

14 February 2026

Submission re: SSD 82276964

47 Darby Street, Cooks Hill.

Demolition of building and construction of a Mixed-use development including:

- Two residential buildings
- Ground floor retail
- Basement parking
- Landscaping & communal open space

I am writing this submission as a non-resident but frequent visitor to Newcastle. I have a daughter and her family who live close to the proposed development and would be impacted negatively by this overdevelopment. I value the cultural hub of the inner city which is free from the high-rise developments of the West End.

It is disappointing to see that a private owner of the building on the corner of Tyrell and Darby Streets, Cooks Hill would compromise the heritage and amenity of this cultural hub of Newcastle. The SEARS asks the developer to:

- *Demonstrate how the proposed built form (layout, height, bulk, scale, separation, setbacks, interface and articulation) addresses and responds to the context, site characteristics, streetscape and existing and future character of the locality.*
- *Assess amenity impacts on the surrounding locality, including solar access, visual privacy, view loss and view sharing, as well as wind, lighting and reflectivity impacts. **A high level of environmental amenity for any surrounding residential or other sensitive land uses must be demonstrated.***

The report provided shows no empathy for the surrounding residents, has a bulk for outweighing any other within the Cooks Hill locality and is totally out of character for that area of Cooks Hill.

Newcastle city has distinct precincts. The West End has developed in the past 10 years into high rise apartment buildings on the harbour foreshore, Wickham and along the western end of Hunter and King Streets.

Union Street broadly separates the West End from the Central precinct which is home to the historic Cooks Hill locality which incorporates the cultural hub that centres on the Town Hall, Civic Park, the City library, Baptist Tabernacle, Presbyterian Church, the Newcastle Synagogue, Civic Theatre and the recently extended Newcastle Art Gallery. The historic architecture remains intact, and height limits have not been exceeded.

Apart from the 'inner city' area Newcastle has other well-defined areas that are providing/will provide the much-needed housing supply that the State government is seeking. One such area is Broadmeadow which has long been earmarked for substantial changes in and around the sports precinct and adjacent to important transport infrastructure. This will provide an estimated 20,000 new dwellings, aligns with State Government planning guidelines and is approved by Newcastle council.

Newcastle has prided itself on its cultural heritage and this is widely recognised throughout the Hunter Valley. Civic Park is considered as an outdoor 'function space' with a regular quality arts market, a venue for school formal photos, entertainment such as the "Spiegel tent", and solemn Anzac ceremonies being just a few. This park will be overshadowed by the proposed development, 3 times the height limit set by City of Newcastle.

The original vision set by Newcastle council and endorsed by residents must be retained. If this development is approved, it will set a precedent for other developers and once the character and ambience of an area is lost it can never be restored. Newcastle Council has set out its vision, and this proposal does not adhere to that vision.

This development shows no empathy for the architecture or history of the area. It does not add to the character of the surrounding area.

"Cooks Hill in Newcastle is an inner-city suburb known for its heritage charm, featuring a mix of Victorian-era terraces, small miners' cottages, and modern townhouses or apartments. The area is highly sought after with a diverse housing stock ranging from restored 19th-century homes to contemporary low-rise to medium density..."

- *Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development.*
- *If the proposal would result in significant visual impact not anticipated by the planning controls, provide a visual impact assessment that addresses the visual impacts of the development on the existing catchment. (SEARS)*

The visual analysis provided in the DA shows clearly that the height proposed is disproportionate to the surrounding area. It will change the view corridor for much of the eastern area of Cooks Hill including for residents of Kitchener Parade, Anzac Parade and other residents of The Hill.

The Street Elevation diagram -SK-002-007 shows the overshadowing and loss of privacy for residents of Queen Street and the adjacent Regency Park complex. It also overshadows the Kings Own Institute, Newcastle. The council has set a height limit of 14 metres for development in this area, and the developer is asking for 45 metres! It would therefore overshadow and dominate all other buildings and the parkland opposite. This is not a desirable outcome for this locality.

The developer states that:

*Newcastle Local Housing Strategy (2020) Promotes urban renewal and increased density in accessible locations such as Cooks Hill. The proposed development would contribute to housing supply and diversity in an inner-city setting, consistent with the Strategy's focus on **infill development**.*

The term 'infill housing' or 'infill development' is used by the developer in the above statement. He makes the assumption that Council would support higher density through high-rise in Cooks Hill. However, this does not align with Newcastle Council policy and Council is not supporting this proposal:

Constraints & Guidelines: *Infill development in Newcastle must comply with the Newcastle Development Control Plan (DCP) 2023, which provides design standards for **compatibility with the existing neighborhood character, solar access, and privacy.***

The proposal does not comply with any of the constraints or guidelines set out by Council.

On further investigation into the term 'infill', examples in the region include:

- **Medium-Density:** The development of three-storey, or in some areas (like Charlestown) four-to-five-storey, residential buildings.
- **Dual Occupancy/Subdivision:** Splitting existing, larger blocks for new dwellings.
- **Secondary Dwellings:** Construction of granny flats (up to 60m²) in residential zones (R1-R5).

Council's guidelines do not propose or support development of 13 stories which is not compatible with the existing neighbourhood character, impinge on privacy and provide significant overshadowing and thus reduce solar access to many nearby residents as well as the Civic Park opposite.

The developer describes Cooks Hill as:

*... the immediate community around 47 Darby Street is a compact inner-urban neighbourhood **within the Cooks Hill Heritage Conservation Area.***

However, this vital point of **Heritage** is ignored in favour of the high-rise proposed totally outside of council guidelines.

*... Households are generally small, with a **relatively high share** of lone-person and group households, and many residents work in professional, health, education and hospitality sectors.*

While there are some government housing flats in the Cooks hill area, the majority of residents live in well established and cared for homes. The *high share of lone-person and group households*, as described by the developer in the above statement, does not align with the high-quality family homes in the vicinity of the proposed development, nor with the description... *many residents work in professional, health, education and hospitality sectors*. These are quite often professions with higher salaries and would not fall in the category of "households are generally small". There are indeed some shared dwellings with students attending the nearby Newcastle University finding Cooks Hill a desirable location for rental. This does not, in any way, indicate that a high-rise building is needed to accommodate more residents in this area.

- *If the construction of the development would cause interruptions to regular pedestrian and transport routes (including public transport, active transport or general traffic), a preliminary Construction Traffic (or Transport) Management Plan (CTMP) should be prepared as part of the TIA to mitigate any such impacts. (SEARS)*

This development would have an adverse effect on traffic flow and on pedestrians, not just during the construction phase, but for ever thereafter. The reports by the developer do not show the children who use the footpaths along Darby and Tyrell Streets to access the Newcastle East Public School as well as the public library. The expansion of the Art Gallery has given residents as well as visitors an example of the disruption caused to both pedestrian and vehicular traffic during construction. The development proposed for 13 + 8 storey buildings will have considerable disruption over a longer period than that experienced with the Art Gallery expansion.

Both Tyrell and Darby Streets are busy thoroughfares. Not only is Tyrell Street the conduit to public and private schools as well as to the East End precinct of Newcastle, but it is also a residential street. Parents walk their children to and from school via Tyrell and Darby Streets. This will be impacted during the construction phase and thereafter with the extra traffic entering and exiting the 8-storey apartment building proposed.

The same can be said for Darby Street. This is a busy thoroughfare which services all of Cooks Hill as well as through-traffic to The Junction and Merewether. It is extremely busy during peak hour. Cars entering and exiting the 13-storey complex proposed would disrupt the flow of traffic and cause congestion.

- *The EIS must consider social impacts and, should any significant social impacts be identified, a Social Impact Assessment must be prepared in accordance with the Social Impact Assessment Guideline for State Significant Projects. (SEARS)*

The vast majority of the population in the Cooks Hill and the surrounding area is opposed to this development. That is evident when you hear the talk outside of schools at drop-off and pick-up times or in the surrounding café conversations. Social impacts include the strain of available car parks of the area. While some car parks are made available for residents there is none for visitors and the current car parks along Darby Street directly outside of 47 Darby Street and some adjacent to the Tyrell Street development will need to be removed for safe entry and exit to the apartment car parks. Any tenants in retail or hospitality will need parking along with their clients and guests. If there are cafes and restaurants their customers might find parking a problem anywhere in this vicinity. That is a known fact as visitors to the Civic Precinct know only too well that car parks are hard to find. As this area of the city is a regional destination and for many without links to public transport, cars are the only transport option and therefore parking is an essential requirement. I see nothing in this development report that would cater for tenants and their customers/clients.

The social impact on the surrounding residents needs to be taken into consideration. Overcrowding of this site with 113 dwellings will have an impact on nearby residents and businesses.

The mental health of nearby residents needs to be addressed. The 2-year timeframe for the build will be noisy and disrupt sleep patterns. There will be vibration and the extra complexity of grouting will also have an impact. The ongoing overshadowing of buildings can't be ignored. The effect of the loss of privacy can similarly not be ignored. These

Devaluation of buildings of Regency Park due to overshadowing by both residential towers and the loss of car parking spaces for their visitors is not adequately addressed. As mentioned previously, the view corridors for a portion of The Hill and other areas of Cooks Hill may also detract from the area. Such a beautiful, unspoilt suburb will be changed, and other developers will see the opportunity to follow suit.

- *Considered the urban setting, nature and scale of the project, and the characteristics of surrounding communities.*

Cooks Hill is bounded by Gibson Street in the north, Darby Street, Swan Street, Kitchener Parade, Brooks Street and Darby Street in the east, Parkway Avenue in the south, and Union Street in the west.

It has an historic mix of:

- **Terrace Houses**: Early Victorian and Edwardian terraces are a defining feature of the suburb.
- **Miners' Cottages**: Small, historic cottages from the late 19th century.
- **Apartments & Units**: Ranging from older post-war brick buildings to modern, low-rise apartment complexes.
- **Townhouses**: Modern infill developments, often replacing older structures.

This eclectic mix of styles has made the suburb a unique part of Newcastle with heritage buildings complementing the cultural hub around Civic Park.

The nature and scale of the proposed apartment block are not in keeping with the characteristics of the area which provides an ambience that is highly desirable to residents and visitors alike. This will be impacted upon by the height and scale of this development. The newly extended Art Gallery will be totally overshadowed by this proposed development.

The building, in its current form, is defined by the 'Brutalist' architecture that is a prominent feature of the cultural precinct. It is a part of the architectural heritage of the area. Other buildings have been repurposed successfully without losing the original identity. The 3 stories of this office block could be similarly internally outfitted/rebuilt into desirable luxury apartments with landscaping, and a possible less intrusive build off Tyrell Street. A café/restaurant could be incorporated into the design with some parking provided to the back off Tyrell Street.

The Crystalbrook Kingsley Hotel was successfully transformed from a Council administration building into a 5* hotel without needing changes to the overall footprint or design thus retaining the overall ambience and character of the park and civic buildings opposite.

In conclusion:

This proposal is a total overdevelopment of a significant location.

It would overshadow or dominate the cultural precinct that is the centrepiece of the City of Newcastle. It will be higher than the taxation office building on the corner of King Street and Darby Street, equal in height to the Crystalbrook and the University building on the corner of Auckland and Hunter Streets. And exceed the height set by council.

While the new apartments would command views in all directions including to the harbour, this would be at the expense of the views that are currently experienced by other residents.

There are more negative aspects for the population of Cooks Hill and surrounding locations than positive ones.

The developer is counting on the buzz-words of development to get this proposal through the relevant authorities. "Housing shortage", "housing supply crisis", "surge in population". This is

evident in the full-page advertisement placed in the Newcastle Herald (13/02/2026) without any mention of the other developments that are taking place in other areas of the LGA.

Newcastle Council is not supportive of development on this scale on this site.

The majority of residents are not supportive of this development.

I do not support this development for the reasons given in this submission.