

18 February 2026

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State Significant Development

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By online portal

Dear Ms Dowler,

**National Trust response to Mixed Use Development
Darby Street Cooks Hill (SSD-82276964)**

The National Trust of Australia (NSW) objects to the development proposal for a 45m high tower at 47 Darby Street Cooks Hill, noting that the scale of the building will significantly overwhelm the heritage character of the surrounding area.

The Newcastle City Centre Heritage Conservation Area

The subject site 47 Darby Street, Cooks Hill, is located inside the *Newcastle City Centre Heritage Conservation Area*, a precinct critical in reflecting the history and identity of the city. The Statement of Significance for the Heritage Conservation Area (HCA) outlines:

Newcastle City Centre Heritage Conservation Area is significant on many levels. The mix of commercial, retail and civic buildings is a powerful reminder of the city's past, its economic and social history. Historic buildings provide the backdrop to a city of dramatic topography on the edge of the sea and the mouth of a harbour.

...The high numbers of commercial and civic buildings of the 19th and 20th centuries gives a rich historic character which is notable and allows an understanding of the importance as a place of commerce, governance and city building...

The National Trust also notes the 2024 Newcastle City Centre Heritage Conservation Areas Review, with 47 Darby Street being located inside the proposed *Civic and Honeysuckle Heritage Conservation Area*. The assessment of heritage significance for this HCA states:

Civic and Honeysuckle HCA is a record of the development of the civic centre of Newcastle from 1929 with the establishment of Civic Park from an industrial site and the completion of Newcastle City Hall and Civic Theatre by Newcastle Council. This was followed in 1957 by the War Memorial Cultural Centre and the Newcastle Art Gallery in 1977. The change of use of



surrounding buildings reinforced the civic centre with the park central to this use, such as the adaptive reuse of NESCA House as part of the University of Newcastle in 1992.¹

Feedback from residents and businesses in 2023 revealed that the community significantly value the character and physical elements of Civic and Honeysuckle and identify with its' protection as a heritage conservation area. Overall, there is a high degree of esteem held by the resident community and strong attachment to the character of the area, the streetscape, buildings and public open space.²

Importantly, this same document noted the threats to the important character of this area:

There are some issues that continue to undermine the integrity and intactness of the Civic and Honeysuckle HCA. These include:

- *Unsympathetic development. In particular, inappropriately scaled and designed development either as infill that replaces original building stock, or that alters and adds to contributory buildings.³*

We note that 47 Darby Street is located across the road from the historic Civic Park and is proximate to many of the State and local heritage listed public buildings. The precinct is also populated by the historic St Andrews Presbyterian Church, a Baptist Tabernacle and the Newcastle Synagogue. It is important that this area be retained as a civic landmark and cultural space for the city.

The Newcastle Art Gallery, also located adjacent to the park and across the road from the subject site, is set to reopen this month following a multi-year restoration. The gallery was officially opened by Queen Elizabeth II and is the largest regional gallery in NSW. Its new additions are sensitively designed to complement the existing building, remaining only two storeys in height and reflecting the moderate scale of the area.

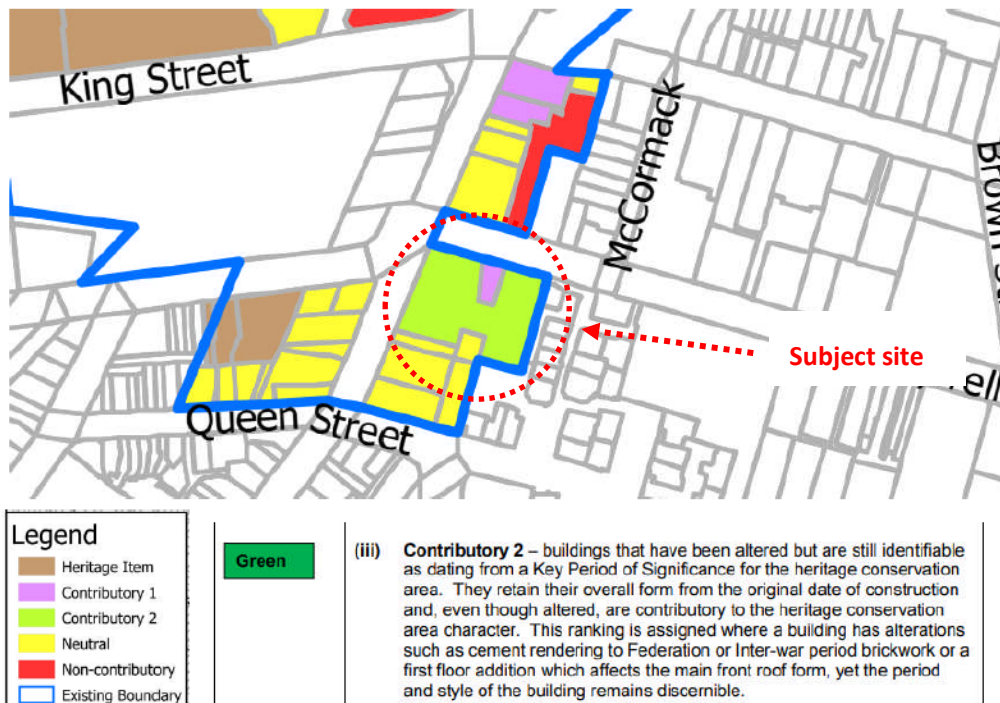


Plate 15: Map showing part of the Newcastle City Centre HCA Contributory items. (Heritage Tech Manual 2020.)

¹ Newcastle City Centre Heritage Conservation Areas Review - Final Report, April 2024, p.105

² Newcastle City Centre Heritage Conservation Areas Review - Final Report, April 2024, p.106

³ Ibid, p.109



The subject site has been identified as a contributory item to the Heritage Conservation Area as it contains a 1930s Art Deco former Machine Shop. The Machine Shop is associated with the industrial development of Newcastle and remains tangible evidence of the former use of the area. Early industrial and warehouse buildings have been identified as elements to preserve in the HCA desired future character statement. While the Machine Shop is currently obscured from street view, we note that building is in sound condition and that there is opportunity to restore it to a state that reflects its Art Deco character and historic qualities.

It is the understanding of the National Trust that during the pre-planning meeting on 28 February 2025, Council's officers provided advice against the demolition of the warehouse building on site as it is considered to be a contributory building under Newcastle Development Control Plan:

Demolition of a contributory building is only considered in situations where irrefutable evidence is provided that the contribution of the building to the significance of the Heritage Conservation Area has been destroyed or lost; or where there is demonstrated overwhelming structural instability that cannot be rectified.⁴

The Trust notes that Heritage Conservation Areas are vital to the preservation of character and identity of a place - it is the collective value of contributory items throughout an HCA that make a place significant. Cooks Hill is identified as vibrant cultural precinct for the city of Newcastle, largely because of its eclectic mix of architecture and human scale development, qualities that should be celebrated and conserved. We note that a piecemeal approach that demolishes contributory items one at a time cannot be considered a positive nor a sensitive heritage outcome, but rather a slow depletion that will leave the place bereft of the character that once made it special.

We note that 47 Darby Street is not only located inside of a Heritage Conservation Area, but also at the intersection of the Cooks Hill and The Hill HCAs. Any development at the site will also have an impact upon the nearby heritage within these precincts.

Impacts of the development

The National Trust notes that the subject site is currently zoned for a height limit of 14m and a Floor Space Ratio (FSR) of 2.5:1. The proposal seeks approval for a building that is 45m tall and FSR that is 3.48:1.

The proposal to triple the height of the allowable envelope will result in a 12-13 storey building that overwhelms the surrounding, relatively low-rise area. The development would also impact upon views to and from Civic Park, dominating the skyline from a number of vantage points.

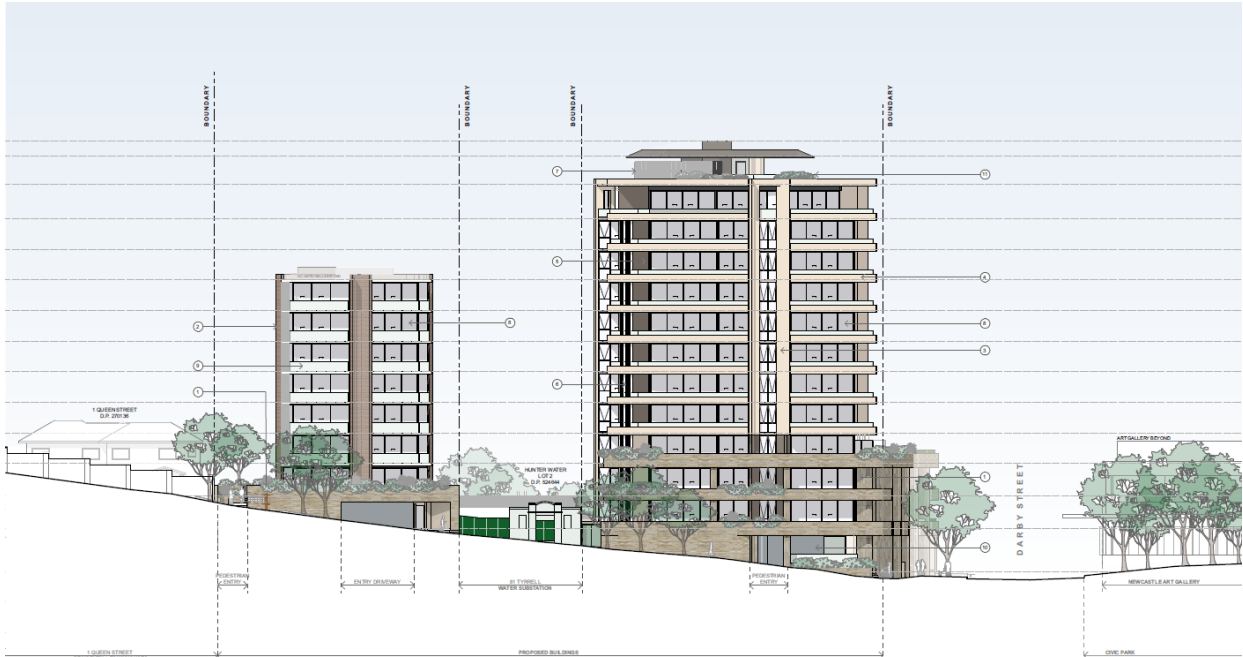


View from Tyrell Street



View from Civic Park

⁴ Barr Planning, Environmental impact Statement 2026



Height of buildings in relation to immediate context

The subject site sits at the gateway to the Darby Street commercial precinct, a low-rise, heritage street and one of Newcastle's most popular social precincts. The shops along Darby Street are all 1-3 storeys, surrounded by similarly sized residential dwellings. The proposed development will be highly visible from the precinct, creating a singular large block in the otherwise low-density skyline. It also sets a precedent for further oversized development along the historic streetscape.

We note that the visual impact from Darby Street has not been analysed, so have provided a representation of the possible outcome below. We would urge that further visual impact assessments be undertaken.



Possible view from Darby Street



Community Consultation

We refer to the following points outlined in the Community Consultation Table of the Statement of Environmental Effects (pg 156):

- Participants described Cooks Hill as a “village-scale heritage pocket” with the project changing the character of the area.
- Proposed 12-storey development height was widely viewed as disproportionate within a predominately three-storey context.
- Impacts from overshadowing, reduced solar performance, privacy impacts for Regency Park residents

We do not believe that the design has addressed these issues raised by the community, and that all points remain of considerable concern.

Conclusion

The National Trust does not agree with the key findings of the HIS (page 3) that the impact of the proposed building is mitigated by its materiality and quality of design fronting to Civic Park.

The National Trust recommends that a more sensitive, appropriate scale design be proposed for the site that responds to the Civic Park setting. It is the opinion of the Trust that this proposal, involving the demolition of a building of heritage significance, of tripling the existing building height limit, and of disregarding the historic surroundings, cannot be accepted as a reasonable development outcome.