

26 August 2025

Ethan Whiteman  
Planning Officer Assessments  
Housing Delivery Authority  
**Department of Planning, Housing and Infrastructure**

Reply by portal: <https://majorprojects.planningportal.nsw.gov.au>

Dear Ethan Whiteman

### **PROPOSED MIXED USE DEVELOPMENT (SSD-89869959)-10 DANGAR STREET WICKHAM**

I refer to the Department of Planning, Housing and Infrastructure's (DPHI) request of 7 August 2025 via the NSW Major Projects Portal inviting City of Newcastle (CN) to provide advice on the Secretary's Environmental Assessment Requirements (SEARs) on the development mentioned above. I also refer to the Planning Focus Meeting of 20 August 2025 for the proposal attended by CN officers.

According to the Scoping Report (SR) prepared by Beam Planning the proposed development comprises '*...the construction of a 39-storey mixed-use tower including approximately 200 residential apartments (with approximately 42 in-fill affordable dwellings), 100 co-living units, a hotel, ground floor retail, through-site link, basement and ground floor parking, landscaping, and associated site infrastructure.*'

CN has concerns about substantial departures from key building height and FSR controls under the Newcastle Local Environmental Plan (NLEP2012) or the Wickham Masterplan 2021. CN has completed strategic planning and urban design analysis to inform the heights and density, this included comprehensive community engagement. Height has been structured within the precinct to transition to Wickham and the Village Hub.

Notwithstanding, the SR and the latest version of the Concept Design prepared SJB Architects (received on 22 August 2025) have been reviewed. CN recommends the matters detailed below are addressed in the SEARs.

### **Development Control Plan 2023, Wickham Master Plan and Wickham Public Domain Plan**

While it is acknowledged under the State planning legislation that a development control plan does not apply to State Significant Development (SSD), we are aware that in the absence of other appropriate standards, DPHI has previously used the requirements of the Newcastle Development Control Plan 2023 (NDCP 2023), Wickham Master Plan and Wickham Public Domain Plan, in the assessment of SSDs. Furthermore, we consider it appropriate that the SR consider the relevant requirements of the NDCP 2023 given the nature of the development and the planning history of the site.

## **Development applications history and existing works**

According to the SR(p4), 'Key resolved design and infrastructure elements from this approval (DA2018/01197, as modified) will be retained and integrated into the current SSD proposal, enabling an expedited planning process by building upon established assessments, approvals, and early works.'

CN is concerned that insufficient information has been provided regarding the existing development consent, the extent work carried out on site and their legal and design relationships with the proposed development.

As indicated in the SR(p7), two previous development applications (DA2018/01197 and DA2022/00448) for a mixed-use development on the site have been granted conditional approval. However, no mention was made of the modification applications subsequently approved for each development consent. The latest application (MA2023/00397) was approved on 9 August 2024.

This application modified Development Consent DA2022/0448. It addressed an oversight that had occurred in the coordination of the development. Specifically, a capping beam has been constructed along the length of the southern setback at ground level in accordance with the approved plans of the Modified Development Consent (DA2018/0197.02) but which was inconsistent with the subsequently approved Development Application (DA 2022/00448).

To rectify this construction oversight, the MA proposed a raised slab area with landscaping bed over the protruding capping beam having the effect of reducing the southern setback at ground level compared to that approved under DA2022/00448. It is recommended a detailed survey plan be submitted which confirms that the existing works are contained within the boundaries of the site and do not encroach onto adjoining Transport for NSW (TfNSW) and/or CN land.

CN recommends the Environmental Impact Statement (EIS) and architectural plans detail the relationship between the previous development consents, as modified, the works commenced on the site and the proposal. The interrelationship between the historic consents and the future application must also be addressed in the EIS.

## **Planning Agreement and contributions**

CN entered into a Voluntary Planning Agreement in connection with DA2022/00448 and MA2023/00397. Under the Planning Agreement the developer of the site, Dangar St Wickham Pty Ltd, agrees to a monetary contribution of \$1,587,976.50 (plus indexation) be paid to CN in connection to the development approved under the DA2022/00448 development consent.

This monetary contribution will be used toward the provision of local public amenities or infrastructure that supports the implementation of the Wickham Masterplan (WMP) 2021 Update (July 2022). A condition of consent was imposed on the consent requiring the planning agreement to be registered on the title of the land.

It is CN's expectation that a planning agreement be entered into with the developer that reflects the existing agreement and is amended to account for any additional increases in the building height and floor space ratio included in the proposed development. This is to be consistent with the rates in the Wickham Community Infrastructure Plan and clause 7.9 and 7.9A of the Newcastle Local Environmental Plan 2012.

In addition, a S7.11 contribution is required under [CN's S7.11 Development Contributions Plan](#) and [CN's Draft Affordable Housing Contributions Scheme](#) will be in place and apply to any future development.

### **Supporting technical studies**

The below listed technical studies are recommended to accompany the EIS and be included in the SEARs given the scale of the proposed development:

- Stormwater Management Plan with hydrological and hydraulic modelling
- Water Cycle Management Plan
- Details of stormwater discharge connections and associated works
- Stormwater maintenance plan
- Sediment and stormwater controls for the demolition and construction phases
- Contamination Assessment, noting existing site excavations and remediation action plan
- Site-specific Flood Impact and Risk Assessment report
- Social Impact Assessment
- Social Infrastructure Demand Assessment
- Crime Prevention Through Environmental Design Assessment
- Community Engagement Outcomes Report
- Access and Inclusion Assessment
- Acoustic Impact Assessment
- BCA Assessment Report addressing construction and fire safety
- Wind Effects Report
- Visual Impact and View Impact Assessment
- Signage strategy
- Aboriginal Cultural Heritage Assessment Report
- Traffic and Parking Impact Assessment
- Green Travel Plan
- Construction Traffic and Pedestrian Management Plan
- Waste Management Plan, demonstrating ability for CN to service on-site with a Heavy Rigid Vehicle
- Demonstrated compliance with the Wickham Master Plan and NDCP 2023
- Public Art Strategy
- Design Excellence Strategy
- Detailed design of public domain noting the location of the site and requirements of the Wickham Master Plan and Public Domain Plan
- Aviation Impact Assessment

## Conclusion

The current proposal seeks a height of 133m, representing an increase of 76.1m or approximately 133.74% over the approved height, although this is higher when measured from the existing ground level and when including rooftop structure such as plant and lift overruns.

The proposal significantly exceeds the current maximum building height of 60m and floor space ratio (FSR) of 7:1 as prescribed by the NLEP 2012. These controls represent the maximum permissible development envelope, inclusive of community infrastructure contributions as outlined in the Wickham Community Infrastructure Policy. In the absence of development incentives, the site is subject to a maximum building height of 45m and an FSR of 6:1.

The significant departure has not been informed by relevant strategic planning and urban design analysis. It is not in keeping with the strategic intent for the area as defined by the extensive work undertaken through the Wickham Master Plan. CN does not support the increased height and density proposed.

Notwithstanding, the proposal represents a significant development and warrants a robust design review to ensure alignment with the Wickham Master Plan and Newcastle's broader strategic vision. Given the site's constraints and its prominent location adjacent to the Interchange, achieving design excellence and delivering genuine public benefit is essential.

CN will provide further detailed comments during the post-SEARs consultation phase. This will need to occur through our Pre-DA consultation process and Urban Design Review Panel process. The Pre-DA meeting [request form](#) and [UDRP application form](#) are available on CN's website. Accordingly, we request that a copy of this letter be forwarded to the applicant with the SEARs for the development.

If you have any questions about this matter, please contact Priscilla Emmett, Development Assessment Manager on 02 4974 2763 or on [pemmett@ncc.nsw.gov.au](mailto:pemmett@ncc.nsw.gov.au).

Yours faithfully,



Amy Ryan  
**EXECUTIVE MANAGER PLANNING AND DEVELOPMENT**