

9 February 2026

Department of Planning, Housing and Infrastructure

Submission via NSW Major Projects website

Re: Objection to Proposed Mixed Use Development - 47 Darby Street, Cooks Hill NSW 2300

I strongly object to the above proposed development for the following reasons.

The proposal is a complete overdevelopment of the site in both scale and design and is totally out of character with the surrounding development, which is primarily low rise, single residential housing immediately behind, and a two- to three-storey regional art gallery opposite adjoining Civic Park, which is the major cultural and community space for the inner city of Newcastle.

Whilst the site is zoned M1 Mixed Use, the immediate and most prominent zoning surrounding is R3 Medium Density Residential, and the existing development comprises predominantly low to medium density residential housing, mostly single or two storeys.

The proposal to build a 45-metre-high tower is totally incongruent to the existing streetscape and amenity of the area, which is designated as a general Heritage Conservation Area.

Similarly, the site is opposite the recently extended Newcastle Art Gallery, the heritage-listed Baptist Tabernacle and St John's Cathedral, whilst being opposite the heritage icon of Newcastle Town Hall, all centred around Civic Park and Civic Fountain.

This area is the cultural and historic centre of Newcastle for which the proposed building would be an anathema to good planning, cultural pride and the built history of Newcastle.

The premise that the proposed development is providing much needed dwellings, thus requiring a totally disproportionate increase in height and floor space ratio, has no bearing in fact.

Newcastle City Council and its citizens realised the need for the rejuvenation of the town centre in the aftermath of the closure of BHP steelworks and the loss of buildings and heritage items in the earthquake. Soon after, a detailed redevelopment of the city was planned recognising that the inner city had generally escaped the ravages of modernisation in the 1960's and 70's, of which the city centre, and specifically the Civic Park precinct, was the central core of restoration, not modernisation.

The proposed building adds no architectural or cultural embellishment to this historic precinct in either design or use, with little relevance aesthetically, structurally or communally to the precinct and its historical significance. The contention that it is central to fulfill the requirements to provide much needed accommodation under the recent NSW Government Housing Delivery Authority (GHDA) planning reforms is merely a pretence to extract a capital uplift similar to the adjoining building, which used the same argument to achieve a 20% uplift in floor space ratio in the Land and Environment Court, then immediately leased the existing building to a commercial tenant on a long term lease.

The premise within the DA application that there is an immediate requirement for housing supply within the Newcastle CBD, hence the application under the GHDA process, bypassing local Council, is incorrect.

At present, I am aware of some 15 projects totalling 970 units with DA approval in Newcastle CBD and well-advanced concept plans for a further 450 units. According to Cordell Connect, at August 2022, there were an estimated 2,270 units proposed. With current take-up rates of some 250 new units per annum, there is approximately 9 years' supply potentially available in the foreseeable future.

The overwhelming intent of the GHDA was to speed up approvals to cater for undersupply in the market and is primarily a Sydney-centric planning policy, which does not apply to Newcastle, hence negating a major contention by the proponents to increase gross floor area well above the current guidelines to satiate future demand, which is not supported by construction / planning and demand and is merely a motive to achieve a profit incentivised yield at the expense of the surrounding residents and a significant intrusion on the visual and aesthetic characteristics of our cultural precinct and Civic Park.

A project of the proposed development's scale would not be allowed to impinge on the Domain in Sydney, nor should it be allowed on this site.

Similarly, the current building is generally leased as corporate offices with the major lessee having a lease and options expiring in 2033.

Any proposal to significantly increase the height and yield on this site under the premise of housing urgency in Newcastle cannot be supported by facts and is merely an opportunist application for monetary gain at the expense of the existing residents and Newcastle's heritage areas.

Submission by:

A handwritten signature in black ink, appearing to read 'RD', with a stylized flourish at the end.

Robert Dupont
16 -18 Kitchener Parade
Newcastle NSW 2300

robert.dupont@prp.com.au