Item	Primary Controls / Requirement	Compliance	Comments
Newcastle Development Control Plan 2005 – Element 6.3: City Centre – West			
6.3.1 Building Form	**Building form** - establish scale, dimensions, form and separation of buildings appropriate for the setting - provide strong definition of the public domain - achieve active street frontages where appropriate with good physical and visual connections between buildings and the street - ensure buildings to main street frontage have consistent alignment - provide pedestrian comfort and protection from weather - ensure building separation is adequate to protect amenity, daylight penetration and privacy between adjoining developments - encourage mixed use developments with residential components, high residential amenity and active street frontages - ensure new buildings are responsive to the character and heritage value of the Newcastle City Centre	Yes	The height, FSR and setbacks are consistent with the development controls for the site and, therefore the proposed bulk and scale is considered appropriate for the setting. The development has a permeable ground plane with large publicly accessible open spaces which provide through block connections and enhance the sites connection with the public domain. The proposed development is responsive to the character of the site and symbolises the importance of the site as a potential link between the Harbour and the City.
	Building to street alignment and street setbacks - achieve strong and consistent public domain definition - ensure external facades of buildings are aligned to the street - locate active uses closer to pedestrian activity areas - allow an outlook to, and surveillance of, the street - allow for street landscape character where appropriate - maintain reasonable sun access to public domain	Yes	The building design encourages pedestrian movement through the site. The three office buildings extend to the street edge on Honeysuckle drive providing a zero front boundary setback which will define the street edge. The landscaped open space between each building draws users of the footpath encouraging public use of the open space and increasing public amenity within the precinct.
	Street frontage heights - to be appropriately scaled to complement established streetscape - building height above street frontage height to be setback minimum 6m from street alignment	N/A	The specific controls do not technically apply to the site as there is no applicable street frontage height (site is not included on Map 3). Notwithstanding, the proposal has been designed to complement the streetscape.
	Building depth and bulk - max. floor plate area (above street frontage height) – 1,125m² - max building depth (above street frontage height) – 25m - max diagonal plan dimension (above street frontage height) – 45m - office floor space is to have access to natural daylight & ventilation	N/A	The specific controls do not technically apply to the site as there is no applicable street frontage height (site is not included on Map 3). Notwithstanding, the proposal has been designed to provide adequate access to natural daylight and ventilation.

<table>
<tr><th>Item</th><th>Primary Controls / Requirement</th><th>Compliance</th><th>Comments</th></tr>
<tr><td></td><td>Boundary setbacks and building separation
<table>
<tr><th>Building height</th><th>Front setback (upper level)</th><th>Side setback</th><th>Rear setback</th></tr>
<tr><td>- up to permissible street frontage height</td><td>Street setback</td><td>0m</td><td>0m</td></tr>
<tr><td>- between street frontage height and 45m</td><td>6m</td><td>6m</td><td>6m</td></tr>
</table>
NOTE: Only one front setback per site. Side setbacks which front streets must be built to the boundary.</td><td>N/A</td><td>The specific controls do not technically apply to the site as there is no applicable street frontage height.</td></tr>
<tr><td></td><td>Mixed use buildings
- 3.6m floor to ceiling height for ground floor
- 3.3m floor to ceiling height for first 2 floors above ground floor
- front buildings onto the public domain with active uses</td><td>Yes</td><td>The ground floor has a proposed floor to ceiling height of 5.5m. The remaining floors have a floor to ceiling height of 3.3m. The development has a permeable ground plane which enhances the sites connection with the public domain.</td></tr>
<tr><td></td><td>Landscape Design
- landscaped setback areas
- min 15% of site to be landscaped
- full-site coverage must provide deep-soil planting on the structure</td><td>Yes</td><td>The siting of buildings has been driven by a desire to create large publicly accessible open spaces with opportunities for deep soil planting. The minimisation of basement car park increases the undeveloped area of the site allowing large tree planting across the site. The proposal provides substantial landscaped areas (greater than 15% of the site) with large areas for deep soil planting.</td></tr>
<tr><td></td><td>Solar access
50% of new public open space to have 3 hours of sunlight between 10am and 2pm</td><td>Yes</td><td>The shadow diagrams included demonstrate that the public open space has at least 3 hours of sunlight between 10am and 2pm.</td></tr>
<tr><td>6.3.2 Pedestrian Amenity</td><td>Awnings
Awnings should be provided on street frontages with high pedestrian volumes, provided they are consistent with streetscape and architectural considerations.</td><td>N/A</td><td>The requirement for awnings does not technically apply to the site (site is not included on Map 7).</td></tr>
<tr><td></td><td>Permeability
Additional connections are to be provided as shown on Map 5.</td><td>Yes</td><td>The requirement for through block connections does not technically apply to the site (site is not included on Map 5) however the proposal as been designed to provide a highly permeable ground floor plane to allow pedestrian movement through the site.</td></tr>
<tr><td></td><td>Active street frontages and address
- Active ground floor uses are to be at the same general level as the</td><td>Yes</td><td>The proposed ground floor level comprising ‘active uses’ is generally at the same level as the footpath, with a gentle rise in gradient from the street. The</td></tr>
</table>

Item	Primary Controls / Requirement	Compliance	Comments
	footpath and be accessible directly from the street - Multi-deck car parks are to be set behind an active street frontage - Active street front uses are to have a min 8m depth from the street.		above ground car park has been integrated into the design of the building and appropriately screened, as outlined in Section 7.2 of the Environmental Assessment Report.
	Safety and security - Address 'Safer-by-Design' principles in the design of public and private domain, in all developments (as per the NSW Police 'Safer by Design' crime prevention though environmental design (CPTED) principles).	Yes	'Safer-by-Design' principles have been addressed in the design of public. Refer to Architectural Design Statement (**Appendix G**) for details of the 'Safer-by-Design' principles of the development.
	Vehicle footpath crossings - One vehicle access point only will generally be permitted. - A two way crossing with a maximum width of 5.4 metres may be permitted for safety reasons - Vehicular access ramps angled or parallel to the street frontage will not be permitted. - Vehicular entry points are to be integrated into the building design. - Vehicular entries are to have high quality finishes to walls and ceilings as well as high standard detailing. No service ducts or pipes are to be visible from the street.	Yes	The development proposes 3 vehicle crossings; one for each proposed building. Each crossing is a two way crossing with a width of 5.4 metres. The entry points have been incorporated into the building design with a high quality finish proposed. The proposed access arrangements are considered acceptable as outlined in the Traffic Impact Statement included at **Appendix L**. No service ducts or pipes are visible from the street.
	Building exteriors To ensure that new buildings in Newcastle City Centre: - Contribute positively to the streetscape and public domain by means of high quality architecture and robust selection of materials and finishes; - Provide richness of detail and architectural interest especially at visually prominent parts of buildings such as lower levels and roof tops; - Present appropriate design responses to nearby development that complement the streetscape; - Clearly define the adjoining streets, street corners and public spaces and avoid ambiguous external spaces with poor pedestrian amenity and security; - Maintain a pedestrian scale in the articulation and detailing of the lower levels of the building; and - Contribute to a visually interesting skyline.	Yes	The proposed development has been designed to meet the objectives of this part of the DCP. As discussed in the Design Statement, the building is designed as three simply glass structure 'anchored' by the car park 'spine'. Simple building forms are combined with simple façade detailing; incorporating extended horizontal transoms to add solar shading and reinforce the dynamic forms. The proposed screening will add texture, light and shade in contrast with the sleek glazed forms of the flanking office building. The detailing and material choices have been selected to suit the location and respond to the environment, with the inclusion of solar glazing to all facades and wintergardens. A colour board of materials and finishes has been included in **Appendix E**.
	Corners, gateways and landmarks - Buildings on corner sites are to address each road frontage with architectural emphasis and use of distinguishing architectural features and materials. - Street corners are to be emphasised with stronger design	Yes	The simple building design re-enforces the nodal point of Worth Place / Honeysuckle Drive to the West and likewise to the East, providing a landmark on Honeysuckle Drive and also from Hunter Street. The permeable nature of the development helps activate

Item	Primary Controls / Requirement	Compliance	Comments
	elements, such as increased wall height, positioning of entrance door.		all four boundaries and is compatible with the existing 'Lee Wharf' development to the East.
	Views and view corridors - New development proposals must consider the impact on any existing views having regard to existing topography, vegetation and surrounding development.	Yes	At the upper levels, the orientation on the office building with short East/West facades provide high level views from existing and future development on and across Hunter Street, reducing the potential 'wall of development', thereby maintaining high level views for future and current developments.
6.3.3 Access, Parking and Servicing	**Pedestrian access and mobility** The development must: - Provide safe and convenient access to buildings by people, regardless of their age and physical capacity whilst also contributing to the vitality and vibrancy of the public domain; - Ensure buildings and places are accessible to people with a disability; and - Provide a safe and accessible public domain.	Yes	The proposal has been designed in accordance with AS 1428.1 to ensure that disabled access is available across the site incorporating 'walkways' with gradients of 1:20 or less wherever possible. The proposal has considered the 'Safer by Design' principles of surveillance; access control; territorial reinforcement; and space management.
	Vehicular driveways and maneuvering areas - Honeysuckle Drive is generally not to be used for direct vehicular access where an alternate street frontage is available. - Vehicle access should be integrated into the building design so as to be visually recessive. - Proposed development is to comply with the provisions of Element 4.1 – Car Parking in the Newcastle DCP 2005	Yes	All access to car parking is via three new access points on Wright Lane with no access off Honeysuckle Drive. Access and car parking has been integrated into the building design and screened to reduce streetscape impacts. The proposed development complies with Element 4.1 – Car Parking in the Newcastle DCP 2005.
	On-site parking - Car parking rate as per Newcastle City Centre LEP 2008. - Car parking above ground level is to have a minimum floor to ceiling height of 3.6m at the ground floor and 3.3m for the next two floors above, so it may be adapted to an alternative use in future. - On-site parking must meet the relevant Australian Standard (AS 2890.1 2004 – Parking facilities, or as amended). - A minimum of 2% of the required parking spaces, or minimum of 1 space per development, (whichever is the greater) is to be appropriately configured, designated and signposted for use by persons with a disability. - Bicycle parking is to be provided at a rate of 1 bicycle space per 200m2 gross floor area of development, in secure and accessible locations, with weather protection. - On-site parking is to be accommodated in basement parking except where parking is provided above ground it should be fully integrated into the building design	Yes	The proposed 356 parking spaces are in accordance with the parking requirements of NLEP 2008 and RTA guidelines. The car park has been designed in accordance with Newcastle Council Design requirements as well as the Australian Standard for Off-Street Parking. Provision of 5 parking spaces has been made for use by persons with a disability. Parking for 61 bicycles has been proposed for the development. This is in excess of the 56 required. Separate female and male showers and changing areas are located close to the bicycle storage areas. The proposed development includes basement and above ground parking which has been fully integrated into the building design and screened appropriately as outlined in Section 7.2 of the Environmental Assessment report.

Item	Primary Controls / Requirement	Compliance	Comments
	Site servicing facilities	Yes	Site servicing is addressed in the Traffic Impact Statement included at **Appendix L**.
6.3.4 Environmental Management	**Energy efficiency and conservation** - All new non-residential development is to be designed and built having regard to the provisions of Section 6.1.2 Environmental Design in Element 6.1 of the Newcastle DCP 2005. - All Class 5 to 9 non-residential developments is to comply with the Building Code of Australia energy efficiency provisions. - An Energy Efficiency Report from a suitably qualified consultant should accompany any DA for new commercial development over $5 million in estimated cost. The required Report is to demonstrate that the building would achieve a rating of not less than 4 stars under the Australian Building Greenhouse Rating Scheme.	Yes	The proposed development has been designed to comply with the relevant environmental design controls as demonstrated in the Environmental Assessment report. The proposed development complies with the relevant BCA energy efficiency provisions. The 'NaBERS Computer Simulation Report' (refer **Appendix P**) identify that the development will be designed to achieve a 4.5 star NABERS energy rating.
	Water conservation - All new development is to have regard to the provisions of Element 4.5 – Water Management in the Newcastle DCP 2005.	Yes	The development has been designed to comply with relevant provisions of Element 4.5 – Water Management in the Newcastle DCP 2005. The proposal includes ESD measures to reduce water consumption and reuse water where possible.
	Reflectivity - New buildings and facades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers. - Visible light reflectivity from building materials used on the facades of new buildings should not exceed 20%.	Yes	Solar glazing is proposed to all facades and has been developed to minimise glare and reflectivity.
	Wind mitigation - The proposed development is to be designed to ensure that new development satisfies nominated wind standards and maintains comfortable conditions for pedestrians.	Yes	The proposed development provides adequate space between each building to allow breezes to penetrate the open spaces to maximise comfort and safety for pedestrians. The proposed relatively low building height (30m) and appropriate siting will ensure that the proposed development will satisfy wind criteria for public safety and comfort at ground level.
	Waste and recycling - All new development is to have regard to the provisions of Element 4.6 – Waste Management in the Newcastle DCP 2005.	Yes	A Waste Management Plan for the ongoing operation of the development will be prepared prior to the issue of occupation certificate in accordance with Council's DCP. Refer to Section 7.8 of the EA report for details.