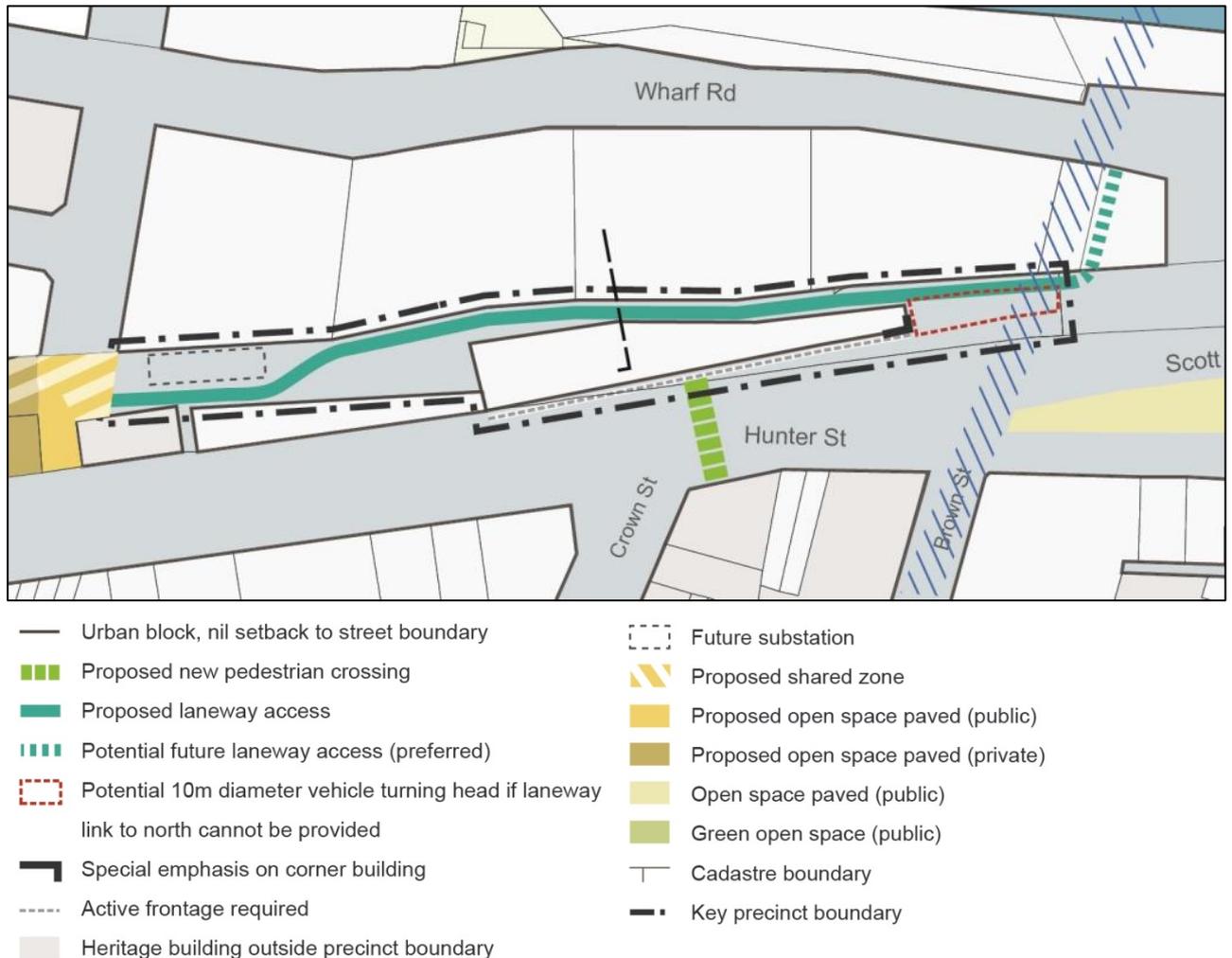
1. Buildings adjoining Darby Plaza complement the view corridor through Darby Plaza.

Figure 6.01-42 Section through Darby Plaza



G. Hunter Street Live-Work Units

Figure 6.01-43: Hunter Street Live-Work Units Key Precinct



Existing Character

Hunter Street features some of Newcastle's best heritage buildings and offers a mix of shops, cafes, restaurants and other local businesses.

The former rail line ran directly to the northern edge of Hunter / Scott Streets between Crown and Newcomen Streets creating a poor and inactive interface. The former rail corridor at this location is heavily overshadowed by the existing commercial and residential buildings fronting Wharf Road.

Future Character

New mixed use development, greater pedestrian priority and future transport improvements contribute to the potential for Hunter Street / Scott Street to be strengthened as Newcastle's 'main street'. Infill development is encouraged on the northern side of Hunter Street between the alignments with Crown and Brown Streets to promote activity and improve the pedestrian interface and street edge definition. New built form at this location is sensitively scaled to allow for the maintenance of significant view lines from the adjoining residential apartments to the north. It is envisaged that this site, will be suitable for live-work style units fronting onto Hunter Street with ground floor commercial retail or office uses.

Objectives

1. Improve the pedestrian interface and street edge definition of Hunter Street.
2. Promote active street frontages.
3. Respect heritage items and contributory buildings.
4. Ensure development responds to and respects the amenity of adjoining residential development.

Performance criteria

- G1. Hunter Street is strengthened as Newcastle's 'main street.'

Acceptable solutions

1. Active ground floor frontages supporting small office or retail uses are created along Hunter Street.
2. Built form is scaled to maintain a comfortable, human scaled streetscape.
3. Pedestrian amenity and walkability is enhanced by the provision of wide footpaths.
4. Windows and balconies overlook Hunter Street increasing natural surveillance and sense of safety.

Performance criteria

- G2. The built form is appropriate to the land size and dimensions, provides streetscape definition and activation, minimises amenity impacts to and respects views from adjoining residential apartments.

Acceptable solutions

1. New development in this section of Hunter Street:
 - (a) Incorporates active uses at ground level,
 - (b) Provides individual pedestrian entries off Hunter Street,
 - (c) Is of good quality contemporary design that complements nearby terrace development; and
 - (d) Avoids monotonous design by incorporating articulation and a variety of materials and colours
2. New development respects views from the adjoining residential apartments located to the north of the former rail corridor, through the use of appropriate setbacks, building heights, roof form and building articulation.

Note: The NSW Land and Environment Court Planning Principle describes the process for assessing view impacts and will need to be considered in the design of the development.

4. New development incorporates upper level setbacks on the northern side to achieve the separation distances detailed in the Apartment Design Guide, minimise amenity impacts to and respect views from adjoining residential apartments.
5. Continuous street frontage awnings do not need to be provided in areas requiring an active frontage on Figure 6.01-43.

Alternative Solutions

- Alternate forms of development that are compatible with the narrow site width and surrounding development may be considered on the site.

Performance criteria

- G3. Vehicular access and servicing minimises conflicts with pedestrians

Acceptable solutions

1. Vehicle access and car parking is provided via a rear laneway from Argyle Street.
2. A 10m Vehicle turning head is provided at the eastern end of the rear access lane to allow vehicles to exit the site to Argyle Street.

Alternative Solutions

- The laneway may be extended north at the eastern end to link with Wharf Road.

Performance Criteria

- G4. Live Work Units provide adequate parking accessed from the laneway.

Acceptable Solutions

1. Required car parking may be provided within the access laneway, rather than individual lots.
2. Variation to car parking rates may be considered in accordance with Section 7.03 Traffic, Parking and Access.

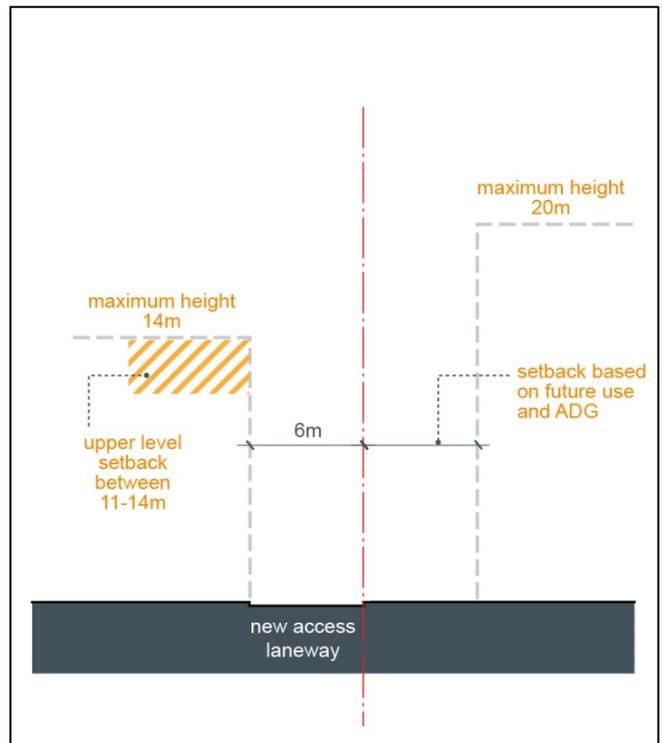
Performance Criteria

- G5. New development respects and maintains heritage items - AA Company Abutment and Bridge

Acceptable Solutions

1. New development incorporates sufficient setbacks from the AA Company Bridge abutment so that it is retained in situ for permanent public display.
2. A physical interpretation is prepared which communicates and promotes the understanding of the historical context of the AA Company Bridge Abutment and its relationship to the early railways. The interpretation allows for content to be provided on an appropriate physical or digital platform.

Figure 6.01-44: Section through Hunter Street Live Work Units

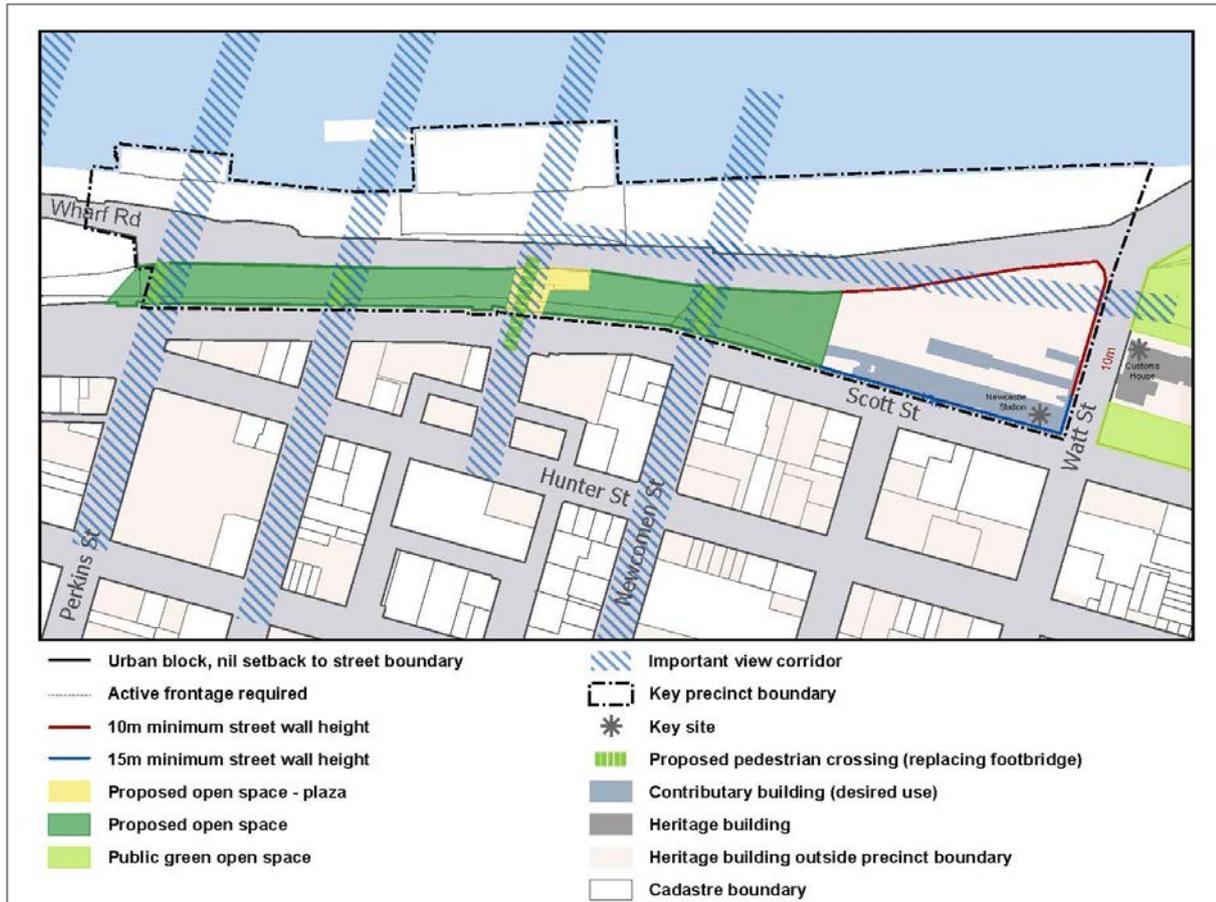


Alternative Solutions

- If the bridge abutment cannot be retained in situ, options for its removal and re-installation where it can be kept on public display are to be developed in consultation with Newcastle City Council.

H. Newcastle Station and Foreshore Park

Figure 6.01-45: Newcastle Station and Foreshore Park



Existing character

Newcastle Railway Station, built in 1859, has State heritage significance due to its historical associations with the Great Northern Railway as its second terminus.

The Station site is central to Foreshore Park, located along Wharf Road, which provides vast open space for activities, recreation and community uses.

Future character

The Newcastle Railway Station forms a key position in the development of the urban environment in this part of the city, including views of the building itself and key built forms in its surrounds. The space between the platforms has historically been naturally lit and this should be considered in the redevelopment, as a way of retaining the history of the item as a station.

The future character of Newcastle Station and Foreshore Park Key Precinct will fully respect and celebrate the heritage integrity of the Station, and could accommodate a range of different activities including community, tourism, retail, leisure and commercial uses.

Newcastle Railway Station is proposed to be repurposed into a hallmark destination, retaining and adapting the heritage character with a mix of uses and providing a focal point for the East End. It will accommodate enterprises and activities that attract visitors, activate the area and stimulate the economy.

The future use of the station will be supported and enhanced by the expansion of the Foreshore Park to the west of the station. Development adjoining this area will complement and support the use of this area as an event space.

Objectives

1. Provide a new focal point for the community in the East End.
2. Promote a permeable street network and enhance pedestrian connections from Hunter Street to the foreshore.
3. Promote active frontages to streets and public spaces.
4. Respect heritage items and contributory buildings.

Performance Criteria

- H1. Newcastle Station and Foreshore Park is a regional tourist and leisure destination for both residents and tourists.

Acceptable Solutions

1. Improve pedestrian permeability and amenity by providing a link from Scott Street between the significant Station buildings to the foreshore.
2. Protect the heritage and history of the Newcastle Station through its adaptive re-use.
3. Create a public open space area that is safe and well-utilised.
4. Promote the Foreshore Park as a regional open space asset.
5. The built form and land use considers noise impacts on nearby residential uses.
6. The built form of the Newcastle Station buildings provides frontages to Scott Street and to the north facing Foreshore Park.
7. View corridors identified in Figure 6.01-45 are retained.

Performance Criteria

- H2. The Newcastle Railway Station group of buildings integrate with the public domain and encourage pedestrian access and permeability.

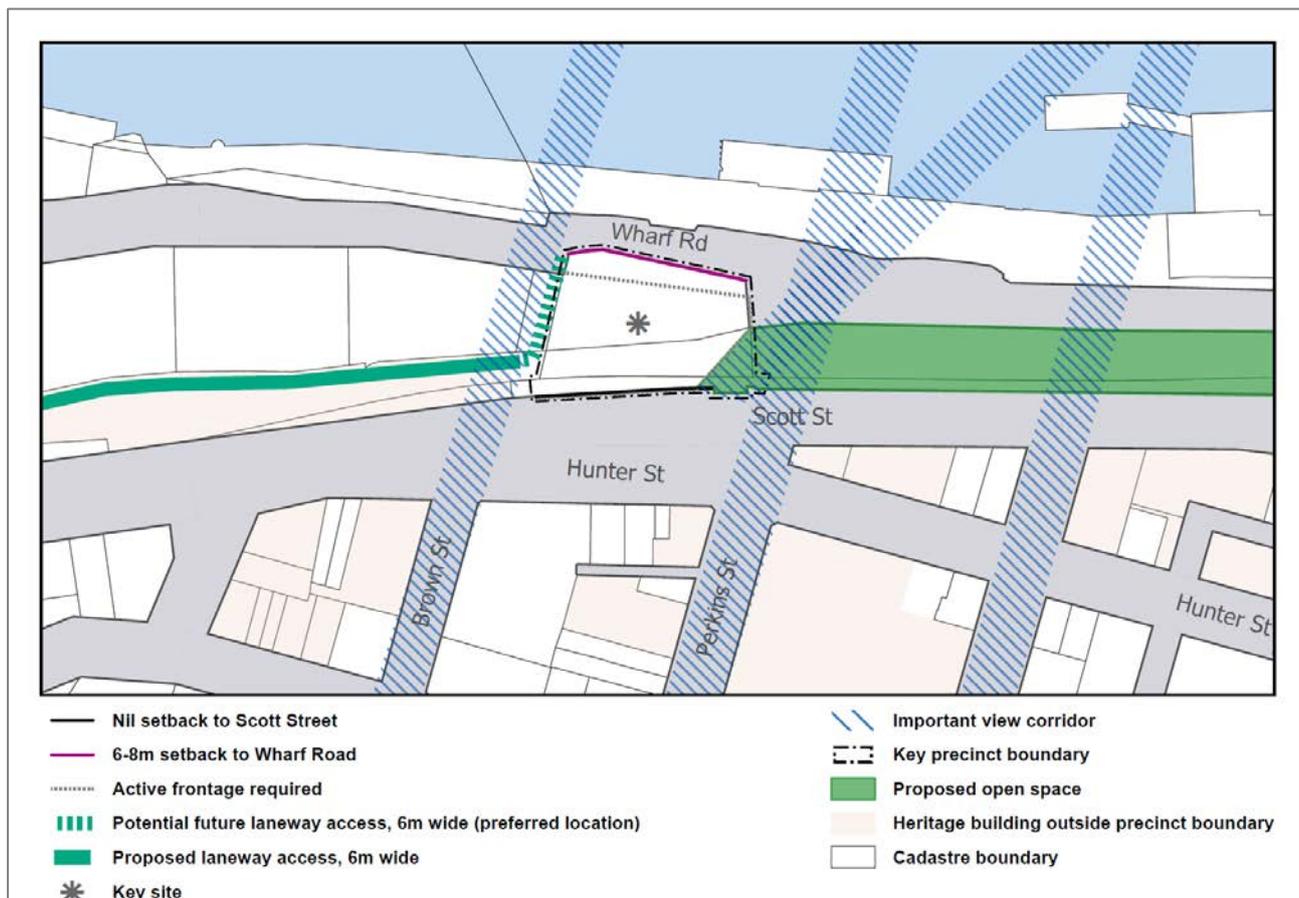
Acceptable Solutions

1. The use of the site, including the adaptive reuse of heritage items maintains the human scale of the buildings to the street and public spaces.
2. Pedestrian movement networks are developed around, and through, the heritage buildings.
3. Heritage items located adjacent to public open space, integrate with the public domain.

4. Development of the Newcastle Railway Station site:
 - (a) Maintains views of Newcastle Station along Scott Street, particularly the main building and the Western Wing.
 - (b) Maintains the view corridor from the harbour front to the roof elements on the main building and Western wing from a pedestrian level.
 - (c) Ensure that the general bulk of any new development on the site does not compete with, impede or detract from the current tiered elevation and depth created by the built form in its current configuration.
 - (d) Maintains the view corridor from the west to Customs house. The bulk of new structures does not obscure views to and from the clock element on Customs house, beyond what has already been established.
 - (e) Ensures that the form, massing, scale and bulk of new development are complementary to the existing built form of the Newcastle Railway Station.

I. Multi-purpose Community Space Precinct

Figure 6.01-46: Multi-purpose Community Space Precinct



Existing Character

The Multi-purpose Community Space Precinct bookends the Newcastle Station and Foreshore Park Precinct, marking the western end of this public space. The precinct contains a carpark, part of the former rail corridor and footpath fronting Scott Street. The history of this precinct is closely tied to Newcastle Harbour. The carpark was previously the Perkins Street Boat Harbour, until it was closed in 1960 and filled in to form the present open carpark. Adjoining the Boat Harbour was the Private Coal Staithes (a structure for loading coal onto ships). The precinct is well located between the harbour and the city and is close to light rail stops.

Future Character

The Multi-purpose Community Space Precinct together with the Newcastle Railway Station and Foreshore Park Precinct forms a key position in the urban environment of this part of the city. This precinct is intended to become a multi-purpose community civic space, incorporating a community facility and public domain space. Activating the western end of this public space with a multi-purpose building will provide important casual surveillance of the open space area. Active frontages will improve the streetscape at Wharf Road and Scott Street. Important views and foreshore access will be retained. It is intended for the precinct to be popular with residents, visitors and workers.

The site is identified as a key site under Newcastle LEP 2012. This will ensure that future development exhibits design excellence and complements the wider Foreshore Character Area.

Objectives

1. Provide a new community place and space for the Newcastle community.
2. Promote views and connections to the harbour and Nobbys Headland from the City Centre.
3. Promote active street frontages, provide pedestrian and visual links between city and harbor and encourage historical interpretation of the site.

Performance Criteria

11. The Multi-purpose Community Space Precinct is a publicly accessible regional tourist and leisure destination.

Acceptable Solutions

View corridors

1. View corridors are maintained along Brown Street and Perkins Street through to the harbour, as identified in Figure 6.01-46.
2. Vegetation and vertical elements in open space are sited to ensure existing visual corridors between the harbour and Perkins Street are maintained.
3. Enhance views to Nobbys Headland from Scott Street and the precinct. New development takes advantage of the views to the harbour and Nobbys Headland.

Building setbacks

4. The built form along Scott Street has a nil setback as shown in Figure 6.01-46
5. The built form in Wharf Road is setback a minimum 6-8m as per Figure 6.01-46 to generally align with the setbacks of adjoining development to the west, and to reflect the general alignment of Wharf Road and existing footpath.

Performance Criteria

12. New Development integrates with Foreshore Park and encourages pedestrian access and permeability.

Acceptable Solutions

Key site

6. The bulk and scale of new development does not compete with or impede or detract from the surrounding areas and enhances connection to Market Street Lawn and other areas of open space.
7. Design excellence considerations include the “acceptable solution” parameters for this Key Precinct and be addressed in any Development Application.
8. New development improves pedestrian permeability and amenity between Hunter Street, Scott Street and the harbour.

Site Activation

9. The built form addresses Scott Street and Wharf Road and has frontage and activation to Market Street Lawn

Access

10. New Development provides for the minimum 6m wide lane access as shown in Figure 6.01-46. Vehicular access should only be from Wharf Road.

Trees

11. Trees are retained on site where possible. If trees cannot be retained, then replacement of trees on site are in accordance with Section 5.03 Vegetation Management of the Newcastle DCP 2012.

Stormwater

12. New buildings are not to be constructed over or compromise the integrity of a drainage line or easement. If a new building is proposed to be built over an existing drainage line then the drainage line and any associated easement is to be diverted around the building. Refer to Section 7.06 Stormwater of the Newcastle DCP 2012.

Archaeology

13. Excavation works on this site will need to comply with relevant requirements under the Heritage Act 1977. Refer to Section 5.06 of this DCP.

Note: The site formerly known as 233 Wharf Road (currently being used as a carpark) is known as the Perkins Street Boat Harbour and is identified as Item No. 1128 in the Newcastle Archaeological Management Plan 1997. In 1902 the Perkins Street small boat harbour was built to replace the 1857 Market Street Harbour. In 1960 the Perkins Street Boat Harbour was closed and was filled in to form the carpark. Item No 0193 in the Archaeological Management Plan 1997 refers to Private Coal Staithes, with any remaining evidence likely to be present in the area of Wharf Road.

Subsidence

14. Any future works on this site will require geotechnical assessment of mine subsidence risk to ensure that the site is not impacted by convict-era workings.

Subsidence Advisory NSW records indicate historical mine workings in the Borehole Seam exist with the zone of influence under the site. There is a possibility that unmapped convict era mine workings may exist under the site.

Flood

15. The site is flood affected in both PMF and 1% AEP flood events but not prohibitive to development.

Landscape

16. Landscape works adjacent to the public domain of Wharf Road to be consistent with the Foreshore Precinct Public Domain Plan.