HDA SSD Scoping Report

Mixed-Use Development

10 Dangar Street, Wickham

Prepared for Urban Property Group

31.07.25

25081

Beam Planning acknowledge that Aboriginal and Torres Strait Islander peoples are the First Peoples and Traditional Custodians of Australia. We pay respect to Elders past and present and commit to respecting the lands we walk on, and the communities we work with.

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1.0 Introduction

This Scoping Report has been prepared by Beam Planning on behalf of UPG Wickham Pty Ltd (UPG) (the Applicant) to request Project Specific Secretary's Environmental Assessment Requirements (SEARs) and Rezoning Study Requirements for a concurrent State Significant development Application (SSDA) and Rezoning Proposal relating to a new 39-storey mixed-use development. The proposed development is located at 10 Dangar Street, Wickham.

Specifically, 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.

On 23 June 2025, the Housing Delivery Authority (HDA) recommended that the proposed development on the site as outlined in Expression of Interest (EOI) application 240837 (dated 21 February 2025), be declared State Significant Development (SSD) under Section 4.36(3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).
The Minister issued State Significant Development Declaration Order (No 10) 2025 on 30 June 2025, formally declaring the proposal as SSD. The proposal will be facilitated by a concurrent amendment to the applicable Environmental Planning Instrument (EPI), the *Newcastle Local Environmental Plan 2012* (NLEP).

Importantly, the site benefits from an existing development consent (DA2018/01197), originally approved by the Joint Regional Planning Panel on 24 April 2019 and subsequently modified on several occasions, most recently via DA2022/00448 (approved 23 December 2022). This previous consent approved demolition, excavation and a 14-storey mixed-use development. Key resolved design and infrastructure elements from this approval will be retained and integrated into the current SSD proposal, enabling an expedited planning process by building upon established assessments, approvals, and early works.

This Scoping Report has been prepared with consideration of both the Department of Planning, Housing and Infrastructure's (the Department) State Significant Development Guidelines (March 2024) and the Local Environmental Plan Making Guidelines (August 2023). It provides an overview of the project, sets out the statutory context, and identifies the key likely environmental and planning impacts that will be considered as part of the application.

Overview of the Project

Table 1 Overview of the Project

Proposal	The proposed development comprises construction of a 39 storey (approx. 133m) mixed-use development with approximately 200 dwellings (including approx. 42 affordable housing dwellings) and 100 co-living units. The proposal includes a basement and ground floor parking, ground floor retail, through-site link, a hotel, residential including co-living, landscaping and required site infrastructure. Demolition of existing structures and excavation has already commenced under a previous 17 storey DA (DA2018/0119, as amended by DA2022/00448).
Objectives	The primary objectives of the development relate to the provision of additional housing supply and affordable housing, responding to the key demographic trends in the Newcastle LGA and Government initiatives as part of the National Housing Accord. The key objectives supporting this proposal include: • Deliver additional housing supply within the Newcastle LGA through a high-density mixed-use development. • Provide 15% of residential GFA as affordable housing for 15 years, consistent with the objectives of the National Housing Accord and the Housing SEPP. • Deliver a mix of dwelling types, including co-living, to respond to demographic shifts, changing household structures, and housing needs across income levels. • Support the strategic intent of the Wickham Master Plan and Community Infrastructure Incentives Planning Proposal through height and FSR uplift supported by public benefit contributions. • Maximise the site's proximity to the Newcastle Interchange by delivering transit-oriented development. • Incorporate complementary land uses, including hotel, and ground floor retail and commercial spaces, to contribute to local economic activity and employment.

The Applicant

Table 2 Applicant Details

Applicant	UPG Wickham Pty Ltd
ABN	88 684 808 651
Address	Suite 110 Level 1/180-186 Burwood Rd, Burwood NSW 2134

The Site

The site is located at 10 Dangar Street, Wickham, within the Newcastle Local Government Area (LGA) and is legally described as Lot 1 in Deposited Plan 1197377. The site has an area of 2,904m^2 and benefits from triple street frontages, with a primary street frontage of approximatley 64m to Dangar Street, and secondary street frontages of approximatley 61m to Hannell Street and 50m to Charles Street.

The surrounding locality comprises a diverse mix of land uses including residential, commercial, and light industrial uses, reflecting the area's ongoing transition. The site's frontage to Hannell Street, a major arterial road, supports high levels of vehicular access and connectivity to the broader metropolitan area. The site is located immediately north of the Newcastle Interchange, providing bus, rail and light rail services.

Address	10 Dangar Street, Wickham
Legal Description	Lot 1 in DP1197377
Site Area	2,904m^2
Owner	Urban Property Group

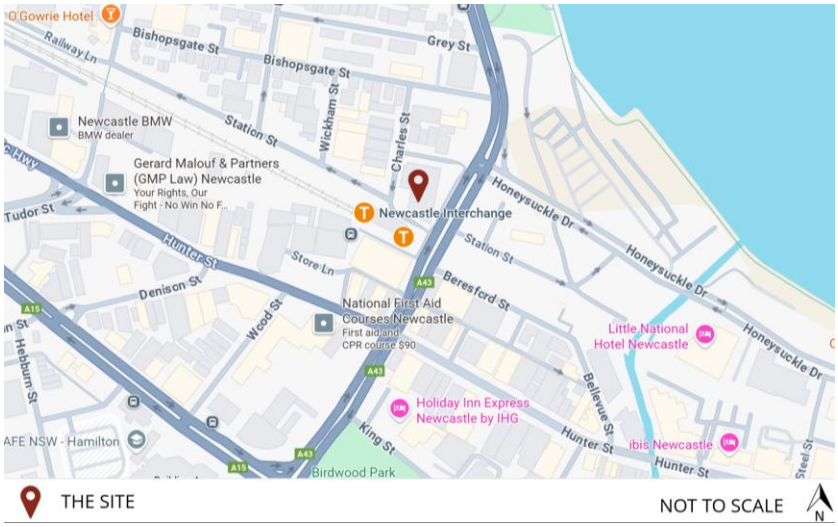

Figure 1 Location Plan

Figure 2 Aerial Photo

2.0 Backgound

The site was identified under the *Wickham Master Plan 2017* as a strategically significant location for increased development capacity, given its proximity to the Newcastle Interchange and its potential to support high-density, mixed-use development. The Master Plan proposed an uplift in planning controls, increasing the permissible building height from 45m to 60m, and the FSR from 5:1 to 6:1, subject to the delivery of public domain improvements, including a 3-metre southern setback adjacent to the transport interchange.

This strategic vision was subsequently reaffirmed in the *Wickham Master Plan 2021 Update* (PP-2021-1506) and further refined in the 2022 amendment, which supported additional incentive-based planning controls. The Community Infrastructure Incentives Planning Proposal (PP-2022/1541), endorsed by Council in March 2022 (and subsequently approved 08 November 2022), proposed:

- An incentive FSR of 7:1 for Area E (the site),
- A maximum incentive building height of 60m, and
- Community infrastructure requirements including a public domain dedication and a financial contribution based on incentive GFA.

In alignment with these strategies, the site has been subject to successive development consents as outlined in **Section 2.1**. These prior consents provide a strong foundation for the proposed SSD, particularly in relation to demolition and excavation works, which have already begun, and with regards to servicing strategies, site access, and street activation. The SSDA will adopt and refine these resolved elements to expedite the assessment process and ensure continuity with previously endorsed planning outcomes.

2.1 Previous Development Applications

The previous development applications relating to the site are outlined below.

2.1.1 DA2018/01197

DA2018/01197 was approved by the (then) Joint Regional Planning Panel (JRPP) on 24 April 2019 for the demolition of existing structures and the erection of a 14-storey mixed-use development. The consent was issued as a Deferred Commencement under Section 4.16(3) of the EP&A Act, with key conditions relating to approvals from Transport for NSW (TfNSW) and Sydney Trains. These deferred commencement conditions were formally satisfied on 22 September 2020.

The original consent was subsequently modified by two Section 4.55 applications, as outlined below at **Table 3**. An artist impression of the development (as modified) is included below at **Figure 3**.

Table 3 DA2018/01197 Modifications

Reference Number	Description	Determination
DA2018/01197.01	S4.55(1A) *Change to deferred commencement time and consent conditions*	Approved 26/11/2019
DA2018/01197.02	S4.55(2) *Addition of third basement level, office space and increase ceiling heights of levels 1-3.*	Approved 06/05/2021

Figure 3 Artist Impressions DA2018/01197 (as modified)

Source: Team2 Architects

2.1.2 DA2022/00448

DA2022/00448 was approved by the City of Newcastle on 23 December 2022 for alterations and additions to the approved development under DA2018/01197 (as modified). The application sought to increase the building height and FSR in line with the *Wickham Master Plan 2021* (as amended) and the Community Infrastructure Incentives Planning Proposal (PP-2022/1541).

The approved changes included:

- An increase in building height from 47.65m to 58.75m;
- An increase in FSR from 5.87:1 to 6.9:1;
- The addition of three residential levels, resulting in a 17-storey mixed-use development;
- The provision of community infrastructure, including a 3m public domain setback along the southern boundary.

An artist impression of the approved development is provided below at **Figure 4**.

Figure 4 Artist Impressions (DA2022/00448)

Source: Team2 Architects

3.0 Strategic Context

The proposed amendments to the NLEP, and the project as a whole, align with and give effect to the strategic planning framework relevant to the site, as evidenced by the acceptance of the proposal by the HDA and its declaration as state significant.

This project, if approved, will deliver approximately 200 dwellings (including approximately 42 affordable housing dwellings) and 100 co-living units in a highly desirable and accessible location within the Newcastle LGA, immediately opposite the Newcastle Interchange, and would deliver a range of significant public domain improvements. The proposal is a direct response to the current housing crisis and the State's commitments to the National Housing Accord, which highlights that the need to deliver housing is urgent.

This section identifies the key strategic issues that are likely to be relevant to the justification and evaluation of the project and will be investigated in more detail in the EIS. **Table 4** below outlines at a high level how the proposal is consistent with the relevant strategic plans.

Table 4 Consistency of the project with relevant strategic plans

Strategic Plan	Assessment
National Housing Accord 2022	The National Housing Accord is a shared Commonwealth, State and Local Government initiative based on a commitment to deliver 1.2 million new well-located homes across Australia over 5 years from mid-2024. Local, State, and Federal Governments are all signatories to the National Housing Accord. As part of the Accord, the Commonwealth Government has committed $350 million over the 5 years to support the delivery of 10,000 affordable homes. Of this amount, NSW has committed to delivering 3,100 well-located affordable homes between 2024-2029 that are 'conveniently accessed' and within a 30-minute commute to jobs and a 15–20-minute walk or cycle to other amenities. The project is directly aligned with the National Housing Accord in that it will deliver approximately 300 dwellings, including 45 affordable housing units and 100 co-living units, within walking distance of the Newcastle Interchange. The site is well-serviced by public transport, employment and services, aligning with the Accord's requirement for housing to be delivered within a 30-minute commute to jobs and a 15–20-minute walk or cycle to amenities. The project is identified by the HDA as a SSD and is being progressed via a concurrent rezoning and SSDA pathway, supporting timely delivery of housing aligned with the Accord's objectives.
NSW Housing Strategy: Housing 2041	The NSW Housing Strategy represents a 20-year vision for the delivery of better housing outcomes in NSW by 2041. It establishes a framework to achieve the vision that is reflected through four key pillars of housing supply, diversity, affordability and resilience. The project is directly aligned with the strategy and achieves the objectives and vision of these pillars as follows: • **Supply**: The project will deliver approximately 300 new dwellings, including approximately 100 co-living units and 45 affordable dwellings, on a strategically located site within walking distance of the Newcastle Interchange, supporting increased housing supply in a well-connected infill location. • **Diversity**: The mix of standard residential apartments, affordable housing, and co-living units provides a range of housing types to meet the needs of different household structures and life stages. • **Affordability**: Not only will the project assist in alleviating housing affordability concerns by delivering more housing supply, but it also intends to provide a minimum of 15% of residential floor space as affordable housing (45 dwellings) for 15 years. This directly supports the Strategy's focus on improving access to housing for lower-income households in locations that offer access to transport, employment, and services. • **Resilience**: The proposal will be delivered in accordance with sustainability principles, including compliance with minimum energy efficiency standards and high-quality public domain improvements. These features support climate resilience, long-term housing quality, and enhanced liveability outcomes for future residents.
NSW Government Housing Targets	The NSW Government has released 5-year housing completion targets to help address the housing crisis. Under the recently released targets, 11,100 new dwellings are required to be delivered in the Newcastle LGA by 2029. The project contributes to the achievement of these targets by providing approximately 300 new dwellings (including 45 affordable housing dwellings and 100 co-living units) on a well-located site within an identified renewal precinct. The proposal supports the timely delivery of new housing stock in an area identified for growth and urban consolidation.
Hunter Regional Plan 2041	The Hunter Regional Plan 2041 is the overarching strategic plan guiding growth and change across the Hunter region. It sets a 20-year planning framework underpinned by a 40-year vision to support economic diversification, sustainable development, and housing delivery across the region's cities and centres. The Plan

	identifies Newcastle as a Metropolitan City and focuses on delivering well-located housing, increasing density in strategic centres, and supporting investment in infrastructure, jobs, and services. The proposal will deliver upon a number of the objectives of the Hunter Regional Plan 2041, including: • **Objective 3**: The proposal delivers high density housing within walking distance of the Newcastle Interchange, retail, employment, and public open space, enabling a compact urban form. The integration of residential, affordable, co-living, retail and hotel uses on-site promotes a mixed, inclusive, and vibrant community aligned with 15-minute neighbourhood principles. • **Objective 4**: The proposal concentrates new housing directly adjacent to the Newcastle Interchange supporting reduced car dependency. • **Objective 5**: The proposal delivers a diverse mix of housing types, including affordable and co-living dwellings, that respond to changing household needs. The site's existing approvals and infrastructure capacity enables timely development in an established urban area. • **Objective 8**: The proposal co-locates housing with retail and hotel uses, contributing to a mix of services and employment-generating activity within the development. Its location within the Newcastle Strategic Centre helps support day-to-day activity and economic growth within an established area. The proposal also aligns strongly with Part 3 of the Plan, which identifies the Greater Newcastle District as the region's metropolitan core and a focus area for infill development, housing diversity, and integrated land use and transport planning. The site is located within the Newcastle Strategic Centre and adjacent to the Newcastle Interchange, directly supporting Planning Priority 2 to deliver housing in accessible locations that meet community needs. The mix of residential apartments, affordable housing and co-living units provides for varied housing demands, while the inclusion of retail and hotel uses contributes to a walkable, mixed-use environment. The project supports the strategic direction for compact growth, reduced car dependency, and increased amenity in established urban areas across Greater Newcastle.
Greater Newcastle Metropolitan Plan 2036	The Greater Newcastle Metropolitan Plan 2036 is a 20-year strategy to manage growth and change across the Greater Newcastle area. It sets out strategic directions, planning priorities, and actions that implement the objectives of the *Hunter Regional Plan 2041* at a district scale. The Plan guides decision-making on land use, housing, employment and infrastructure, and supports alignment across local strategic planning, LEPs and SEPPs. The proposal will deliver upon a number of the strategies of the Greater Newcastle Metropolitan Plan, including: • **Strategy 1**: The proposal delivers high-density housing and mixed-use development within the Newcastle Strategic Centre, helping to revitalise the city and support ongoing transformation near the waterfront. It adds to the area's growing residential and commercial activity in line with the city's strategic growth plans. • **Strategy 6**: The inclusion of hotel accommodation supports Newcastle's visitor economy and growing tourism sector. It will help attract short-term stays and contribute to local business activity in the city centre. • **Strategy 9**: By combining housing, retail, and hotel uses in one location, the proposal brings more jobs closer to where people live. This helps reduce the need for long commutes. • **Strategy 10**: The development focuses on high-quality design and active street frontages contributing to a more attractive and functional public realm. • **Strategy 11**: With three street frontages and public domain upgrades, the proposal will improve the pedestrian experience and enhance public spaces around the site. • **Strategy 16**: The proposal makes efficient use of a well-located, serviced site by delivering new housing within the existing urban area. • **Strategy 17**: By building on existing approvals and infrastructure, the project enables timely delivery of new housing. It supports coordinated growth and responds to the urgent need for more homes. • **Strategy 20**: The site's location adjacent to the Newcastle Interchange means future residents will have easy access to public transport, reducing car dependence.
Newcastle Local Strategic Planning Statement	The LSPS provides a framework to guide housing delivery across the LGA to 2040, with a focus on concentrating growth in well-located urban areas, increasing housing diversity, and supporting sustainable infill development. Wickham is identified in the LSPS as a key location for higher density residential development, supported by its proximity to the Newcastle Interchange and its role in facilitating urban renewal within the City Centre. The LSPS sets a target to deliver 4,000 new dwellings and 7,750 jobs within the Newcastle City Centre, reinforcing the need for well-located, mixed-use developments. The proposal aligns with the LSPS by delivering a mix of residential, affordable, and co-living dwellings, as well as hotel, retail and commercial uses, on a strategically located site, contributing to housing supply, employment, and urban consolidation in line with local planning priorities. Specifically, the proposal is consistent with the relevant priorities as listed below: • **Planning Priority 1**: The proposal delivers high-density housing and mixed-use development within walking distance of the Newcastle Interchange, supporting access to frequent public transport services. It encourages walking and cycling through improved street-level activity and proximity to the local active transport network, reducing reliance on private vehicles. • **Planning Priority 8**: The proposal delivers high-density, mixed-use development within the Newcastle City Centre, which is identified as a Strategic Centre in the LSPS. It supports planned urban renewal and growth by

	contributing new housing, jobs, and public domain improvements in line with the objectives for this area of change. • **Planning Priority 9**: The proposal delivers a mixed-use development that integrates residential, retail and hotel uses, supporting a vibrant and inclusive urban neighbourhood within the Newcastle City Centre. Public domain upgrades and active street frontages will enhance walkability, encourage social interaction, and contribute to a safe and welcoming streetscape. • **Planning Priority 12**: The proposal delivers a mix of housing types, including approximately 45 affordable dwellings and 100 co-living units, directly responding to local housing need and diversity gaps. Located within a Strategic Centre, the development supports inclusive growth, housing affordability, and access to services and public transport. • **Planning Priority 16**: The proposal includes hotel and retail uses that support tourism and extends economic activity into the evening. It contributes to the city's growing night-time and visitor economies in a central, well-connected location.
Newcastle Local Housing Strategy	The proposal aligns with the Strategy, which identifies the Newcastle City Centre as a key location for infill housing growth and highlights a shortfall in affordable and diverse housing types. The Strategy supports the delivery of new housing in locations with access to public transport and services, specifically increasing affordable housing supply through planning incentives. By delivering approximately 200 dwellings (including 42 affordable housing units) and 100 co-living units, the proposal directly responds to identified gaps and supports the Strategy's goals of improving the diversity, affordability, and locality of new housing.
Newcastle Economic Development Strategy	The proposal aligns with the Strategy by contributing to urban renewal and economic activity within the Newcastle City Centre, which is identified as a priority area for investment, employment growth, and diversification by the Strategy. By delivering hotel, retail and commercial floor space alongside new housing, the proposal supports job creation, visitor accommodation, and a mix of land uses that reinforce the Centre's role as a key driver of the local economy and a focus for mixed-use development.
Newcastle Employment Lands Strategy	The proposal aligns with the Employment Lands Strategy, which identifies the Newcastle City Centre as a key employment hub with capacity for further growth through mixed-use and higher density development. The inclusion of hotel and retail components alongside residential uses supports employment generation, contributes to the Centre's economic role, and aligns with the Strategy's direction to support land use outcomes that promote job creation within strategic centres.
Wickham Community Infrastructure Plan	The proposed development aligns with the objectives of the Plan by contributing to the delivery of public domain and active transport infrastructure through the incentive framework in Clauses 7.9 and 7.9A of the Newcastle LEP 2012. Specifically, the site is identified in the Plan as a location for community infrastructure, where an active transport link comprising a 3m-wide pedestrian and cycle lane is to be delivered. The proposal supports the intent of the Plan by providing for this infrastructure, enabling access to increased height and floor space while delivering tangible public benefits.
Wickham Masterplan	The site is located within the Newcastle City Centre and sits within the Rail Edge Urban Precinct identified in the Masterplan. This precinct is earmarked for high-density, mixed-use development that leverages proximity to the Newcastle Interchange and supports the broader renewal of Wickham as a key urban neighbourhood. The proposal aligns with the Masterplan's vision by delivering a 38-storey mixed-use development that includes residential, affordable housing, co-living, hotel and retail uses. It supports the Rail Edge Precinct's objectives for urban activation, public domain enhancement and built form consolidation along key frontages. The development also contributes to housing diversity, economic activity and community infrastructure in line with the Masterplan's strategic framework.

In addition to the above the future application will undertake a detailed assessment against the relevant Section 9.1 Ministerial Directions, including but not limited to the following outlined in **Table 5** below.

Table 5 Section 9.1 Ministerial Directions

Direction	Assessment
5.1 Integrating Land Use and Transport	This direction requires development to be located in areas that enable access to housing, jobs, and services via walking, cycling, and public transport, while supporting the efficient and sustainable operation of the transport network. The proposal responds directly to this objective by locating high-density housing, hotel and retail uses within walking distance of the Newcastle Interchange, enabling multi-modal access and reducing car dependency.
6.1 Residential Zones	This direction seeks to promote housing diversity, respond to changing community needs, and ensure that development in residential zones is appropriately located and serviced. The proposal provides for a mix of housing types, including co-living and affordable dwellings, on a well-serviced infill site that supports increased density in line with strategic planning for the Newcastle City Centre.

7.1 Employment Zones	This direction aims to retain and promote employment-generating uses and ensure sufficient land is available to support economic development. The site is zoned E2 Commercial Centre under the LEP, and the proposal incorporates hotel, retail and commercial components that support local job creation and contribute to the economic role of the strategic centre.

3.1 Cumulative Impacts

The site is located within the Wickham Masterplan Area, which has identified numerous key and potential redevelopment sites (refer **Figure 5**), and is undergoing significant transformation in line with its strategic designation for urban renewal and increased residential and employment density.

Many of these sites have been subject to approved development applications and LEP amendments, however, it is acknowledged that several surrounding sites remain underutilised and are anticipated to be developed in the near future. Collectively, these developments will contribute to a substantial uplift in housing supply, population, and infrastructure demand across the precinct.

The proposed development has been designed with consideration of the evolving urban context and the future redevelopment of nearby sites. As such, cumulative impacts will be a key consideration in the Environmental Impact Statement (EIS). This includes analysis of visual impact, overshadowing, traffic generation, infrastructure capacity, and public domain integration, to ensure the project complements and supports a cohesive and coordinated urban outcome.

In particular, the cumulative assessment will have regard to nearby developments recently approved and under construction, including:

- 854 Hunter Street, Newcastle West,
- 924 Hunter Street, Newcastle West, and,
- 79 Railway Lane, Wickham.

Additionally, development applications currently under assessment will also be considered, including:

- 29 Bishopgate Street, Wickham (DA2023/00250), and
- 15/20 Greenway Street, Wickham (DA2021/00165).

Figure 5 Wickham Redevelopment Potential Map

Source: City of Newcastle

4.0 The Proposal

As detailed above, the project comprises a concurrent Rezoning Proposal and a SSDA applying to the site. The Rezoning Proposal seeks to amend the planning controls under the *Newcastle Local Environmental Plan 2012* (NLEP), while the SSDA will seek the delivery of the proposed development across the site. The following sections outline the details of each planning component.

4.1 Rezoning Proposal

The primary environmental planning instrument governing the land use and development of the site is the NLEP, which zones the land as E2 Commercial Centre. The site has a maximum height control of 60m (under Clause 7.9 of the NLEP) and a prescribed maximum FSR of 7:1 (under Clause 7.9A of the LEP).

To facilitate the proposed development described in **Section 4.2**, a Rezoning Proposal is sought to seek the following amendments to the NLEP:

- Increase the maximum building height from 60m to approximately 133m; and
- Increase the maximum FSR from 7:1 to approximately 12.64:1.

We note that while the maximum height of building development standard is 60m under the NLEP, a building up to 78m in height is currently permissible on the site under Division 1, Part 2, Chapter 2 of the Housing SEPP. Further, while the current maximum FSR development standard is 7:1 under the NLEP, a development with an FSR up to 9.1:1 is permissible on the site under Division 1, Part 2, Chapter 2 of the Housing SEPP.

These proposed changes seek to optimise the site's strategic location adjacent to the Newcastle Interchange by enabling high-density, transit-orientated development near key infrastructure and public transport. The amendments will facilitate a significant uplift in housing supply, including a commitment to deliver a minimum of 15% of residential GFA as affordable housing for 15 years, while supporting the site's function as a mixed-use precinct through the integration of ground level retail and commercial uses, a hotel and co-living accommodation.

The future application will outline the strategic and site-specific merit of the project.

4.2 Proposed Development

The proposed amendments to the NLEP, as outlined above, will facilitate the following development:

- Construction of a 39-storey (approximately 133m) mixed-use tower, comprising:
  - Approximately 200 residential apartments, with a mix of 1-bedroom dwellings (approx. 20%), 2-bedroom dwellings (approx. 60%), and 3+ bedroom dwellings (approx. 20%).
  - Approximately 100 co-living units.
  - Ground floor retail premises, to all three street frontages.
  - A hotel component within the podium.
- Basement car parking.
- Associated landscaping and public domain improvements, including the provision of a pedestrian through-site link that runs east/west adjacent to the Newcastle Interchange.

It is noted that the project will commit to providing a minimum of 15% of the residential GFA as affordable housing for a minimum of 15 years, to be managed by a registered Community Housing Provider (CHP).

Architectural Drawings and an Architectural Design Report illustrating the proposed development will be prepared to accompany the future detailed application. An indicative illustration of the proposed building envelope, prepared by the project Architect SJB, is provided within **Figure 6**. This indicative design has been prepared to represent a marker for the Newcastle West End and the Newcastle Interchange.

Figure 6 Proposed Indicative Building Design

Source: SJB

4.3 Consideration of Alternatives

A range of development options have been considered during the planning process to determine the most appropriate outcome for the site. These options were evaluated in terms of feasibility, merit, urban design outcomes and broader community benefit.

The following alternatives were considered as part of the process leading to this proposal.

Option 1: Do Nothing/Compliant Development Application

This option would involve proceeding with the existing development consent under DA2018/01197 (as amended by DA2022/00448), which permits the construction of a 17-storey mixed-use development, incorporating residential apartments and ground floor retail, based on the existing planning controls.

While demolition and excavation have already commenced under this consent, this option would result in:

- A significant loss of development potential in comparison to the proposed scheme, comprising approximately 182 fewer dwellings;
- No hotel component, resulting in reduced employment generation and economic activation;
- No co-living component, reducing housing diversity; and
- No provision of affordable housing, limiting the site's contribution to the National Housing Accord and Housing SEPP objectives.

This option does not align with the strategic vision for the site as set out in the Wickham Master Plan, Hunter Regional Plan 2041, or the Greater Newcastle Metropolitan Plan. It would represent an underutilisation of strategically located land adjacent to the Newcastle Interchange and would not respond to current State or local housing supply targets.

Given the urgent need to deliver well-located, diverse, and affordable housing, as stipulated by the National Housing Accord, this option is not considered to be the preferred outcome for the site. A compliant massing for this option is provided in **Figure 7**, illustrating how the development would sit well below surrounding permitted building heights despite its location immediately adjacent to the Newcastle Interchange.

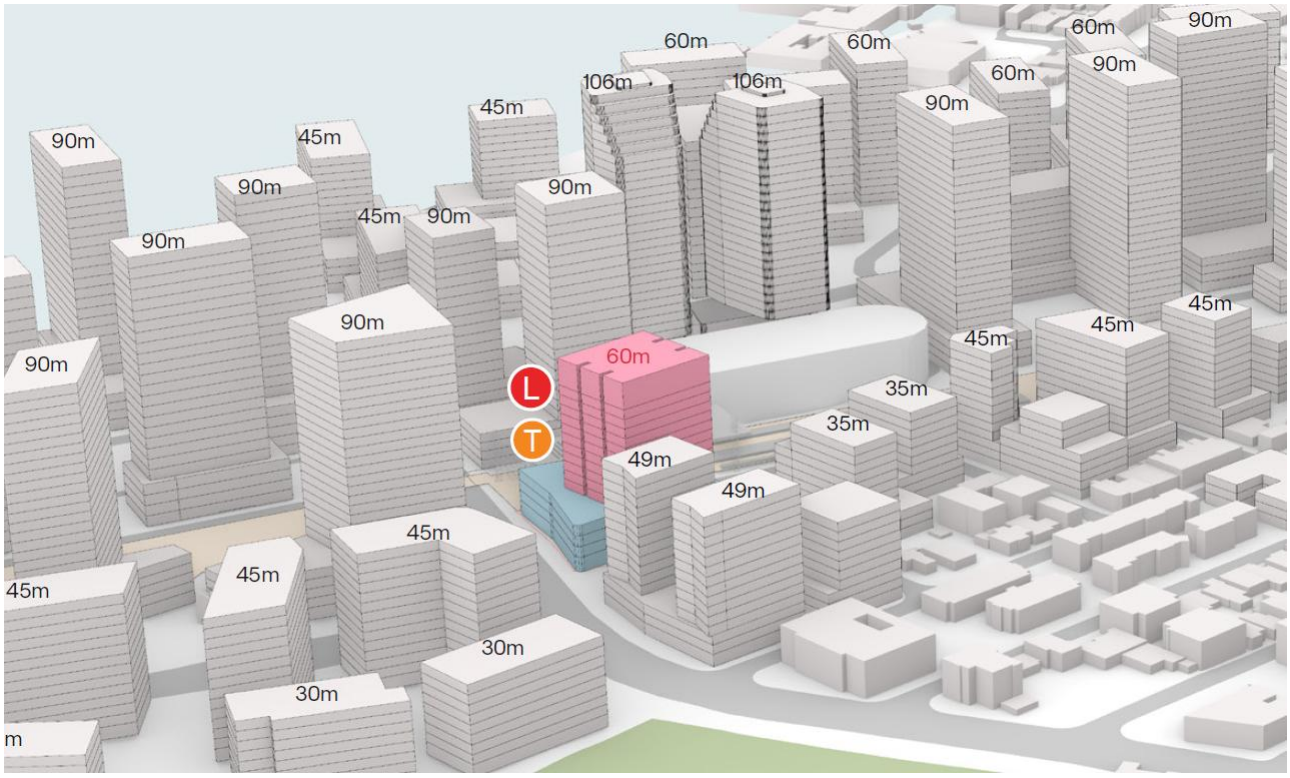

Figure 7 Compliant 60m height massing on the site

Source: SJB

Option 2: Utilising the Infill Affordable Housing provisions of the Housing SEPP

Given the Applicant's commitment to delivering affordable housing on the site, a development that sought to utilise the in-fill affordable housing provisions of Division 1, Part 2, Chapter 2 of the Housing SEPP could be pursued on the site.

However, given the low building height currently permitted under the NLEP for the site, the increased 30% bonus floor space and building height permitted under the in-fill affordable housing provisions would still result in a building that is dwarfed by the permitted surrounding development as illustrated in **Figure 8**. This option would not maximise housing opportunities within strategically located land immediately adjacent to the Newcastle Interchange and would not respond to current State or local housing supply targets.

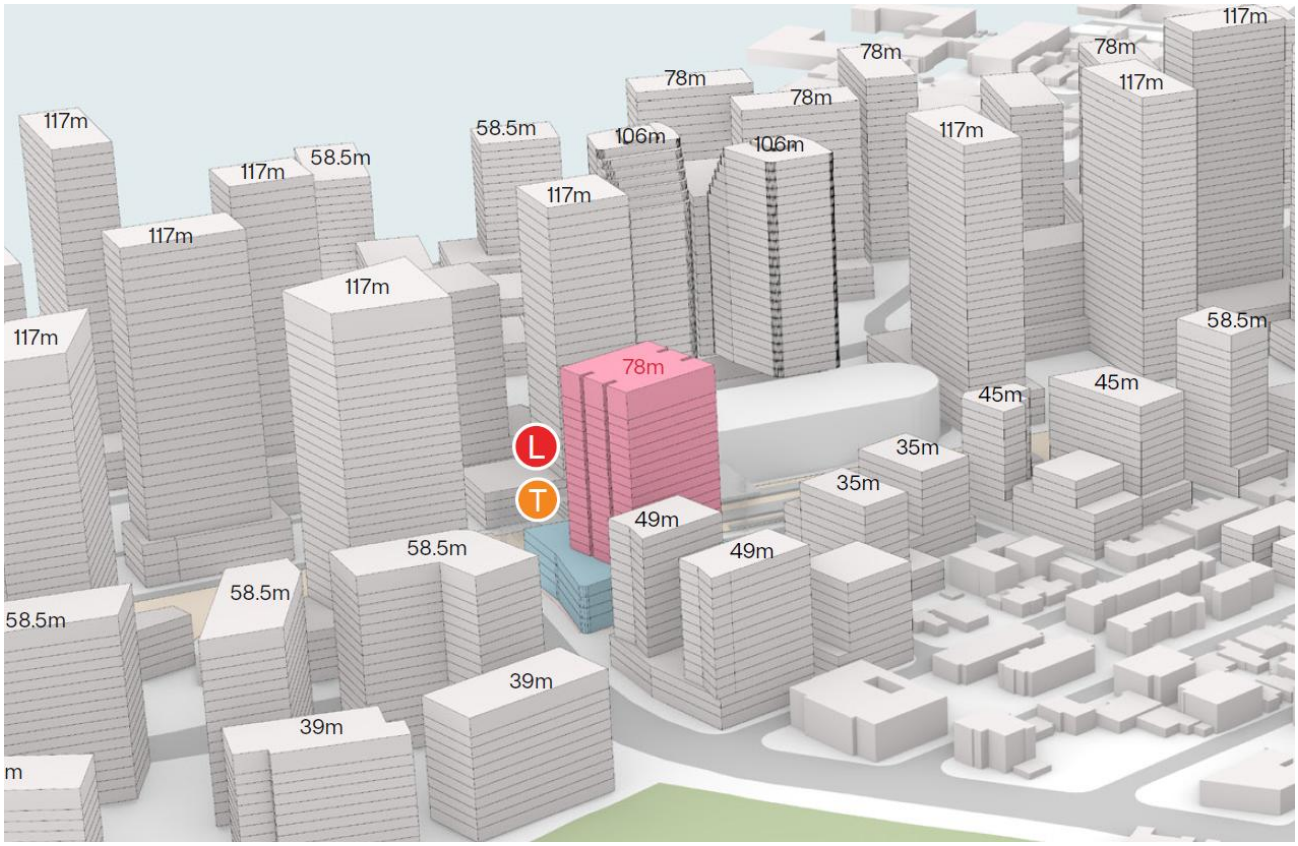

Figure 8 Compliant building massing under the In-fill Affordable Housing provisions of the Housing SEPP

Source: SJB

Option 3: The Proposal – Concurrent Rezoning and State Significant Development Application (HDA Pathway)

This is the preferred option and forms the basis of the concurrent Planning Proposal and SSDA. It involves amending the NLEP to increase the maximum building height from 60m to approximately 133m and the maximum FSR from 7:1 to 12.64:1, enabling the delivery of a high-density, mixed-use development comprising approximately 200 dwellings (including approximately 42 affordable housing dwellings) and 100 co-living units. The proposal includes a commitment to provide a minimum of 15% of the residential GFA as affordable housing for 15 years, activation of the ground level, a hotel component and significant public domain improvements.

Demolition and excavation, currently being undertaken under DA2018/01197 (as amended by DA2022/00448) will form the basis for the proposed works, enabling continuity in the site's development and reducing duplication of assessment and construction processes.

This option represents the optimal and most efficient use of the site, maximising housing delivery and diversity, employment opportunities, and urban amenity within a key transit-oriented location. It supports both local and State government planning objectives and responds directly to the current housing crisis, and the need for development within the Newcastle Strategic Centre.

Further, the proposed additional building height is well suited to this particular site within Newcastle CBD as:

- Building height controls in Newcastle CBD are influenced by mine subsidence risk. As such, the higher building height controls in the LEP are located in key locations where there are no restrictions to development due to mine subsidence risk. The site and surrounding lands have no restrictions to development on the grounds of mine subsidence, and as such is well suited to high density and tall buildings.
- The maximum permitted building heights within the Newcastle CBD are located within the immediate vicinity of the site, being at the intersection of Stewart Avenue and the rail corridor (and former rail corridor). As such, again it is suitable that this site feature a tall tower form to signify the West End Precinct of the CBD.
- Additional building heights are limited elsewhere in the Newcastle CBD due to heritage constraints, mine subsidence, and view corridors to the harbour and beaches.

- This site is not impacted by sensitive heritage view corridors and as such again is suitable for additional building height which is not otherwise able to be accommodated in the CBD.
- Given the site's immediate interface with the Newcastle Interchange, additional building height on the site again is suitable as a marker building to signify the location of the interchange in the skyline and from other parts of the CBD, Wickham, Carrington and potentially surrounding suburbs.

The proposed building massing for Option 3 is illustrated in the figure below. This illustrates that while the proposed building will be a marker for the Newcastle Interchange when viewed from the surrounding locality, it is also not out of place within the context of currently permitted building heights in the West End Precinct of the Newcastle CBD.

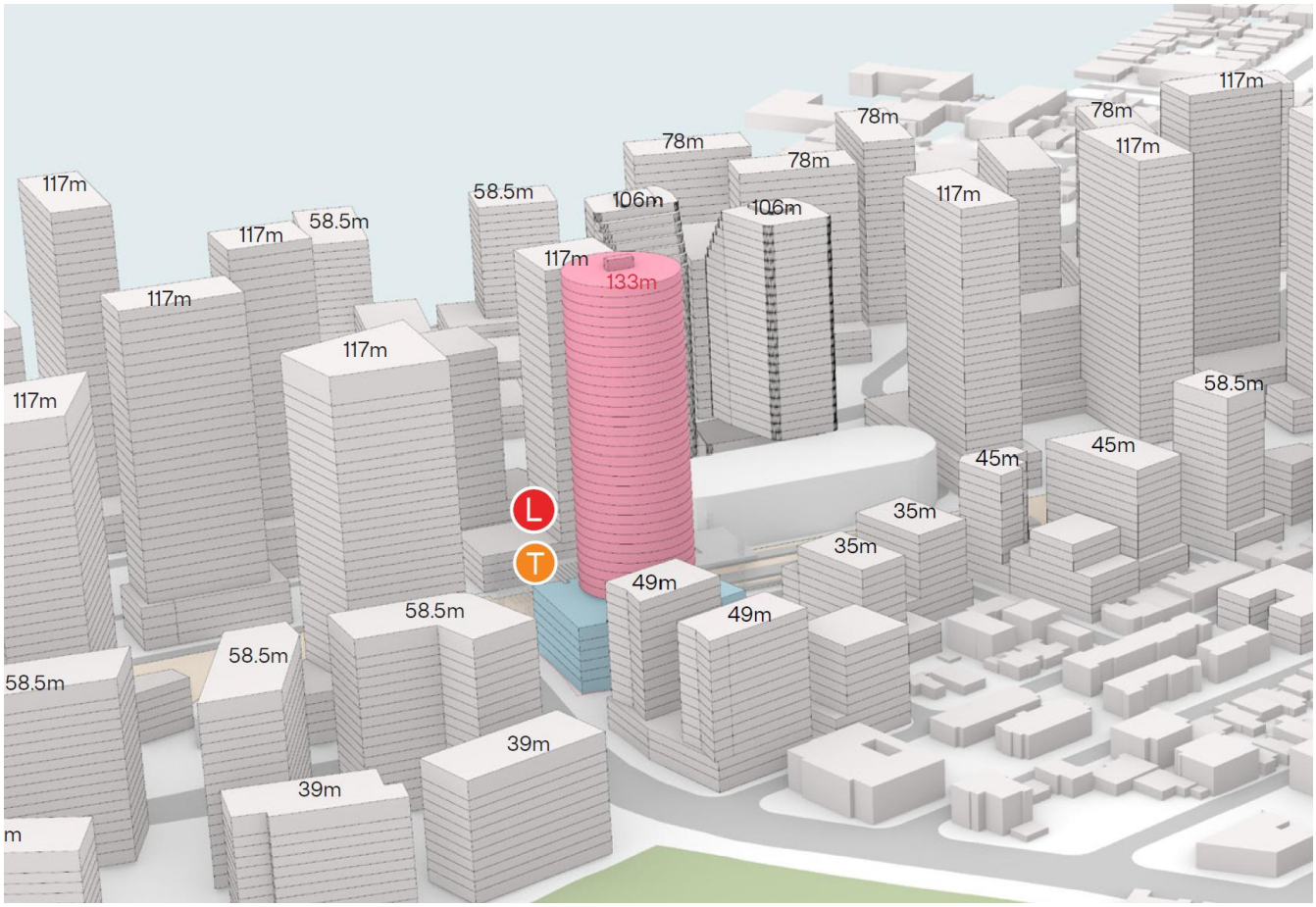

Figure 9 Proposed building massing

Source: SJB

4.4 Constraints and Opportunities Analysis

As required under the Local Plan Making Guidelines, a high-level opportunities and constraints analysis is provided below at **Table 6**.

Table 6 Site Specific Opportunities and Constraints

Opportunities	Constraints
• **Existing Approval**: The site benefits from an existing development consent (DA2018/01197, as amended) providing a foundation for the proposal by utilising key resolved elements such as demolition, excavation, servicing, access, and design parameters. • **Transport**: The site is located adjacent to the Newcastle Interchange, providing access to rail, light rail and bus networks. The proposal includes the provision of a pedestrian through-site link that runs east/west adjacent to the Newcastle Interchange, providing improved access for the wider community. • **Amenities**: The site is in close proximity to the wide variety of retail and civic amenities available in the Newcastle City Centre. • **Vegetation**: The site has been previously cleared and does not contain any vegetation. • **Street Activation**: There is an opportunity for the site to address Charles St, Dangar Street and Hannell Street. • **Overshadowing**: As the site is bordered to the south by a rail line and a series of roads, the development will have limited overshadowing impacts to existing residential developments. • **Contamination**: A Remedial Action Plan (RAP) has been prepared under the previous DA, and remediation works will be completed in accordance with previous consents. • **Land Stability:** The site is not impacted by mine subsidence and as such is well suited to high density development within the context of the Newcastle CBD. • **Public Open Space**: The proposal includes significant upgrades to the public domain by delivering new landscaping, active street frontages, and a 3m southern setback to the train line. • **Social & Economic Impacts**: The proposal will deliver a mix of market and affordable housing, co-living, and a hotel, supporting local employment, housing diversity, and economic activity within the Newcastle City Centre.	• **Existing site conditions:** Demolition and excavation have already commenced on site, however the Applicant is unable to cap off the basement element of the development. This results in a significant daily cost and maintenance burden, and as such an expedited determination of the proposed application will streamline the finalisation of the basement construction. • **Heritage**: While the site itself is not heritage listed, it is positioned adjacent to the Newcastle City Centre Heritage Conservation Area, and in proximity to multiple local heritage items. • **Flooding**: The site is affected by low to medium flood risk, with part of the site within the 1% AEP flood extent. • **Rail line interface**: The site's immediate adjacency to the rail corridor may result in noise, vibration, and visual impacts • **Visual prominence**: As many of the sites surrounding the development are still underutilised, the development will be visually prominent within the local area. However, it is noted that this prominence presents an opportunity to establish a landmark-built form that sets a positive design precedents for future development within the precinct. • **Cumulative Impacts**: The site is located within a rapidly redeveloping precinct and cumulative impacts will need to be considered.

5.0 Statutory Context

This section provides an overview of the key statutory requirements for the project.

Table 7 Statutory Context

Matter	Comments
Power to Grant Consent	The development is declared SSD pursuant to State Significant Development Declaration Order 2025 (No 8, Part 2, Section 1(a). Pursuant to Section 4.5(a) of the EP&A Act, the Minister for Planning and Public Spaces, or their delegate will be the consent authority for the application.
Permissibility	The proposal is located on land which is subject to the *Newcastle Local Environmental Plan 2012* (NLEP), which zones the site as E2 Commercial Centre. Shop top housing, hotel and motel accommodation, and retail premises are all permitted with consent in the E2 Commercial Centre zone under the LEP. Co-living housing is permitted on the site as per Clause 67(b) of the Housing SEPP.
Other Approvals	• ***Biodiversity Conservation Act 2016*** – Due to the nature of the site, a waiver to the requirement for a Biodiversity Development Assessment Report will be sought. • ***Water Management Act 2000*** – Authorisation would be required if groundwater is to be impacted during construction. • ***Sydney Water Act 1994*** - Section 78 of the Sydney Water Act 1994 requires consent authorities to notify Sydney Water where an application for development could affect Sydney Water services. Accordingly, the applicant will consult with Sydney Water during the preparation of the EIS if deemed necessary. • ***Roads Act 1993*** - A consent under Section 138 of the Roads Act 1993 may be required to facilitate new driveway connections Approvals not applicable: • An approval under Part 4, or an excavation permit under section 139, of the ***Heritage Act 1977***; and, • An approval under the ***Environmental Protection and Biodiversity Conservation Act 1999***.
Pre-conditions to exercising the power to grant consent	***Biodiversity Conservation Act 2016*** (BC Act) A BDAR waiver will be requested from the Department \ to satisfy Section 7.9(2) of the BC Act.
	National Parks and Wildlife Act 1974 (NPW Act) The NPW Act aims to prevent the unnecessary or unwarranted destruction of relics and the active protection and conservation of relics of high cultural significance. Given the excavation completed under the previous DA and the extensively disturbed nature of the site, a full Aboriginal Cultural Heritage Assessment Report (ACHAR) is not considered necessary for this site. Therefore, an Aboriginal Cultural Due Diligence Report will be prepared instead to accompany the application.
	State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP) Section 2.122 Traffic-generating development Development consent must not be granted to certain traffic-generating development unless the consent authority has given written notice of the application to TfNSW, and taken into consideration any submission made in response to that notification, and the accessibility of the site concerned, and the potential traffic safety, road congestion or parking implications of the development. Section 2.48 Development likely to affect an electricity transmission or distribution network Section 2.48 requires the consent authority to given written notice to the electricity supply authority for the area and take into consideration any response to that notice before granting consent to a development likely to affect an electricity transmission or distribution network. The SSDA will be referred to the electricity supply authority for comments. Section 2.98 Development adjacent to rail corridors: Section 2.98 applies to development on land that is in, or adjacent to a rail corridor if the development is likely to have an adverse effect on rail safety, involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, involves the use of a crane in air space above any rail corridor, or is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities. Before determining a SSDA for such development, the consent authority must refer the application to the rail authority. The SSDA will be referred to the rail authority for comments.

Matter	Comments
	State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazard SEPP) Chapter 4 of the Resilience and Hazard SEPP aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Specifically, Section 4.6(1)(b) requires the consent authority to be satisfied that the land is suitable in its contaminated state, or will be suitable after remediation, for the purpose for which the development is proposed to be carried out. Many contamination studies and environmental site investigations have been undertaken to assess the extent and nature of contaminants within the site under prior DAs. Whilst this will be addressed in the upcoming SSDA, Accordingly, the question of contamination has been effectively resolved through existing approvals which cover the entire subject site.
Mandatory matters for consideration	***Environmental Planning and Assessment Act 1979*** (EP&A Act) The future application will take into consideration the following sections of the EP&A Act, which will address both the development application and rezoning proposal requirements: Section 1.3 Objects of Act Section 3.31 Making of environmental planning instruments for local areas (LEPs) Section 4.15 Evaluation Section 9.1 Directions of the Minister
	State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP) The future application will address the following sections of the Transport and Infrastructure SEPP: Section 2.92 Development permitted without consent—rail infrastructure facilities generally Section 2.100 Impact of rail noise or vibration on non-rail development Section 2.120 Impact of road noise or vibration on non-road development
	State Environmental Planning Policy (Housing) 2021 (Housing SEPP) The future application will provide an assessment against Part 3, Chapter 3 and Chapter 4 of the Housing SEPP. As required by Section 147, a Design Verification Statement will be prepared, along with an assessment against the Apartment Design Guide (ADG).
	State Environmental Planning Policy (Sustainable Buildings) 2021 (Sustainable Building SEPP) The future application will implement a range of environmentally sustainable development initiatives to meet industry benchmarks and standards, as well as reduce emissions and consumption of energy in accordance with Chapter 2 and 3 of the Sustainable Building SEPP.
	State Environmental Planning Policy (Biodiversity and Conversation) 2021 (Biodiversity and Conservation SEPP) As the site is located with the City of Newcastle, Chapter 4 Koala Habitat Protection applies and a Koala Plan of Management has not been approved, the consent authority must assess whether the development is likely to have any impact on koalas or koala habitat.
	Newcastle Local Environmental Plan 2012 (NLEP) Despite the proposal seeking amendments to the NLEP, the future application will still give regard to the current zoning and development standards, along with the following relevant clauses: • Clause 5.10 Heritage Conservation • Clause 5.21 Flood Planning • Clause 6.1 Acid Sulfate Soils • Part 7 Additional Local Provisions – Newcastle City Centre

6.0 Community Engagement

Engagement with the relevant government agencies and key surrounding landowners has commenced and will continue to be undertaken in accordance with the requirements of the SEARs. The applicant will also be undertaking future engagement to inform the EIS in accordance with the SEARs and DPHI *Undertaking Engagement Guidelines for State Significant Projects (2021)*.

Consultation is anticipated with the following government and industry stakeholders:

- Department of Planning, Housing and Infrastructure;
- Transport for NSW, including Transport Asset Manager NSW, Sydney Trains and Sydney Buses;
- City of Newcastle Council;
- Neighbouring Landowners;
- Surrounding Residents and Businesses;
- Local Indigenous Community;
- Local Community Groups and Members; and
- Public agencies and utility providers, including Water NSW, Ausgrid, Jemena and Sydney Water.

7.0 Proposed Assessment of Impacts

This Section identifies the matters requiring further assessment in the EIS and the proposed approach to assessing each of these matters. The concurrent assessment of the Planning Proposal and SSDA will ensure that all key matters are able to be comprehensively addressed in a unified manner under a single assessment and consent authority.

Table 8 Matters of consideration applicable to the site requiring further assessment

Assessment Matter	Proposed Approach
Built Form & Urban Design	The EIS will be supported by an Architectural Design Report which will demonstrate the proposed built form is appropriate for the site. This assessment will consider the increased building height, bulk and massing, setbacks, streetscape amenity, and active frontages. The proposed indicative building including its iconic circular form, is designed to mitigate wind impacts, optimise views, and deliver an architectural marker for the Newcastle Interchange location.
Design Excellence	As per clause 7.5(6A) of the NLEP, the design excellence clause of the LEP does not apply to the development. Accordingly, a design competition is not required to be completed for the development (and as such a Design Competition Exemption request will not be required). The development will nonetheless demonstrate design excellence is achieved having regard to the matters outlined in clause 7.5(3) of the NLEP. SJB has been nominated as the project architect, designers of the award-winning East End project, who have demonstrated experience in designing buildings with the highest standard of design.
Landscape and Public Domain	The EIS will be accompanied by Landscape and Public Domain Plans, and an Architectural Design Report to assess and demonstrate how the proposal will deliver a high-quality new public domain to the south of the site. Furthermore, it is noted that a new through-site link will be provided on the site that runs east/west adjacent to the Newcastle Interchange providing improved pedestrian access for the wider community.
Traffic and Parking	A Traffic, Transport and Accessibility Impact Assessment will accompany the EIS, providing an assessment of the traffic and parking impacts of the development, as well as a Construction Traffic Management Plan.
Residential Amenity	The residential amenity of the development will be assessed to confirm a high level of amenity is achieved. Guiding this assessment will be the design principles for residential apartment developments under Schedule 9 of the Housing SEPP and the Apartment Design Guide (ADG). The residential amenity of the co-living housing units will also be demonstrated by an assessment of the proposal against the relevant provisions of Part 3, Chapter 3 of the Housing SEPP.
Acoustic Amenity	The EIS will be supported by a Noise and Vibration Impact Assessment which will assess the impact of traffic generation of the surrounding road network on the acoustic amenity of sensitive receivers proposed on the site. The Noise and Vibration Impact Assessment will also assess the impact of non-residential development proposed on the site on the proposed and neighbouring residential properties. The Noise and Vibration Impact Assessment will address potential impacts from the adjacent rail corridor, including operational rail noise and vibration, and identify appropriate mitigation measures to ensure compliance with relevant guidelines. Noise and vibration impact associated with the construction of the development will also be addressed.
Flooding	The site is partially located within a Flood Planning Area. A Flood Impact Assessment will accompany the EIS.
Heritage	As the site is located adjacent to a heritage conservation area and multiple locally listed heritage items, a Heritage Impact Statement will accompany the EIS to confirm the proposal will not have an impact on the significance of these items.
Visual Impact	A Visual Impact Assessment will accompany the EIS, as the proposed development represents a significant increase in height and scale compared to existing approvals and surrounding built form. The site occupies a highly visible location adjacent to the Newcastle Interchange and Hannell Street, making it prominent from key public view corridors. The assessment will consider the proposal's impact on the skyline, its relationship with nearby heritage items, and its integration with the evolving streetscape and public domain.

Assessment Matter	Proposed Approach
Wind Impact	The EIS will be supported by a Pedestrian Wind Amenity Assessment to demonstrate that the wind environment proposed within the public domain and on areas of communal and private open space satisfies the relevant wind safety and amenity standards.
Site Suitability and Public Interest	The EIS will address how the proposed development is suitable for the site, and that the proposed development is in the public interest. Where any adverse impacts resulting from the proposed development are anticipated, the EIS will include mitigation measures required to ensure the impacts are reasonable and appropriate.
Other Technical Reports	The EIS is also proposed to be supported by: • Crime Prevention Through Environmental Design Report • Wind Impacts • Reflectivity Assessment • Waste Management Plan • Geotechnical Assessment and Groundwater Impact Assessment (if required) • Construction Management Plan • Ecologically Sustainability Assessment, Section J Assessment, and BASIX Certificate • BCA and Fire Safety Statement • Utilities and Services Infrastructure Assessment • Accessibility Assessment • Community Consultation Report • Rail Interface Assessments (Noise and Vibration)

Table 7 Matters of consideration not requiring further assessment

Assessment Matter	Proposed Approach
Bushfire	The site is not affected by bushfire prone land and therefore, a bushfire assessment report is not necessary for this proposal.
Biodiversity	A Biodiversity Development Assessment Report (BDAR) Waiver Request will be prepared and lodged with the Department to confirm the site is not subject to any significant biodiversity value.
Contamination	Contamination is not considered a matter requiring further assessment as it has been previously addressed through DA2018/01197 and subsequent modifications, including site investigations confirming the land is suitable for the proposed mixed-use development. Demolition and excavation works have already commenced under existing approvals. The proposal does not introduce a more sensitive land use than previously approved. As such, contamination is not a matter for consideration under the SSDA.