

Appendix J - Pre-DA Meeting Feedback Responses

Table 44 Newcastle City Council Pre-DA Meeting Feedback

Council Feedback	Project Response
Height and FSR The proposed additional height and FSR is very significant and would represent the tallest building within the Local Government Area.	The site occupies a prominent gateway location at the intersection of Wickham, Honeysuckle and the Newcastle West End and immediately adjoins the Newcastle Interchange, making it suitable for a landmark transit-oriented mixed-use outcome. The site is within the Rail Edge precinct, where higher density mixed-use development is envisaged. The proposal is intended to function as a marker building while improving activation, permeability and public domain outcomes. Visual, wind, solar and view impacts have been assessed in the accompanying technical studies and discussed at Section 8.2 of the EIS. The proposal has not been developed in isolation. Rather, the height, FSR and built form have been considered having regard to the broader urban structure of the Newcastle City Centre, Wickham, Honeysuckle and West End precincts. Section 8.2.2 of the EIS, supported by the Urban Design Report at Appendix M, includes a skyline study and height distribution strategy which model the broader pattern of permissible building heights across the CBD, including Honeysuckle, Civic, the East End and the Newcastle Interchange precinct. This analysis demonstrates that while the proposal is a tall building, tall buildings are already envisaged and permissible throughout the Newcastle CBD, with the Interchange identified as an appropriate focal point for comparatively significant building height due to its accessibility, infrastructure context and gateway role. The Visual Impact Assessment (Appendix R) also considers the proposal in the future CBD context, including surrounding permissible envelopes and potential uplift. It demonstrates that as surrounding sites develop, the tower will read as part of an emerging high-density centre rather than as an isolated dominant building. On this basis, the proposed height and FSR are justified by the site's strategic location adjoining the Newcastle Interchange and its demonstrated fit within the planned built form context of the Newcastle CBD, Wickham and Honeysuckle precincts.
Despite this, no comprehensive assessment has been undertaken giving regard to the wider combination of the Newcastle City Centre, Honeysuckle and Wickham areas and the context of this proposed height and FSR increase. Conversely, the proposal appears to be largely developed in isolation of the existing comprehensive planning controls and the strategic planning intent for the wider area. CN considers that the proposed height and FSR increases are far too great to be justified in this instance having regard to the wider urban form context and planning outcomes allowed.	The proposal does measure the building height in accordance with the LEP definition of building height. Specifically, the LEP provides the following definition: building height (or height of building) means— <i>(a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or</i> (b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building, <i>including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.</i> Accordingly, the LEP definition permits building height to be expressed in relation to the RL. This is the most
It is confirmed that the height needs to be measured in accordance with the <i>building height</i> definition under the NLEP, ensuring height is measured from existing ground level.	

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	accurate and appropriate method for this proposal, given that demolition, early site works, bulk excavation and shoring works have already been completed under DA2018/01197, and the site is presently an excavated basement rather than a conventional at-grade development site.
CN advises that the proposed height in respect to cl7.9 and cl7.9A does not provide sufficient community infrastructure, nor meet the clause objectives. The applicant's submission references Wickham Community Infrastructure Plan 2023 but this Plan is in context of a proposal at the 70m/7:1 'bonus' level and does not address a development which is now proposed at more than double the 'bonus' provisions. It has not been demonstrated that sufficient community infrastructure necessary for Wickham has been proposed commensurate with the scale of the proposal and its exceedances beyond the intended strategic outcomes adopted within the NLEP. Additionally, the proposal at more than twice the intended height and FSR, is not consistent with the objectives of the clauses as the height and FSR is well beyond the intended desired future character. The intensity of the development is not proportionate with the capacity of the existing and planned infrastructure.	Refer to Section 6.3.4 of the EIS for an assessment against the Newcastle LEP 2023, and Section 8.2.7 for a discussion on Community Infrastructure. The proposal provides sufficient community infrastructure to meet clause 7.9 and clause 7.9A of the LEP. The scale of the proposal is also appropriate having regard to the site's exceptional infrastructure context. The site is located immediately adjoining the Newcastle Interchange, with direct access to heavy rail, light rail and bus services, providing both local and regional connectivity. Its location at the edge of the Newcastle CBD also places future residents, workers and visitors within walking distance of a broad range of existing services, employment, retail, recreation, education, health and community facilities. In this respect, the proposal directs housing and employment-generating floor space to one of the most infrastructure-rich and accessible locations in Newcastle, consistent with the objective of concentrating density in well-served centres and reducing reliance on private vehicle travel. The community infrastructure proposed, including the publicly accessible east-west through-site link, north-south pedestrian connection, plaza spaces and associated public domain improvements, will improve permeability, accessibility and amenity around the Newcastle Interchange. These works provide a direct and proportionate public benefit by responding to the site's role as a gateway location and supporting increased pedestrian movement between Wickham, Honeysuckle, the West End and public transport services. Accordingly, the proposal is considered to satisfy the intent of clauses 7.9 and 7.9A by delivering meaningful community infrastructure in a location where additional density is appropriately supported by existing and planned infrastructure.
It is further noted that the 'zone for services' (i.e. plant) is considered to be excessive at 4.7 metres in height and this should be minimised within the design.	The headroom clearance of the 'zone for services' has been designed to meet the service requirements for the hotel, co-living and residential uses. The location of plant and equipment within the mixed use tower will also conceal plant and equipment and will improve the appearance of the building from the existing streetscape setting.
Design Excellence/Architectural Design Competition	
The proposal exceeds the height for an architectural design competition under cl 7.5 of the Newcastle LEP 2012 (i.e. 48 metres). No waiver to a competition has been provided under cl7.5(5) NLEP. Similarly, no draft Alternative Design Excellence Strategy (ADES) has been provided nor any endorsed ADES.	It is noted that the Newcastle LEP was amended on 6 February 2026 to the extent that clause 7.5 now applies to the proposal. Under the previous drafting, this clause did not apply to development to which clause 7.9 or 7.9A applies, which meant it did not apply to the proposal. The previous drafting was in place at the time of submission of the EOI, SSD declaration, when the PFM for the project occurred, and when the 2 x SDRPs occurred for the project. Section 2.12E of the Planning Systems SEPP stipulates that an application for an Alternative Design Excellence pathway must be made to the Government Architect

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		NSW. As such, an Alternative Design Excellence Strategy will be prepared and submitted to GANSW for their endorsement.	
		Notwithstanding the above, the proposal has been reviewed by the SDRP on two occasions and has incorporated the SDRP's feedback, as outlined at Section 8.2.1 of the EIS.	
It is further confirmed that the proposal needs to demonstrate that it achieves design excellence provisions under Part 7 of the NLEP including cl7.5 and the objectives and the criteria under cl7.5(3). It is confirmed that cl7.9 and 7.9A does not exclude cl7.5 applying to the proposal, these clauses only specifically exclude the 'bonus provisions' under cl7.5(6) as additional height and FSR is already available via cl7.9 and cl7.9A (i.e. so to avoid 'double dipping').		An assessment against clause 7.5 of the LEP has been undertaken at Section 6.0 and Section 8.2.1 of the EIS. It is considered that, following the two SDRP meetings, the proposal meets the design excellence provisions of Part 7 of the Newcastle LEP.	
Based on the issues raised within this advice, it is considered that the proposal does not meet the design excellence provisions of Part 7 of the NLEP.			
Waste Management, Servicing and Public Domain			
General Comments			
Waste collection and waste storage must be appropriately designed within the site. Under the <i>Local Government Act</i> , 1993 CN charges waste levies and therefore has an obligation to service the development for waste collection.		Waste management has been addressed within the Operation and Construction and Demolition Waste Management Plans at Appendix KK and Appendix LL . Waste management is further discussed at Section 8.2.15 of the EIS.	
CN uses heavy rigid vehicles (HRV) to collect waste. The development must be designed for waste collection using HRV and must be designed to meet HRV access in accordance with Australian Standards AS2890.2.			
The design must address safe vehicular access for HRV trucks to be able to enter and exit in a forward direction inclusive of associated vehicular turning diagrams (i.e. addressing movements within the site plus to and from adjoining streets).			
Other services such as loading/unloading must be considered for the entire building needs including commercial and hotel use.			
The development must be designed in accordance with <i>NDCP Traffic, Parking and Access</i> and Australian Standard AS/NZS2890 series and industry guidelines for access by HRV.			
The design needs to ensure that sufficient waste storage is provided including the required waste streams splits for general, recycling and FOGO wastes.			
It is recommended that the proposal be discussed with David Thomas (Manager Service Delivery from CN's Waste Management (4974 6046) regarding waste collection and waste design requirements.			
General Design Comments			
The design must address the following requirements:			
Vehicle turning (manoeuvring) diagrams are required for waste/loading access to the development demonstrating that access can be satisfactorily achieved for HRV access.		Swept paths have been provided within the Traffic and Parking Assessment Report at Appendix S .	
Clear details of access arrangements for the site including HRV vehicles for waste/loading servicing. It is unclear of the directions of travel proposed and the resulting impacts such as on the street system and suitability of vehicular access.		Vehicle access to the basement is from Dangar Street. Waste/loading vehicles, including HRVs, will use a separate drive-through arrangement, entering from Dangar Street and exiting to Charles Street in a forward direction. Swept path diagrams (Appendix S) confirm HRVs can enter, manoeuvre and exit safely without reversing onto the public road. The arrangements avoid Hannell Street access and are suitable for the local street network.	
Loading bay provisions for different sized vehicles (HRV/MRV/SUV) needs to be detailed, demonstrating adequate length/width and clearances be provided in accordance with AS2890.2.		The size of the loading bays provided are discussed within the Traffic and Parking Assessment Report at Appendix S .	

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Mail area is noted to be accessed from southern entry adjoining Station St (through link). The design should consider how service providers such as Australia Post will undertake regular mail and parcel delivery.	The design of the mail areas will be subject to detailed design.
Parcel drop-off area should be detailed within the design.	
The Hotel component of the development must consider how patrons and other users will be dropped off/picked up including access constraints through the train corridor. Any design which increases conflicts in this respect would not be supported.	The proposal does not rely on access through the rail/interchange corridor. Hotel pedestrian access is separate from vehicle access minimising conflicts. Hotel patron pick-up/drop-off will be managed through the site's access and operational arrangements.
Overall, the plans indicate a separated loading and waste collection area on the ground level however, there is no information to confirm that the ground floor has been designed to be accessed and serviced by HRV. The waste/loading area proposed is being required to satisfy elements for multiple discrete uses and concern is raised to its suitability and ability to meet all the requirements for the proposal.	Waste management has been addressed within the Operation and Construction and Demolition Waste Management Plans at Appendix KK and Appendix LL . Waste management is further discussed at Section 8.2.15 of the EIS.
Please also see further comments below under 'Driveway and Access Design' for issues relating to the location of the proposed loading bay driveway on Dangar St.	Noted. Addressed below.
Other Servicing	
CN assumes that other service vehicles for commercial uses, the hotel and other users of the site such as removalist vehicles etc, requiring larger vehicles, will be co-using the proposed waste/loading bay. The multi-use of loading bay for other services is supported.	Noted. The proposal provides dedicated on-site servicing/loading access, with service vehicle entry from Dangar Street and exit to Charles Street, separate from the basement car park access. The design accommodates HRV access and on-site waste collection. Parcel/package drop-off, mail servicing and removalist access will be managed through the site's servicing/loading arrangements.
Furthermore, recent traffic studies have shown that new developments must consider the provision for parcel/package drop-off and mail services and removalist access vehicles – these aspects must be addressed in the design of the proposal.	
Driveway and Access Design	
Two new driveways are proposed from Dangar St and one new driveway from Charles St frontage. The southwest Dangar St driveway and Charles St driveways are for loading/waste collection purposes, while the southeast Dangar St driveway is a two-way access for the basement level car parking use.	A Traffic and Parking Assessment Report (Appendix S) has been prepared by Varga Traffic Planning, assessing the proposal's impact on traffic, parking and access. This is further discussed within the EIS at Section 8.2.8 .
Driveway locations are generally set from tangent points as indicated in Figure 3.1 of AS2890.1 and heavy vehicle access driveways must be designed to AS2890.1.	
The development must demonstrate compliance with the Australian Standards via use of existing road alignment scenario, rather than dependency on public domain approaches.	
The following design issues need to be addressed:	
Dangar St southwest driveway for the loading dock seems to be within a critical location and the following concerns are raised. • HRV movements to/from Charles St into/out of the Dangar St loading dock driveway may pose added risks to other road users (noting that a two-way cycleway will be required on Dangar St as per Wickham Public Domain Plan). • The southwest loading dock driveway location does not meet AS2890.1 Figure 3.1 compliance based on existing kerb alignment.	A Traffic and Parking Assessment Report (Appendix S) has been prepared by Varga Traffic Planning, assessing the proposal's impact on traffic, parking and access. This is further discussed within the EIS at Section 8.2.8
All three proposed driveways do not meet AS2890.1 Figure 3.3 minimum sightlines compliance requirements, and compromises safety at the driveways and footway areas. Splays must be provided in accordance with Australian Standards. • At the corner of Dangar St/Charles St, the Ground Level building footprint extends to the property boundary. Proposed building design compromises sightlines and safety at this corner for pedestrian, cyclist and vehicles. • Setbacks and splays are recommended.	
There are doors to the west of the loading dock and basement driveway on Dangar St driveways and a door on the north of Charles St driveway.	

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Safety concerns are raised as the doors will lead pedestrians directly onto the driveway area and hinder sightlines.	
The public domain streetscape proposal has not been endorsed by CN. Dependency on the kerb extensions and footpath widening to achieve compliance for driveway locations and sightlines compliance are not supported. (Note: flooding constraints also affect the road areas).	The proposal does not seek any changes to the public domain streetscape including road widening or kerb extensions.
CN require that alternative driveway design options should be explored which mitigates impacts to streetscape and dominance of driveways in a civic street.	The current driveway arrangement is appropriate as it avoids vehicular access from Hannell Street and the Newcastle Interchange interface, preserving those edges for pedestrian/public domain outcomes. Vehicle access is instead located on Dangar Street, with separate servicing/loading access between Dangar Street and Charles Street, reducing conflict between general traffic, service vehicles and pedestrians. The arrangement supports the proposed basement parking, on-site loading/servicing and through-site link/plaza outcomes without compromising the key Interchange frontage. Refer to the Traffic and Parking Assessment Report (Appendix S) for further discussion.
As no vehicular turning and manoeuvring plans have been submitted, with no information on HRV and service vehicle parking layout within the loading area, it is difficult to provide further comments.	Swept turning path diagrams have been provided within the Traffic and Parking Assessment Report at Appendix S .
Public domain and streetscape works, including kerb and footway widening and associated works, as indicated in the landscape plans, requires further consultation and endorsement by CN.	The proposal does not seek any changes to the public domain streetscape including road widening or kerb extensions.
In this regard, proposed development depends heavily on the streetscape works and kerb extension to achieve compliance for driveways, sightlines and safety purposes.	As above. The proposal does not seek any changes to the public domain streetscape including road widening or kerb extensions.
CN requires that the development be redesigned to not place high dependency on streetscape works to achieve Australian Standards compliance for driveways and sightlines requirements.	As above. The proposal does not seek any changes to the public domain streetscape including road widening or kerb extensions.
Public Domain and Streetscape	
Submitted landscape plans detail that proposed public domain streetscape works within the road reserve will be completed by others, whereas the Pre-DA information states that public domain will be completed by the applicant.	The proposal does not seek any changes to the public domain streetscape including road widening or kerb extensions.
CN requires that the proposed public domain road works must be undertaken by the applicant as part of the development, as a requirement under the Roads Act.	Section 138 Roads Act Approval has been granted as part of the base consent (application no. RA2020/00708) this gives consent for public domain and civil works including kerb extensions, raised pedestrian crossing, footpath, driveway and streetscape, drainage connection and traffic works. The Roads Act approval will be amended to accommodate the new SSDA scheme including relocation of vehicle driveway crossovers.
A review of the landscape and architectural plans highlights that landscape features and structures have been designed over the road reserve (including features such as planter boxes, leading steps and other associated structures. Achieving these outcomes may be difficult and requires the applicant to undertake further detailed consultation with CN.	All proposed landscaping works will be contained within the site boundary.
The proposal's public/private coordinated streetscape design approach will require many internal and external stakeholders to be involved in the overall decision-making process. Subsequently, additional comments and issues may arise as a result. Additional associated approvals may also be required by the relevant statutory committees/agencies in this respect.	Noted.
Public notification and consultation may also be required as legislated under the Roads Act. Further to this, TfNSW consultation and concurrence will be required for the design (e.g. along the train station and Hannell St frontages).	Ongoing consultation with TfNSW and Sydney Trains has been undertaken and will continue to occur throughout the assessment process. No issues with the proposed public domain works have been raised by TfNSW at this stage.

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The assessment and approval of the proposed public domain works may take considerable time which is further exacerbated by the extent to which the development is dependent on the public domain outcomes for aspects such as driveway design (see above) and associated environmental impacts to be addressed such as flood impacts (see flood management). CN recommends that the applicant undertake further investigation and consultation with CN early to progress any concept public domain proposal.	The public domain works form part of this SSDA and will be assessed holistically by DPHI as part of the SSD process, including associated access, streetscape, sightline and flooding impacts. Council's comments have been addressed through the preparation of the EIS, and further consultation will be undertaken with Council during the exhibition process. This provides an appropriate pathway to resolve public domain design requirements without duplicating assessment outside the SSD process.
Issues to be designed in terms of the public domain: • There are a number of doors opening onto the road reserve, which poses danger to pedestrians and added risks. Doors must be designed to fully be located and opening within the site and must not encroach on the public road reserve. • Handrails and tactile measures associated with the private steps at the Charles St/Station St and Dangar St/Hannell St interfaces will require redesign to avoid unduly encroaching over the road reserve. The design must amended to address these impacts.	All doors to be designed to ensure they do not open out onto the road reserve. The proposal does not involve any works located within the road reserve.
Concern is raised that Dangar Street will be dominated by vehicles (esp. HRV and service vehicles). This will be exacerbated in terms of streetscape where roller security gates for the basement access and the loading dock roller gate (at 4.5m height) are proposed.	The Dangar Street access arrangement is justified as it avoids vehicle access from Hannell Street and the Newcastle Interchange/public domain interface, and enables servicing to occur on-site rather than within the street. The basement and loading entries are functional elements required to support this outcome, while active ground-floor uses, the through-site plaza and public domain landscaping assist in maintaining pedestrian activation and reducing the perceived dominance of vehicle access.
The Wickham Public Domain Plan and Wickham Masterplan provide detailed streetscape design criteria which must be considered in the design. (see https://newcastle.nsw.gov.au/getmedia/261ea8d8-7d10-4472-b78e-070d895d957c/Wickham-Public-Domain-Plan-Final-December-2023_web.pdf).	The proposed streetscape including through site link will be designed in accordance with the design criteria set out within the Wickham Public Domain Plan and Wickham Masterplan.
Strategic Planning	
Key Site Identification and HDA Pathway	
As the HDA pathway is being utilised for the concurrent planning proposal (CPP) and SSD, CN requests that the site be identified as a Key Site on the Newcastle City Centre Map, to ensure: • Site-specific provisions are transparent and clearly justified, • Development outcomes are secured through the LEP framework, and • Strategic objectives for the Newcastle City Centre are maintained.	The outcome sought is already achieved through the proposed LEP framework, as the land is identified as "Area E" for the purposes on clause 7.9 and 7.9A. This operates in the same way as a key sites control, applying a site-specific development standard.
Site-Specific Provisions	
CN supports the creation of a new site-specific clause within Part 7 of the NLEP 2012. This new clause should: • Include clear objectives aligned with the HDA pathway, including affordable housing delivery. • Explicitly require the provision of public benefit commensurate with the additional development capacity above the existing incentives policy. • Establish measurable and enforceable development outcomes. • Clearly articulate the intended built form, scale and character. • Lock in outcomes that achieve the objectives of Part 7 of the NLEP, particularly in relation to heritage, design excellence, sustainability and public benefit. • Avoid reliance on broad or permissive controls that do not provide certainty of outcome.	Noted. These are achieved through the proposed drafting. Refer to Section 4.0 of the EIS.
If the site-specific provision does not directly reference an approved development scheme (for example, "development in accordance with SSD-XXXX, including approved architectural plans and a Voluntary Planning Agreement"), then the LEP provision must clearly specify:	

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- The minimum requirements that apply where development exceeds the existing 45m height and 6:1 FSR controls. - The nature and quantum of affordable housing, public domain works and/or other public benefits required. - Built form parameters sufficient to guide future development outcomes. CN considers the proposed LEP amendment lacks the necessary certainty and rigour expected for site-specific planning controls within the Newcastle City Centre.	
Planning Agreement for Public Benefit	
The site is mapped as 'Area E' in Floor Space Ratio Map - Sheet FSR_004G and Height of Buildings Map Sheet HOB_004G. It is subject to Clause 7.9 of Newcastle Local Environmental Plan 2012 which triggers community infrastructure contributions for additional residential floor space (above existing controls e.g. HOB of 45m). Refer to Wickham Community Infrastructure Plan December 2023. The incentive GFA rate for certain development sites in Wickham is \$617.37 per square metre. This reflects the December 2025 CPI quarter.	Noted. An assessment against clause 7.9 of the LEP has been undertaken at Section 6.0 of the EIS. Further, the requirements and provision of community infrastructure has been discussed at Section 8.2.7. No Voluntary Planning Agreement is required.
Character/Planning Outcomes	
The design of the proposal is situated on a relatively small site considering the scale of the proposal and the resultant planning and character outcomes achieved on the site are not consistent with the strategic planning outcomes envisioned by the NLEP and the future desired character for the area. The various issues arising from the design of the proposal are symptomatic of the site's constraints and limitations (especially access and servicing).	The site occupies a prominent and suitably sized gateway location at the intersection of Wickham, Honeysuckle and the Newcastle West End and immediately adjoins the Newcastle Interchange, making it suitable for a landmark transit-oriented mixed-use outcome. The site is within the Rail Edge precinct, where higher density mixed-use development is envisaged. The proposal has been carefully designed by an award winning architectural practice, and reflects an efficient outcome on a site well-served by public transport. Technical matters are addressed in this EIS and demonstrate the suitability of the proposal.
Urban Design/Apartment Design Guidelines (ADG)	
The proposal raises a number of concerns in terms of its design/ADG outcomes as detailed below. These issues should be considered in conjunction with the previous advice from the State Design Review Panel (i.e. 28 November 2025 and 20 February 2026):	The proposal's response to the SDRP feedback is provided at Section 8.2.1. The proposal's consistency with the ADG is discussed at Section 8.2.3 and Appendix M.
Interchange – Concern is raised in terms of the proposal's interaction with the Newcastle Interchange. The development needs to be designed to promote public domain, pedestrian and visual interaction with the Newcastle Interchange as opposed to the design dominating the Interchange.	The proposal has been designed to improve the site's interface with the Newcastle Interchange through a publicly accessible east-west through-site link and plaza along the southern edge of the site, together with active ground floor uses and public domain/landscape improvements. These elements are intended to support pedestrian connectivity, visual interaction and a more integrated interface with the Interchange.
Communal Open Space – Concern is raised that sufficient open space is provided for the residential apartment residents. Additionally, how open space is provided and managed between the differing elements (i.e. hotel, co-living and residential apartments) needs to be addressed. It would not be appropriate that these communal open space areas be combined or overlapped, especially by hotel guests in what would otherwise be private resident spaces.	Sufficient communal open space is provided for each of the residential components (market, affordable and co-living). Refer to Section 5.9.4 and Section 8.2.3 of the EIS for further discussion on communal areas and their allocation.
Deep Soil Areas – The proposal has not sufficiently demonstrated that the proposed achieves the 7% deep soil areas.	Refer to Section 8.2.3 for discussion on deep soil and compliance with the ADG.
Universal Housing – It is confirmed under NDCP that 20% of the residential apartments and 100% of the co-living is to achieve platinum level liveable housing.	The proposal includes 57 units as Silver Level Liveable Housing Units and 28 units as Platinum Level Liveable Housing, meeting the requirements of the BCA. It is emphasised that pursuant to Section 2.10(1)(a) of the Planning Systems SEPP, DCPs do not apply to SSD.
Cross Ventilation - The design details have not demonstrated how cross ventilation is achieved including window design details.	Cross ventilation is not applicable to the proposal as no residential apartments are proposed below Level 10.

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Solar Access & Shadowing – It has not been sufficiently demonstrated that the proposal achieves the 70% solar access to proposed dwellings under the ADG. Concern is raised with the number of dwellings achieving two hours of direct sunlight. Further details are to be submitted to demonstrate the accuracy of the results/ calculations stated on the shadow views (for example, 3D solar access 'point of view' visualisations at 15min internals) and overshadowing analysis during the June 21 winter solstice is required. Concern is raised regarding shadowing impacts on surrounding development (e.g. on The Store and the Government building adjacent the Interchange).	Refer to Section 8.2.3 for discussion on solar access. The proposal meets the 70% 'design criteria' under the ADG for solar access. Refer to Section 8.2.4.1 for discussion on the proposal's shadow impacts. Overall, the shadow diagrams (Appendix L) demonstrate that the proposal will not give rise to any significant adverse overshadowing impacts and that the extent of additional shadow is acceptable in the context of the site and its surrounds.
Landscaping – The ground floor landscaping adjacent the Newcastle Interchange will be in constant shadow from the proposed tower. Concern is raised that suitable landscape outcomes cannot be achieved in this instance as shown in the submitted landscape details. The landscaping is to ensure year-round usability of the site and communal open spaces should be of high quality, with adequate landscaping being essential. In line with Part 3D Communal and public Open Space of the ADG, well-considered landscaping design is crucial for supporting a variety of activities for both individuals and groups, while also responding to site-specific conditions by providing shade and shelter.	Refer to the Landscape Plans and Landscape Design Report, included at Appendix Z and Appendix AA respectively. Appropriate planting is provided for the climate.
Balconies/Private Open Space & Wind Loading – Concern is raised, resulting from the round design of the floorplates, regarding the shape and functional use of the balcony spaces. This may need to be rationalised to ensure effective usable spaces for future residents. The overall design of the balconies, inclusive of any structures such as fins/blades, will need to be considered in combination with wind loading impacts which will be substantial in this location and at the heights proposed.	Refer to the Assessment against the ADG included within the Architectural Design Report at Appendix M . Adequate balcony areas are provided for the proposed dwellings. The Pedestrian Wind Study (Appendix P) concludes, subject to the implementation of the proposed mitigation measures, the balconies will be usable spaces for future residents.
Storage – The proposal needs to be compliant with ADG in terms of storage and must provide this storage as a combination of space internal to the dwellings and external to the dwellings (e.g. within basement areas). It is confirmed that this required external storage is in addition to the required bicycle parking. Concern is raised that the proposal does not include the required external storage for dwellings.	Refer to the Assessment against the ADG included within the Architectural Design Report at Appendix M . Adequate storage is provided for the proposed dwellings.
Lifts – The proposal does not appear to incorporate sufficient ratio of lifts in terms of ADG considering the multiple separate uses on site and their respective lifts.	Refer to the Assessment against the ADG included within the Architectural Design Report at Appendix M . Adequate lifts are provided to service the proposal.
Connecting with Country – No substantial details been submitted how the proposal's design is addressing Connecting with Country.	A Connecting with Country Report is provided at Appendix N and discussed at Section 5.3 .
View Impacts	
The development needs to undertake a view impact assessment on surrounding development including approved but yet to be built proposals. It is recommended that this assessment contrast the proposal against the approved development on the site. The additional height proposed by the development has the potential to now impact developments that otherwise would have achieved views having regard to the height standards under the NLEP.	Refer to Section 8.2.5 of the EIS for discussion on view impacts.
Visual Impacts	
The proposal will need to undertake a comprehensive visual impact assessment that includes view corridors detailed within the NDCP and ensuring that prime views from the Harbour, Honeysuckle, Hannell Street and Hunter Street are addressed. This visual impact assessment needs to address the proposals possible impacts on prime features within the skyline/topography including heritage items (e.g. Christ Church Cathedral and Nobbys). This visual impact assessment needs to address the cumulative impacts of the proposal in combination other approved or proposed developments in the neighbourhood (i.e. Wickham, Honeysuckle and Newcastle West). This visual impact assessment should include detailed photomontages addressing these details.	Visual impact has been addressed within the VIA prepared by Urbaine, included at Appendix R , and discussed within the EIS at Section 8.2.5 .
Heritage	
Design of Podium	

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Height -The proposed increase in height of the podium will create a strong visual base to the tower.	Refer to Section 5.6.2 of the EIS for discussion on the podium design.
Facade and fenestration - Articulation of the facade with wide apertures and change of materials at street level should be considered to break down the mass and scale of the podium element.	Refer to Section 5.8 of the EIS for discussion on the proposed façade and materiality.
Material selection - Non reflective cladding such as traditional brick or ceramic cladding is preferred at street level.	
Relationship to heritage items in the vicinity and the adjacent Newcastle City Centre HCA	
Contemporary design and materials are suitable in the context a mix of different style in the Wickam area and along Hannell Street - and Honeysuckle Drive.	A Heritage Impact Statement (Appendix QQ) has been prepared concluding the proposed modifications to the planning controls, and the subsequent proposed development will not adversely impact the identified heritage items. Refer to Section 8.2.19 for further discussion.
Provide clear sightlines for views and vistas to and from heritage items and main thoroughfares as well as distant views from the Harbour should be retained where possible.	
Landscaping	
Develop the landscape design to integrate with the 'eroded podium' concept and respond to opportunities for Country.	The landscape design supports the eroded podium concept by reinforcing the through-site link, plaza spaces, podium communal open spaces and green roof strategy. The Connecting with Country work has also informed the design approach, with opportunities to reflect local Aboriginal cultural values, ecology and history through planting, public domain treatment and public art integration.
Consideration should be given to the transitional qualities of the lane, to allow adequate space around the podium and ensure it is safe, pleasant and attractive for pedestrians.	The proposal provides a publicly accessible east-west through-site link and plaza adjacent to the Newcastle Interchange, together with a north-south link along Hannell Street. These spaces are framed by the podium, active ground floor uses and landscaping to improve pedestrian permeability, safety and amenity around the podium. Refer to the CPTED Report at Appendix OO for further discussion on safety, and the Access Report (Appendix WW) and Design Report (Appendix M) for discussion on the usability and design of this space.
Avoid steep or abrupt edge-conditions to maximise space for pedestrian movements and to ensure pedestrian safety.	
Optimise and maximise mature tree planting ensuring planting selections are appropriate to the consistent year-round shade.	The landscape strategy provides planting across the public domain, through-site link, podium communal open spaces and green roof areas. Tree planting is maximised where soil depth, structure, sightlines and public domain constraints allow, with species selection to respond to the site's shaded southern interface and support long-term landscape viability. Refer to the Landscape Plans at Appendix Z .
Develop heritage interpretation of the site e.g. the water story within robust spatial and safety parameters	Heritage interpretation has been incorporated and developed through the SDRP process. Refer to the Design Report (Appendix M), Connecting with Country Report (Appendix N) and Landscape Design Report (Appendix AA) for discussion on this process.
Aboriginal Cultural Heritage and Due Diligence	
An Aboriginal Cultural Heritage Assessment Report (ACHAR) is to be submitted with the development application and is to be a complete and final document prior to determination in accordance with the EP&A Act 1979 and Section B4 of the NDCP 2023.	Aboriginal Cultural Heritage Advice has been prepared by Regal Heritage (Appendix PP) for the proposed development confirming that, due to the works undertaken under the previous DA, there is no potential for Aboriginal objects to remain within the site and as such, this SSDA does not require any further Aboriginal Cultural Heritage Assessments to be completed. Refer to Section 8.2.18 of the EIS for further discussion.
CPTED/Plan of Management	
The proposal would be required to undertake a Crime Prevention Through Environmental Design (CPTED) assessment. Concern is raised that the design creates many CPTED issues that will be difficult to resolve in this instance especially at the ground floor level. There will be potential for interaction of many unrelated users within the site	A CPTED Report has been prepared by Beam Planning, included at Appendix OO .

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considering the proposed retail premises (potentially licenced food and drink premises), hotel, co-living and residential apartments. The proposal is to prepare a plan of management (POM) addressing the interaction between these uses and addressing potential issues which may arise. This POM should align with any recommended measures within the required CPTED report.	It is anticipated a condition of consent will be included to require the preparation of a PoM for the co-living development prior to OC.
Social Impact Assessment	
The proposal would be required to undertake a Social Impact Assessment. This needs to address (but not limited to): • Tenure mix (private, affordable, social or co-living where applicable) and clarify further the extent and mechanism of affordable housing contribution. • Discuss universal design and adaptable housing provisions. • Address accessibility for people with disability, age- and family-friendly design elements, including suitability for ageing in place. • Consider cultural inclusion and responsiveness to the cultural demographic profile of the locality. • Consider impacts on vulnerable or priority populations. • Propose mitigation or enhancement measures where relevant. • Respond to CPTED Report findings for community safety and perceptions of safety where relevant.	Social impact has been addressed within the SIA prepared by Sarah George Consulting, included at Appendix MM, and discussed within the EIS at Section 8.2.16 and Section 9.5.
Public Art	
The proposal is required to incorporate public art within the development in accordance with the provisions under Section E5 Newcastle City Centre – Control 19 of the Newcastle DCP 2023 (i.e. the Newcastle City Centre extends to include Wickham). The provision of quality public art outcomes requires consideration of location and design early within the design and assessment process. CN requires submission of a Public Art Strategy and endorsement by CNs Public Art Standing Committee (PASC) prior to determination of the application.	A Public Art Strategy is provided at Appendix RR and discussed further at Section 5.10.
Affordable Housing Contributions	
CN does not support the proposed 15% affordable housing for 15 years, as it is considered to function as discounted market rental, rather than meeting the statutory meaning of affordable housing. As noted in the EOI criteria for the HDA pathway, proposals must: <i>“contribute a measurable quantity of affordable housing (as defined in s1.4(1) of the EP&A Act)”</i> Under the EP&A Act, affordable housing must be affordable to households within the defined income bands, not simply discounted below market rent. Time-limited discount rental does not meet this definition. In CN's view, the proposed offering: • does not satisfy the EP&A Act definition, • is not secured in perpetuity, and • does not provide a lasting public benefit that would justify the scale of uplift sought. CN supports a lower proportion of affordable housing where the housing is genuinely affordable and secured in perpetuity. CN's Affordable Housing Contributions Scheme (AHCS) provides a clear and enforceable mechanism for delivering such long-term affordable housing outcomes. In the absence of a site-specific feasibility analysis agreed with CN, and having regard to the magnitude of the proposed uplift and CN's evidence base for identified areas, CN recommends a 4% in-kind affordable housing contribution (dedicated to CN). This 4% in-kind rate is consistent with the identified-area residential contribution settings for Broadmeadow, which sit within the endorsed 3.3%–5% band, and supported by robust economic and feasibility modelling. The 4% should be secured in-kind and dedicated to CN in accordance with the - AHCS, via either a VPA or LEP/AHCS amendment that specifies the rate for this site.	The proposal for 15% of residential floor space to be provided as affordable housing for a minimum of 15 years is consistent with state-wide government policy, therefore it clearly meets the statutory meaning of affordable housing. As discussed in Table 15, the Newcastle Affordable Housing Contributions Scheme came into effect through an LEP amendment in September 2025, following the declaration of the proposal into the HDA program. The SSD declaration is based on the EOI, which set out a commitment for 15% of the residential GFA of the project to be delivered as affordable housing for a minimum of 15 years, held in the Proponent's ownership. The affordable housing quantum proposed with the SSDA and as anticipated by the declaration is also significantly more than that anticipated by the Newcastle scheme. Accordingly, no further affordable housing is proposed under the Newcastle scheme, noting there is discretion afforded to the consent authority under the relevant LEP clause to not impose a further AH contribution on the proposal.

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Given the major development incentives requested, CN's position is that any uplift of this magnitude should be matched by permanently secured affordable housing, not a short-term discounted rental product.	
Infrastructure Contributions	
The development is required to make Section 7.11 development contributions per additional residential units. This will be based on the number of bedrooms per unit. The rates are published on CN's website: Contribution Plans - City of Newcastle. Note. Development contributions are in addition to community infrastructure contributions under the incentive scheme.	Noted. Refer to discussion at Section 6.0 of the EIS.
Ausgrid	
It is recommended that early consultation be undertaken with Ausgrid. Two issues which are important to address early in the design of the proposal include: • Safe separation of proposal from existing adjoining substations. • The proposals need for substations to support the development (an upgrade often arises due to the scale of a proposal and/or extra demand to facilitate EV charging). Addressing these issues late in the design process or at the Construction Certificate stage can result in very poor outcomes for the development and unreasonable impacts on surrounding properties.	Ausgrid will have the opportunity to provide comments on the proposal during the exhibition period. Further engagement will be taken as necessary throughout the duration of the project. An Infrastructure Deliver, Management and Staging Plan has been prepared (refer Section 8.2.21 and Appendix NN) confirming the proposed services can comply with the relevant local and national rules, regulations and standards.
Existing Consents/VPA	
Based on the extent and scale of works, the development should be pursued based on a standalone consent and not, in any way, be reliant on previous consents. Concern is raised how this HDA proposal can be leveraged against the existing approvals (DA2018/01197 and subsequent modifications). It is recommended that these previous consents should be surrendered under s4.63 of the <i>Environmental Planning and Assessment Act, 1979</i>.	Section 1.3 of the EIS clearly sets out how the proponent intends to surrender the two previous consents, achieved via a condition on the determination of the SSDA.
A further complicating factor is that CN has entered into a Voluntary Planning Agreement in connection with the Alterations and Additions Development Consent. Under the Planning Agreement the developer of the site, Dangar St Wickham Pty Ltd, agrees 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).	No planning agreement is required or proposed in respect of the SSDA. As noted by Council, it is intended to surrender the two previous consents following approval of the SSDA, as these will not be relied upon. As discussed in the EIS, the proposed community infrastructure will be achieved without a planning agreement and in accordance with the terms of the Community Infrastructure Clause, through the provision of Community Infrastructure on site.
A condition of consent was imposed on the development consent requiring the planning agreement be registered on the title of the land prior to the issue of any Occupation Certificate. It is CN's expectation that a VPA planning agreement be entered into with the developer that reflects the existing agreement plus any additional uplift increases in the building height and FSR included in the proposed development.	
Height, Cranes & Interaction with Protected Air Space	
The subject site is located within the protected airspace of Newcastle Airport. If it is proposed to erect a structure or use a mobile crane having a height exceeding 30m above ground level, it will be necessary to obtain the prior approval of the Air Base Command Post of RAAF Base Williamtown in accordance with the <i>'The Operation of Cranes and Tall Structures in the Vicinity of Newcastle Airport'</i> (Department of Defence, 2013) A copy of which can be found on CN's web site. For further enquiries about the document or the requirements please contact RAAF Base Williamtown	An Aviation Impact Assessment is included at Appendix SS. It confirms the building and construction cranes will not intrude into the Newcastle/Williamtown OLS or PANS-OPS surfaces. RAAF Base Williamtown has also been consulted and advised that, as the site is outside the 15km OLS, no crane form is required, however, cranes are to be fitted with red/CASA-standard obstacle lighting. Any structures/cranes over 100m AGL will also be notified/assessed by CASA and Airservices Australia as required.
Flood Management	
CN requires that a site-specific flood impact and risk assessment report be prepared by a flood consultant to address the flood management, planning and risks aspects associated with the development. The report is to be in accordance with the NSW Flood Planning guidelines including recent Circulars by Dept. of Planning and CN Flood Risk Management	Refer to the Flood Impact Risk Assessment at Appendix X and discussion at Section 8.2.17 of the EIS.

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Plan, policies, LEP and DCP and at a minimum demonstrate the following: • Assessment of existing flood behaviour including impact of sea level rise and climate change aspects. • Assessment of potential flood impacts due to the proposed development and measures to mitigate any potential flood risks. • Assessment of potential impacts on flood behaviour from the development on the surrounding environment and properties, including roads, overland flow path and measures to mitigate any potential flooding. • Demonstrate compliance for flood planning level including setting up of levels for building and accessible entries points, garage and basement level access and potential impacts due to any openings leading from ground areas to the basements • Preparation of a flood risk management plan, including provision of shelter in place and emergency response plan and flood awareness. • Demonstrate compliance with CN Flood Policy, LEP and DCP. • Any openings which lead to access to the Basement levels must be designed to be protected to PMF levels.	
Stormwater	
Stormwater for the development must be designed in accordance with NDCP and the Stormwater and Water Efficiency technical manual. NDCP provisions regarding stormwater reuse, detention/retention and water sensitive Urban design (WSUD) and MUSIC modelling needs to be satisfied.	Refer to the Water Cycle Management Plan at Appendix W and discussion at Section 8.2.10 of the EIS.
Any proposal needs to address, but not be limited to, the following details: • A comprehensive Stormwater Management Plan addressing <i>Newcastle City's Development Control Plan and industry standards</i>, with hydrological and hydraulic modelling assessment. • Water cycle management plan along with soil and water management plan. • Stormwater quantity and quality to meet at minimum NDCP requirements. Full detailed calculations, stormwater modelling and MUSIC model demonstrating compliance with the NDCP and Water Quality Targets. • Stormwater discharge connections and associated works which must ensure that local drainage infrastructure and capacity is not undermined. • A stormwater maintenance plan. • Full details for sediment and stormwater controls for demolition and construction phases must be demonstrated as the site is in an environmentally sensitive location with very close proximity to Hunter River.	
Groundwater Impacts	
Groundwater is likely to be impacted by the proposal. WaterNSW must be consulted and necessary licence agreements must be obtained.	Demolition, early site works, and bulk excavation are subject to a separate DA, which was approved by the City of Newcastle on 23 December 2022. Works in accordance with the approved development consent have commenced. As such, no ground and groundwater impacts will be caused by the proposed development.
If any discharges are required to CN/TfNSW drainage network, then separate approvals will be required to allow these discharges. In this regard, the development must demonstrate that discharge from dewatering activity will not impact the environment (e.g. detail water quality controls and dewatering monitoring).	
Road Drainage Information	
There is existing underground road drainage along Station St and the through link (see Figure 1 below). CN notes that the previous approved developments on this site were designed to retain the existing drainage pipe and structures.	Refer to the Water Cycle Management Plan (Appendix W) which confirms works in proximity to existing drainage infrastructure have been considered and that the development is to be designed and managed to avoid adverse impacts on the surrounding drainage system. Refer to Section 8.2.10 for further discussion.
This proposal seeks to undertake major road and streetscape works, which will directly impact the road and associated drainage infrastructure.	

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CN recommends that future development application must demonstrate how the drainage infrastructure will be managed.	
It is expected that, at minimum, concept civil and stormwater plans will be prepared and submitted to relevant authorities for review and approval including CN.	Civil Engineering Plans are provided at Appendix UU . A Water Cycle Management Plan is provided at Appendix W .
It is advised that approval to alter existing drainage outside the site (e.g. s138 road approval) can be lengthy and requires necessary consultation with relevant internal and external stakeholders. It is therefore recommended that this process be started early including providing early information package (pre-submission) to relevant authority's for review. Road Drainage Information is provided below and is also available in the Wickham Public Domain Plan. https://newcastle.nsw.gov.au/getmedia/261ea8d8-7d10-4472-b78e-070d895d957c/Wickham-Public-Domain-Plan-Final-December-2023_web.pdf	Noted. The applicant will carry out early engagement with the relevant service delivery authorities to ensure coordination is carried out prior to any determination.
Traffic and Parking	
It is noted that the proposal's scope of on-site parking maybe limited to ground and basement levels that may have been pre-fixed by previous developments activities. Concern is raised that the combination of proposed uses and the overall scale of the development will result in traffic, parking and servicing issues for the proposal and the surrounding streets.	A Traffic and Parking Assessment Report (Appendix S), Green Travel Plan (Appendix T) and Preliminary Construction Traffic Management Plan (Appendix U) have been prepared by Varga Traffic Planning, assessing the proposal's impact on traffic, parking and access. This is further discussed within the EIS at Section 8.2.8 .
Traffic, Parking and Transport Planning	
A comprehensive traffic and parking impact assessment will be required for the development. This report must analyse the surrounding intersections and vehicular, traffic, cycle and pedestrian movement network and meeting the requirements as set out under TfNSW Traffic Generating Development guidelines.	A Traffic and Parking Assessment Report (Appendix S), Green Travel Plan (Appendix T) and Preliminary Construction Traffic Management Plan (Appendix U) have been prepared by Varga Traffic Planning, assessing the proposal's impact on traffic, parking and access. This is further discussed within the EIS at Section 8.2.8 .
The report must also address impacts on off-street parking, EV requirements and ensure that the vehicular access and parking compliance meets with relevant Australian Standards.	
In terms of on-road traffic movements and proposed streetscape changes, the traffic report must demonstrate how the development plans to manage any impacts on the on-street parking, vehicles turning and movements, with no impact on current road use. CN notes that buses may also be potentially accessing Bishopsgate St/Charles St and Station St as part of TfNSW Train Station operations, therefore the proposal must demonstrate any impacts on such operations.	
Risk Management	
CN recommends that a full road risk analysis be undertaken indicating road risks with different road users, especially between Charles St and Dangar St, which will be designed as a Civic St with cycle, heavy vehicles and pedestrian movements expected in the area. The report must be able to demonstrate that road risks can be appropriately managed as part of the development and long-term sustainable use of the road areas.	A Traffic and Parking Assessment Report (Appendix S), Green Travel Plan (Appendix T) and Preliminary Construction Traffic Management Plan (Appendix U) have been prepared by Varga Traffic Planning, assessing the proposal's impact on traffic, parking and access. This is further discussed within the EIS at Section 8.2.8 .
On-Street Parking	
CN expects that a detailed on-street parking analysis will be undertaken in the immediate surrounding area including a detailed survey of the on-street parking, peak/off-peak use, analysis of the availability and most importantly, the developments dependency on this parking.	A Traffic and Parking Assessment Report (Appendix S), Green Travel Plan (Appendix T) and Preliminary Construction Traffic Management Plan (Appendix U) have been prepared by Varga Traffic Planning, assessing the proposal's impact on traffic, parking and access. This is further discussed within the EIS at Section 8.2.8 .
The report needs to address any changes required for long term sustainable use of the available on-road parking, any enhancement/change options that may assist in managing the development at this critical location.	
Relating to this, CN recommends that on-street parking on Dangar St and Charles St to be retained and/or modified in a way that appropriately maintains these spaces.	

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Charles St has parking on both sides including a loading zone on the west side of Charles St. Streetscape changes will likely impact on the on-street parking and traffic movements. A separate approval from CN's Local Traffic Forum (CNLTF) will be required to alter the roadway or change the traffic conditions (e.g. including altering signage and parking changes).	
Parking Demand	
Off-street car parking is to be provided in accordance with <i>Section C1 Traffic, Parking and Access</i> of NDCP2023. CN requires off-street car, bicycle and motorbike at minimum, meet the NDCP rates. EV charging should also be provided in conjunction with on-site parking. Resident bicycle parking cannot be provided as part of the required resident storage areas under the ADG. Visitor car and bicycle parking for residential visitors is critical and shall be appropriately provided. Staff parking provisions must be addressed by the proposal. Any alternative transport provisions relating to hotel and co-living use needs to be addressed in terms of the traffic and parking report (e.g. other use such as Uber/taxi services, car share and provision of drop-off areas within the site). Disabled parking must be addressed for the proposal. The retail and commercial uses will need to be addressed separately to the residential uses. The proposed apartments and co-living need to provide disabled parking consistent with the number of accessible dwellings. For commercial and hotel use, secured bicycle parking (including hire options) and end user facilities including showers and lockers should be provided for staff and visitors. NDCP provides a guide to the design requirements for these aspects. Similarly, adequate motor bike parking must be provided. Concern is raised that bicycle and motor cycle parking has not been adequately addressed by the proposal (especially the co-living element within the development). Additionally, the commercial uses within the proposal (i.e. the proposed retail premises and hotel) need to be provided with associated 'end of trip' facilities. The proposal needs to address how any emergency management aspects will be managed such as access by ambulances, fire, SES during a flood or fire. CN confirms that the proposal must not increase demand for on-street parking.	The proposal makes allowance for sustainable design by encouraging low-car, active and public transport travel in a highly accessible location immediately adjoining the Newcastle Interchange, with direct access to rail, light rail and bus services, and with strong cycling connections to the broader network. Consistent with this transit-oriented approach, bicycle parking is provided in the public domain and storage units on each residential floor, supporting convenient day-to-day use by residents and reinforcing cycling as a practical and sustainable travel choice. The broader transport strategy is supported by a Green Travel Plan and public domain improvements that promote walking and cycling. A Traffic and Parking Assessment Report (Appendix S), Green Travel Plan (Appendix T) and Preliminary Construction Traffic Management Plan (Appendix U) have been prepared by Varga Traffic Planning, assessing the proposal's impact on traffic, parking and access. This is further discussed within the EIS at Section 8.2.8.
Alternative Transport	
It is required that the proposal provide details on how alternative transport options are promoted and implemented including longer-term incentives to encourage staff and patrons to use alternative transport (e.g. Green travel plans). The lack of bicycle parking within the proposal is a concern in this respect.	A Green Travel Plan (Appendix T) has been prepared by Varga Traffic Planning, providing details on how alternative transport options will be promoted and implemented. This is further discussed within the EIS at Section 8.2.8.
Construction Traffic Management	
Demolition and construction activity are expected to generate traffic impacts and parking demand. Such activity must not impact on the availability of on-street parking. The development must pre-plan to ensure that adequate provision for building staff and trades is provided and to ensure the surrounding streets are not impacted. Provision of Works Zone and use of on-street parking or similar will require separate approval from CN's Traffic and Transport team. Details for works zones could be resolved at construction stage in consultation with CN Traffic and Transport Section.	A Preliminary Construction Traffic Management Plan (Appendix U) has been prepared by Varga Traffic Planning, and further discussed within the EIS at Section 8.2.8.

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The proposal will be required to prepare a preliminary construction traffic and pedestrian management addressing, at minimum, the above comments.	
General Design Comments	
The following issues must be addressed within the design:	
Provision for adequate lighting within car parking and driveway areas. Ensure that entry lighting to parking and driveways is appropriately designed.	Noted. Subject to detailed design.
Any security gates and access mechanisms for basement parking areas to be set back at least 5.5m to ensure that vehicles do not encroach over the footway.	The provision of new security gates to the basement level will be designed to comply with the relevant Australian Standards.
Loading and Waste with HRV access will be required a minimum 4.5m clear height clearances and generous side and rear clearances will be required.	Noted. Sufficient clearances are provided to allow HRVs to access the site.
Provision for access to service vehicles such a removalist truck, hotel servicing, parcel drop-off and waste collection etc. shall have designated parking provision.	The proposal provides dedicated on-site loading/servicing arrangements to accommodate waste collection, hotel servicing, parcel/mail deliveries and removalist activity, rather than relying on kerbside parking. These activities will be managed through the site's operational and servicing arrangements to minimise conflicts with pedestrians and general vehicle access.
On-street car parking must be retained and any redundant driveways are to be removed.	The proposal will remove redundant driveways and restore the kerb and footpath.
Parking gates and security access points must be appropriately designed to ensure ease of access.	Noted. Subject to detailed design.
A parking and operation management plan is to be provided.	It is anticipated a parking and operational management plan will be required prior to OC via a condition of consent.
TfNSW	
Hannell St is a Classified Road and TfNSW must be separately consulted with respect of their concerns with the proposal.	TfNSW has been consulted throughout the preparation of this SSDA, as discussed at Section 7.0 . As outlined in Section 6.0 of the EIS, the proposal complied with Section 2.119 Development with frontage to classified road of the T&I SEPP.
Acoustics	
In any submitted DA an acoustic assessment addressing the following would need to be submitted: - Noise impacts from other inner Central Business District (CBD) noise (such as the impact of entertainment venues, music noise\patron noise travelling to and from the venues and other inner city noise sources such as from the operational harbour) to provide appropriate amenity with the proposed residential units. - Noise impacts from common areas\ gyms\ outdoor cinemas (such as the area on level 6) on the residential units and any surrounding residential or accommodation uses. - Noise impacts on adjoining sites from car parking\ plant and equipment. - Consideration of building design to minimise the potential for wind generated noise from building elements (i.e. louvre elements that may reverberant\general tonal noise during higher wind conditions).	A Noise and Vibration Assessment has been prepared by Pulse White Noise Acoustics, provided at Appendix V , addressing these points. Noise and vibration is further discussed at Section 8.2.9 .
Additionally, the SEPP (Transport and Infrastructure) 2021 requirements regarding acoustic reporting and amenity criteria will need to be addressed.	Refer to Section 6.0 for an assessment against the T&I SEPP.
Licensed Premises	
The architectural plans propose various retail premises which would be prime food and drink premises in this location and which may include a licensed premises.	The fit out of the proposed retail tenancies will be subject to a future DA. At this stage, it is anticipated these tenancies will be used as retail premises. Any future use as a food and drink premises would need consent.
Given the proximity of the proposed residential receivers, together with any night-time operating hours, there is potential for unreasonable noise	

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impacts if appropriate controls and mitigation measures are not demonstrated. It is recommended that the applicant engage a suitably qualified acoustic consultant to undertake a detailed noise assessment. The consultant should be a member of the Association of Australasian Acoustical Consultants (AAAC) or the Australian Acoustical Society. Any acoustic report should reference relevant NSW EPA and AAAC guidelines. As the premises maybe licensed to serve alcohol, the assessment must also address the Liquor & Gaming NSW LA10 noise criteria for amplified music and patron noise at residential receivers. An acoustic report should be submitted with any development application to demonstrate compliance with these requirements. Addressing these issues prior to commencement of any construction facilitates these uses into the future.	
Food Construction Standards	
The architectural plans propose various retail premises which would be prime food and drink premises in this location. <i>Any food and drink premises</i> needs to comply with AS 4674:2004 - <i>Design, Construction and Fit-Out of Food Premises</i>. Even if the <i>food and drink premises</i> did not proceed at this time, CN would recommend the inclusion of grease arrestors and mechanical ventilation (or appropriate service ducting to allow for mechanical ventilation) to allow a <i>food and drink premises</i> into the future, as subsequent retrofitting these elements can be impracticable and effectively limit this land use proceeding. The grease arrester should not be in areas where food, equipment or packaging materials are handled or stored. The grease arrester should be located outside the food handling area with direct vehicle access for cleaning purposes. Additionally, provision for either an internal or external garbage areas to store all putrescible waste and recyclable material will be required. The garbage area should be constructed of an impervious material, graded, and drained to the sewer and provided with a hose tap connected to the water supply.	The fit out of the proposed retail tenancies will be subject to a future DA. At this stage, it is anticipated these tenancies will be used as retail premises. Any future use as a food and drink premises would need consent.
Integrated Development	
Coal Mine Subsidence Compensation Act 2017 - s 22:	
Approval is required to alter or erect improvements, or to subdivide land in a Mine Subsidence District. The site is located within a Mine Subsidence District ('MSD'). Sites located in MSD are required to gain an approval from the Subsidence Advisory NSW for the proposed development. Before lodging a DA, you are advised to liaise with the Subsidence Advisory NSW by phone on (02) 4908 4300. The Subsidence Advisory NSW development guidelines can be accessed at www.subsidenceadvisory.nsw.gov.au/development-guidelines.	It is noted that in accordance with Division 4.8 of the EP&A Act, SSD proposals are not integrated development and do not require the concurrence of other state agencies. Further, the site is not identified as being located within the mine subsidence district. As such, the Coal Mine Subsidence Compensation Act 2017 does not apply to the proposal.
Water Management Act 2000 – s 89, 90, 91:	
An approval from the NSW Office of Water of the Department of Planning and Environment may be required, where the development involves the following work: • a water use approval • a water management work approval (water supply work approvals, drainage work approvals and flood work approvals • or an activity approval and aquifer interference approval. Typically, a question arises as to whether removal and discharge of ground waters needs consent. It is recommended that you consult early in this respect. If you wish to apply for an integrated approval, the relevant section of the development application should be completed. Except for the Subsidence Advisory NSW, a processing fee is payable, plus an additional fee per approval body must be included with the fees for the development application.	It is noted that in accordance with Division 4.8 of the EP&A Act, SSD proposals are not integrated development and do not require the concurrence of other state agencies. Notwithstanding, pre-lodgement engagement has been undertaken in accordance with DPHI's <i>Undertaken Engagement Guidelines for State Significant Projects</i>. The relevant agencies will also have the opportunity to comment on the proposal during the exhibition period.

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The required approvals can be obtained after the assessment of the development application; however, it may be more efficient to address any requirements of the permit in your development.			
State Environmental Planning Policies			
The following State environmental planning policies (SEPP) apply to the development: • Resilience and Hazards SEPP (Chapter 4) • Transport and Infrastructure SEPP (Chapter 2) • Housing SEPP (Part 3)		As assessment against the relevant SEPPs has been undertaken at Section 6.0 of the EIS.	
Newcastle Local Environmental Plan 2012			
The Newcastle LEP applies to the proposal.		As assessment against the Newcastle LEP 2012 has been undertaken at Section 6.0 of the EIS.	
Newcastle Development Control Plan 2023			
The Newcastle DCP applies to the proposal.		While DCPs do not apply to SSD as per Section 2.10(1)(a) of the Planning Systems SEPP, some aspects of the Newcastle DCP 2023 have informed the design approach to the site. As such, as assessment against the relevant controls of the Newcastle DCP 2023 has been undertaken at Appendix E .	
Advisory Matters			
Hunter Water Act 1991			
Plans will be required to be stamped by Hunter Water prior to submission to CN. It will be necessary to complete a Building Plan Assessment Application and pay the associated fee. Hunter Water can be contacted on 1300 657657. For more information regarding this process and to download an application form go the Building and Development portal of the Hunter Water website at www.hunterwater.com.au .		The relevant Hunter Water requirements, including any Building Plan Assessment Application and plan endorsement, will be addressed at the appropriate stage of the project as required.	
Coal Mine Subsidence Compensation Act 2017			
Plans will be required to be stamped by Subsidence Advisory NSW prior to submission to CN.		The site is not identified as being located within the mine subsidence district. As such, the Coal Mine Subsidence Compensation Act 2017 does not apply to the proposal.	