Amendment history

<table>
<thead>
<tr>
<th>Version Number</th>
<th>Date Adopted by Council</th>
<th>Commencement Date</th>
<th>Amendment Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>15/11/2011</td>
<td>15/06/2012</td>
<td>New</td>
</tr>
<tr>
<td>2</td>
<td>27/06/2017</td>
<td>10/07/2017</td>
<td>Amended</td>
</tr>
<tr>
<td>3</td>
<td>23/10/2018</td>
<td>16/11/2018</td>
<td>Amended</td>
</tr>
</tbody>
</table>

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 all land within the heavy black line marked on Figure 6.03-1 - Wickham

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
- Subdivision
Applicable environmental planning instruments and legislation

The provisions of the Newcastle Local Environmental Plan 2012 apply to development applications to which this section applies.

Additional environmental planning instruments, including relevant State Environmental Planning Policies may also apply. In the event of any inconsistency between this section and an applicable environmental planning instrument, the environmental planning instrument will prevail to the extent of the inconsistency.

Note: Section 74E (3) of 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 Landscape, Open Space and Visual Amenity
- 7.03 Traffic, Parking and Access
- 7.06 Stormwater
- 7.08 Waster Management

The following sections of this DCP may also apply to development to which this section applies:
- 4.01 Flood Management - all land which is identified as flood prone under the Newcastle Flood Policy or within a PMF or area likely to flood
- 4.03 Mine Subsidence - within a mine subsidence area
- 4.05 Social Impact - where required under 'Social Impact Assessment Policy for Development Applications', 1999
- 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 - declared vegetation within 5m of a development footprint or likely to be affected by a development
- 5.04 Aboriginal Heritage - known/likely Aboriginal heritage item and/or place of significance 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
- 7.04 Movement Networks - where new roads, pedestrian or cycle paths are required
- 7.06 Energy Efficiency
- 7.07 Water Efficiency
- 7.09 Advertising and Signage
- 7.10 Street Awnings and Balconies - awnings or balconies located over public land.

In the event of an inconsistency between provisions within this section and any other section of the Newcastle Development Control Plan 2012, the provisions of this section will apply to the extent of the inconsistency.
Associated technical manual/s

- Wickham Master Plan
- City Centre Public Domain Technical Manual

Purpose of this section

This section of the Newcastle Development Control Plan provides detailed standards and guidance for development in order to implement the Wickham Master Plan (2017).

It integrates place based planning and design guidelines to inform future redevelopment, consistent with the vision of the area as set out in the Wickham Master Plan, in particular the characteristic features of each of the five identified interconnecting precincts (Key Precincts) within Wickham.

This section provides 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 performance criteria. There may be other ways of meeting the performance criteria and it is up to the applicant to demonstrate how the performance criteria are met.

Development Application requirements

All applications that include the erection of a new structure or the extension of an existing structure with a height exceeding 8.5m are to be accompanied with a 3D model of the proposed development within the context of the Newcastle CBD 3D model.

The format should be compatible to that used by the Newcastle City Council.

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

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

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, and include:

- Urban activation space - a small public space that acts as a ‘micro-scale’ neighbourhood park that that contributes to the public domain through plantings and/or specific use or functions (e.g. small playground, community garden, or gathering space). Urban activation space is usually provided on corner sites within the development setback to the street and is incorporated into the road reserve.
6.03.01 Urban Character

Wickham will continue to evolve from a semi-industrial area at the outer fringe of Newcastle City Centre into a mixed use urban neighbourhood supporting the emerging commercial core within Newcastle West.

Urban renewal is envisaged to build on the existing urban structure to deliver greater connectivity, improved public domain amenity and built form which reflects the function and character of the area.

Key Precincts

The controls applying to this section of the DCP are based on achieving the intended future character of each key precinct, as identified in Figure 6.03 - 2 Key precincts, consistent with the Vision of the Wickham Master Plan (2017).

Any variation to the 'acceptable solutions' proposed as an alternative means of meeting the specific 'performance criteria,' will need to be justified having regard to achieving the future character of the relevant precinct.

Figure 6.03 - 2 - Key precincts
A. Rail Edge

Existing character

The Rail Edge precinct contains a mix of uses and building types and provides an interface to the emerging commercial core of Newcastle West.

Future character

The precinct is envisaged to support high density residential development that capitalises on its location adjacent to Newcastle Transport Interchange and provide ground level commercial uses, with neighbourhood level retail and services activating street corners. Building scale and form transitions down to integrate with the lower scale Village Hub precinct fronting Bishopsgate Street.

Figure 6.03 - 3 - Potential future built form of the Rail Edge precinct
B. Village Hub

Existing character

The Village Hub retains much of the original residential subdivision patterns established in the 1800s, which is characterised by narrow streets and a mix of lower scale residential building typologies. Buildings are set back from the front boundary and the front setback typically contains landscaping and forecourts.

Future character

Redevelopment and infill development is envisaged to include terrace style housing, shop top housing and smaller residential apartment buildings up to three storeys in height which incorporate design elements complementary to existing housing stock. Opportunities for onsite car parking and driveway access are limited to ensure priority to pedestrian amenity and safety.

Union Street provides the main north-south pedestrian connection with wide footpaths and street trees, linking the predominantly residential precinct the Newcastle Transport Interchange. Retail and commercial activity are focused along Union Street while the east west orientated streets maintain a residential focus.

Figure 6.03 - 4 - Potential future built form of the Village Hub precinct
C. Harbour Edge

Existing character

The precinct is characterised by predominately three storey high buildings with uses that reflect the mixed residential, maritime, tourism and entertainment activities along the water edge.

Future character

The Harbour Edge Precinct builds on the recreational and economic opportunities on offer within this prime waterfront location, by supporting intensification of use while retaining vistas and connections between Hannell Street and Throsby Creek.

*Figure 6.03 - 5 - Potential future built form of the Harbour Edge precinct*
D. Emerging Industry Quarter

Existing character

The Emerging Industry Quarter is characterised by larger development sites and wider streets. The Precinct predominately accommodates employment uses including service industries, small scale niche manufacturing and research and development technologies.

Future character

Redevelopment is envisaged to provide opportunities for fostering business and employment generation uses.

The former Bullock Island corridor is adapted as open space and embellished to form a publicly accessible landscape element within the redevelopment site.

Figure 6.03 - 6 - Potential future built form of the Emerging Industry Quarter precinct
E. Park Edge

Existing character

The Park Edge precinct is characterised by large sites containing commercial, light industrial, storage and warehouse uses backing onto the eastern side of Wickham Park.

Future character

The Park Edge precinct will provide activation and natural surveillance to Wickham Park from a mix of uses. The precinct may also contain public parking facilities integrated into development parcels.

The precinct will provide key connections for pedestrians and cyclists through the extension to Holland Street and the opening of the former Bullock Island rail corridor for public access. The precinct will include the creation of a new development parcel in the former railway lands, and the construction of a new one way street extending along the southern boundary of Wickham Park from Maitland Road to Railway Lane.

Figure 6.03 - 7 - Potential future built form of the Park Edge precinct
6.03.02 Building Envelopes

A. Setbacks to streets

Performance criteria

P1. Buildings setbacks define the street edge and public domain and reinforce the envisaged character of each precinct.

Acceptable solutions

A1. Building setbacks to street boundaries are consistent with Figure 6.03-8

A2. Where land is identified for acquisition by Council, in Figure 6.03-8, the minimum setback includes the land to be acquired plus any additional identified setback.

A3. Where building setbacks are not specified in Figure 6.03-8, buildings may be built to the street edge (zero setback) at ground level but only for:

(a) non-residential uses where the street facing façade has a minimum of 50% windows and/or other openings; or

(b) residential uses consisting of the covered private open space (outdoor living) component and where screened and/or elevated from the adjacent footpath/public domain area.

Note: Further design criteria for development interface to the public domain are provided in Section compliance with section 6.03.03 Urban Design

A4. Minimum setbacks to the street front for upper levels are consistent with the ground level setbacks, except where identified in the table below:

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Minimum street setback above 12m building height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rail Edge</td>
<td>6m</td>
</tr>
<tr>
<td>Village Hub</td>
<td>N/A</td>
</tr>
<tr>
<td>Harbour Edge</td>
<td>N/A</td>
</tr>
<tr>
<td>Emerging Industry Quarter</td>
<td>6m</td>
</tr>
<tr>
<td>Park Edge</td>
<td>6m</td>
</tr>
</tbody>
</table>

Note: Where the requirements of SEPP 65 and/or the Department of Planning and Environment's 'Apartment Design Guide', apply to a development proposals subject to this section, any inconsistencies in minimum setbacks will be resolved by the greater of the two setbacks applying.
Additional acceptable solutions applying to development within the Village Hub Precinct

A5. Within the Village Hub precinct development may encroach into the minimum street setback at the first level (i.e. second storey) for 50% of the frontage but only where the encroachment is for private open space such as a veranda, balcony, pergola or deck.

A6. Development fronting Bishopsgate Street has an upper level setback of 6m from the street boundary for parts of the building above 9m.

A7. Large scale development incorporates building articulation such that the building form is broken into smaller elements that relate to the fine grain pattern of development along Bishopsgate Street.
B. Setbacks to neighbouring sites

Performance criteria

P1. Side setbacks provide opportunity for landscaping and protect amenity to adjoining sites.

P2. Development provides natural surveillance to side and rear setback areas

P3. Redevelopment within the Harbour Edge precinct provides for public access and views to Throsby Creek.

Acceptable solutions for all precincts, except the Village Hub

A1. Development may be built to the side boundary (zero setback) for a height up to 8.5m where a landscaped setback of at least 3m from the side boundary is provided within the first 6m from any street fronting boundary, as shown in Figure 6.03 - 09.

A2. The landscaped side setback (described above):

   (a) consists of deep root planting with suitable trees, shrubs and groundcovers; and

   (b) is visible from adjoining uses (within the site) through the placement of windows and open space areas.

Additional acceptable solutions for the Harbour Edge precinct

A3. Development provides pedestrian and cycling links between Hannell Street and Throsby Creek.

A4. Built form within the Harbour Edge precinct enables view lines to Throsby Creek from the east-west orientated streets to the west of Hannell Street.
**Figure 6.03 - 9 - Side setbacks**

*Where building envelopes have no setback to street front (zero setback)*

*Where building envelopes are setback from street front*
6.03.03 Urban Design

A. Interface to the street

Performance criteria

P1. Ground level uses promote pedestrian activation of the public domain

P2. Development facilitates natural surveillance of the public domain.

P3. Building form reflects the envisaged precinct character and takes design cues from existing built elements within the streetscape.

Acceptable solutions

A1. The following design elements are incorporated in development facing a street or public domain area:
   (a) building name and/or street number signage are easily identifiable;
   (b) building entries are well-lit;
   (c) individual ground floor uses have direct pedestrian access to footpath;
   (d) universal access is provided to non-residential ground floor uses where the finished floor level is above or below the footpath;
   (e) non-residential ground floor uses are visible from the street;
   (f) the floor level of residential ground floor uses may be elevated not more than 1m above the footpath;
   (g) building street setbacks incorporate gardens and/or landscaped forecourts; and
   (i) green walls and/or street art (e.g. murals) are provided to reduce and/or break up non active building facades (i.e. blank walls, screened areas, services and utility cabinets, and/or garage doors).

A2. Development on corner sites activate at least 50% each façade.

A3. Residential development at ground level has a minimum 4m ceiling height and is designed to enable change of use in the future.
B. Urban activation spaces

Performance criteria

P1. Development incorporates space that provides relief from the hard surfaces of the urban environment and for residents and the local community to gather or participate in activities.

Acceptable solutions

A1. Urban activation spaces are located:

(a) In central locations along identified pedestrian and cycle routes and at street corners as identified in Figure 6.03 - 13; and

(b) Within the front setback of larger development sites and partly incorporated into the road reserve; and

(c) Adjoining supporting retail or community activities that provide natural surveillance, but do not commercialise the space for their own business.

A2. Urban activation spaces incorporate uses or facilities such as:

(a) shade and tree plantings;
(b) community gardens;
(c) rain gardens;
(d) furnishings such as seats, bins and drinking fountains.
(e) play equipment;
(f) lawns and paved areas;
(g) small stage areas with plugin facilities for open air music, performance or screenings;
(h) lighting;
(i) Wi-Fi;
(j) public facilities

Figure 6.03 - 12 - Urban activation space
C. Vehicle access to land

Performance criteria

P1. Vehicle and service entry ensure the safety and amenity of pedestrians.

Acceptable solutions

A1. Vehicle access and service entries are located consistent with Figure 6.03-10.

A2. Driveway crossings are consolidated or eliminated along the primary frontage of new developments.

Acceptable solutions - Village Hub

A3. For development consisting of two or more dwellings, on-site car parking is consolidated to minimise the number of driveways.

A4. Driveway access is single vehicle width at the footpath crossover.
6.03.04 Car Parking

A. Car parking demand management

Performance criteria

P1. Provision of car parking caters for the demands of different uses and reflects the proximity to the city centre and active and public transport options.

P2. Consumer choice and affordability is provided in the ownership of car parking spaces.

Acceptable solutions

A1. Car parking spaces are created as separate lots in the strata plan and are not allocated to individual units.

Note: Residential parking permits are not available to owners or occupants of new developments and this information is required to be provided by the developer to all potential owners and occupants.

A2. Designated car sharing spaces are retained as common property in the strata plan and are:

(a) clearly marked and sign-posted as car share spaces; and

(b) located so that they accessible to the public at all times.
B. Design of parking structures

Performance criteria

P1. Parking structures are integrated into new buildings and are not visually prominent from the public domain.

P2. The design and construction method of at grade and above ground car parking areas enable adaptable reuse in the future for residential or commercial uses.

P3. Car parking areas are able to be adapted in response to changing future transport mode or demands

Acceptable solutions

A1. All parking is located within the building footprint, either in a basement or integrated into the building.

A2. Ground level or above ground parking areas are not visible from the public domain by:
   (a) being located behind other uses; or
   (b) using green walls and roofs; or
   (c) using architecturally designed façade treatment or artwork.

A3. Car parking is located on level flooring and has a minimum ceiling height of:
   (a) 4m where located on ground level; and
   (b) 3m where located on any upper levels.
6.03.05 Constraints on development

A Flooding

Performance criteria

P1 Basement car parks minimise the entry of flood water and include information on emergency egress.

Acceptable solution

A1. Entry ramps, ventilation points and pedestrian exits prevent flood water entering the basement car park until the last possible moment in a flood event as shown in Figure 6.03-11.

Figure 6.03 - 11 - Basement ramp design to minimise inundation

Additional performance criteria for land in Park Edge precinct

P2 Development on land bounded by the former Bullock Island rail corridor, Railway and Holland Streets does not adversely impact on the local hydrology or increase the risk of localised flooding on adjoining land in a stormwater event.

Additional acceptable solution for land in Park Edge precinct

A2. Where the area to be filled and/or built upon exceeds 20% of the land, development includes and overland flow path (designed and certified by a suitably qualified engineer) for the relief of stormwater from Railway Street to Wickham Park.

B Mine Subsidence

Note: All proposed development on land in Wickham identified within the Newcastle Mine Subsidence District will need to be assessed on application by Subsidence Advisory NSW. Due to the nature of the old mine workings in the area, redevelopment is likely include significant and costly engineering controls including extensive grouting.

Council advises prospective applicant to first contact Subsidence Advisory NSW to gain an understanding of the potential risks, limitations and financial costs associated with developing over the old mine workings.
This page is intentionally blank.