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CCL 23/04/2024 – SUPPLEMENTARY REPORT - NEWCASTLE CITY CENTRE HERITAGE CONSERVATION AREAS REVIEW

- Attachment A:** [Ordinary Council Meeting Agenda - 26 March 2024 - Item 8.2
Original Report to Council](#)
- Attachment B:** Newcastle City Centre Heritage Conservations Areas Review Final Report, April 2024
- Attachment C:** Marked edits to Newcastle City Centre Heritage Conservations Areas Review Final Report, April 2024
- Attachment D:** Proposed amendment to Newcastle City Centre HCA, April 2024



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Newcastle City Centre Heritage Conservation Areas Review Final Report



City of
Newcastle

ACKNOWLEDGEMENT OF COUNTRY

City of Newcastle (CN) acknowledges its Local Government Area (LGA) sits within the Country of the Awabakal and Worimi peoples. We acknowledge that Country for Aboriginal peoples is an interconnected set of ancient relationships. We acknowledge the custodianship of the Awabakal and Worimi peoples and the care and stewardship they have performed in this place since time immemorial. We recognise the history of truth that acknowledges the impact of invasion and colonisation on Aboriginal and Torres Strait Islander people and how this still resonates today.

ENQUIRIES

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EXECUTIVE SUMMARY

This report presents the findings of a review of heritage conservation areas (HCAs) within the Newcastle City Centre boundary. It includes the following HCAs:

- Newcastle City Centre
- Newcastle East
- The Hill (part of due to a shared boundary)
- Cooks Hill (part of due to a shared boundary).

It defines current heritage significance of each area and provides desired future character statements. It assesses the appropriateness of boundaries, examines the planning context and controls, identifies items that contribute to or detract from the areas and documents what the community values about them. It also investigates a few potential new HCAs.

The review's methodology is based on NSW Heritage criteria as found in the heritage assessment guidelines of the NSW Heritage Council. These guidelines are accepted as the standard methodology for assessing heritage significance. The review considers the "Better Placed: Design Guide for Heritage" best practice guidelines of the NSW Heritage Council. This included a literature review of previous studies and an analysis of new information based on fieldwork and community engagement feedback.

The report's recommendations incorporate an analysis of the feedback made during the community engagement held 17 April 2023 and 29 May 2023 (Phase 1) by CN's Community Engagement team. That feedback is used as the baseline data to determine the social significance of each HCA.

This report's recommendations incorporates the outcomes of the public exhibition of the draft report held 6 November to 18 December 2023 (Phase 2) by CN's Community Engagement team.

The review finds HCA residents generally want to maintain the special character of these areas and existing HCA boundaries. The community identified several distinct character areas for protection and conservation, particularly in the Newcastle City Centre HCA. Updated statements of significance and desired future character in the Newcastle Development Control Plan (DCP) is an appropriate way to reinforce character along with revisions to the contributory buildings maps in the Heritage Technical Manual.

The review concludes CN should develop a program to apply its findings and amend Newcastle Local Environmental Plan 2012 (LEP) and DCP. The recommendations include:

- Amendments to the Newcastle East, Newcastle City Centre, The Hill and Cooks Hill HCA boundaries for land located in the Newcastle City Centre boundary.
- Replace part of the Newcastle City Centre HCA with the smaller Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street HCAs.
- Amendments to an identified low-rise area located in the Newcastle East HCA to delete height of building (HOB) and floorspace ratio (FSR) development standards.
- Amendments to low-rise residential properties located in The Hill HCA to remove them from the Newcastle City Centre boundary, delete HOB and FSR development standards, add

minimum lot size development standards, and where applicable change the land use zoning from MU1 Mixed Use to R3 Medium Density Residential.

- Amendments to the DCP to include updated statements of significance and desired future character statements for the amended Newcastle East and Newcastle City Centre, and proposed Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street HCAs.
- Amendments to the Heritage Technical Manual to update contributory building maps for the amended Newcastle East, Newcastle City Centre, The Hill, and Cooks Hill HCAs, and new contributory building maps for the proposed Old Town, Civic and Honeysuckle, Hunter Street, and Parry Street HCAs.

The recommendations from the review do not instigate changes to HCA boundaries or heritage listings. Such changes require further investigation, council approval and strict legal process to amend the LEP and similarly, recommended changes to the DCP require a formal, legal process. This work will be undertaken as a separate future project.

CHAPTER ONE – INTRODUCTION

1.1 Introduction

A Heritage conservation area (HCA) is a group of places, often defined by its distinctive architecture, streetscape, and landscape features, which together contribute to our history and cultural identity. Heritage significance of these areas is likely to change over time and with use. These dynamic areas continuously change from development, cultural and social changes to the resident population and use, as well as renewal, neglect, and decay. These changes enhance, maintain and erode their cultural heritage significance. Therefore, it is essential to review and update the conservation management strategies, policies and planning framework for these areas to ensure their heritage value is understood, protected and supported for future generations.

This report presents the results of a review and analysis conducted during 2023 of two of City of Newcastle's (CN) eight existing HCAs - Newcastle City Centre and Newcastle East HCAs. It incorporates the results from CN's engagement with the community (Phase 1) from 17 April 2023 to 29 May 2023. This report is refined incorporating the analysis of community feedback from the public exhibition of the draft report (Phase 2) from 6 November to 18 December 2023. The Community Engagement Report (Phase 1), September 2023 is attached in Appendix A and the Public Exhibition Report (Phase 2), January 2024 is attached in Appendix B.

CN's Strategic Planning team drafted the report. The study area for this review is existing HCA land within the Newcastle City Centre boundary and comprises the following HCAs:

- Newcastle City Centre
- Newcastle East
- The Hill (part of due to a shared boundary)
- Cooks Hill (part of due to a shared boundary)

Following a review of feedback received during public exhibition, a final report will be presented to Council for adoption.

The project included the following tasks for the Newcastle City Centre and Newcastle East HCAs:

- Community engagement to determine what residents and businesses value about these HCAs.
- Review the heritage significance of the HCAs in accordance with Heritage NSW guidelines.
- Identify and define building styles and key elements of heritage value within these HCAs.
- Review the HCAs boundaries for continued heritage significance, examining whether they remain appropriate and for any need to adjust or manage them differently to best guide development assessment.
- Review the boundaries of other existing HCAs that adjoin these areas (The Hill and Cooks Hill) to examine whether land in the Newcastle City Centre Local Environmental Plan boundary reflects the heritage significance or would be better added to the Newcastle City Centre or Newcastle East HCAs.

- Identify low-rise residential properties on HCA land in the Newcastle City Centre boundary. Review the land use zoning objectives and development standards in the Newcastle Local Environmental Plan 2012 (LEP) with the built form of the land, the development objectives of the Newcastle City Centre, and the HCA's conservation objectives.

1.2 Purpose of this report

This report presents the findings of the Newcastle City Centre and Newcastle East HCAs review. The purpose of the report is to recommend ways to guide future heritage planning. It aims to ensure these HCAs reflect significant and demonstrable built, landscape or other heritage values in the study area, and are identified and mapped for clarity. The report reviews and proposes planning controls with specific measures tailored to strengthen the conservation and management of the distinctive heritage significance of each HCA.

The buildings, streets, and precincts of the Newcastle City Centre's HCAs have experienced significant change with recent economic revitalisation. This has altered the streetscape with many older buildings replaced and vacant sites infilled with new mixed-use higher density development, and triggered the need for a review.

The review aims to allow the Newcastle City Centre's revitalisation to continue while enabling our rich and diverse cultural heritage to remain protected and conserved.

The report focusses on built heritage and urban form and:

- Reviews the boundaries, significance and integrity of existing HCAs in response to change.
- Recommends amendments to the LEP and DCP (and associated Heritage Technical Manual).

1.3 Newcastle 2040 Community Strategic Plan

The Newcastle 2040 Community Strategic Plan (CSP) is a shared community vision, developed as a guide to inform policies and actions throughout the city for the next 10+ years. With direct input from the community, it represents what we value in our city and what we want to prioritise.

The CSP outlines four key themes to guide the implementation of this vision (**refer to Figure 1**). This project aligns with the objectives set under these themes, and will contribute to "*enriched neighbourhoods and places*" (Theme 1.1), as well as "*trust and transparency*" (Theme 4.2).

Through the CSP, the Newcastle community has expressed its aspiration that moving towards 2040, local heritage places will be protected. Overall, CN aims to ensure that the significant aspects of the city's heritage are identified, cared for, celebrated and appropriately managed on behalf of residents and visitors of Newcastle. The intention is to ensure decisions about heritage places are made with due regard to heritage significance, and that we strengthen or better appreciate heritage significance.

1. Liveable	2. Sustainable	3. Creative	4. Achieving Together
<p>1.1 Enriched neighbourhoods and places</p> <ul style="list-style-type: none"> 1.1.1 Great spaces 1.1.2 Well-designed places 1.1.3 Protected heritage places <p>1.2 Connected and fair communities</p> <ul style="list-style-type: none"> 1.2.1 Connected communities 1.2.2 Inclusive communities 1.2.3 Equitable communities 1.2.4 Healthy communities <p>1.3 Safe, active and linked movement across the city</p> <ul style="list-style-type: none"> 1.3.1 Connected pathways and pedestrian networks 1.3.2 Road networks 1.3.3 Managed parking 1.3.4 Effective public transport <p>1.4 Innovative and connected city</p> <ul style="list-style-type: none"> 1.4.1 Emerging technologies 1.4.2 Digital inclusion and social innovation 	<p>2.1 Action on climate change</p> <ul style="list-style-type: none"> 2.1.1 Towards net zero emissions 2.1.2 Know and share our climate risk 2.1.3 Resilient urban and natural areas <p>2.2 Nature-based solutions</p> <ul style="list-style-type: none"> 2.2.1 Regenerate natural systems 2.2.2 Expand the urban forest 2.2.3 Achieve a water sensitive city <p>2.3 Circular economy</p> <ul style="list-style-type: none"> 2.3.1 Design out waste 2.3.2 Localised supply chain and sustainable procurement 	<p>3.1 Vibrant and creative city</p> <ul style="list-style-type: none"> 3.1.1 Vibrant events 3.1.2 Bold and challenging programs 3.1.3 Tourism and visitor economy 3.1.4 Vibrant night-time economy <p>3.2 Opportunities in jobs, learning and innovation</p> <ul style="list-style-type: none"> 3.2.1 Inclusive opportunities 3.2.2 Skilled people and businesses 3.2.3 Innovative people and businesses <p>3.3 Celebrating culture</p> <ul style="list-style-type: none"> 3.3.1 Nurture cultural and creative practitioners 3.3.2 Promote Newcastle as a major arts and cultural destination 3.3.3 Culture in everyday life <p>3.4 City-shaping partnerships</p> <ul style="list-style-type: none"> 3.4.1 Optimise city opportunities 3.4.2 Advocacy and partnership 	<p>4.1 Inclusive and integrated planning</p> <ul style="list-style-type: none"> 4.1.1 Financial sustainability 4.1.2 Integrated planning and reporting 4.1.3 Aligned and engaged workforce <p>4.2 Trust and transparency</p> <ul style="list-style-type: none"> 4.2.1 Genuine engagement 4.2.2 Shared information and celebration of success 4.2.3 Trusted customer experience <p>4.3 Collaborative and innovative approach</p> <ul style="list-style-type: none"> 4.3.1 Collaborative organization 4.3.2 Innovation and continuous improvement 4.3.3 Data-driven decision-making and insights

Figure 1: Newcastle 2040 Community Strategic Plan themes and objectives.

1.4 Alignment with Newcastle Heritage Strategy 2020-2030

CN's Heritage Strategy is a strategic framework to guide the management of heritage matters in the Newcastle LGA over the next ten years. It draws from the Newcastle 2030 Community Strategic Plan 2018-2028 (CSP) (City of Newcastle, 2018) and Newcastle's Heritage Policy 2013 (updated 2022). Consultation told us the Newcastle community has strongly expressed its aspiration that moving towards 2030+, local heritage will be valued, enhanced and celebrated.

The Heritage Strategy allows CN to articulate a framework for achieving this vision and to meet its statutory obligations and community expectations for regulating and managing local heritage. It aligns with the Sustainable Development Goals and New Urban Agenda developed by the United Nations, the Hunter Regional Plan 2041, Greater Newcastle Metropolitan Plan 2036 and contemporary heritage guidelines for local government required by the NSW Heritage Council.

The Heritage Strategy identifies actions and services that when implemented align with the Newcastle Heritage Policy, best practice, legislative responsibilities and community expectations. It identifies the vision statement for heritage, sets out the context, identifies the core themes/priorities and the objectives, outcomes and measures of these themes.

This review delivers on the following priorities outlined in the Newcastle Heritage Strategy 2020-2030:

- Priority 1** *Enhancing our community's knowledge of and regard for local heritage items and places.*
- Priority 2** *City of Newcastle will protect and conserve the City's heritage places for the benefit of everyone.*
- Priority 3** *City of Newcastle will protect the integrity of heritage places by ensuring consistent and sympathetic uses, physical and aesthetic treatments and outstanding interpretations.*
- Priority 4** *Newcastle's significant heritage places are a unique historical resource and represent an asset for the continuing educational, cultural and economic enrichment of the*

region. City of Newcastle will invest in the promotion and care of these assets as part of the city's economic and cultural development.

1.5 What is a heritage conservation area (HCA)?

An HCA is an area of land recognised for its collective nature of buildings and elements that contribute to an overall heritage significance valued by the community and worth protecting. More than a collection of heritage items, it can include a group of buildings, landscape or whole suburbs with heritage values that give it a distinct identity. Their significance is often associated with the underlying land subdivision, street pattern, arrangement of lots, and a predominance of buildings that share common periods of development, historical associations, materials, form and scale.

An HCA is determined by examining its heritage significance and identifying the special characteristics making up that significance. To be considered for listing by the NSW Minister and protected under the *Environmental Planning and Assessment Act 1979* (EP&A Act), the area must meet at least one of the seven Heritage Council of NSW criteria for assessing significance.

HCAs are statutorily recognised and protected at the local government level by their listing in the heritage schedule of LEP. The LEP governs the circumstances in which development is permitted. Most development on land in HCAs is unlikely to meet the requirements for exempt development, and therefore needs a development application or complying development certificate.

1.6 Conservation principles

The approach to managing HCA changes is underpinned by the principles and processes of the Australia International Council on Monuments and Sites (ICOMOS) Charter for Conservation of Places of Cultural Significance (The Burra Charter).¹ The Burra Charter is the best practice standard to guide heritage conservation practitioners managing change to heritage places in Australia. This HCA review is based on the following Burra Charter approaches where change should be:

- based on an understanding of the heritage significance of the place
- guided by the heritage significance of the item, site, streetscape and/or area
- managed in accordance with an appropriate conservation policy.

A key principle is that the sum of the parts is equally important as the individual features themselves and explains why the cumulative impact of change is an important consideration. This is often not well

¹ *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*, Australia ICOMOS, 2013. ISBN 0 9578528 4 3

understood. Where buildings positively reinforce the character of an HCA, they need to be retained to conserve the significance of the HCA.

1.7 How are heritage conservation areas determined?

An HCA is determined using the Heritage Council of NSW's evidence based process², the NSW standard criteria used for heritage significance assessment. The process examines heritage significance to determine why an HCA is valued by the community and which special characteristics are worthy of conservation and contribute to that significance. These characteristics can include the subdivision pattern, consistency of the building stock, or common building and construction materials. HCAs usually demonstrate aspects of our cultural, economic and social history, and patterns of change and development over time. These elements will provide evidence of how people respond physically, emotionally, socially and architecturally to their environment; and how places have been occupied, used, ignored, refined, degraded or associated with Australian history over time.

The historical analysis provides the context for assessing significance, which is made by applying standard evaluation criteria to the development and associations of an HCA. The Heritage Council of NSW produced standard evaluation criteria compatible with The Burra Charter values.

To include an HCA on the LEP heritage schedule, the responsible NSW Minister requires it meets one or more of the State Heritage criteria. The values embodied in the criteria generally relate to:

- natural heritage values of places
- Indigenous heritage values of places
- historic heritage values of places

The level of significance of an HCA is determined by its value relative to other comparable HCAs, be they in a local, regional, national, or international context. The rarity and/or representativeness of the HCA is considered as part of the overall analysis of its significance.

Heritage criteria for listing HCAs (and heritage items) at the State or local level in NSW are:

Criterion (a) (Historic significance)	An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)
Criterion (b) (Historical association)	An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

² NSW Department of Planning and Environment, June 2023, *Assessing heritage significance: Guidelines for assessing places and objects against the Heritage Council of NSW criteria*, ISBN 978 1 923018 53 2

Criterion (c) (Aesthetic/creative/technical achievement)	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).
Criterion (d) (Social, cultural, and spiritual)	An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons.
Criterion (e) (Research potential)	An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).
Criterion (f) (Rare)	An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).
Criterion (g) (Representative)	An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).

1.8 Contributory buildings

In HCAs, contributory items are buildings and elements that contribute to the overall significance of the area, and must be kept if the heritage significance of the area is to be retained. Non-contributory items may be replaced. There may also be an opportunity to strengthen the local character by removing elements that detract from or compromise that character.

In the Newcastle LGA, buildings can make three levels of contribution in an HCA – contributory, neutral, and non-contributory. The contribution of any building to the area or streetscape's character and heritage significance, based on the Contributory Buildings Map (example provided in **Figure 2**), will guide the approach to development and assist in determining the degree of change permitted. Each level of contribution is explained in the table below.

Contributory buildings – are buildings that contribute to the character of the HCA. They are:

- (i) **Heritage item** – buildings listed as a heritage item in the LEP; or
- (ii) **Contributory 1** – buildings that clearly reflect a Key Period of Significance for the HCA and are key elements of the HCA. This ranking is assigned where the main front portion of the building is largely unaltered as viewed from the street. Includes buildings with rear additions which do not affect the main front roof; or
- (iii) **Contributory 2** – buildings that have been altered but are still identifiable as dating from a Key Period of Significance for the HCA. They retain their overall form from the original date of construction and, even though altered, are contributory to the heritage conservation area

character. This ranking is assigned where a building has alterations such as cement rendering to Federation or Inter-war period brickwork or a first-floor addition which affects the main front roof form, yet the period and style of the building remains discernible.

Neutral buildings – are buildings that are either altered to an extent where the construction period is uncertain, or are from a construction period which falls outside any Key Period of Significance for the HCA, but which reflect the predominant scale and form of other buildings within the HCA, and therefore do not detract from the character of the HCA. This ranking is assigned where the building is either so altered that the period and style is no longer evident, or it is a recent building which is of a height, form and scale which is consistent with the streetscape.

Non-contributory buildings – are buildings from a construction period which fall outside any Key Period of Significance for the heritage conservation area and that have scale or form that is not consistent with the key characteristics of the heritage conservation area. This ranking is assigned where the building is recent or late 20th century and is out of scale, ie, not consistent with the height, form and scale of buildings within the streetscape.

The Contributory Buildings Maps, prepared in January 2020 provide a snapshot assessment of the building as viewed from the street and can be used as a starting point to understand a building's potential heritage significance. The ranking of each building was a visual assessment and not based on historical documentary research.



Figure 2: Example of Contributory Buildings Map – Hamilton Residential Precinct HCA (Source: CN GIS 24 January 2020)

1.9 Methodology

This review is based on the NSW Heritage Council's heritage assessment guidelines³ and the criteria defined in the NSW Heritage Act 1977 as the standard methodology to assess heritage significance. The document "Better Placed: Design Guide for Heritage", best practice guidelines of Heritage Council of NSW and Government Architect NSW⁴ was also used.

This review includes a literature review of heritage studies relating to the HCAs, an analysis of new information, historical updates, and the results of fieldwork and community engagement. It uses terms consistent with definitions in the LEP and DCP. Google Streetview imagery is used to help visualise each locality.

An important element of heritage significance is social value – that is, the esteem people place on an item or HCA and its contribution to a community's sense of identity. To seek the views of each community residing and working in the HCAs in a robust and objective manner, the review included community engagement feedback. This feedback is included in each HCA chapter and has been treated as the baseline data to explore the social significance of each heritage conservation area.

³ NSW Department of Planning and Environment June 2023, *Assessing heritage significance: Guidelines for assessing places and objects against the Heritage Council of NSW criteria*, ISBN 978 1 923018 53 2

⁴ Heritage Council of NSW and Government Architect NSW, May 2018, *Better Placed: Design Guide for Heritage: Implementing the Better Placed policy for heritage buildings, sites and precincts*, ISBN 978 0 6483700 4 8

CHAPTER TWO – STATUTORY PLANNING FRAMEWORK

2.1 Introduction

This chapter sets out the planning context in which CN regulates and manages the HCAs listed in the LEP. In NSW, State and local Governments share the responsibility for managing heritage. The Heritage Council of NSW, assisted by Heritage NSW, has responsibility for items of State heritage significance listed on the State Heritage Register and for relics of State and local significance. Local Government is responsible for local heritage, through LEPs and DCPs.

The State Heritage Register lists items and areas that have significance to the people of NSW, while nationally significant places are listed on the National Heritage List administered by the Australian Government Department of Climate Change, Energy, the Environment and Water.

The three legal instruments regulating cultural heritage in NSW are:

1. *NSW Heritage Act 1977*
2. *Environmental Planning and Assessment Act, 1979*
3. *NSW National Parks and Wildlife Act 1974.*

Identifying and listing items and places of heritage significance are the first steps in protecting and managing places deemed to be of heritage significance. Listing heritage places on statutory heritage registers provides a legal framework for managing the approval of major changes so that heritage significance is retained and not diminished.

CN's heritage listings are made through the *EP&A Act* which enables the listing of heritage items and places in the LEP. The *Standard Instrument—Principal LEP* contains provisions to regulate heritage. This is the legal framework for recognising and managing heritage items, heritage conservation areas and archaeological sites.

The *Transport and Infrastructure State Environmental Planning Policy (SEPP) 2021* defines the boundary of the Three Ports area including Port Botany, Port Kembla, and Port of Newcastle. The port of Newcastle's Three Ports area (**refer to Figure 3**) applies to the harbour and parts of Kooragang, Mayfield North, Tighes Hill, Carrington, and Newcastle East (Coal River Precinct). Heritage items and archaeological sites in this area are listed in the heritage schedule of the Transport and Infrastructure SEPP 2021 and this provides the mechanism for their identification and management. A SEPP prevails over an LEP, and so heritage listings in the SEPP for the Port of Newcastle's Three Ports area are not listed in CN's LEP.

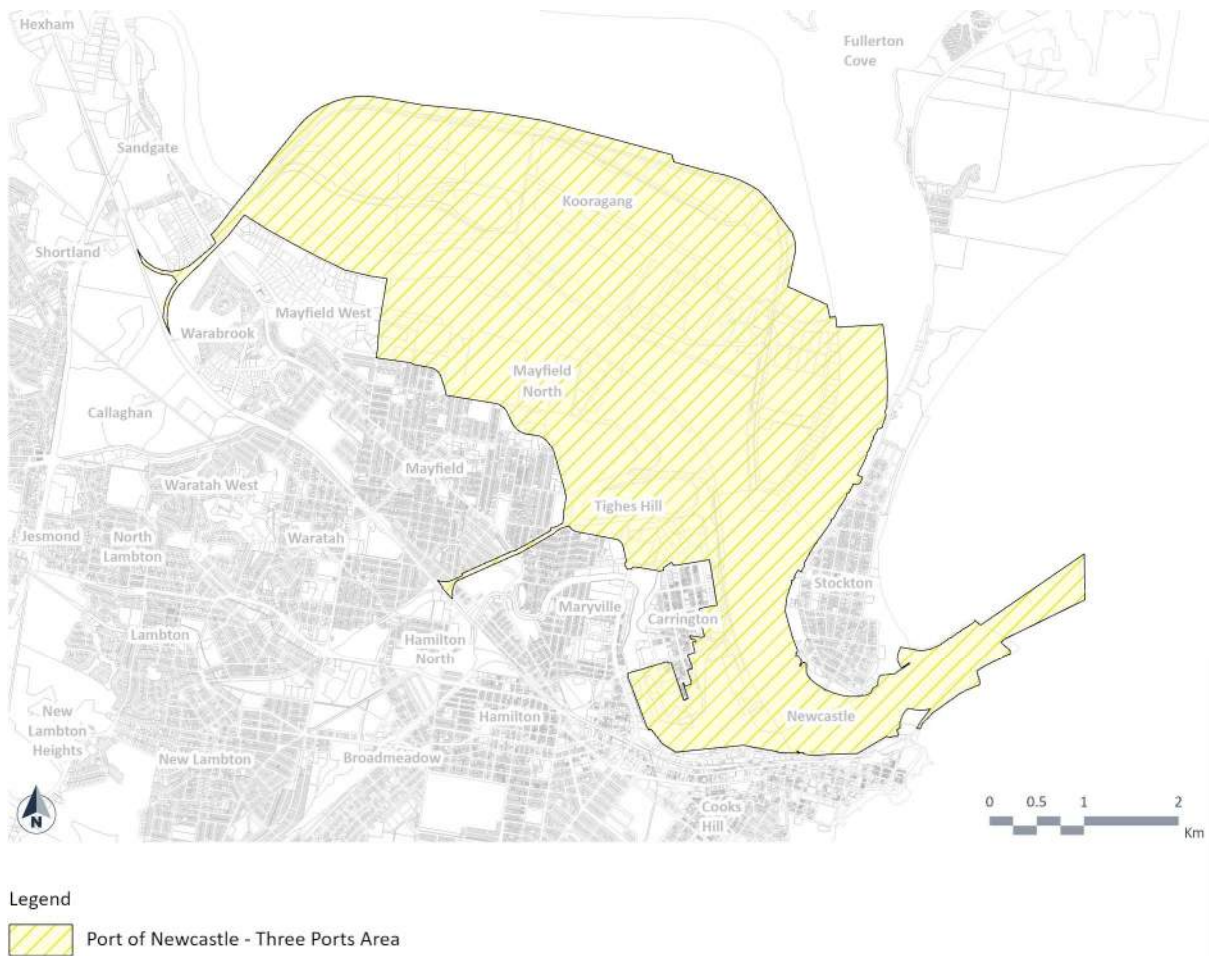


Figure 3: Port of Newcastle - SEPP (Transport and Infrastructure) 2021

2.2 Local Environmental Plan (LEP)

LEPs are the main planning tool to shape the future of communities by ensuring local development is carried out appropriately. In NSW council's plans are required to conform to a standard LEP, known as the 'Standard Instrument'. This instrument directs the provisions in the LEP which establishes the consent requirements for development in HCAs and provides the assessment framework to follow when assessing a development application within an HCA. Part 5 of the LEP sets out the provisions CN must consider in its assessment of a development application within an HCA or land listed as a heritage item.

Under Clause 5.10 of the LEP, CN must assess the impact of a proposed development on the heritage significance of the HCA or heritage item concerned. Most types of development in a HCA or to a heritage item, unless exempt, require development consent via a development application or complying development certificate. An applicant must demonstrate that there is no heritage impact or that it is minimal and measures to manage impacts are in place.

The heritage clauses at Part 5 of the LEP are mandatory clauses of the NSW planning authority (NSW Department of Planning, Housing and Infrastructure). Council has no discretion to alter or amend these provisions. The LEP is guided by the DCP, which provides direction on the types of changes considered acceptable for an HCA or heritage item. This is further explained below.

HCA and heritage items are listed in Schedule 5 of the LEP. Any changes HCA and heritage item listings such as boundary adjustments, re-naming, removal, or creating a new HCA or heritage item listing requires an amendment to the LEP.

This review examines the heritage significance and boundaries of the existing HCAs and potential new heritage item listings in the HCAs in the Newcastle City Centre boundary (refer to **Figure 4**) to ensure the objectives and associated provisions are responsive to facilitate the preservation ideals and management of the HCAs.

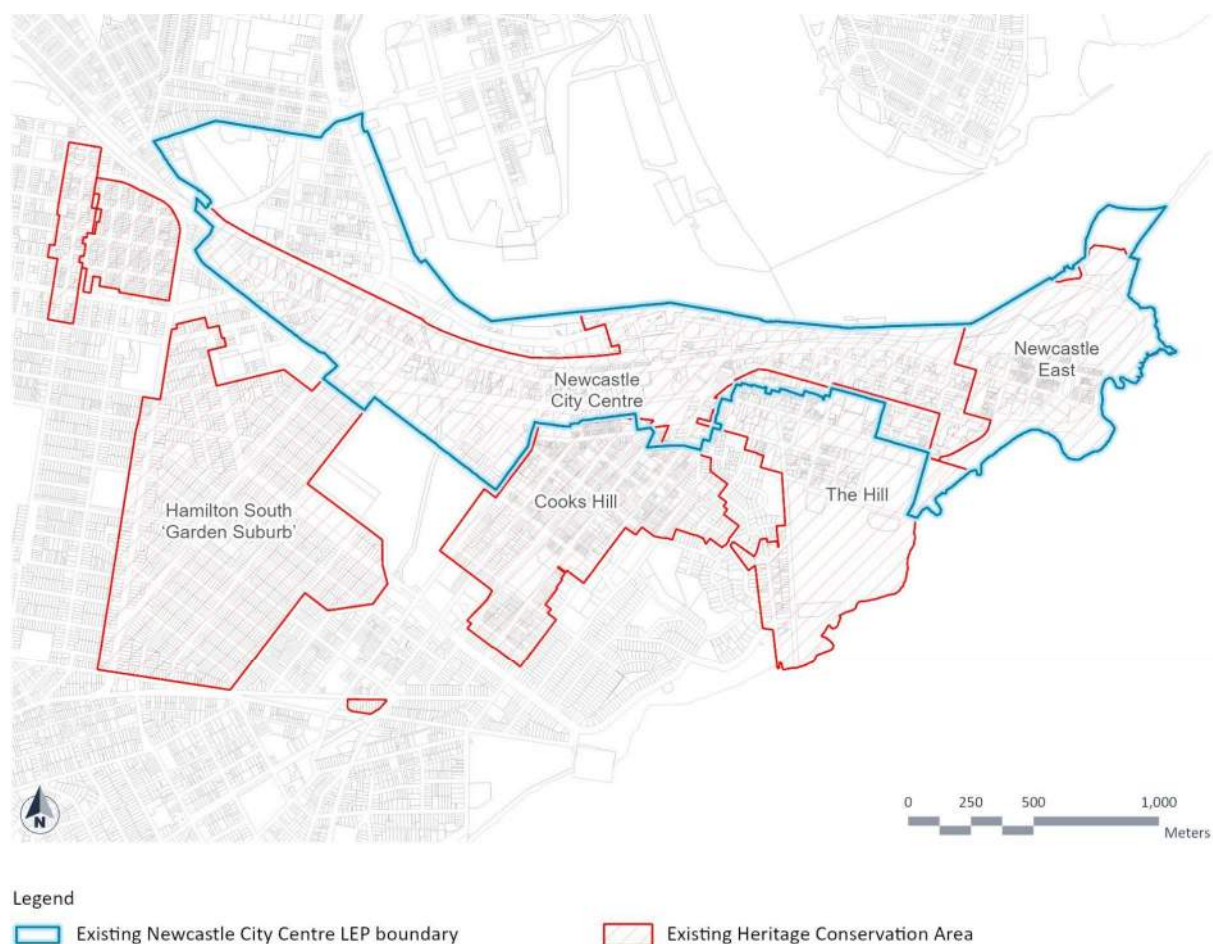


Figure 4: Newcastle City Centre boundary & existing HCAs

2.2.1 Land Use Zones

Zoning is the division of land into categories (i.e. land use zones) providing a local framework for the way land can be developed and used for the area they cover. Zoning in the LEP is guided by the Standard Instrument provisions, and is identified in maps supported by the relevant land use tables.

The Standard Instrument LEP identifies certain mandatory objectives and mandatory land uses permitted with or without consent, or prohibited for each zone. This is provided in Part 2 of the LEP. Any changes to land use zones requires an amendment to the LEP. Councils may, where appropriate, prepare additional local land use objectives and provisions to supplement the standard provisions without altering those mandated and aligning with other relevant State or regional provisions.

The EP&A Act prescribes how a council is to prepare and make a Local Strategic Planning Statement. In 2020 Council, adopted the Newcastle Local Strategic Planning Statement – Planning Newcastle 2040: Global City, Local Character (LSPS). This is Council's 20-year land use vision identifying how we will sustainably manage the city's growth and change. The LSPS gives effect to the Hunter Regional Plan 2041 and Greater Newcastle Metropolitan Plan 2036; and implements priorities from our Community Strategic Plan, Newcastle 2040. The LSPS brings together land use planning actions in adopted strategies and informs changes to the LEP and DCP, to guide land use decisions for the LGA.

This review examines the land use zones to ensure the zone objectives and associated provisions are responsive to facilitate the preservation ideals and management of the HCAs in the Newcastle City Centre boundary.

2.2.2 Minimum subdivision lot size

Subdivision lot size is a development standard to help implement strategic planning objectives and provide certainty to the community and landowners about the acceptable scale of development. Minimum subdivision lot size is one way to establish the building envelope for new development. The DCP supports this with built form provisions such as building setbacks, explained below. It is important to use a consistent approach to the identify and apply minimum subdivision lot size development standards so controls are clear for development and community interests.

2.2.3 Height of Buildings (HOB)

Building height (or height of building) means—

- 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*
- b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,*
including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

A development standard for height is a planning tool to help implement strategic planning objectives and provide certainty to the community and landowners about the acceptable scale of development. Height is one component of a combination of ways used to help establish the primary building envelopes for new development. The DCP supports this with built form provisions such as building setbacks as explained below. It is important that a consistent approach to the identification and application of height development standards is used so controls are clearly understood by development and community interests.

Being an optional clause of the Standard Instrument that CN adopted in its LEP, Clause 4.3 (HOB) to set maximum building heights for development on the accompanying HOB Map. Additionally, the clause allows different maximum heights to be applied for different zones and for different locations in the same zone. Heights are shown in metres.

Although the HOB clause is optional, it is the NSW planning authority's preference (LEP practice note PN 08–001) that building height development standards are applied to strategic centres in the LEP. This is to provide a level of certainty. As part of the planning process, CN assess the impact of a proposed development against the Clause 4.3 (HOB) objectives and development standards specified on the accompany mapping. Any changes to HOBs require an LEP amendment.

This review examines the HOB objectives to ensure the objectives and associated provisions are responsive to facilitate the preservation ideals and management of the HCAs in the Newcastle City Centre boundary.

2.2.4 Floor Space Ratio (FSR)

The floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

A development standard for floor space ratio (FSR) is a planning tool for implementing strategic planning objectives and providing certainty to the community and landowners about the acceptable bulk of development. FSR is one component of a combination of ways to help establish the primary building envelopes for new development and the gross floor areas available for retail, commercial and residential activities in centres. The DCP supports this by including additional built form provisions as explained below. It is important that a consistent approach to the identification and application of FSR development standards is used so these controls are clearly understood by development and community interests.

Clause 4.4 (floor space ratio) of the LEP allows CN to:

- specify maximum FSRs on the accompanying Floor Space Ratio Map;
- apply different maximum FSRs for different zones and different locations in the same zone; and
- use a table in conjunction with a map so separate FSRs may be set out depending on the mix of land uses or the dimensions of the site.

In line with NSW planning authority recommendations, CN adopted Clause 4.5 (calculation of FSR and site area). This provides a method of calculating FSR in a consistent manner by defining FSR and by setting out rules for the calculation of site area for the purpose of applying permitted FSRs.

Although the FSR clauses are optional, it is the NSW planning authority's preference (LEP practice note PN 08–001) to provide FSR development standards for strategic centres set out in the LEP. This gives some certainty about the likely bulk of a building and the likely variations considered to that standard.

As part of the planning process, CN assess the impact of a proposed development against Clause 4.4 (floor space ratio) and Clause 4.5 (calculation of FSR and site area) objectives and development standards specified on the accompany mapping. Any changes to FSR require an LEP amendment.

This review examines the FSR objectives and development standards to ensure the objectives and associated provisions are responsive to facilitate the preservation ideals and management of the heritage conservation areas located in the Newcastle City Centre boundary.

2.2.5 Varying Development Standards

Clause 4.6 of the LEP allows councils to approve development applications with some flexibility so long as the deviation is consistent with the objectives of both the development standard and the zone. In these instances, a consent authority may accept a variation to a development standard if sufficient environmental planning grounds justify it.

A delegate of council can determine the development application, except where it is a numerical standard varied by greater than 10% or the variation is to a non-numerical standard. Where the extent of variation is greater than 10%, in regional areas such as the Newcastle LGA, the elected council has the function of determining the DA.⁵

2.2.6 Newcastle City Centre

The term 'Newcastle City Centre' is defined in Part 7 and mapped by the LEP (**Refer to Figure 4**). It is used generally but also has a statutory definition, such as in the Hunter Regional Plan 2041 and the LSPS. Unless otherwise specified, it can be reasonably assumed this report refers to the area identified in the LEP that applies objectives relating to economic revitalisation and day and evening activities. Measuring 224.5ha, any change to its boundary requires an LEP amendment. . This area is subject to planning provisions in Part 7 Additional local provisions–Newcastle City Centre of the LEP. This aims to strengthen the regional position of Newcastle City Centre, promote its revitalisation and facilitate the development of building design excellence appropriate to its regional city status. The Newcastle City Centre objectives are:

- a) *to promote the economic revitalisation of Newcastle City Centre,*
- b) *to strengthen the regional position of Newcastle City Centre as a multi-functional and innovative centre that encourages employment and economic growth,*
- c) *to protect and enhance the positive characteristics, vitality, identity, diversity and sustainability of Newcastle City Centre, and the quality of life of its local population,*
- d) *to promote the employment, residential, recreational and tourism opportunities in Newcastle City Centre,*
- e) *to facilitate the development of building design excellence appropriate to a regional city,*
- f) *to encourage responsible management, development and conservation of natural and man-made resources and to ensure that Newcastle City Centre achieves sustainable social, economic and environmental outcomes,*

⁵ NSW Department of Planning and Environment, November 2023, *Guide to Varying Development Standards*.

- g) to protect and enhance the environmentally sensitive areas and natural and cultural heritage of Newcastle City Centre for the benefit of present and future generations,*
- h) to help create a mixed use place, with activity during the day and throughout the evening, so Newcastle City Centre is safe, attractive, inclusive and efficient for its local population and visitors alike.*

Part 7 of the LEP sets out matters to consider in assessing a development (or modification) application in the defined Newcastle City Centre area. The provisions are tailored to large scale, medium to high-rise development and include minimum building street frontage, building separation, design excellence, active street frontages, HOB and FSR.

This review examines the Newcastle City Centre objectives and boundary to ensure its objectives and associated provisions are responsive to facilitate the preservation ideals and management of the HCAs located in the current Newcastle City Centre boundary.

2.3 Development Control Plan (DCP)

The DCP supports the LEP with detailed planning and design guidance for those proposing to carry out development in the LGA under a development or modification application. HCA provisions are in Section E1 and Section E2. The Heritage Technical Manual supplements the DCP with further technical information for assessing development applications in HCAs. It includes Contributory Buildings Maps ranking the contribution of buildings to the streetscape character and heritage significance for each of the HCAs.

The DCP enables merit assessment of development applications as it contains relevant aims, objectives and controls. CN can implement a DCP in a discretionary capacity, and in this way, flexibility in the controls supports good design without prescribing the means of achieving it. Applicants can demonstrate how design options to satisfy the objectives. In this sense, the DCP is a non-restrictive planning tool. This approach considers the principle that there is no one-size-fits-all that will be suitable within the HCA, that technology and fashions change and therefore provided that the objectives are met CN does not prescribe the actual means of achieving it.

2.4 The National Housing Accord and Proposed NSW Government Planning Reform

2.4.1 Background

The National Housing Accord (the Accord) was announced by the Commonwealth Government in October 2022 as part of the Federal Budget. Under the accord, State and Territory governments are to undertake expedited zoning, planning and land release to deliver on a joint commitment to improve affordability by addressing Australia's housing supply challenges. In August 2023, National Cabinet endorsed a new national target to build 1.2 million new well-located homes to help align supply with expected demand over the next 5-years. In line with its relative population share of the Accord target, NSW has committed to deliver at least 314,000 new homes by 2029, with a stretch goal of 377,000 homes.

On 7 December 2023, the NSW Government announced the proposed Transport Oriented Development (TOD) Program as well as Low and Mid-Rise Housing planning reform. The changes aim to increase housing capacity close to transport, jobs and existing infrastructure to address the housing crisis. The timing of this planning reform is unclear at this stage.

2.4.2 NSW Government Proposed Transport Oriented Development (TOD) Program

The program has two tiers. Tier One relates to Greater Sydney. Tier Two proposes to apply new planning controls to 31 NSW locations to allow more homes within 400m of metro and suburban railway stations. In the context of this HCA review, Tier Two applies to Newcastle Interchange.

The proposed changes will:

- Allow residential flat buildings (RFBs) in all residential zones (R2 Low Density, R3 Medium Density and R4 High Density residential zones) within 400m of the identified stations.
- Allow RFBs and shop-top housing in local and commercial zones (E1 Local Centre and E2 Commercial Centre zones) within 400m of the identified stations.
- Apply a mandatory 2% minimum affordable housing contribution rate for developments using the new provisions.

Notes:

- *RFBs are permissible in the R2, R3 and R4 zones under Newcastle Local Environmental Plan 2012 (NLEP 2012).*
- *shop-top housing is permissible in the E1 and E2 zones under NLEP 2012. RFBs are not permissible in the E1 and E2 zones under NLEP 2012.*

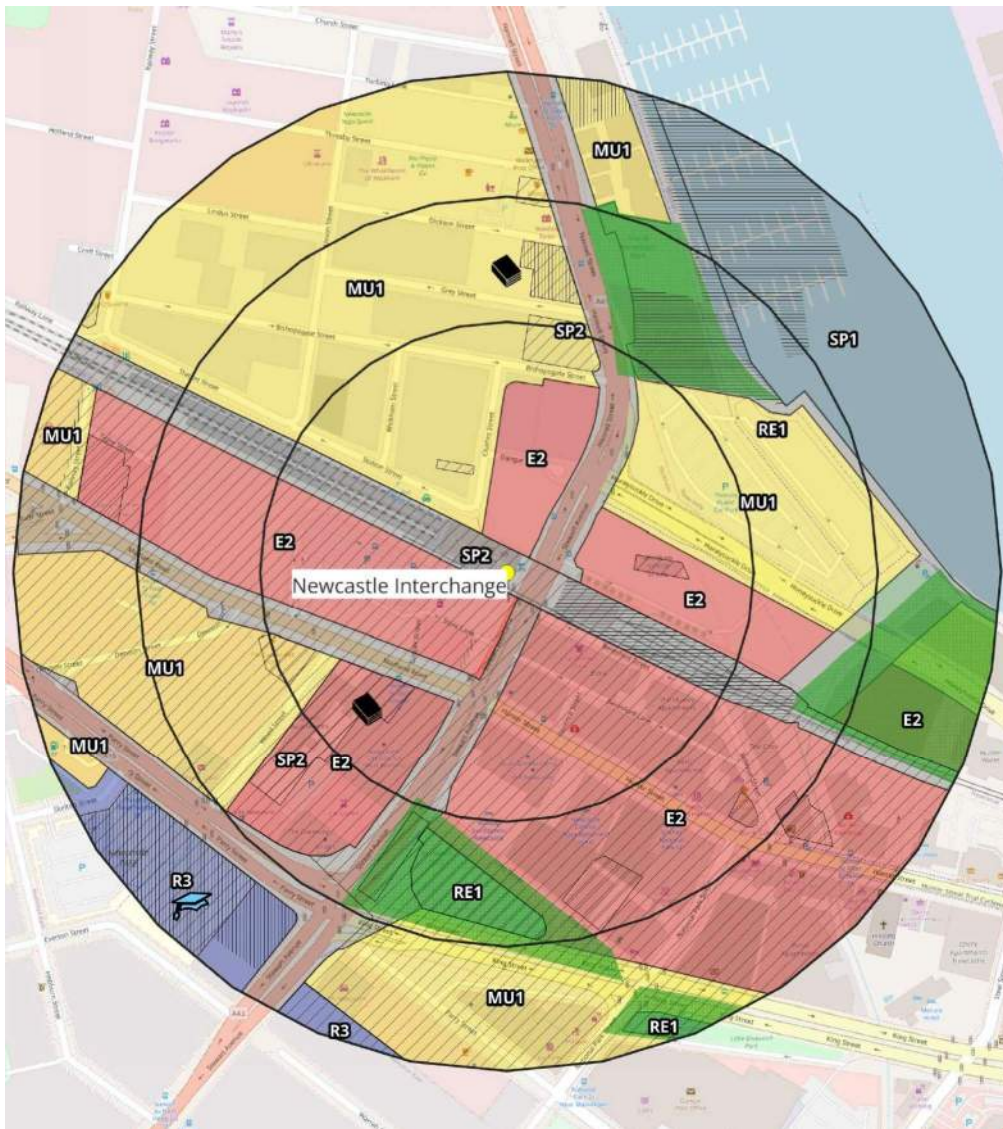


Figure 5: TOD application at Newcastle Interchange
(Source: TOD Briefing Pack for Council (NSW Government, January 2024))

Proposed changes to planning controls include:

- Maximum building height of 21m (approximately six storeys).
- 3:1 floor space ratio (FSR).
- No minimum lot size or lot width.
- Minimum active frontage controls in the E1 and E2 zones – no further information has been provided.
- Maximum parking rates – no further information has been provided.

Notes:

- Within 400m of Newcastle Interchange maximum building heights range from 10m to 90m.

- *Within 400m of Newcastle Interchange current maximum FSR ranges from 0.9:1 to 8:1.*
- *Newcastle DCP 2023 contains minimum frontage (lot) widths for RFBs of 18m in the R2 zone and 15m in the R3, R4 and MU1 zones. No other minimum frontage widths apply.*
- *There is no minimum lot size in the MU1, R4, E1 or E2 zones. A 400m minimum lot size applies in the R2 and R3 zones.*
- *RFBs are not currently permissible in the E1 and E2 zones. Shop-top housing is permissible in E1 and E2 zones and requires commercial/retail uses on the ground floor which provides activation to the street.*
- *Newcastle DCP 2023 applies maximum parking rates to development. It is unclear what implications this may have as no further information about the proposed maximum parking rates have been released.*

The NSW Government planning reform indicated that from April 2024, it is anticipated a new State Environmental Planning Policy (SEPP) is proposed to implement the proposed changes and override planning controls in the Newcastle LEP 2012 within 400m of Newcastle Interchange.

New design criteria for mid-rise residential apartment buildings are proposed to support the proposed changes including building separation, setbacks, vehicle access, visual privacy and communal open space controls. A merit-based assessment of development applications in these areas is proposed to use the new controls, including in heritage conservation areas (HCAs). The TOD Program documentation states '*a merit-based assessment will continue to apply in these locations [HCAs] and relevant heritage controls will apply to the extent that they are not inconsistent with the new standards*'. As a result, the proposed controls override any existing heritage controls relating to areas covered by the TOD SEPP and design criteria.

2.4.3 Low and Mid-Rise Housing Reform

The low and mid-rise housing reform proposes to increase the range of housing types permissible in residential zones across the Six Cities Region. Specific to this HCA review, the changes would allow mid-rise apartment blocks (up to six storeys) near station and town centre precincts in the R3 Medium Density Residential Zone. The changes are proposed to apply to areas within:

- 800m walking distance of a heavy rail or light rail station.
- 800m walking distance of land zoned E2 Commercial Centre (e.g. around Civic and Newcastle Interchange)
- 800m walking distance of land zoned E1 Local Centre (e.g. town centres) or MU1 Mixed Use (e.g. most of Newcastle City Centre) – "but only if the zone contains a wide range of frequently needed goods and services such as full line supermarkets, shops and restaurants".

In the context of this HCA review, the low to mid-rise housing reform applies to MU1 and R3 zoned land located within an HCA and the Newcastle City Centre boundary. As such, it would apply to almost all the land in the study area, including mixed-use zoned land in the Newcastle City Centre HCA and the R3 zoned land in the Newcastle East and The Hill HCAs.

Within 400m of the stations/centres, RFBs and shop top housing will have a maximum building height of 21m (six storeys) and a maximum FSR of 3:1. In the outer part of the precincts from 400m to 800m of stations/centres, RFBs and shop top housing will have a maximum building height of 16m (four-five storeys) and a maximum FSR of 2:1. Minimum site area and width standards in LEPs will also be turned off. All other applicable planning controls in LEPs and DCPs such as heritage and environmental considerations will continue to apply to the extent they are not inconsistent with these provisions.

Consistent with the TOD program reform, new design criteria for mid-rise residential apartment buildings will support the proposed changes including building separation, setbacks, vehicle access, visual privacy and communal open space controls. Development applications using these controls will be subject to a merit-based assessment from CN. The proposed reform is envisaged to work 'in tandem with the TOD Program to achieve urban form through appropriate density around centres'. Controls proposed as part of the TOD program will prevail where there are inconsistencies.

2.4.4 Reform Consideration

CN notes the housing reforms detailed above, if enacted, have the potential to significantly affect the statutory planning framework and assessment of development proposed within HCA review area. However, the NSW government has not finalised the reforms, and the implications are unclear.

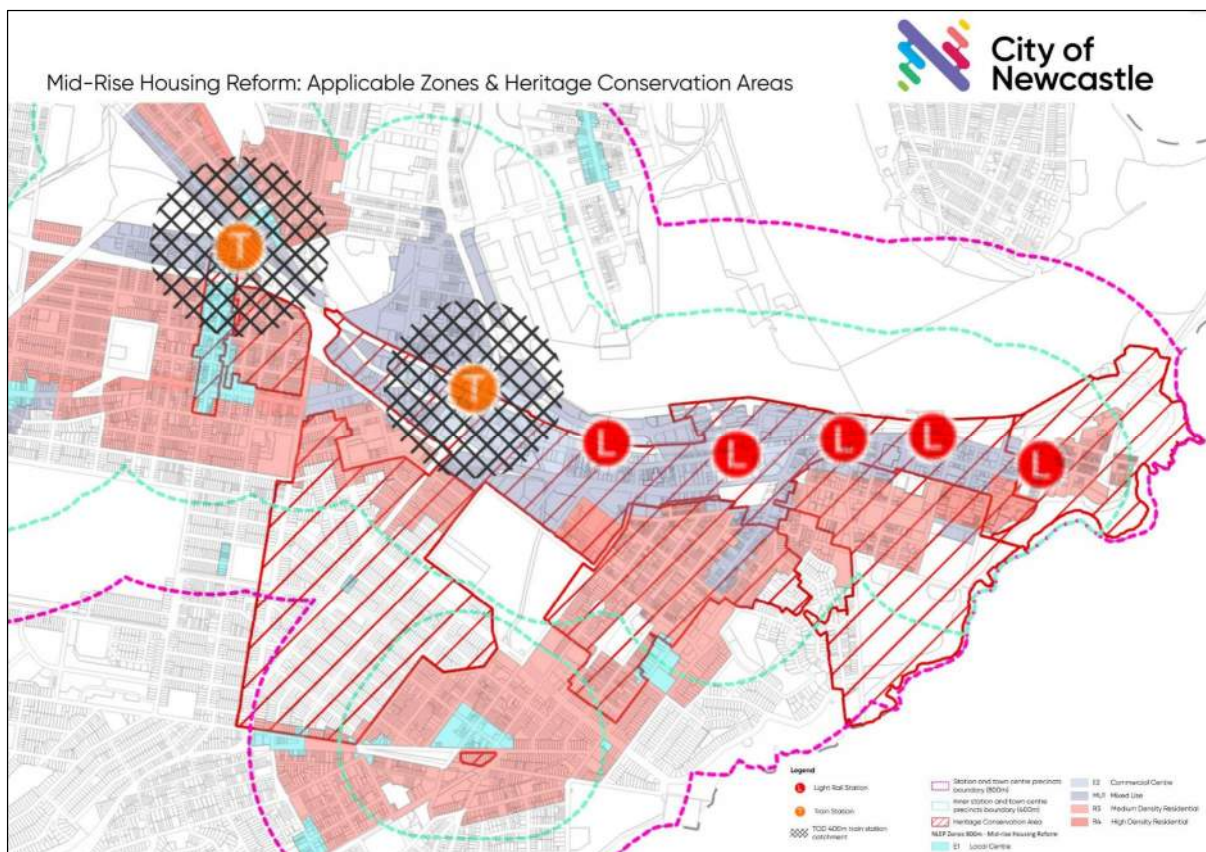


Figure 6: Mid-rise housing reform application (indicative) and HCAs (Source: City of Newcastle, 2024)

CHAPTER THREE – ABORIGINAL AND HISTORICAL CONTEXT

3.1 Introduction

The historical analysis provides the context for assessing significance. The study area is existing HCA land within the Newcastle City Centre boundary. This includes the Newcastle City Centre and Newcastle East HCAs, and some land parcels at the northern periphery of The Hill and Cooks Hill HCAs. These HCAs have a shared and interrelated Aboriginal and Non-Aboriginal cultural history.

3.2 Aboriginal Context

The Traditional Custodians of the land within the Newcastle City Centre, including wetlands, rivers, creeks and coastal environments, have heritage and cultural ties to the study area which date back tens of thousands of years. Traditionally, this and surrounding lands were made up of numerous Nurras, family clan group areas. Each Nurra had ceremonial, story and marriage obligations. These obligations formed the binding relationships between all peoples of this language group, and strengthened ties with neighbouring language groups. They gathered on regular occasions to pay respect to the Dreaming Spirits, the country and each other, through ceremony, song and dance. This maintained the Lore, continuously passing it on.

Muluubinba, the traditional name for the people is attributed to a local sea fern traditionally harvested as a food crop. The Reverend Lancelot Threlkeld, a missionary stationed at Newcastle and Lake Macquarie from the 1820s, recorded that the Aboriginal people of the Newcastle Tribe were called Mulubinbakal (men) and Mulubinbakalleen (female). In breaking down the word, it translates to:

- ‘muluu’ the name of the sea fern
- ‘bin’ is plural and
- ‘ba’ place of meaning - the place of many sea ferns.

This area is where the modern-day Foreshore, Honeysuckle and CBD are situated. It was marshland characterised by ti-tree, honeysuckle and ferns and extending south from the nearby Coquun (Hunter River). Fed by a watercourse from what later became the site of The Obelisk on Prospect Hill, the marsh was part of a much larger swamp drained by a serpentine waterway, now known as Cottage Creek. Its interface with the river consisted of a sandy beach and low sand dunes. Exploitation of shellfish, as demonstrated by large deposits of shells along the creek banks, appears to have begun in earnest some 2000 years ago. The estuarine waters were rich in potential harvests of eels and fish, and the fresh water available in the area attracted game.

Evidence of continuous and extensive Aboriginal occupation of Newcastle City Centre is reflected in recent archaeological records. Multiple sites containing Aboriginal objects have been uncovered and documented throughout the study area. This includes but is not limited to sites in Hunter Street Newcastle West, Hunter Mall Newcastle, a shell midden at Meekarlba (Honeysuckle), and a tool making site at the Convict Lumber Yard on Scott Street.

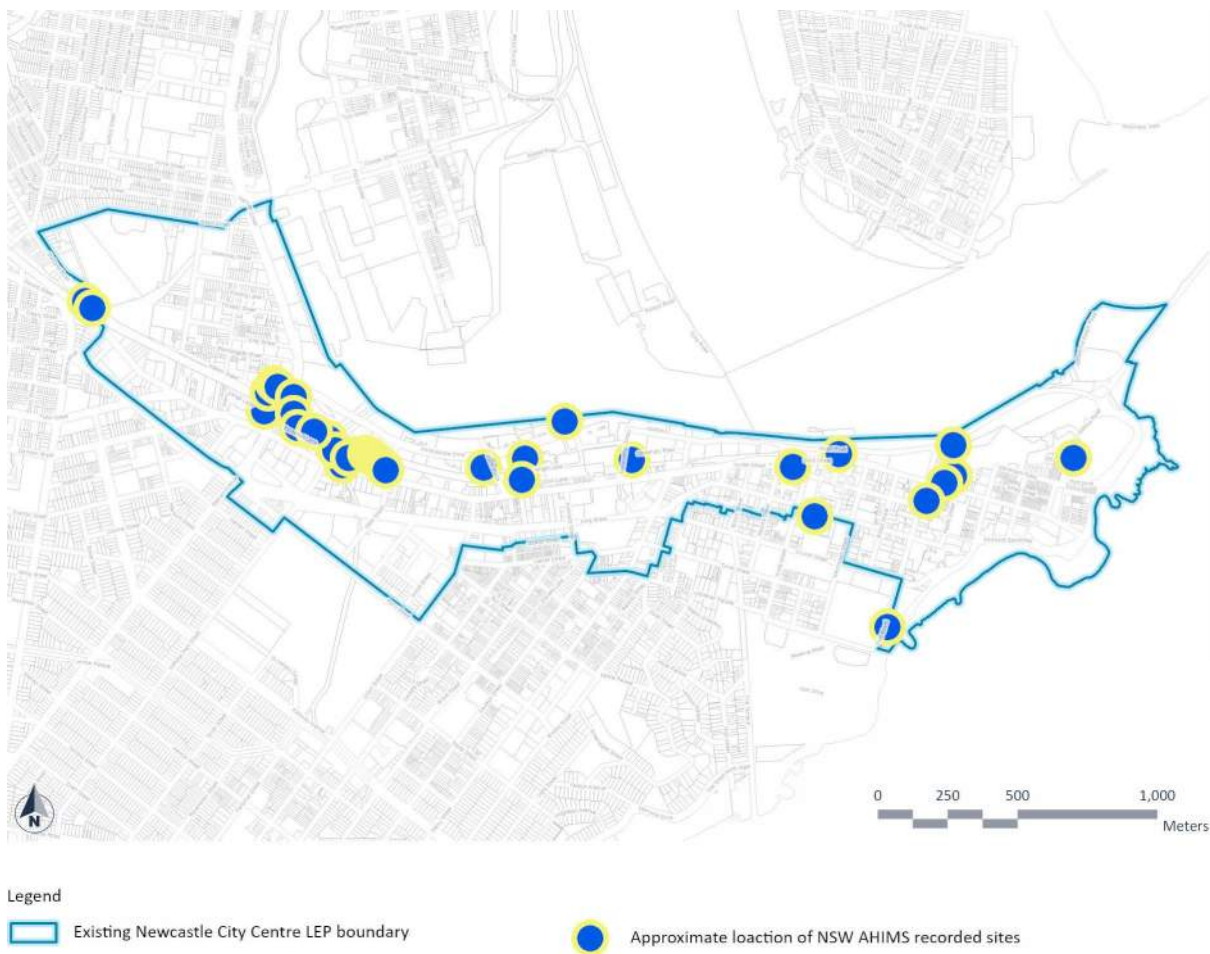


Figure 7: AHIMS listed sites in study area, 14 January 2024

(Source: Aboriginal Heritage Information Management System, NSW Department of Planning & Environment)

Traditional names and stories of many of Newcastle City Centre's natural landmarks and well-known places are still in use today. Whibayganba (Nobbys Headland) is the final dwelling place of the Kangaroo that broke Marriage (skin) Lore. Skin Lore was one of the most important and stringent Lores regarding marriage, community structure and obligations. The Kangaroo Man had forcibly taken a Wallaby Woman, knowing that consequence of his actions was death, he fled from the rest of the people. Trying to outrun them he headed towards the coast, upon reaching the coast he used the cover of a thick fog to escape to Whibayganba. There he was forever trapped by the clever people on the island. An everlasting reminder to all of the punishment that comes with breaking Lore.

Large numbers of clan groups were known to have lived along the river and coast, around the wetlands and hinterlands. Living a settled life managing and farming their lands according to their cultural and family obligations and the Lore, carefully moving with the seasons and for ceremonial necessities. Since approximately 1892, the Indigenous people of Newcastle have come to be known as the Awabakal. Today, the descendants of those people proudly and actively identify with, promote and

protect their Lore, beliefs and languages through connection to country and each other and are now filling important cultural and modern-day roles in the study area.⁶

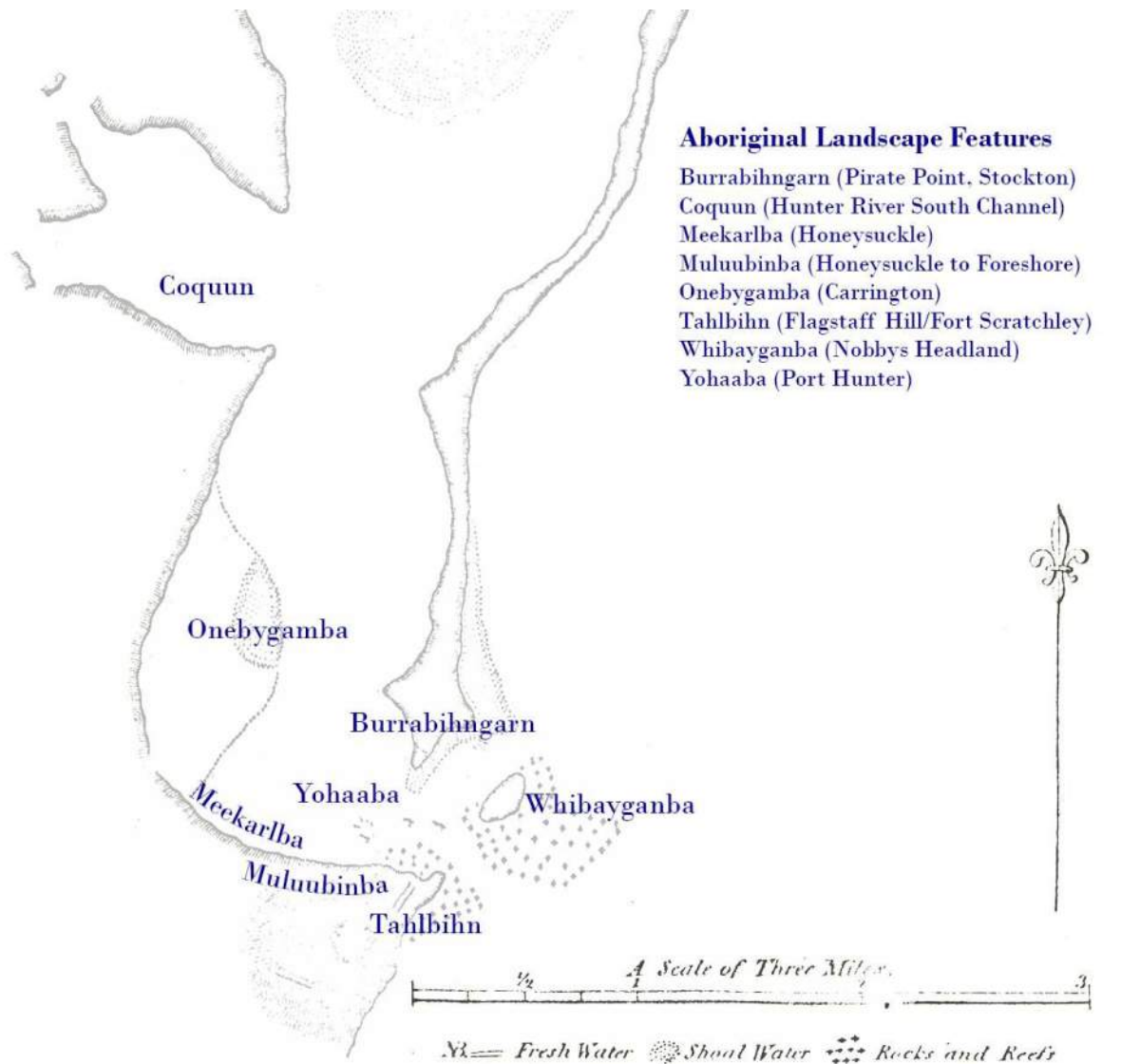


Figure 8: Map of Aboriginal landscape features

(Source: base map from Mitchell Library, State Library of NSW: Shortland, John, *An eye sketch of Hunter's River it lays N.N.E. true, 63 or 65 miles from Port Jackson : discovered this river 9th Sept'r 1797, in the Governor's whale boat. Published 29th Sept. 1810 by J.Gold, 103, Shoe Lane, London.*

Dual named landscape features adopted by Newcastle Council on 24 September 2013 and gazetted by NSW Geographical Names Board.

Muluubinba and Meekarlba identified in CN's Heritage Strategy 2020-2030.

Onebygamba identified by Traditional Custodian in Phase 2 submissions 6 November to 18 December 2023).

⁶ Extract adapted from pp.5-12 of the Heritage Strategy 2020-2030, written by a traditional knowledge holder of the local community and endorsed by the Guraki Aboriginal Advisory Committee.

3.3 Historical Context

Following in the footsteps of Captain James Cook and his first voyage 1768 to 1771, the First Fleet under Captain Arthur Phillip arrived in Botany Bay in January 1788 to establish a penal colony and the first European settlement in Australia. For the next 13 years, approximately 120km north of Sydney Harbour's penal colony, the coastline and harbour of what is now called Newcastle was the scene of escaping convicts, pursuing naval officers, off-course fisherman and official explorers. Such activity helped to publicise the deep-water port and rich coal seams in the surrounding cliffs.

Lieutenant John Shortland, while pursuing a group of escaped convicts in 1797, landed and camped at the foot of Tahlbihn (Flagstaff Hill / Fort Scratchley) on what is now Camp Shortland in Newcastle East. He was the first European to officially 'discover' the Coquun – a river he named after Governor Hunter and reported coal deposits. The following year enterprising traders began gouging small amounts of coal from the cliffs and exposed reefs to sell to Sydney. In 1801 local coal shipped to Bengal was considered Australia's first commercial export.

In June 1801, in the first official European exploring expedition, Colonel William Paterson reported to Governor King that a small settlement should be established for coal, boiling salt and burning shells for lime. He noted a plentiful fish supply, and excellent pasture for cattle inland. In 1801, a convict camp called Kings Town (after Governor King) was established at the mouth of the Hunter River (then also known as Muluubinba or Coal River) to mine coal and cut cedar. That same year, what is thought to be the Southern Hemisphere's first coal mine was established at Colliers Point, below Tahlbihn (Flagstaff Hill), and its first coal was shipped to Sydney. This settlement closed less than a year later.

A permanent settlement at the mouth of the Hunter River began in March 1804, as a secondary place of punishment for recalcitrant convicts. The administration in Sydney, under Governor King, decided the site's isolation, combined with the hard manual labour of coal mining, lime-burning, salt-making, timber cutting, and construction work would make an ideal secondary penal colony for recidivists. The settlement at Newcastle East was initially named Coal River, also Kingstown, and finally Newcastle, after England's famous coal port. The convicts were mostly Irish rebels from the Castle Hill convict uprising. Initially placed under the direction of Lieutenant Menzies and then from 1805 to 1808 Charles Throsby. The convict settlement rapidly gained a notorious reputation in the Colony as 'Sydney's Siberia' due to its striking similarities of extreme isolation and enforced manual labour also experienced in the Siberia of Imperial Russia. The regime was severe and the work arduous. By 1821 it became the major prison in NSW with over one thousand convicts.

Under Captain James Wallis, commandant from 1816 to 1818, a building boom began. He laid out streets, built the first church on the site of Christ Church Cathedral near an established Aboriginal camp, erected a gaol, and began work on the breakwater. In 1816, the oldest school still operating in Australia, Newcastle East Public School, was established at a site near to Christ Church Cathedral.

Newcastle's appearance and layout as a penal colony is well documented in paintings by convict artists such as Joseph Lycett and Richard Browne. Lycett proved to be an excellent chronicler of penal Newcastle, successfully capturing the shape, colour and development of the town in his paintings. His paintings, without romanticism or denigration recorded Aboriginal people living near Newcastle and their cultural practices such as hunting kangaroo and taking part in a corroboree. His work provides an important snapshot in time just before their way of life was profoundly altered by the growing

European population. The large collection of artworks is an important testimony of the Aboriginal ownership of the area, and a reminder of the experience of first contact between the local Indigenous tribes and the British. Newcastle East has profound historical significance as a place of first contact between traditional custodians of the land and waters of Newcastle and newly arrived Europeans.

Military rule ended in 1823 following the recall of Governor Macquarie to England and the release of the Bigge Report on the state of the colony. Prisoner numbers were reduced to 100 and the remaining 900 were sent to Port Macquarie. Those few that remained in Newcastle were mostly employed on the building of the breakwater, with others in the building of the barracks at James Fletcher Hospital, or by the AA Company in their coal mines. After 1823, the shipping industry began to develop and soon a high proportion of the population were employed in the maritime industry – pilots, lighthouse keepers, life-boat sailors, tugboat crews, wharf labourers, ship chandlers, and customs staff. Work on the Breakwater slowed, gradually ceasing, delaying its completion until 1846.

The great legacy of this period is the foundation of the modern city of Newcastle, which has continued to grow since 1804. Significant heritage sites associated with the convict period survive in the form of Macquarie pier and breakwater, the Convict Lumber Yard, Christ Church Cathedral and burial ground (Cathedral Park), Nobbys, King Edward Park, Bogey Hole, and Signal Hill within the Fort Scratchley Historic Site.

With the decision to declare Newcastle a free town, surveyor Henry Dangar was sent to Newcastle to re-design the street layout for public sale. In 1823 he laid out the town as a grid of three east-west and seven north-south streets, with a central axis at Christ Church, descending to a broad market at Hunter Street (now Market Square) (**refer to Figure 9**).

The width of Dangar's city blocks was 90 metres, compared to 200 metres in Melbourne and 500 metres in Adelaide. Dangar's streets were 20 metres wide, creating an enduring intimacy and human scale still evident in the layout of Newcastle. Even today, it is Dangar's town plan that gives Newcastle a human scale unseen in any other Australian city.

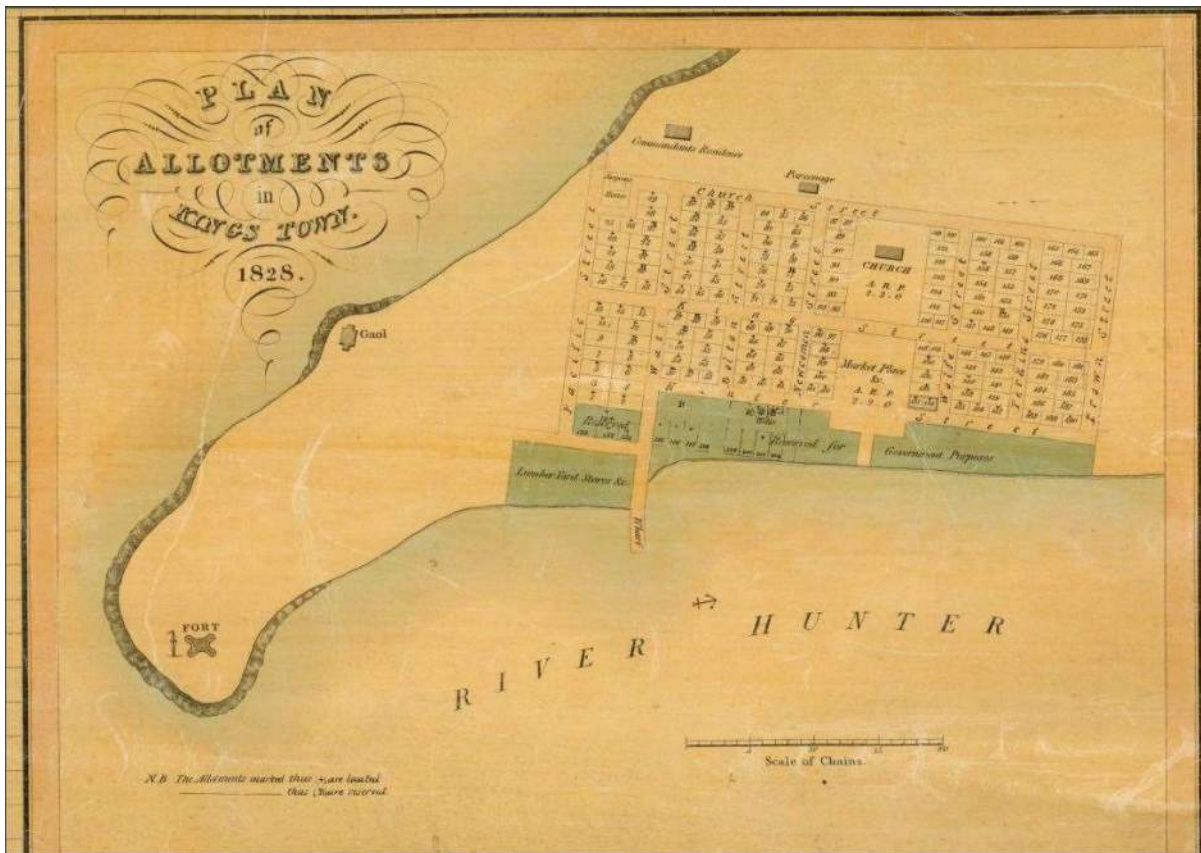


Figure 9: Henry Dangar's 'Old Town' Plan

(Source: Newcastle Region Library: Plan of allotments in King's Town, 1823 to 1827 surveyed by H. Dangar)

In 1828 the Australian Agricultural Company (AA Company) was given a 2000 acre parcel of coal bearing land in the inner section of Newcastle, and with it, a monopoly on the mining and export of coal. The land extended west from Brown Street to Hamilton and was to constrain residential development west of the city for years to come.

Several coal pits were sunk, commencing with the first private coal mine in Australia, the A Pit, just off Menkens Lane near Church and Brown streets, in 1828, followed by the B, C, D, E, F, and Sea pits (**refer to Figure 10**). On 10 December 1831 the AA Company opened Australia's first railway in Brown Street to service the A Pit (**refer to Figure 11**). Remains of the railway are kept in the collection at Newcastle Museum.

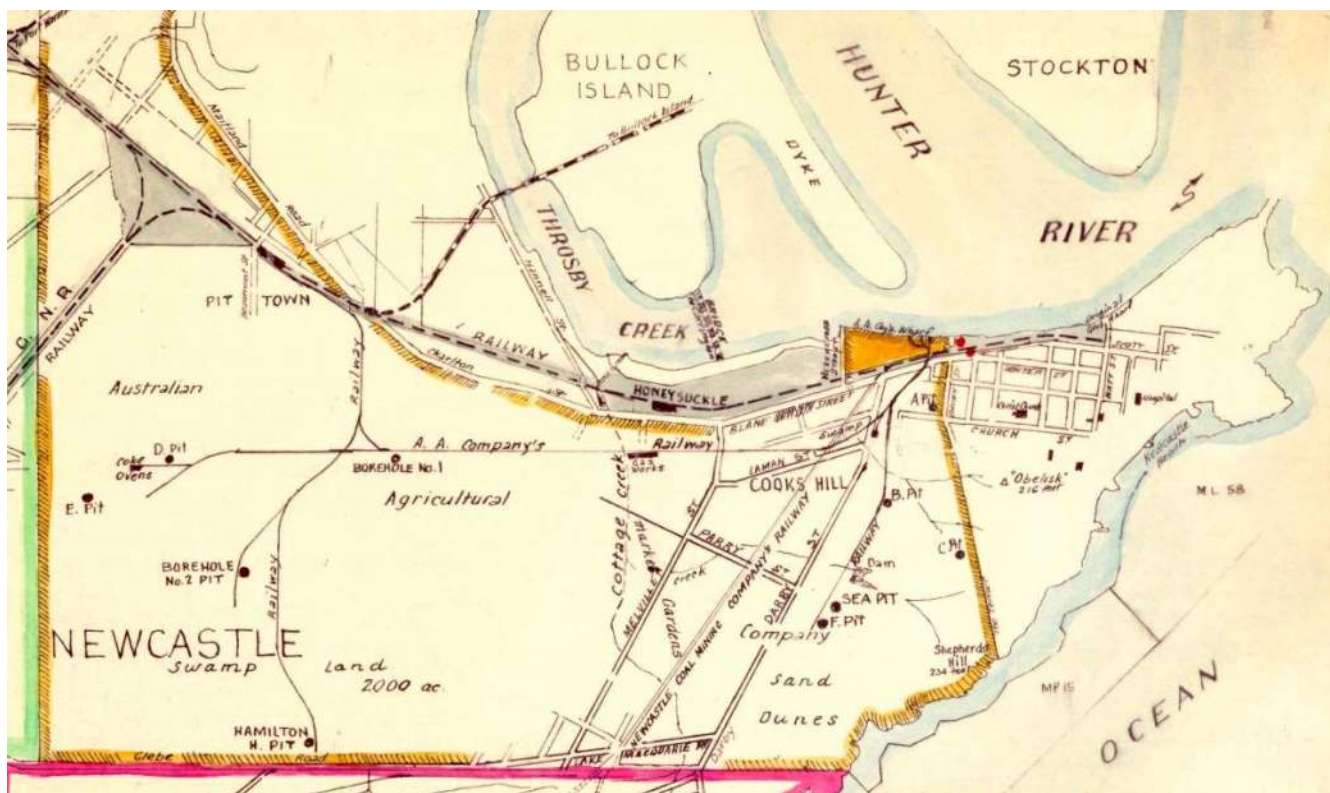


Figure 10: Plan Showing Original Coal Companies' Lands and Railways in the Parish of Newcastle, c.1847
(Source: University of Newcastle Cultural Collections. A.P. Pulver, 1976)

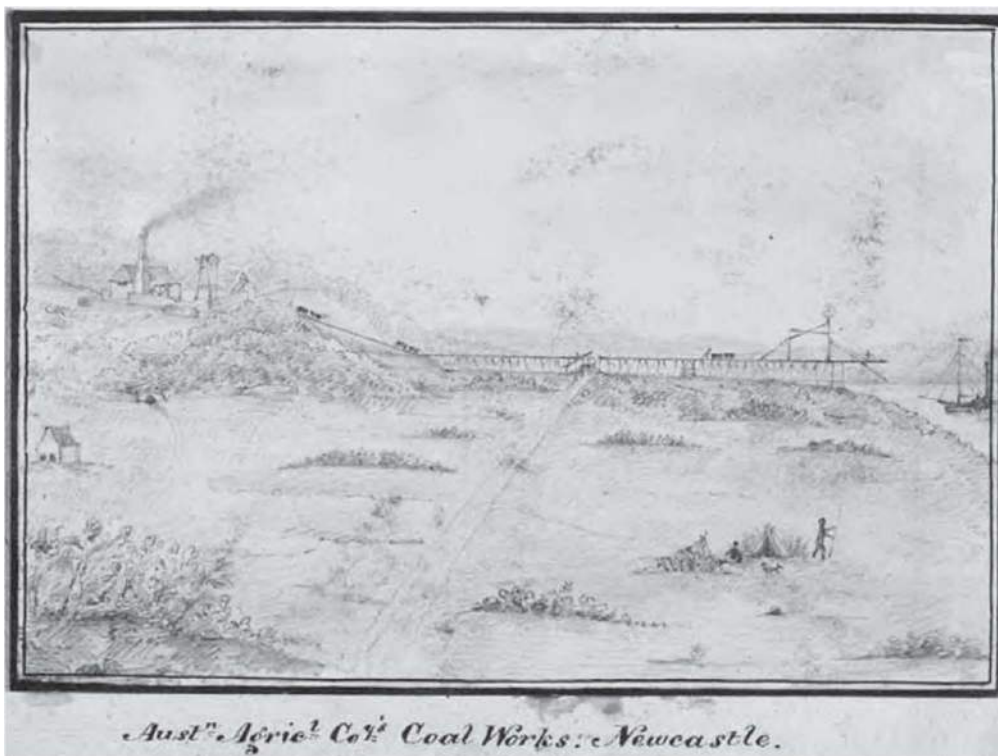


Figure 11: Aust. Agric. Coy's Coal Works. Newcastle, c.1833
(Source: Mitchell Library, State Library of NSW: pencil sketch by J.C. White)

An unintended outcome of the AA Company's presence in Newcastle was the lack of available land to develop other industries, commerce, and population growth. In 1836, the Newcastle township consisted of 40 houses and 704 people, the majority of whom were convicts housed in the barracks. In 1847, the AA Company agreed to relinquish its monopoly on the area in return for the right to subdivide and sell its estates.



Figure 12: Map of City of Newcastle, c1846
(Source: Newcastle Region Library)

A NSW Act of Parliament in 1850 stopped the AA Company's monopoly leading to a plethora of new coal mines and associated villages, and the gradual subdivision of their land for residential development. In 1853 the AA Company completed subdivision works between Crown Street and Union Street. Though the commercial value of this work west of Lake Macquarie Road (now Darby Street) (Refer to Figure 13) was compromised by the completion of Dr James Mitchell's Burwood Railway in 1854, which ran from the coal mines of Merewether to the port of Newcastle via today's Civic Park. It made this low-lying land on lots addressing Lower Church Street (King Street), Blane Street (Hunter Street West) and Laman Street west of the tramroad (Burwood Street) unattractive for residential development but suitable for industry until the line was removed in the 1950s. This industry included Fred Ash, founder of the important Newcastle hardware and building supplies business who established in 1855 a shop in Hunter Street, which by 1905 was replaced by a four-storey retail, office and warehouse building addressing Hunter Street. Cooks Hill was subdivided from the 1850s, followed by Hamilton and Newcastle West. Hamilton South and residual swamp land, including National Park, were sold off in parcels from 1914.



Figure 13: Views of Lake Macquarie Road [Darby Street], Newcastle, NSW. Looking S.S.W. from Church-Street. (1860)
(Source: State Library of Victoria)

The period 1850-1860 saw unprecedented growth in Newcastle and the establishment of civic institutions. The first bank was opened in 1853, the Newcastle Borough Council in 1859, the first fire brigade in 1855 and a chamber of commerce in 1856. Most significantly, the Great Northern Railway was opened between Maitland and Honeysuckle Point in 1857, making possible Newcastle's domination of the Hunter region.

Important civic buildings were built in the 1860s and an office of the Department of Public Works opened, symbolising the importance of the region to the economic conditions of NSW. On Hunter Street a courthouse, lock-up and post office were built, and the first part of Newcastle Railway station begun. Customs House was built and the modernisation of the port's coal loading facilities, facilitated by significant land reclamation of the harbour and links to the Great Northern Railway.

One of the early major problems with building in Newcastle East was caused by wind blown sand. Soon after the arrival of Europeans, vegetation was removed from the area now known as Pacific Park, and along the coastline, and this caused the inundation of the area by sand dunes. This issue would continue to limit residential development in 'The Sandhills' area of Newcastle East until the 1870s (**Refer to Figure 14**), when mitigation work was carried out on behalf of the government by the Scottish Australian Investment Company. To do this, coal mine chitter was used to stabilise the sand by limiting its' movement. This work facilitated subdivision and development. By the 1880s, substantial Victorian villas began to emerge. Newcastle East, by this time, was described as the 'aristocratic end of the city'.



Figure 14: Views of Newcastle, NSW. Looking West from the Old Gaol. (1860)
(Source: State Library of Victoria)

Australia experienced an economic boom in the 1880s. The city of Newcastle was growing and experiencing significant building activity and waves of immigration. The architecture matched the optimism of the time and throughout the city there was a flurry of construction. Architects who emerged at this time include Frederick Menkens, James Barnet (NSW government architect), James Henderson, Peter Bennet and Ernest Yeomans. These architects were responsible for the design of some of the city centre's finest buildings, such as the Centennial Hotel, the Frederick Ash Building, St Andrews Presbyterian Church, the Baptist Tabernacle, Cohen Bond Store, Customs House, Earp Gillam Bond Store, and The Boltions.



Figure 15: View of graveyard, Newcastle, NSW c.1875
(Source: Harvey, John Henry 1855-1938 photographer, State Library of Victoria)



Figure 16: Map of Inner Newcastle, 1886
(Source: Lewis, G. (George) & New South Wales. Surveyor-General (1886). Parish of Newcastle, County of Northumberland. Surveyor General's Office, Sydney)



PRG 1373/33/11

Figure 17: Newcastle Harbour (1885).
(Source: A.D. Edwardes Collection, State Library South Australia)



Figure 18: Newcastle NSW. Broad, Alf Scott, George Murray & Co. (1889).
(Source: Newcastle Region Library)

The need for improved coastal defences along Australia's east coast was accepted by the 1890s and Fort Scratchley was built as part of a wider defence plan. It was completed by 1886, with modifications continuing up until the 1940s.

By 1901 the Borehole Seam was mostly worked out, leading to the closure of pits at Hamilton (1901), and Stockton (1907). Many of the villages became ghost towns. Subsequently, the Newcastle chamber of commerce lobbied government to diversify Newcastle's economy, by attracting new industries to the city. The situation improved when the state government announced the development of the state dockyard at Carrington and permitted BHP to build a steelworks on land at Port Waratah. Both of these initiatives began in 1913 and were soon expanding in readiness for the coming war. By 1919 the local economy developed from a declining coal town to manufacturing and heavy industry. Business in the city centre boomed establishing Newcastle as a major centre of retail, commerce and industry.

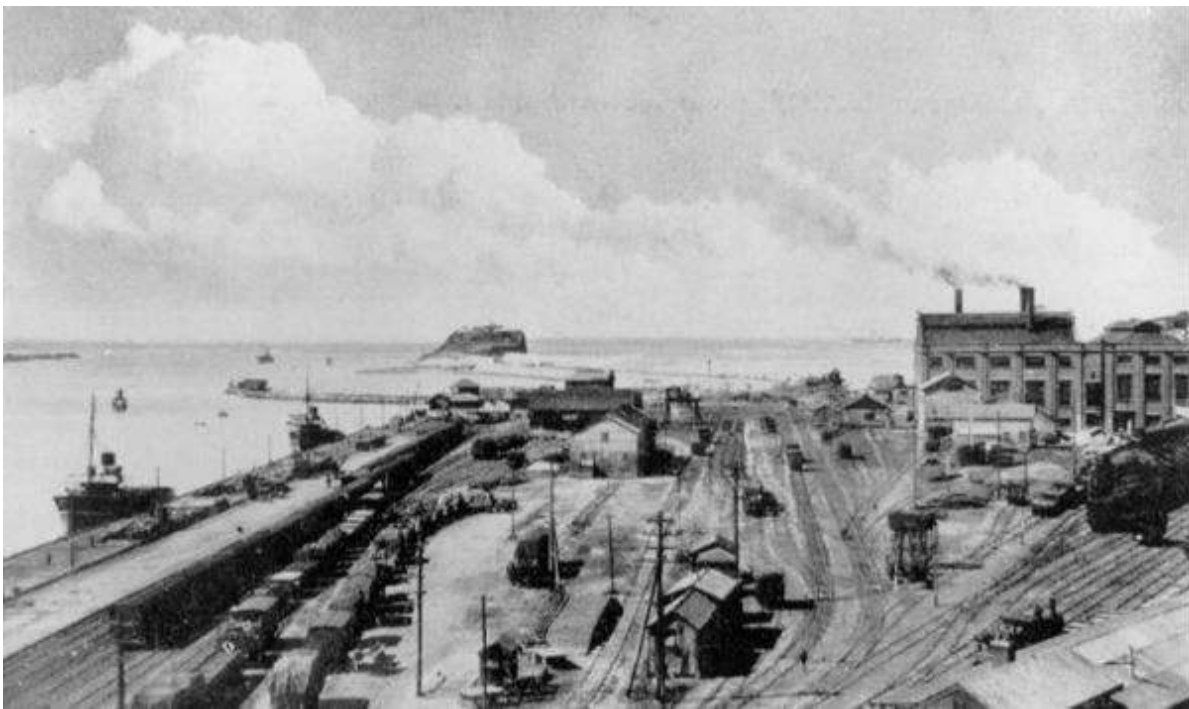


Figure 19: *Nobbys and the entrance to Newcastle Harbour (1924).*
(Source: Mort Collection, Newcastle Region Library)



Figure 20: Subdivision plan: Newcastle, 8 factory and bulk store sites 8, 3rd August, 1923

(Source: Alfred Francis Hall Archive, Newcastle Region Library)

Subdivision plan: Hamilton, 29 residential, business and bulk stores sites 29, 27 October, 1923

(Source: National Library)

The modern city centre landscape took shape in the first three decades of the 20th century. Many architectural and cultural treasures were built such as the final stages of the Christ Church Cathedral, NESCA House, City Hall and Civic Theatre, the CML building, T&G, and the sandstone banks in Hunter Street. With the exponential growth in leisure time, this period also marked the establishment of Newcastle's beach swimming and surf culture with the construction of significant recreational amenities for the city such as Nobbys Beach Pavilion and Newcastle Ocean Baths.



Figure 21: Newcastle Beach, NSW (1920)
(Source: John Turner Collection, University of Newcastle Special Collections)

The general optimism through most of this period was briefly interrupted by World War I. However, a decade later it was more severely curtailed by the 1929 Great Depression, leading to unemployment estimated at 30% of the workforce and the establishment of several shanty towns including at Nobbys Beach, Stockton and Carrington. The State Dockyard closed in 1933 but the steelworks gradually increased its production, leading the city out of the slump as the decade progressed.



Figure 22: Aerial view of Honeysuckle Railway Workshops, Hunter Street and Civic Park looking towards Bar Beach and Merewether, c.1940



Figure 23: Parish of Newcastle, County of Northumberland, NSW (1933)
(Source: NSW Department of Lands (1977), *Parish of Newcastle, County of Northumberland* (9th ed). Dept. of Lands, Sydney)

By the start of World War II, Newcastle had Australia's largest integrated steel making facility, surrounded by heavy industry, coal mines, a busy deep harbour for merchant ships plus shipyards and a floating dock. The task to defend these assets was known as Fortress Newcastle. This included RAAF radar stations at King Edward Park and Ash Island, a minefield across Newcastle's port entrance, tank traps along Stockton Beach, and heavy calibre guns at Shepherd's Hill, Fort Scratchley and Fort Wallace.

On the night of 7-8 June 1942 Japanese submarine I-21 bombarded Newcastle with about two dozen shells (one of the few shells that actually exploded damaged the houses in Parnell Place, with residents escaping uninjured). Fort Scratchley's 6-in guns returned fire, becoming the only coastal fortification in Australia to fire on an enemy vessel during the war.



Figure 24: Aerial photograph of Inner Newcastle (1944).
(Source: Newcastle Region Library)

The story of post-war Newcastle relates to urban infill that occurred on undeveloped land between the coal villages located outside its city centre. This additional housing assisted with accommodating the wave of post-war immigration to Newcastle in the decades immediately following 1945. Providing homes and employment to people predominantly from the war-ravaged countries of Western Europe, notably the United Kingdom, Italy and Greece and refugees from Central and Eastern Europe escaping the expanded Soviet regime. In 1973 the Whitlam Government adopted a completely non-discriminatory immigration policy, effectively putting an end to the White Australia policy. This began the contemporary wave of immigration from predominantly the South Pacific, and southern and eastern Asia to Newcastle and throughout Australia which continues to the present day.

The educational and health sector developed substantial regional facilities in Newcastle in this period, including the Rankin Park campus of the Royal Newcastle Hospital, expansion of the old Royal Hospital,

and the new Newcastle Teachers' College, Hunter Institute of Higher Education (later amalgamated with the University of Newcastle) and Tighes Hill TAFE.

During the 1970s and 1980s the nineteenth century terraces of Newcastle East were conserved, and the former rail marshalling yards and Zaara St Power Station replaced by Foreshore Park, creating an important public link between the harbour, the eastern beaches and the central business district while protecting a cohesive urban village. This significant conservation outcome was achieved largely through the combined efforts of the local community and the Green Bans movement.

The Newcastle earthquake of 28 December 1989 caused the loss of 13 lives and severely injured hundreds of people, particularly at the Newcastle Workers Club and Beaumont Street, Hamilton. There was also significant damage to buildings across Newcastle, with Hamilton and the CBD experiencing the worst destruction. This resulted in the demolition of many landmark heritage buildings in the city centre including the George Hotel, Newcastle.

A major turning point for the city occurred in 1999, when BHP Steelworks Port Waratah closed. This closure heralded a decade of economic and social change from a heavily industrial base to a more diversified economy dominated by the healthcare, services and education sectors. At the same time, significant revitalisation of the harbour waterfront transformed the face of Newcastle with emerging residential development at Wickham and Honeysuckle (**refer to Figures 24 and 25**). The CBD, which had been in decline since the 1970s, also continued its transition from a purely commercial hub to a residential, educational, tourist and recreational precinct.



Figure 25: Aerial photograph of land in Newcastle City Centre boundary, August 2004
(Source: CN GIS)

Over the last decade this transition and CBD revitalisation process has accelerated with the truncation of the Great Northern Railway at Wickham and the construction of the Newcastle Interchange and light rail service to Newcastle Beach. This has facilitated a shift of the commercial core from Hunter Street Mall and Civic precinct in the east to more intensively developed sites clustered around the new public transport interchange in the west (**refer to Figures 25 and 26**). Notable recent changes to the former commercial core of the CBD in the east have included a new Court House, the establishment of a city campus for the University of Newcastle and an international campus for the Tokyo-based Nihon University, and the redevelopment of the Hunter Street Mall precinct into a luxury hotel, residential apartments and boutique retail.



Figure 26: Aerial photograph of land in Newcastle City Centre boundary, February 2023
(Source: CN GIS)

CHAPTER FOUR – NEWCASTLE EAST HERITAGE CONSERVATION AREA

4.1 Introduction

This section documents the Newcastle East HCA, at the north-east end of the Newcastle peninsula. It is bounded by Watt Street/Pacific Street/Shortland Esplanade at its west, the Pacific Ocean at its east, Scott Street/Pacific Park/the Pacific Ocean to the south and to the north by the harbour and Horseshoe Beach. A map of the HCA boundary is reproduced in **Figure 27**.

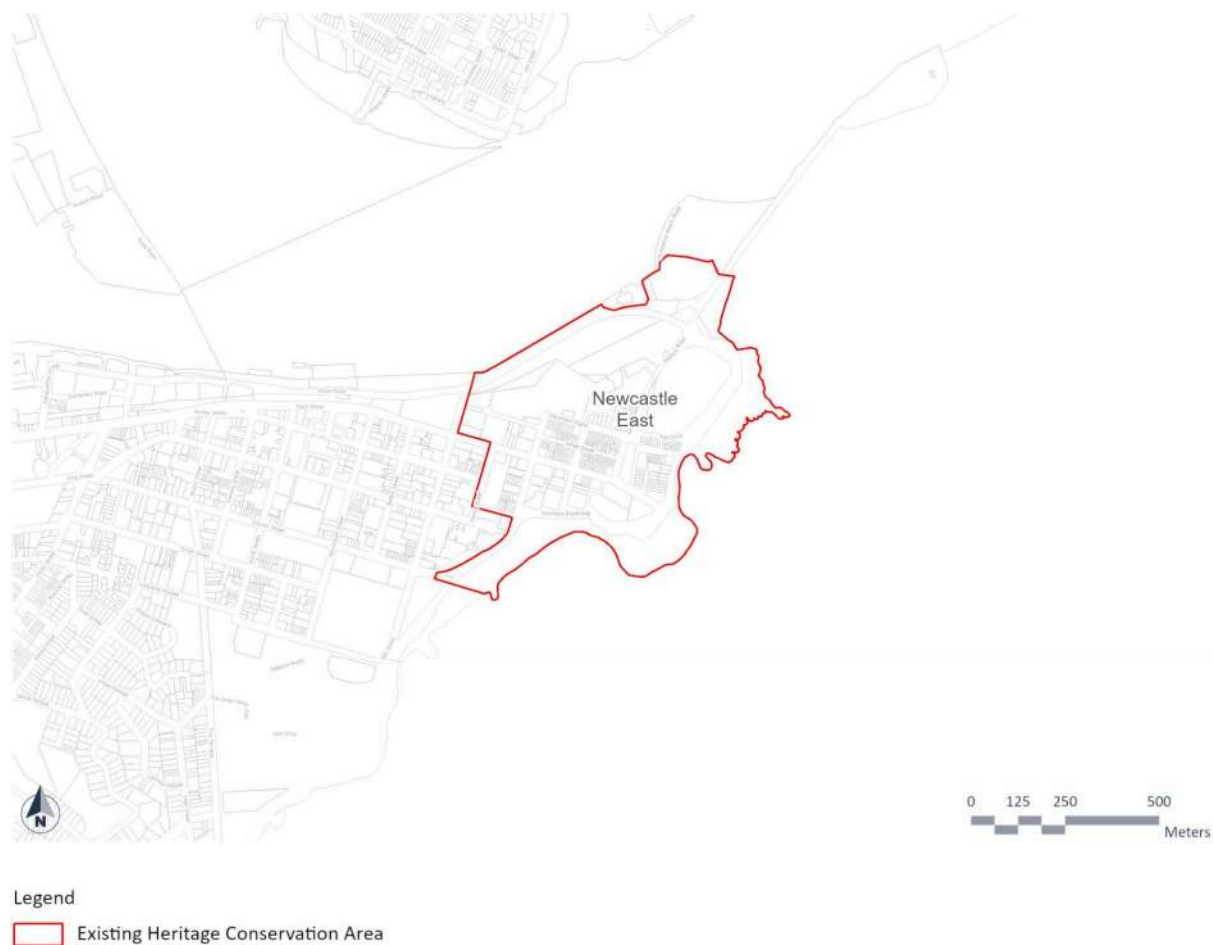


Figure 27: Newcastle East HCA (current boundary)

4.2 Heritage Status - Newcastle East Heritage Conservation Area

The Newcastle East Heritage Conservation Area became an HCA via Amendment No. 52 to Newcastle LEP 1987, 3 July 1992, Gazette No. 83, page 4668 (**refer to Figure 28**). Its current boundary is consistent with that of 1992, with minor adjustments from coastline mapping and from the implementation of the Three Ports SEPP 2013 (now Transport and Infrastructure SEPP 2021).

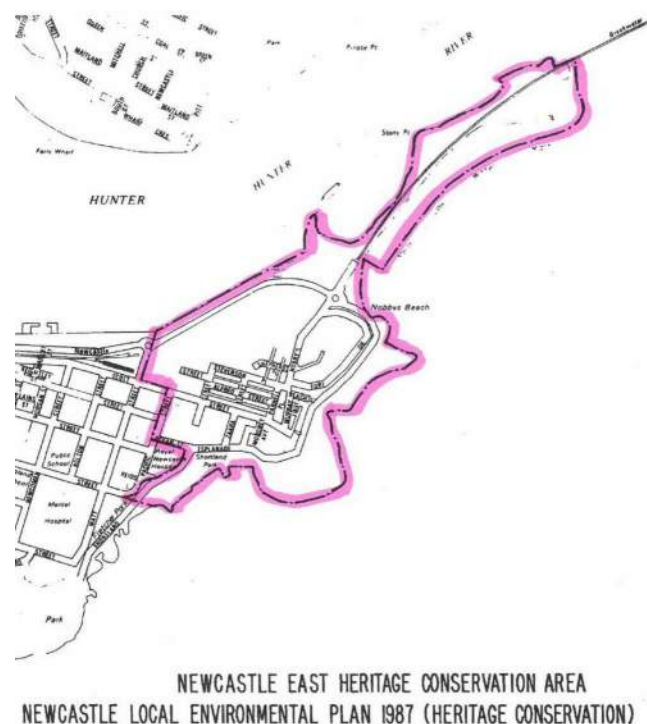


Figure 28: Newcastle East HCA as gazetted by Amendment No. 52 to Newcastle LEP 1987 (1992)

4.3 History

Refer to Sections 3.2 and 3.3 for the Aboriginal and historical context of the study area.

4.4 Physical Description

Newcastle East comprises of an area of flat land at the north-east end of the Newcastle peninsula (**refer to Figure 27**). It contains iconic sites of cultural significance to the local Aboriginal community, including the harbour landscape and ocean. Fort Scratchley Historic site, the Newcastle Customs House, Convict Lumber Yard, Coutts Sailors' Home, and Foreshore Park are significant heritage places that define Newcastle East.

The underlying geology tells important aspects of the Newcastle story. Coal measures outcrop at Newcastle East under Fort Scratchley. The proximity and views of the harbour and ocean are an important aspect of Newcastle East's urban character.

The current built character of Newcastle East HCA ranges from small -scale residential to intensive urban forms, from recreational to business uses. The residential buildings are mostly Victorian or Federation period. Most building stock in the central section of the HCA contributes to the character of the HCA. Collectively, the contributory building stock demonstrates a consistency of scale, style, or

other features which together make up a consistent built form in the Newcastle East HCA. In summary, the physical character of Newcastle East can be described as a cultural landscape comprising historically significant built and natural heritage items (refer to **Figures 29 to 35**). These features include:

- Two and three storey terrace houses, historically significant former bond stores, commercial buildings and worker's housing from the late 19th century and early decades of the 20th century.
- Aboriginal places and sites of cultural significance including locations of known dreaming stories and places of meaning and cultural connection. The Convict Lumber Yard is the location of a documented Aboriginal archaeological site.
- Archaeological areas and relics, known and unknown.
- Views out to the coastline, port of Newcastle and harbour mouth.
- Foreshore Park, Nobbys Beach and Nobbys Beach Pavilion, Fort Scratchley, Pacific Park, Newcastle Beach, and the Convict Lumber Yard, each with their own history, significance and place in the story of Newcastle.



Figure 29: Convict Lumber Yard, Paymasters Cottage, and Newcastle Customs House, Newcastle East (Source: Google Streetview)



Figure 30: Earp Gillam Bond Store at 16 Telford Street, Newcastle East (Source: Google Streetview)



Figure 31: 43 Stevenson Place, Newcastle East facing east (Source: Google Streetview)



Figure 32: 8 and 11 Alfred Steet, Newcastle East facing west (Source: Google Streetview)



Figure 33: 52 and 33 Scott Street, Newcastle East facing east (Source: Google Streetview)



Figure 34: Boatman's Terrace Group and Fort Scratchley, Newcastle East facing north (Source: Google Streetview)



Figure 35: Newcastle Ocean Baths, Canoe Pool, and Newcastle Beach, Newcastle East facing east (Source: Google Streetview)

4.5 Previous Heritage Studies

The heritage value of the inner area of Newcastle has been recognised since the 1960s. On 30 October 1978, the National Trust of Australia (NSW) resolved to classify both The Hill and Newcastle East as an "Urban Conservation Area". The National Trust's 1978 listing boundary became the same boundary implemented in the 1987 Newcastle LEP (5 June 1987) as the statutory boundary of the "Newcastle Conservation Area", now The Hill and Newcastle East HCAs (see **Figure 36**).

Soon after the National Trust listing, the area was included on the Register of the National Estate by the Australian Heritage Commission as the "Newcastle Conservation Area", in 1979.

In 1982, Council commissioned Suters Busted + Lester Firth to assess the character and heritage significance of The Hill and Newcastle East areas. The purpose of the study was to:

- identify and conserve the environmental heritage of the inner city of Newcastle
- provide rehabilitation and infill guidelines for this area
- provide a draft development control plan for urban conservation in Newcastle East, including the identification of public works.

The major emphasis of the study was to enable policies and objectives for conservation management to be incorporated in detailed development controls for the area. The area was regarded by Council as a key aspect of the city's physical identity and heritage.

The Newcastle Inner Areas Conservation Planning Study, 1984 is an invaluable baseline document for managing the heritage values of the areas and is available to view on CN's website. The areas identified were eventually listed as HCAs in the Newcastle LEP 1987, Amendment No. 52 in 1992. In 1997, Council adopted conservation area development control guidelines in the form of DCP 44 – covering Newcastle East, The Hill and Cooks Hill. The DCP introduced principles and objectives to facilitate the protection and management of the built environment within each precinct.

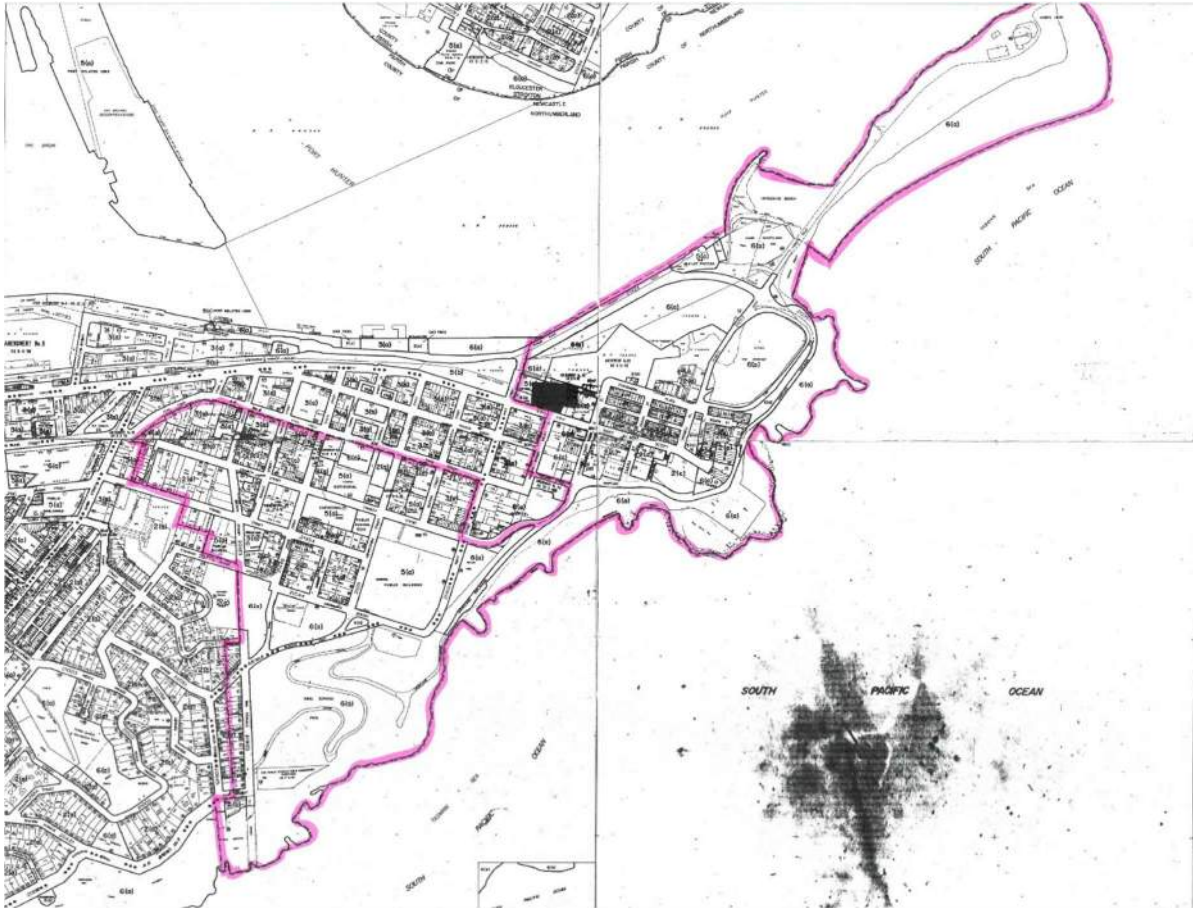


Figure 36: Newcastle Conservation Area boundary as gazetted by Newcastle LEP 1987 (5 June 1987).

In June 2016 Council adopted the Heritage Conservation Areas Review Report which gathered information on the elements of heritage value in Newcastle East, and the features that establish character and provide a sense of place that is recognisable and worth keeping. As a result of this work, CN prepared and included a desired future character statement in DCP Section 6.02 and a contributory buildings map in its Heritage Technical Manual to guide development assessment and design.

4.6 Assessment of Heritage Significance

Applying the NSW Heritage Criteria

In revising the assessment of heritage significance for the area, the NSW heritage assessment guidelines and the NSW heritage criteria has been applied as expressed below:

- *Criterion a - An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area):*

Newcastle East HCA is significant for its role in the course of the history of NSW, including being a place of documented first contact between Aboriginal people and the British. It is significant in the

course of NSW's history as the site of the Colonial government's attempt to control and punish recidivist convicts, through the proclamation by Governor King of the penal settlement in 1804, which continued for an 18 year period until 1822. The penal period would create the hallmarks of the city layout and character that defines it today, including the site of the Convict Lumber Yard and Coal River precinct, Flagstaff Hill (Fort Scratchley) and the gradual transition from an Indigenous landscape to a residential precinct.

Newcastle East HCA is important in course of NSW's cultural history as the site of the establishment of the first successful coal mining in Australia, including the colony's first commercial export of coal. The Coal River precinct is therefore significant for its ability to demonstrate the history of coal mining, its impact on the Australian economy and how coal has shaped the Australian economy.

Newcastle East HCA has a notable association with an important phase of social development in the local area with the exponential increase in leisure time during the early twentieth century and the corresponding establishment and significant growth in popularity of beach swimming and surf culture.

Newcastle East HCA is important for its ongoing existence as an urban settlement which is demonstrated by the rich archaeological heritage from the early convict settlement period through to the present day. This significant archaeological record also documents the continuous and extensive Aboriginal occupation. The pre contact traditions and life ways of the Aboriginal people of Muluubinba, who through the ongoing connections of its traditional custodians maintain an attachment to the area today. Following the arrival of the British, Aboriginal associations are recorded in paintings and records of the penal period and the decades that followed.

- *Criterion b - An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area):*

Newcastle East HCA has special associations with the convict history of Australia, being a place of secondary punishment for reoffending convicts between 1804-1822. The first administrators of the colony and some of the first European navigators are associated with the area, including Lieutenant Shortland, Governors King and Hunter, and numerous others of importance in the history of early colonial Australia, including Commandant Wallis and Commandant Morisset.

- *Criterion c - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area):*

Newcastle East HCA is an important urban cultural landscape. It demonstrates aesthetic characteristics that define the evolution of an early Australian city established during the earliest phases of Australia's development into a modern nation, and that has evolved a rich urban fabric that represents over 200 years of urban development. These aesthetic features include:

1. Buildings that represent architectural styles and construction technologies predominantly from the Victorian, Federation, and Inter War periods of urban development.
2. The low-rise precinct of The Sandhills, a strongly homogenous street and lot layout, developed after the sand reclamation efforts of the 1870s and which can be said to be a reflection of the economic boom of the 1880s.
3. Streetscapes and vistas outwards and inwards strongly contribute to the character of the suburb.

4. An enclosed central precinct with a strongly historic character between Scott Street, Stevenson Place, Parnell Place and Telford Street.
 5. The areas of parkland that are an integral element of Newcastle East including Foreshore Park, Pacific Park, Parnell Place, the beaches and coastal facilities.
 6. The location of Newcastle East at the end of the Newcastle peninsula, is a defining visual marker of the urban geography of Newcastle.
- *Criterion d - An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons:*

The combined achievements of the local community and the Green Bans movement during the 1970s and 1980s have a direct association over the Newcastle East HCA making an important contribution to the history of the local area with the conservation of its nineteenth century terraces and the establishment of Foreshore Park.

Feedback from residents and businesses in 2023 revealed that the community significantly value the character and physical elements of Newcastle East and identify with its' protection as a HCA. 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. The area meets this criterion on cultural grounds at the local level.

- *Criterion e - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area):*

Given the high rate of survival of key elements of the early urban settlement of Newcastle, the area has the potential to yield information that will contribute to understanding aspects of Newcastle's cultural history, and more broadly to the State of NSW. This includes the capacity to yield information about the cessation of a penal settlement and its evolution to a modern city. Also for its ability to demonstrate elements of the early development of Newcastle as well as the system of land subdivision and crown grants following the cessation of the penal colony mining. Archaeological investigations at the Convict Lumber Yard have yielded physical evidence of continuous Aboriginal and then later convict occupation. This reveals evidence of Aboriginal and settler-convicts living and working in the area, especially pre-contact Aboriginal camping, convict coal mining, lime-burning, timber cutting, quarrying and pier building.

- *Criterion f - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area):*

There is rare surviving archaeological evidence associated with the convict settlement period as the earliest penal settlement outside of Sydney, and one of few such places to be established in NSW.

- *Criterion g - An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments):*

Newcastle East contains many surviving elements of the early 19th and 20th centuries and the processes of urbanisation. It demonstrates these characteristics in its key elements including building stock and the relationship of buildings to the street and each other, street layout including laneways, along with heritage items and green space.

Statement of Significance

The Newcastle East HCA represents a pattern of urban settlement that traces its origins back to the earliest phase of the European settlement of the city of Newcastle, and beyond that, to the long tradition of Indigenous settlement, the physical remains of which are contained in a rich archaeological layer and in stories and paintings of Aboriginal people following the arrival of the British from 1797. As such, Newcastle East HCA has the capacity to demonstrate aspects of the history of Newcastle, in terms of its long Indigenous heritage, through to colonisation and urban change.

Throughout its European history the area has been shaped by different activities including being the second penal settlement on the mainland after Sydney (from 1801), the site of the processing and shipping of cedar and coal (CLY), having an important coastal defence installation (Fort Scratchley Historic site), the Nobbys lighthouse and breakwater important to the story of shipping, through to the generation of electricity at the Zaara Street Power Station.

The cultural significance of Newcastle East is embodied in its setting – a core of heritage items and significant building groups surrounded by water on three sides. The inner part of the HCA, bounded by Scott Street and Stevenson Place, is enclosed and the physical elements within it are iconic features of Newcastle East. The building stock is representative of the urban history of Newcastle, covering almost all decades from the 1820s to the present. The historic buildings provide a series of uniform streetscapes which visually reinforce the historical character of the area.

The social history of Newcastle East is derived from it being the site of early conservation battles in the 1970s, between developers and conservationists and there are rows of public housing that make this place a community and home for many. It is also an important place of recreation at facilities like the Ocean Baths, Nobbys Beach, and Foreshore Park.

The archaeological potential of the Newcastle East HCA is well documented. The Newcastle Archaeological Management Plan 1997 and the Review 2013 confirm that the archaeological resources of this area are abundant, both Aboriginal and historical. The Coal River Precinct, listed on the NSW state Heritage Register, is an area where there is documented and predicted archaeological remains of profound research potential to the nation as the place of first contact with the local Aboriginal population and the place of the establishment of the Australian coal industry.

The architectural values of the Newcastle East HCA are to be found in the high quality of buildings, their landscape settings, style, scale, detail, and contribution to the streetscape. The low-rise area of The Sandhills is significant for its consistent streetscapes of two and three storey terrace housing dating from the mid-19th through to early 20th centuries and its housing for workers. There are also examples of single storey detached houses. The overall impression of Newcastle East is a strongly established historic precinct.

Key visual elements include:

- The narrow range of building types including terrace houses, workers' housing, government buildings, and bond stores which reflects the long history of urban settlement and various industrial themes in the city's history.
- A uniform street layout which reflects the flat topography of Newcastle East and laneways which reflects the historical mechanism of sanitation.
- The ocean bathing and surf culture of Nobbys Beach and Newcastle Beach.
- Views from public areas over the coastline and harbour as these are an important aspect of the urban character of Newcastle East
- Open space and reserves including Foreshore Park, Convict Lumber Yard, Newcastle Beach foreshore, and Pacific Park
- Iconic buildings and structures of significance including Newcastle Ocean Baths, Customs House, Fort Scratchley, the Coutts Sailors Home, the Bond stores, Tyrrell House, and Boatmans' Row.

- Key Period of Significance - circa 1801 to 1940.

Recommendation

The above assessment of heritage significance follows the standard Heritage Assessment Guidelines and the NSW state heritage criteria. As a result of the assessment, it is recommended that the Newcastle East area continues to be protected through the mechanism of a statutory HCA.

4.7 Comparative Assessment

Fieldwork as part of this review found that apart from modern developments on the edges of the HCA, the area's central core is very intact and contains many historic elements that can be placed in the late 19th century and early 20th century. It demonstrates characteristics in its key elements including building stock and the relationship of buildings to the street and each other, street layout including laneways, along with heritage items and green space. The high concentration of State and nationally significant heritage items in this HCA (Fort Scratchley, Newcastle Customs House, Convict Lumber Yard, Newcastle Ocean Baths and Coutts Sailors Home), make this HCA very unique. There is rare surviving archaeological evidence associated with the convict settlement period as the earliest penal settlement outside Sydney, and one of few such places to be established in NSW. Australian Heritage Commission and the National Trust citations between the early 1960s and late 1970s which value the significance of Newcastle East as an historic precinct support the review's findings.

4.8 Threatening Processes

Some issues undermine the integrity and intactness of the Newcastle East HCA. These include:

- Land in the Newcastle City Centre boundary has historically and continues to be developed to greater building heights and across larger consolidated lots. The fine-grain, low-rise precinct of two to three storeys in the Newcastle East HCA is distinct from the building typology in the rest of the Newcastle City Centre boundary and its economic revitalisation objectives which promote large scale, medium to high-rise development (**refer to 2.2.4**). Historically known as 'The Sandhills', this part of Newcastle East (and the adjacent land fronting Newcastle Beach) is the only land zoned R3 Medium Density in the Newcastle City Centre boundary. New medium to high-rise development within the Newcastle City Centre boundary is more appropriate fronting Newcastle Beach and land west of Pacific Street, the commercial and mixed-use core around Newcastle Interchange and West End. The Newcastle City Centre boundary, HOB and FSR do not necessarily promote the best heritage outcome for a low-rise residential zoned area as it can provide perception and expectation of medium to high-rise development and building envelope entitlement.
- Unsympathetic development that is out of scale or not designed as sensitive infill that replaces original building stock, or that alters and adds to contributory buildings.

4.9 Desired Future Character Statement

DCP 2023 includes the following statement as a clear guide for development assessment and design planning:

The character of the Newcastle East Heritage Conservation Area is made up of a variety of building styles that date from the late 19th and early decades of the 20th century. The special character of Newcastle East is to be preserved and maintained through the retention of contributory buildings, open space, street trees and elements of visual interest and heritage significance such as the many iconic buildings located in Newcastle East, parks and open space, views and vistas, the unique steep topography and street layout, and the character of the streetscapes including street trees, buildings and the relationship of built elements.

Elements to be preserved and/or sensitively restored or reconstructed (based on evidence of original appearance) include:

- *Range of contributory and historic buildings, particularly intact or historically significant groupings, heritage items, iconic structures, and the appearance and layout of streets.*
- *Existing subdivision pattern and street layout, including preserving the integrity of laneways.*
- *Two to three-storey scale of housing stock located in the area to the north of Scott Street and east of Telford Street.*
- *Exposed face brick and stone of existing building facades and front fencing.*
- *Street furniture such as sandstone kerbing and guttering, and other features of historical interest such as heritage items, public stairs, lanes, parks, views and vistas.*

- *Regular and homogenous urban form which reflects a regular pattern of subdivision and development, and building stock from between the 1870s and 1930, demonstrating the gradual urbanisation of a once indigenous landscape.*
- *Existing appearance of Newcastle East, views outwards to the coastline and harbour, and views into the area from Foreshore Park and the Newcastle coastline and Ocean Baths.*
- *Significant heritage places including the Coal River Precinct, the Nobbys headland and breakwater, Fort Scratchley Historic Site, Convict Lumber Yard and Customs House precinct, the Newcastle Ocean Baths, Joy Cummings Centre and other significant groups such as the Earp Gillam Bond Store Precinct and Stevenson Place terraces.*
- *Views to and visual interconnections between significant Aboriginal cultural landscape features including Whibayganba (Nobbys Head), Tahlbihn (Flagstaff Hill / Fort Scratchley), Burrabihngarn (Pirate Point, Stockton), Yohaaba (Port Hunter), Coquun (Hunter River: South Channel), Khanterin (Shepherds Hill), and Cathedral Park.*
- *Mature trees in public domain.*
- *Public parks and reserves, including Pacific Park, Newcastle Beach, Parnell Place Park, Nobbys Beach, and Foreshore Park.*
- *Items of heritage significance individually listed as heritage items in Schedule 5 of LEP 2012, including retention of the three-dimensional form and adaptive re-use of heritage item buildings.*
- *The rich record of relics and archaeological sites beneath the modern city.*

4.10 Contributory Buildings

Fieldwork was undertaken in January 2020 to establish the overall intactness of this area. The Contributory Buildings Map for the Newcastle East HCA (refer to **Figure 37**) included in the Heritage Technical Manual grades the contribution of buildings to the streetscape character and heritage significance for the HCA. For definitions of contributory buildings, refer to Section 1.8. If the area is subject to the regulation to amend the boundaries of the Newcastle East and neighbouring The Hill HCAs, updated contributory buildings maps for these HCAs will be required.

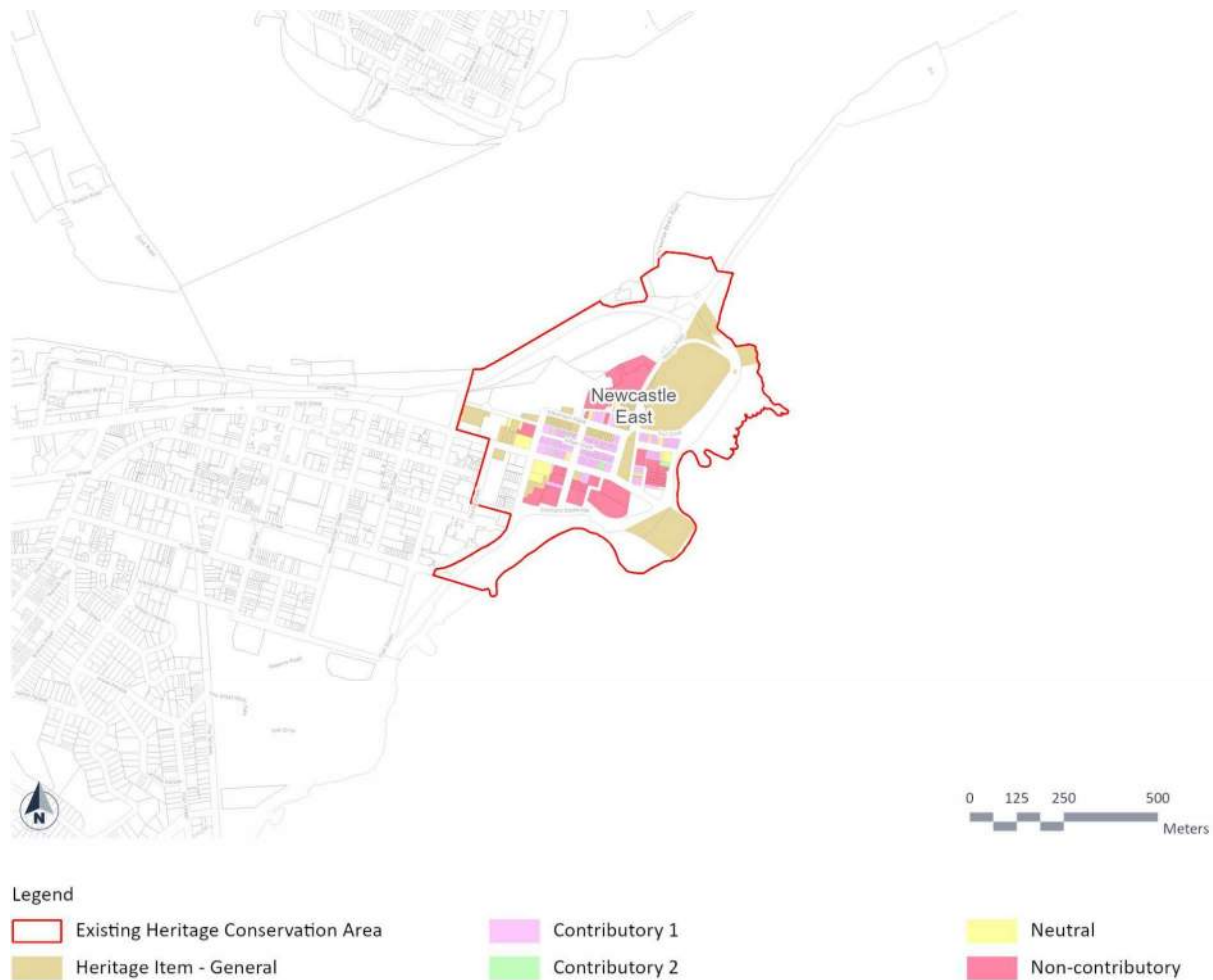


Figure 37: Contributory Buildings Map - Newcastle East HCA (Source: CN GIS 24 January 2020)

4.11 Community Engagement Feedback

Community Engagement (Phase 1)

As part of the Newcastle City Centre HCAs review, feedback from local community members was sought to gain an understanding of what residents and business owners value about the HCA. This engagement (Phase 1) was held in April and May 2023. The following submissions were received:

- 65 submissions via email or Have Your Say
- 328 pins and comments on the interactive map
- 35 precincts of shared history and/or built character drawn on the interactive map
- 238 responses to the streetscape quick poll.

Overall, the Newcastle East HCA was recorded as being significantly valued by the community. Elements of the HCA that were not as highly valued included the more recent and modern development on land parcels which address Shortland Esplanade and Newcastle Beach.

Key findings (Phase 1)

- Heritage conservation merit – 113 pins
- No heritage conservation merit – 11 pins
- Places with heritage merit, highest number of up votes:
 - Newcastle Customs House – 77
 - Newcastle Ocean Baths – 76
 - Fort Scratchley – 70
- Places with no heritage merit, highest number of up votes:
 - 33 Shortland Esplanade – 24
 - Noah's on the Beach – 21
- 91% of the 238 Quick Poll responses indicated that the streetscape of Alfred Street, Newcastle East has heritage value
- 4 precincts of shared history and/or built character were identified, focused on:
 - Heritage collection of bond stores/warehouses
 - The core precinct bounded by Stevenson Place, Parnell Place, Scott Street and Telford Street including surroundings, such as Nobbys Road, Fort Drive, Beach Street and Murray Avenue.
 - The history and archaeology along Shortland Esplanade, despite the significant change from modern development.
- Relevant submission comments:
 - *This area east of Pacific Street through to the ocean is a fundamental cultural heritage area for Newcastle and so it is critical that this whole area remains in this heritage conservation area.*
 - *Newcastle East is a small area packed with character and history and is a drawcard for visitors and residents.*
 - *Newcastle East which has a unique collection of buildings of great historical and heritage value.*
 - *Newcastle East Heritage Conservation Area is the most significant, unique and valuable heritage area in the Newcastle LGA.*
 - *The whole Newcastle east area is unique, small and to be cherished.*

More comprehensive analysis of the community engagement (phase 1) feedback is provided in **Appendix A**.

Public Exhibition (Phase 2)

After incorporating the outcomes of the first phase of engagement into the draft report, feedback from the community was sought. This public exhibition (Phase 2) was held in November and December 2023, and 34 submissions were received during the exhibition.

Most submissions demonstrated support for further heritage protection and maintaining the unique built character of Newcastle, including natural landscapes. Several respondents provided support for the recommendations in the draft report, including the creation of smaller HCAs that better represent the unique character of the different parts of the Newcastle City Centre, and the removal of HOB and FSR development standards for identified low-rise properties in Newcastle East and The Hill HCA. Others maintained the view that the current HOB and FSR standards should remain. Respondents also had general concerns about the loss of heritage and overdevelopment, calling for stronger, more explicit protection of heritage buildings and places. There was some feedback provided suggesting detailed amendments to the draft report. Such suggestions are comprehensively addressed in this report.

A comprehensive analysis of the public exhibition (phase 2) feedback is provided in **Appendix B**.

4.12 Heritage Conservation Area Boundary

The boundaries of the Newcastle East HCA were reviewed. Overall, these are considered appropriate and will be maintained as the Newcastle East HCA to ensure the heritage significance of the area is retained and conserved, with two exceptions.

Newcastle Beach and the Coal River Precinct are identified by the assessment above and from community engagement feedback as significant contributory elements of the Newcastle East HCA. However, not all of either element is included within the existing boundaries of the HCA. As such, the following amendments to the LEP maps are recommended (**refer to Figure 38**):

- Boundary adjustments to Newcastle East and The Hill HCAs so that Newcastle Beach South is added to the Newcastle East HCA and removed from The Hill HCA. This ensures the whole of Newcastle Beach, an identified area of cultural significance, is located within the boundaries of the Newcastle East HCA for the first time.
- Boundary adjustments to the Newcastle East HCA to include all land within the curtilage of the Coal River Precinct State Heritage Register listing (SHR ID 01674) which is located outside the boundary of the Three Ports area (as defined by the *Transport and Infrastructure SEPP 2021*). This land includes the full length of Nobbys Beach to the high-water mark, and land immediately to the west of Macquarie Pier and east of Horseshoe Beach Road, an area comprising the northern part of Camp Shortland and the eastern part of Horseshoe Beach. This ensures the whole of Coal River Precinct (excluding land in the Three Ports area) is located within the boundaries of the Newcastle East HCA for the first time.

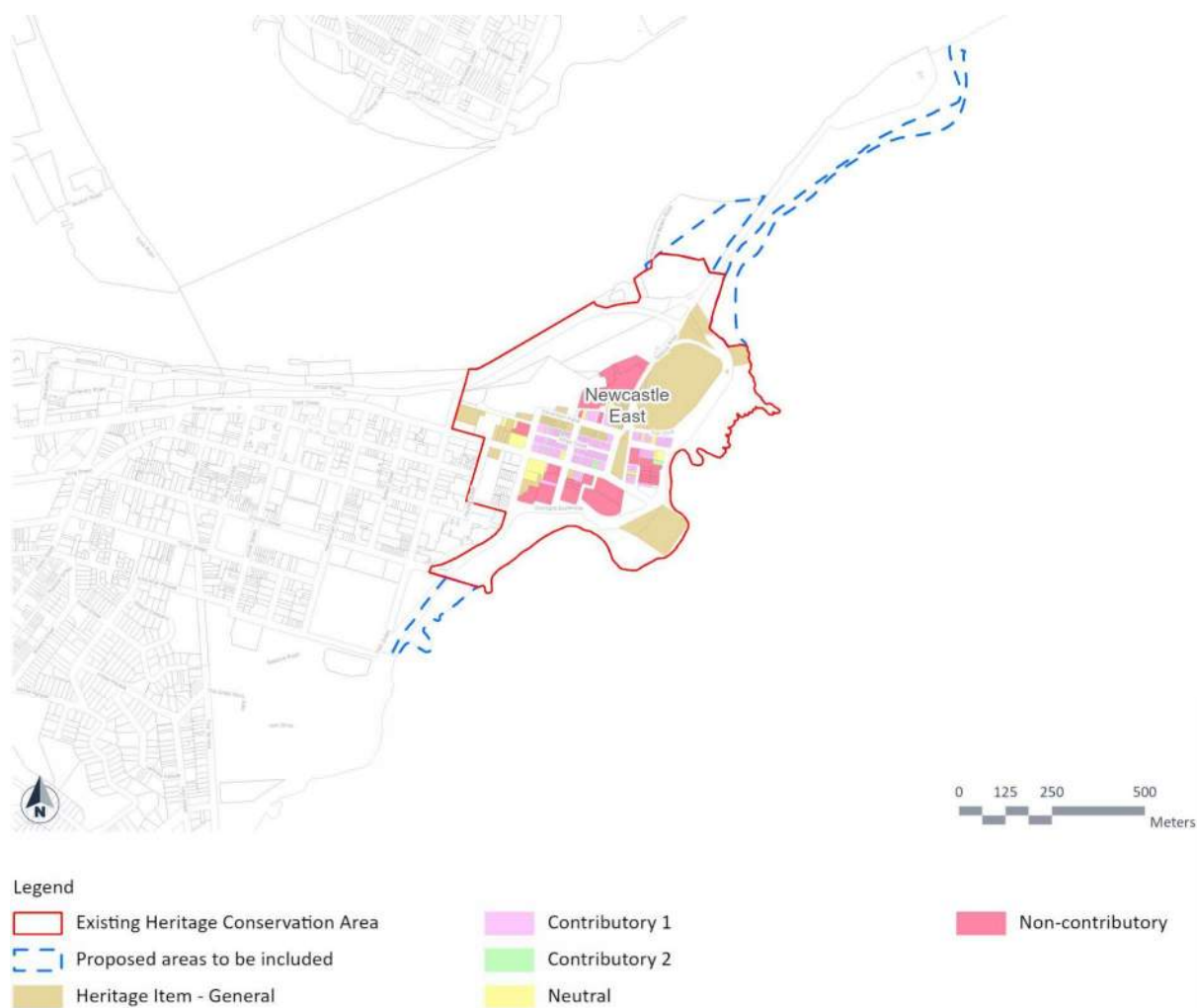


Figure 38: Recommended Newcastle East Heritage Conservation Area (Source: CN GIS 24 January 2020)

4.13 Land use zoning

The land use zoning within the Newcastle East HCA was reviewed. The existing land use zoning is considered appropriate and compatible with retaining and conserving the heritage significance of the Newcastle East HCA.

4.14 Minimum lot size, height of buildings and floor space ratio

The Minimum Lot Size, HOB and FSR development standards within the Newcastle East HCA were reviewed. A fine-grain, low-rise precinct of two to three storey properties zoned R3 Medium Density Residential was identified (**refer to Figure 39**). Historically known as 'The Sandhills', this precinct is at odds with the building typology in the rest of the Newcastle City Centre boundary which is developed

to often far greater heights and across larger consolidated lots. The land currently has a maximum building height of either 10m (approximately 3 storeys) or 14m (approximately 4 to 5 storeys) and an FSR of either 1:1 or 1.5:1. Although the prevailing building height is two to three storeys, the precinct also includes for example single storey bungalows on land with HOB 10m (**refer to Figure 40**), and a mix of two storey dwellings and three storey apartment buildings on land with HOB of 14m (**refer to Figure 41**). These development standards are inconsistent with the current built form on the land and surrounding streetscape, and would conflict with the conservation objectives that this review proposes.



Legend


 Newcastle East low-rise residential area

Figure 39: Newcastle East low-rise area

Though the heritage listed bond stores at 11 Bond Street (LEP Item I373 - Stanton Catchlove Bond Store (Earp Gillam Bond Store Precinct)), 16 Telford Street (LEP Item I492 - Former Earp Gillam Bond Store (Earp Gillam Bond Store Precinct)) and 28 Stevenson Place (LEP item I491 - Former John Bull Warehouse) share the same land use zoning and prevailing building height, they have not been included as part of this identified low-rise area because HOB and FSR development standards are not applied to this land.



Figure 40: 14 Stevenson Place facing north-east (Source: Google Streetview)



Figure 41: 7 to 15 (odd numbers) Scott Street facing south (Source: Google Streetview)

The review notes minimum lot size of 400m applies to the land in this identified low-rise residential zoned area. These standards are considered appropriate and compatible with retaining and conserving the heritage significance of this part of the HCA. It is also consistent with the minimum lot size applied to properties zoned R2 Low Density Residential and R3 Medium Density Residential in CN's other HCAs such as in The Hill, Cooks Hill, and Hamilton Residential Precinct.

Removal of HOB and FSR is recommended from this low-rise residential zoned area of the HCA, justified on the basis that:

- HOB and FSR development standards are not applied to residential zoned land in HCAs outside the Newcastle City Centre boundary, such as residential zoned land in Cooks Hill, The Hill, Hamilton South and Hamilton Residential Precinct HCAs. To remove HOB and FSR from this part of Newcastle East HCA will maintain a consistent land-use planning and heritage conservation approach to the management of these areas.
- A review of current LEPs in NSW confirms best practice and a common approach for HCAs across NSW is to not apply HOB and FSR development standards to land in HCAs. This includes The Rocks and the Millers Point HCA in City of Sydney, and the HCAs in the inner areas of Maitland and Morpeth, Orange, Wagga Wagga, Singleton, Armidale, and Albury.
- HOB and FSR controls do not necessarily promote the best heritage outcomes for a low-rise residential zoned area as they mislead expectations of building envelope entitlement, and may result in inconsistencies with the current built form on the land and surrounding streetscape.
- This area largely consists of small blocks already developed boundary to boundary to a high density. Additionally, existing buildings are already approaching the height limit and Clause 4.6 variations are frequently requested to exceed the FSR to support development applications in this locality (**refer to 2.2.5 for varying development standards**). Furthermore, Clause 4.6 variation requests are required for HOB and FSR exceedances when the proposed bulk and form of the development is appropriate to its streetscape setting and there is no impact on the heritage significance of the HCA. For example, a small kitchen extension at the rear of a residential terrace which is not visible from the public street.
- Removing HOB and FSR provisions facilitates a merit assessment, allowing the assessment authority to consider development proposals that maintain the heritage significance and are compatible with the protected character and appearance of the HCA. It allows a degree of design flexibility to respond to its place within the surrounding townscape rather than complying with a generic set of prescribed LEP development standards. The merit assessment approach and design responding to place is complemented and robustly controlled by detailed planning and design guidelines provided in the heritage conservation chapters of the DCP and associated Heritage Technical Manual. For example, to conserve and maintain the existing low-rise scale of buildings visible from the street for land in the identified 'The Sandhills' residential zoned precinct of Newcastle East HCA or in HCAs outside the Newcastle City Centre boundary, Controls C2 and C3 and Figure E1.03 of Section E1 Built and landscape heritage of the DCP 2023 apply. This requires additions and higher parts of a new building to be concealed and not seen from the street (**refer to Figure 42**).

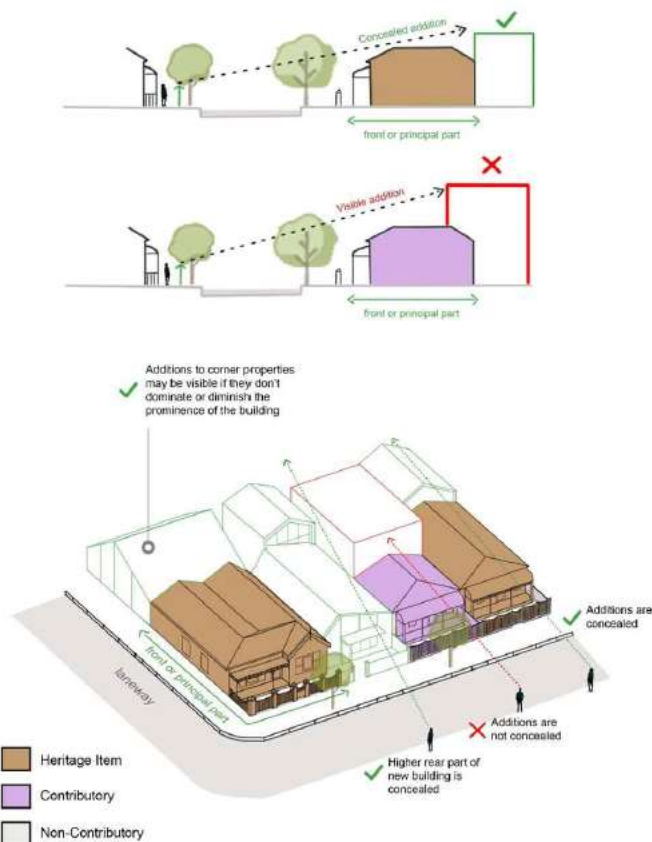


Figure E1.03: Concealed additions and higher parts of a new building

Figure 42: Figure E1.03 of DCP 2023 (Source: DCP 2023: Section E1 Built and landscape heritage, Adopted 12 December 2023)

For the rest of the HCA, including the more intensely developed land fronting Newcastle Beach, the existing minimum lot size, HOB and FSR development standards applied are considered appropriate and compatible with retaining and conserving the heritage significance of the Newcastle East HCA.

4.15 Newcastle City Centre Boundary

This review considers how the LEP provisions for the Newcastle City Centre work with those for the Newcastle East HCA. Shared characteristics of zoning and building height were identified in the low-rise precinct of two to three storey properties zoned R3 Medium Density Residential (**refer to Figure 39**) and three heritage listed bond stores (**refer to 4.14**). This area of 8.9ha, presents as a fine-grain, low-rise residential zoned area with a distinct building typology to that of the rest of the Newcastle City Centre area, which is generally developed to far greater heights and across larger consolidated lots. The identified area is comparable to areas such as Darby Street and Bull Street, Cooks Hill rather than the Newcastle City Centre and the related objectives under Part 7 of the LEP that facilitate large scale, medium to high-rise development (**refer to 2.2.4**). Further investigation is warranted to consider

whether this area and any similar areas should have both LEP provisions apply for the Newcastle East HCA and the Newcastle City Centre boundary.

In addition, a minor adjustment to the Newcastle City Centre boundary is required to remove the Boat Harbour at 100 Wharf Road (**refer to Figure 43**). Although not in the Newcastle East HCA, this 0.45ha property is identified by the *Transport and Infrastructure SEPP 2021* as in the boundary of the Three Ports area. A SEPP prevails over an LEP. Its removal from the Newcastle City Centre boundary is required to correct this anomaly.



Figure 43: Recommended adjustments to the Newcastle City Centre boundary in the Newcastle East HCA locality.

4.16 Heritage Items

Identified by the assessment above and from community engagement feedback, it is recommended the following new LEP heritage items and amendments to existing LEP heritage items be investigated:

- Stone Shelter, South Newcastle Beach - investigate new LEP listing.
- Gaol, Scott Street - investigate new LEP listing of this archaeological site.

- Newcastle Ocean Baths - boundary adjustments to the LEP listing (item I489) to include the canoe pool and land between the baths and the high-water mark.
- Coal River Precinct - boundary adjustments to the Coal River Precinct LEP listing (item A5) to include all land within the curtilage of the Coal River Precinct SHR listing (SHR ID 01674) which is not located within the boundary of the port of Newcastle's Three Ports area.
- Earp Gillam Bond Store Precinct - amend LEP item listings for Former Earp Gillam Bond Store Precinct (item I492) and Stanton Catchlove Bond Store (item I373) to be consistent with the Earp Gillam Bond Store Precinct SHR listing (SHR ID 00762), and investigate separately listing Foreshore Park as a new LEP item.
- Other places in the HCA the community engagement feedback found had potential cultural heritage merit will be investigated for LEP listing in a future heritage study.

CHAPTER FIVE – NEWCASTLE CITY CENTRE HERITAGE CONSERVATION AREA

5.1 Introduction

This section documents the Newcastle City Centre HCA, bounded by the heavy/light rail line and Coquun (Hunter River) to the north, Pacific Street and Shortland Esplanade to the east, to the south by King, Queen, Gibson and Parry Streets, and to the west by Selma Street. The current boundaries and location of the Newcastle City Centre HCA are as reproduced in **Figure 44**.

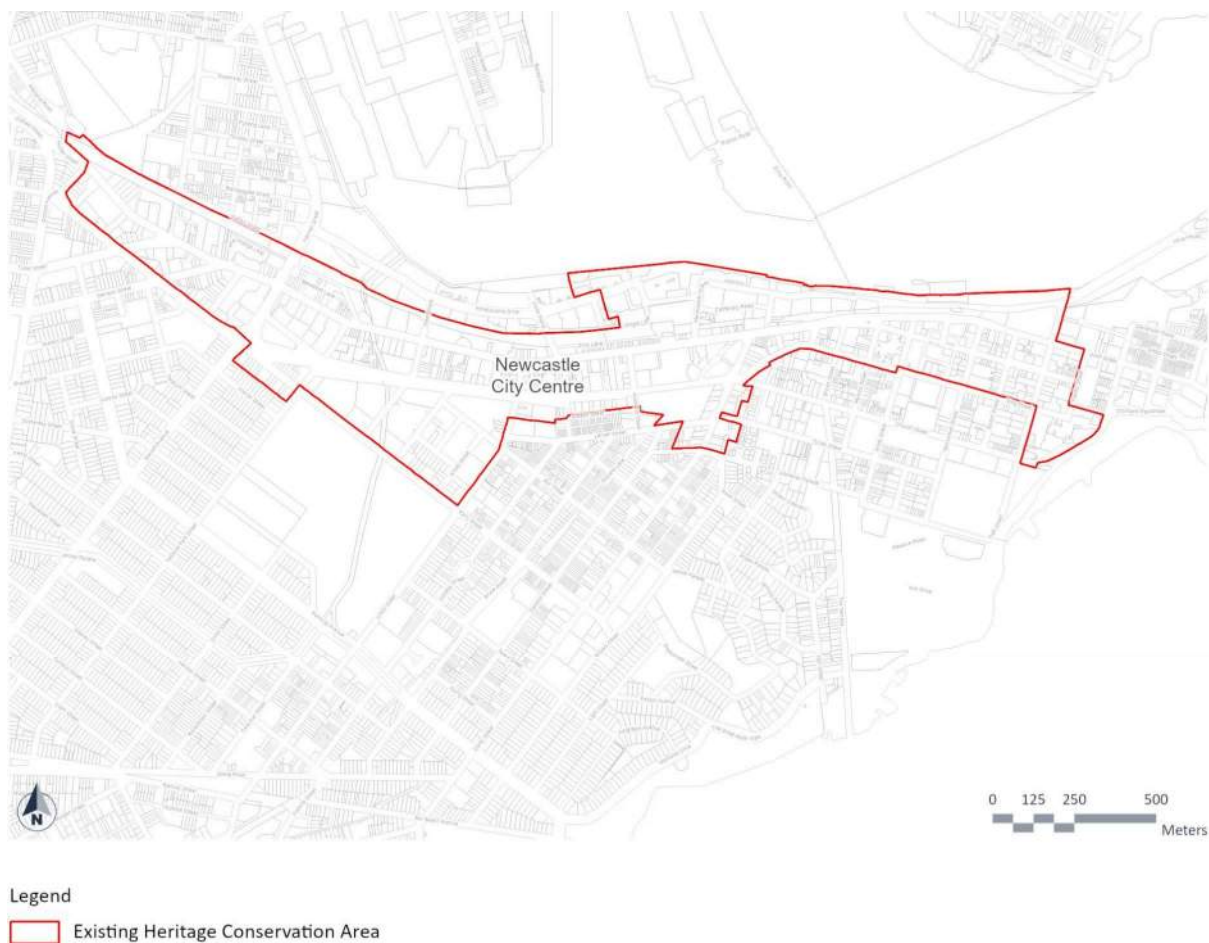
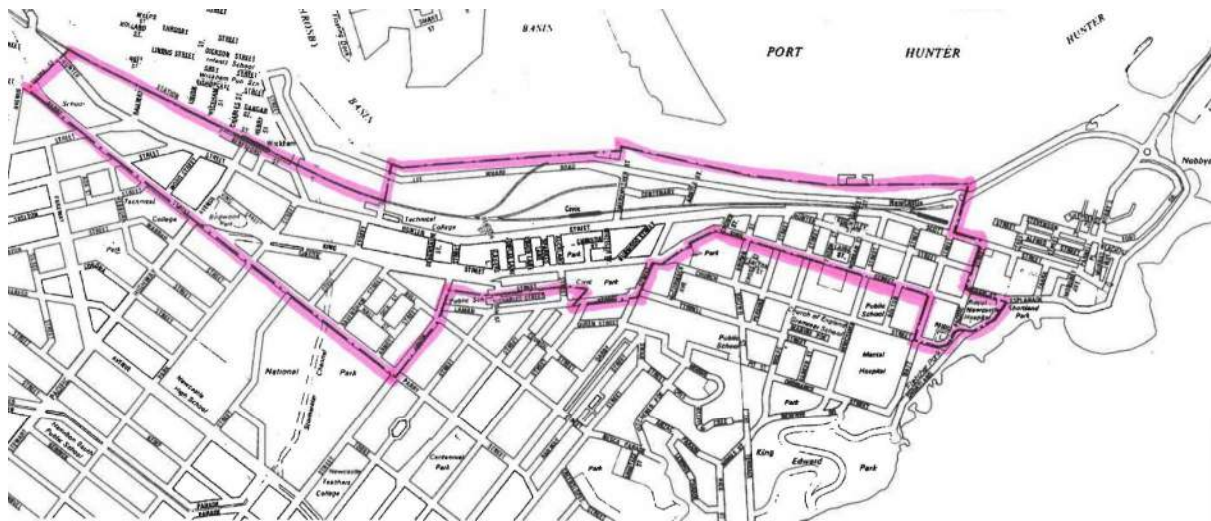


Figure 44: Newcastle City Centre Heritage Conservation Area (Current Boundary)

5.2 Heritage Status - Newcastle City Centre Heritage Conservation Area

The area known as Newcastle City Centre Heritage Conservation Area was gazetted as Newcastle C.B.D. Heritage Conservation Area via Amendment No. 52 to the Newcastle LEP 1987, 3 July 1992, Gazette No. 83, page 4668 (refer to **Figure 45**). The current boundaries remain reasonably consistent from the original. Notable changes include the addition of Parry Street industrial opposite Birdwood Park and properties around Queen Street, Cooks Hill and Tyrrell Street, The Hill; and the removal of land at Honeysuckle west of Merewether Street, Newcastle. These changes were implemented with the commencement of Newcastle City Centre Local Environmental Plan 2008, 1 February 2008. No significant changes have occurred since.



NEWCASTLE C.B.D. HERITAGE CONSERVATION AREA
NEWCASTLE LOCAL ENVIRONMENTAL PLAN 1987 (HERITAGE CONSERVATION)

Figure 45: Newcastle City Centre HCA as gazetted by Amendment No. 52 to Newcastle LEP 1987 (1992).

5.3 History

Refer to Sections 3.2 and 3.3 for the Aboriginal and historical context of the study area.

5.4 Physical Description

The Newcastle City Centre HCA comprises an area of predominantly flat land along the northern side of the Newcastle peninsula (refer to **Figure 44**). It contains iconic sites of cultural significance to the local Aboriginal community, including the harbour landscape of Muluubinba. Newcastle Railway Station, Newcastle Signal Box, Great Northern Hotel, Newcastle Post Office, Former Nurses Home, T&G Mutual Life Assurance Building, Victoria Theatre, Civic Park, Former City Administration Building,

Fred Ash Building, Newcastle City Hall, Civic Theatre, Nesca House, Civic Railway Workshops, Miss Porter's House, and the Castlemaine Brewery are heritage places of State significance that define the Newcastle City Centre HCA.

The proximity and views of the harbour to the north framed by the steep topography of The Hill to the south are an important aspect of Newcastle City Centre's urban character.

The current built character of Newcastle City Centre HCA ranges from regionally significant civic buildings, adaptively re-used industrial buildings, and intensive mixed-use residential and commercial urban forms. The buildings are an eclectic mix of mostly Victorian, Inter-War, or late twentieth century to the present day. Most of the building stock in the eastern and central sections of the HCA contributes to the character of the HCA, with more recent intensive development mostly located in the western section of the HCA. The contributory building stock in the HCA is not homogenous. Instead, it is a series of distinct character precincts, defined by a shared development history or built character, with a consistency of scale, style, or other features in each precinct. These features include:

- Old Town – grid system from Pacific Street in the east to Brown Street in the west, the precinct contains a rich pre-contact and convict/early settler archaeological record, with the economic wealth generated by the Newcastle port expressed in its fine stock of nineteenth century and early twentieth century commercial and retail buildings. Views out to the port of Newcastle and harbour mouth, the traditional harbour landscape of Muluubinba. Newcastle Railway Station, T&G Mutual Life Assurance Building and Newcastle Post Office are significant heritage landmarks.
- Civic and Honeysuckle – the precinct has a shared development history of rail and port related infrastructure, the subsequent establishment and concentration of regionally significant civic institutions, and the fine stock of late nineteenth/early twentieth century and inter-war commercial and retail development. Views from the Honeysuckle public domain out to the port of Newcastle and harbour mouth, the traditional harbour landscape of Muluubinba. Civic Park, City Hall, Former City Administration Building, and Lee Wharf Buildings are significant heritage landmarks.
- Newcastle West – the precinct has a shared development history of late nineteenth and early twentieth century industrial and commercial development which serviced the port of Newcastle and helped establish the industrial base of the NSW economy. Miss Porter's House, Newcastle Technical College, and the Castlemaine Brewery are significant heritage places.

5.5 Previous Heritage Studies

In 1988, Suters Busted Corner Clode Architects and Planners prepared the Newcastle CBD Urban Design and Heritage Study (the study area is depicted in **Figure 46**). At the time, this innovative urban design guideline established some important planning principles for the city, such as preserving sight lines to the Christ Church Cathedral and preserving iconic heritage items such as Customs House, the Court House and the Post Office. It identified an inventory of items of heritage significance and areas of special heritage significance in Newcastle East and Newcastle West.

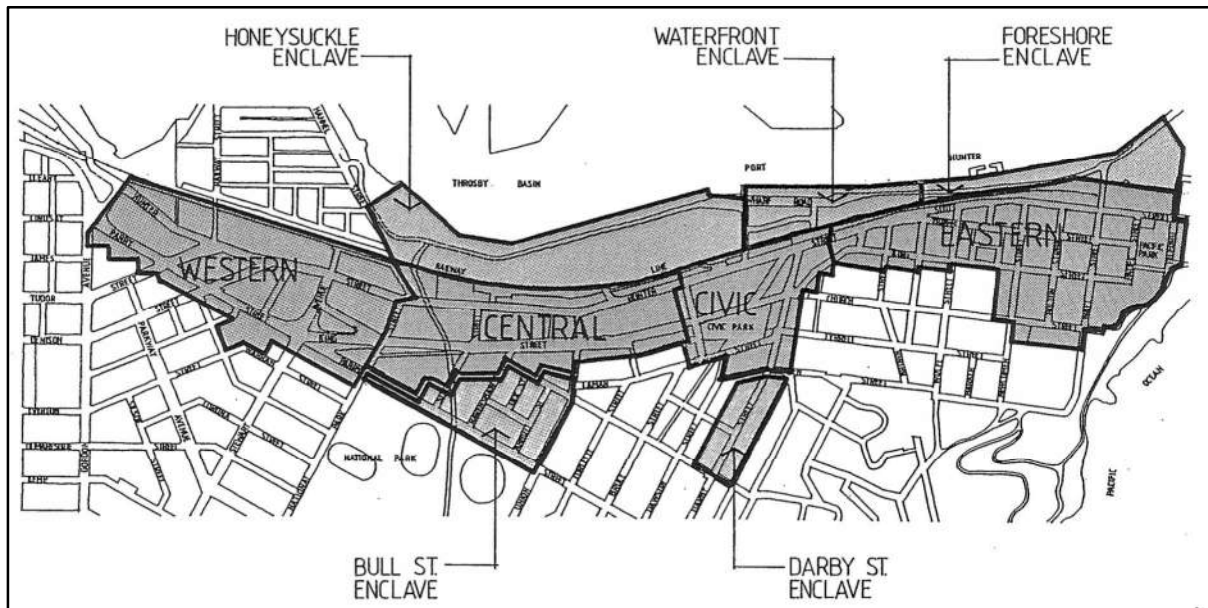
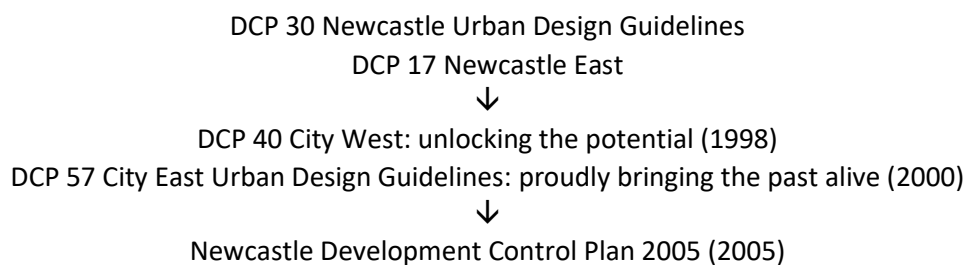


Figure 46: Study Area of the Newcastle CBD Urban Design and Heritage Study

The study area defined under the Newcastle CBD Urban Design and Heritage Study (1988) roughly translated into the HCA listing under the Newcastle LEP 1987, Amendment No 52 in 1992.

An early history of DCPs that guided development of the Newcastle City Centre included:



Early development planning recognised that *"the Newcastle CBD comprised two distinct areas with different characteristics. The east with strong heritage qualities, unique streetscapes and topographical features. The west (including Honeysuckle) is less constrained with flat topography, greenfield development sites and good redevelopment potential"*⁷. These previous DCPs introduced important principles and objectives to facilitate the protection and management of the built environment within the now Newcastle City Centre.

In 2012, the then Department of Planning and Infrastructure prepared the Newcastle Urban Renewal Strategy under State Environmental Planning Policy (Urban Renewal) 2010. The focus of the strategy

⁷ City West unlocking the potential: Development Control Plan 40, Newcastle City Council / Department of Urban Affairs and Planning, 1998. ISBN 0 909115 69 9

was to support the revitalisation of Newcastle over the coming 25 years. It was supported by extensive technical work, which included the heritage field.

Delivery of the Newcastle Urban Renewal Strategy planning vision occurred through incorporation of provisions in the Newcastle LEP 2012 and Section 6.01 Newcastle part 7 City Centre of the Newcastle DCP 2012.

In June 2016 Council adopted the Heritage Conservation Areas Review Report. At the time of this project the Newcastle City Centre HCA was subject to LEP and DCP amendments as part of the Newcastle Urban Renewal Strategy (mentioned above) and was determined to be outside the scope of the review. Though the Newcastle City Centre HCA was excluded from this review, as a result of this work, CN prepared and included a contributory buildings map for this HCA in its Heritage Technical Manual as a clear guide for development assessment and design planning.

5.6 Assessment of Heritage Significance

Refer to Sections 6, 7, 8 and 9 for separate heritage significance assessments for Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street.

5.7 Comparative Assessment

Refer to Sections 6, 7, 8 and 9 for separate comparative assessments for Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street.

5.8 Threatening Processes

Some issues undermine the integrity and intactness of the Newcastle City Centre HCA. These include:

- The Newcastle City Centre HCA is approximately 3.2km from east to west and comprises a series of distinct character precincts developed over different time periods and with different building typologies. Given the size of the existing HCA, the current direction and guidance is too broad. The statement of significance for Newcastle City Centre HCA provided in the DCP primarily relates to the 'Old Town' area of Hunter Mall. The heritage significance and development history of Civic, Honeysuckle and Newcastle West are largely overlooked. Clear direction and guidance to manage change in these heritage places is limited and problematic both for the assessment authority and proponents of development.
- Unsympathetic development that is out of scale or not designed as sensitive infill that replaces original building stock, or that alters and adds to contributory buildings.
- Facadism of local heritage item buildings rather than retention of their three-dimensional form and adaptive re-use.
- The painting of exposed face brick and stone of existing building facades and front fencing.

5.9 Desired Future Character Statement

DCP 2023 includes the following statement as a clear guide for development assessment and design planning:

The character of the Newcastle City Centre Heritage Conservation Area is made up of a variety of building styles that date from the 19th and early decades of the 20th century. The special character is to be preserved, celebrated and maintained through the retention of contributory buildings, existing subdivision pattern, and elements of visual interest.

Elements to be preserved and/or sensitively restored or reconstructed (based on evidence of original appearance) include:

- *Range of contributory and historic buildings constructed prior to the Second World War, particularly intact or historically significant groupings, heritage items, iconic structures, and the appearance and layout of streets.*
- *Existing subdivision pattern and street layout, including preserving the human scale of development, the integrity of laneways and the fine grain of Henry Dangar's 1823 'Old Town' plan in the Newcastle East End Precinct from Pacific Street to Brown Street, and from Church Street to Hunter Street.*
- *Existing subdivision pattern and street layout, including preserving the human scale of development, the integrity of laneways, the fine grain and the groupings of contributory late 19th century and art deco buildings which predominate in the cultural, educational and administrative Civic Precinct between Brown and Ravenshaw/Steel streets.*
- *Single to two storey scale of distinctive early industrial and warehouse buildings in Parry Street between National Park Street and Stewart Avenue, and between Wood Street and Railway Street.*
- *Emerging commercial core of tall and landmark mixed-use retail, office and residential apartment buildings of the Newcastle West End Precinct between Ravenshaw/Steel Street and Wood Street are of high-quality contextual design, compatible with and preserve the remnant contributory 19th century and early 20th century properties and their two to three storey scale and setting, the integrity of laneways and the fine grain of Beresford Lane and Beresford Street.*
- *Exposed face brick and stone of existing building facades and front fencing.*
- *Street furniture such as sandstone kerbing and guttering, and other features of historical interest such as heritage items, public stairs, lanes, parks.*
- *Distinctive early industrial, warehouse and retail buildings, including prominent corner buildings.*
- *Views and vistas to and from significant cultural landmarks such as the T&G Building and the former Newcastle Post Office. Views which terminate at significant heritage buildings such as Fort Scratchley and the former Newcastle Courthouse. Views from Market Street and Morgan Street to Christ Church Cathedral. Views to the Hunter River are protected and framed along Market Street, Watt Street and Newcomen Street.*
- *Views to and the visual interconnections between significant Aboriginal cultural landscape features including Whibayganba (Nobbys Head), Tahlbihn (Flagstaff Hill / Fort Scratchley), Burrabihngarn (Pirate Point, Stockton), Yohaaba (Port Hunter), Coquun (Hunter River: South Channel), Khanterin (Shepherds Hill), and Cathedral Park.*

- *Mature trees in the public domain, and parks and public spaces including Market Street Lawn, Civic Park, Wheeler Place, Museum Park, Christie Place and Birdwood Park.*
- *Items of heritage significance individually listed as heritage items in Schedule 5 of LEP 2012, including retention of the three-dimensional form and adaptive re-use of heritage item buildings.*
- *The rich record of relics and archaeological sites beneath the modern city.*

Refer to Sections 6, 7, 8 and 9 for a separate Desired Future Character Statement for Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street.

5.10 Contributory Buildings

Fieldwork in January 2020 established the overall intactness of this area. The Contributory Buildings Map for the Newcastle City Centre HCA (**refer to Figure 47**) included in the Heritage Technical Manual grades the contribution of buildings to the streetscape character and heritage significance for the HCA. For definitions of contributory buildings, refer to Section 1.8.

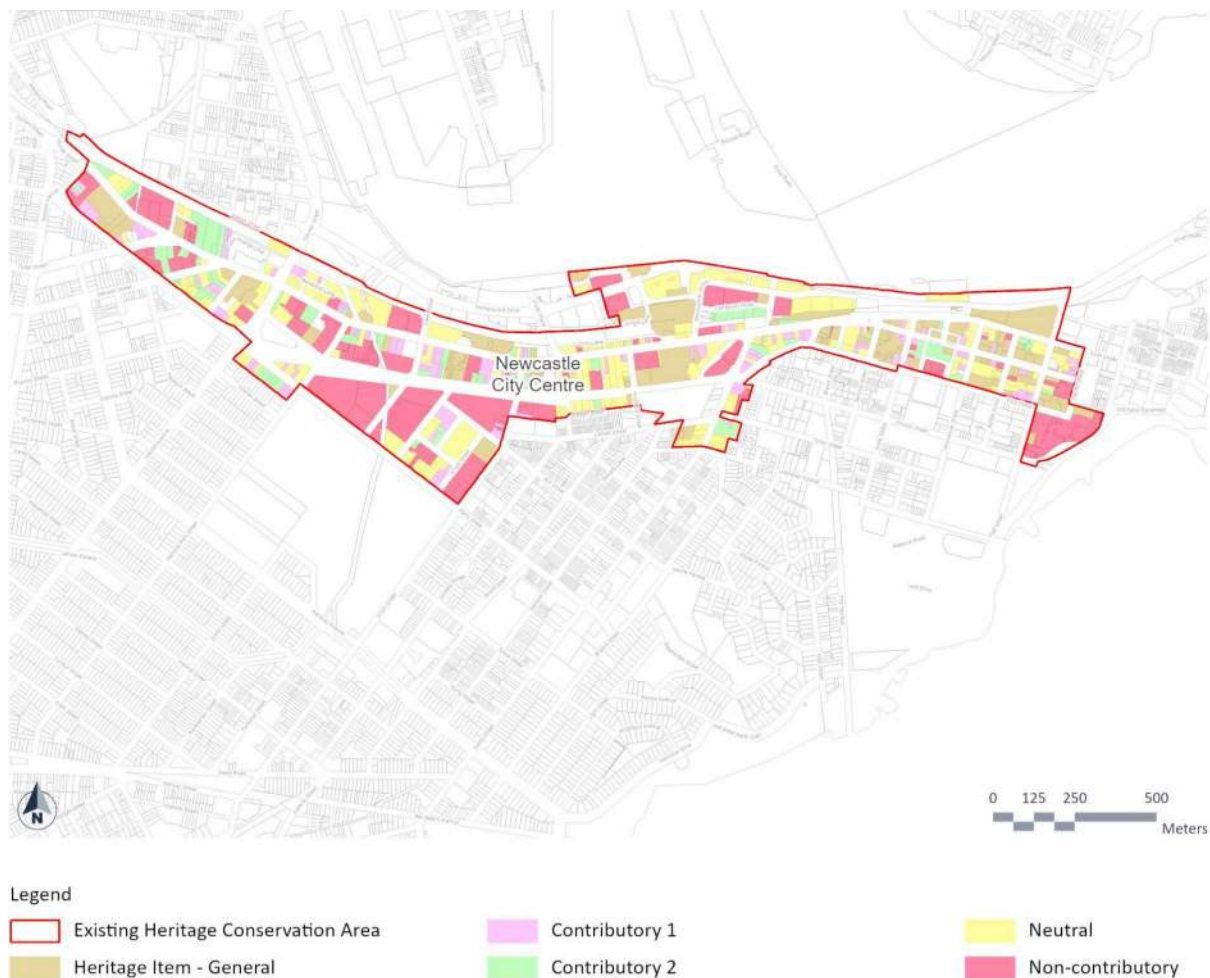


Figure 47: *Contributory Buildings Map - Newcastle City Centre HCA (Source: CN GIS 24 January 2020)*

5.11 Community Engagement Feedback

Community Engagement (Phase 1)

As part of the Newcastle City Centre HCAs review, feedback from local community members was sought to gain an understanding of what residents and business owners value about the HCA. This engagement (phase 1) was held in April and May 2023. The following submissions were received:

- 65 submissions via email or Have Your Say
- 328 pins and comments on the interactive map
- 35 precincts of shared history and/or built character drawn on the interactive map
- 238 responses to the streetscape quick poll

Feedback found the community placed high value on the heritage significance of the eastern half of the Newcastle City Centre HCA, namely around Civic and the Hunter Mall areas. This value noticeably begins to decrease as you go further westward in the HCA, particularly from Union Street. Elements not as highly valued included development at the former Royal Newcastle Hospital site (opposite Newcastle Beach on Shortland Esplanade), Rydges at Honeysuckle, Marketown commercial precinct and Newcastle's remnant industrial/warehouse buildings, particularly west of Stewart Avenue.

Key findings

- Heritage conservation merit – 161 pins
- No heritage conservation merit – 43 pins
- Places with heritage merit, highest number of up votes:
 - Newcastle Post Office – 97
 - Victoria Theatre – 83
 - Newcastle Railway Station – 70
 - Honeysuckle Railway Workshops – 62
 - Bank Corner/Formal Bank of NSW – 57
- Places with no heritage merit, highest number of up votes:
 - Queens Wharf – 21
 - Ibis Hotel (700 Hunter Street, Newcastle West) – 20
 - Arvia Building (67 Watt Street, Newcastle) – 20
 - Novotel Newcastle Beach (1 King Street, Newcastle) – 19
 - Marketown – 19
 - Arena Building (75 Shortland Esplanade) – 18
 - Royal Development (61 Shortland Esplanade, Newcastle) – 18
 - Royal Development (3 King Street, Newcastle) – 17
- The east end and central part of Hunter Street around the Post Office and at Civic scored highly in the Quick Poll of 238 responses with 97% and 95% respectively indicating these streetscapes have heritage value.
- Streetscapes that didn't register as having a high heritage merit included Marketown (10%), Centenary Road (18%) and west end of Hunter Street around Sacred Heart Cathedral (21%)

- 31 precincts of shared history and/or built character were identified. These focused on:
 - Hunter Mall/Henry Dangar's Old Town
 - Honeysuckle port and railway legacies
 - Civic - institutional, administration and cultural hub
 - Small scale contributory shopfronts along Hunter Street between Worth Place and National Park Street
 - Bank Corner shop top housing and warehouses
 - Parry Street industrial between National Park Street and Stewart Avenue
 - West end industrial – west of Stewart Avenue
 - Sacred Heart Cathedral precinct
- Relevant submission comments:
 - *In recognition of the varied character of Newcastle West and its individuality distinct from Newcastle city centre, consideration should be given to either reducing the size of the NCCHCA by protracting the western end and reviewing specific West End buildings for individual heritage significance or, splitting the NCCHCA into smaller areas reflecting the historical and architectural character, e.g. City Centre, Civic Precinct, and Newcastle West. The current boundary of NCCHCA encompasses some vastly different character and the City Centre Statement of Significance seems to be unrelated to this.*
 - *The “desired future character” of the city and surrounding areas should seek to build on, rather than diminish, the extant heritage character. Planning should seek to preserve clear evidence of historical precincts.*
 - *There is a wealth of commercial and residential architectural styles, sites, buildings, monuments, facades, streets and open spaces within the HCAs.*
 - *31-37 Shortland Esplanade, Newcastle East was built in 2006, replacing a 1970s hotel. There is no current heritage value and should be removed from the Heritage area, like all newly built buildings on Shortland Esplanade. There is significant recognised contributory heritage widely spread within the boundaries of both subject heritage conservation areas as they are currently defined. It is therefore important to maintain HCAs as larger continuous areas to ensure that the heritage impact of any development within the area is assessed.*
 - *Notwithstanding the development of over 20 mixed use (apartment/office) complexes within the two HCAs since 2003, the fundamental heritage significance, shared history, and archaeology of these HCAs remains largely unchanged. That said, the character of some City Centre blocks west of Worth Place has been substantially altered due to the construction of several large floorplate Non-Contributory apartment towers, offices and the eastern Market Town shopping complex.*
 - *Planning should aim to preserve clear evidence of historical precincts, well beyond a curated selection of heritage-listed and contributory items.*
 - *Henry Dangar’s 1828 street design created an enduring intimacy and human scale still evident in the layout of Newcastle today. Newcastle’s human scale is unseen in any other Australian city and it is vitally important to retain it for the future.*
 - *The heritage facades designed by skilled architects of the time (Frederick Menkens and his contemporaries) to Newcastle’s CBD which has contributed to Newcastle’s*

attractive streetscapes and date from the 1800's must not be disturbed, diminished or obliterated.

- *Although the boundary of the NCCHCA takes in Newcastle West, this Statement of Significance is seemingly unrelated to this end of the city, and even to the easterly Civic Precinct. The current Statement of Significance for the Newcastle City Centre Heritage Conservation Area is largely irrelevant when considering the West End and Civic area.*

A more comprehensive analysis of the community engagement (phase 1) feedback is provided in **Appendix A**.

Public Exhibition (Phase 2)

After incorporating the outcomes of the first phase of engagement into the draft report, feedback from community was sought. This public exhibition (Phase 2) was held in November and December 2023, and 34 submissions were received during the exhibition.

Most submissions demonstrated support for further heritage protection and maintaining the unique built character of Newcastle, including natural landscapes. Several respondents provided support for the recommendations in the draft report, including the creation of smaller HCAs that better represent the unique character of the different parts of the Newcastle City Centre, and the removal of HOB and FSR development standards for identified low-rise properties in Newcastle East and The Hill HCA. Others maintained the view that the current HOB and FSR standards should remain. Respondents also had general concerns about the loss of heritage and overdevelopment, calling for stronger, more explicit protection of heritage buildings and places. There was some feedback provided suggesting detailed amendments to the draft report. Such suggestions are comprehensively addressed in this report.

A comprehensive analysis of the public exhibition (phase 2) feedback is provided in **Appendix B**.

5.12 Heritage Conservation Area Boundary

The boundaries of the Newcastle City Centre HCA were reviewed. The existing boundaries of the HCA are considered inappropriate to ensure the heritage significance of the area is retained and conserved. The Newcastle City Centre HCA is too large (approximately 3.5km from east to west) and comprises a series of distinct character precincts developed over different time periods and with different building typologies. This means clear direction and guidance to manage change in these heritage places is limited and problematic both for the assessment authority and proponents of development.

It is recommended part of the Newcastle City Centre HCA be replaced with smaller, more specific HCAs based on shared development history and/or built character.

The HCAs to replace part of the existing Newcastle City Centre HCA are recommended as follows:

- Old Town
- Civic and Honeysuckle
- Hunter Street West
- Parry Street.

Further investigation is recommended to assess whether the proposed remnant land in the Newcastle City Centre HCA meets NSW assessment criteria for an HCA. This includes investigating potential new LEP heritage item listings for any buildings ranked as Contributory 1 or Contributory 2 items on this land.

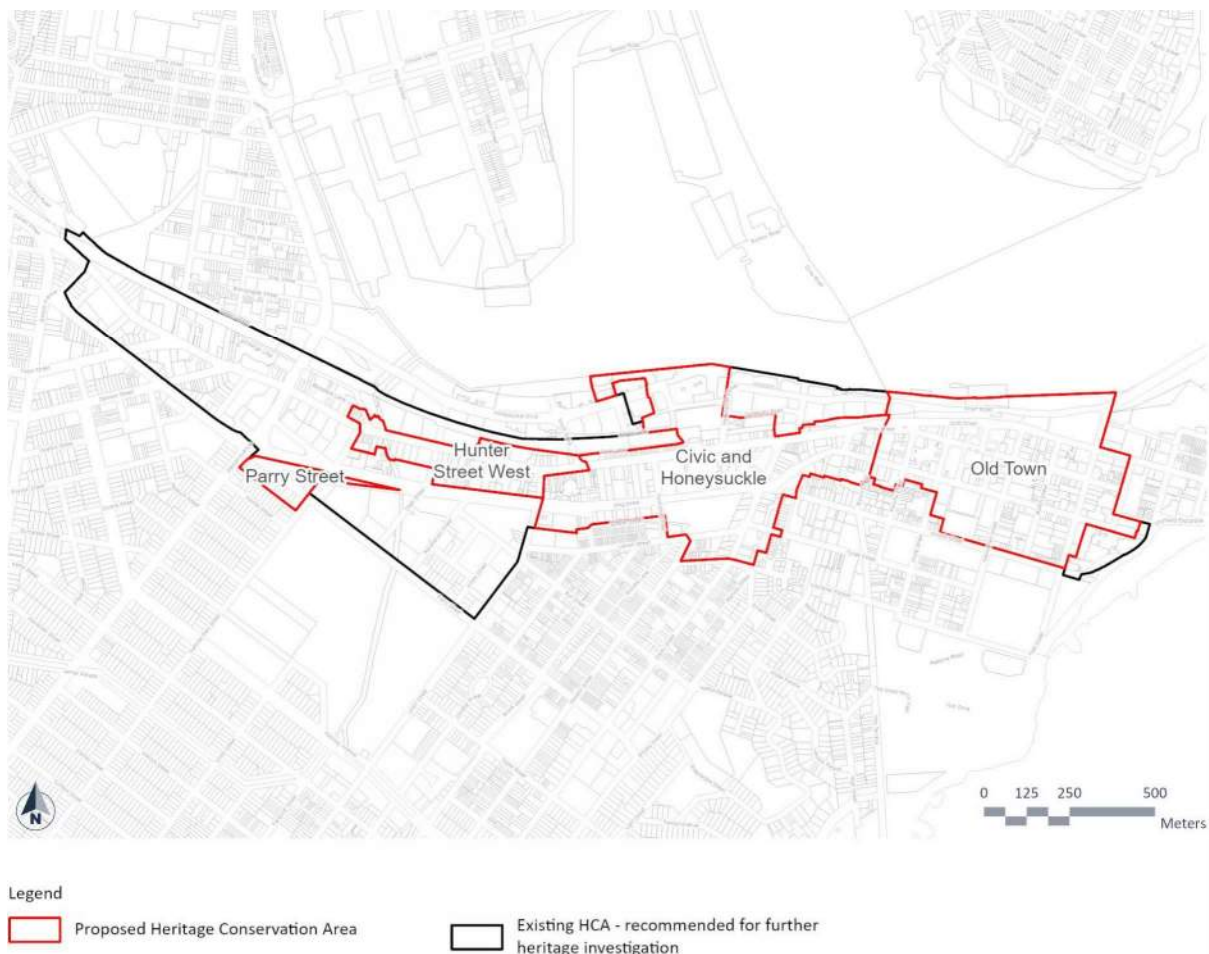


Figure 48: Proposed heritage conservation areas to replace part of the Newcastle City Centre Heritage Conservation Area

The four proposed HCAs (**refer to Figure 48**) are discussed separately in chapters six to nine which follow. This includes separate reviews of the proposed boundaries, land use zoning, height of building and floor space ratio, the Newcastle City Centre boundary, and heritage items for each of these areas.

CHAPTER SIX – OLD TOWN HERITAGE CONSERVATION AREA

6.1 Introduction

This section documents the proposed Old Town Heritage Conservation Area, located in the Newcastle City Centre. It is bounded by Pacific Street at its east, Brown Street at its west, Church and King Streets to the south and to the north by the harbour. A map of the HCA is reproduced in **Figure 49**.

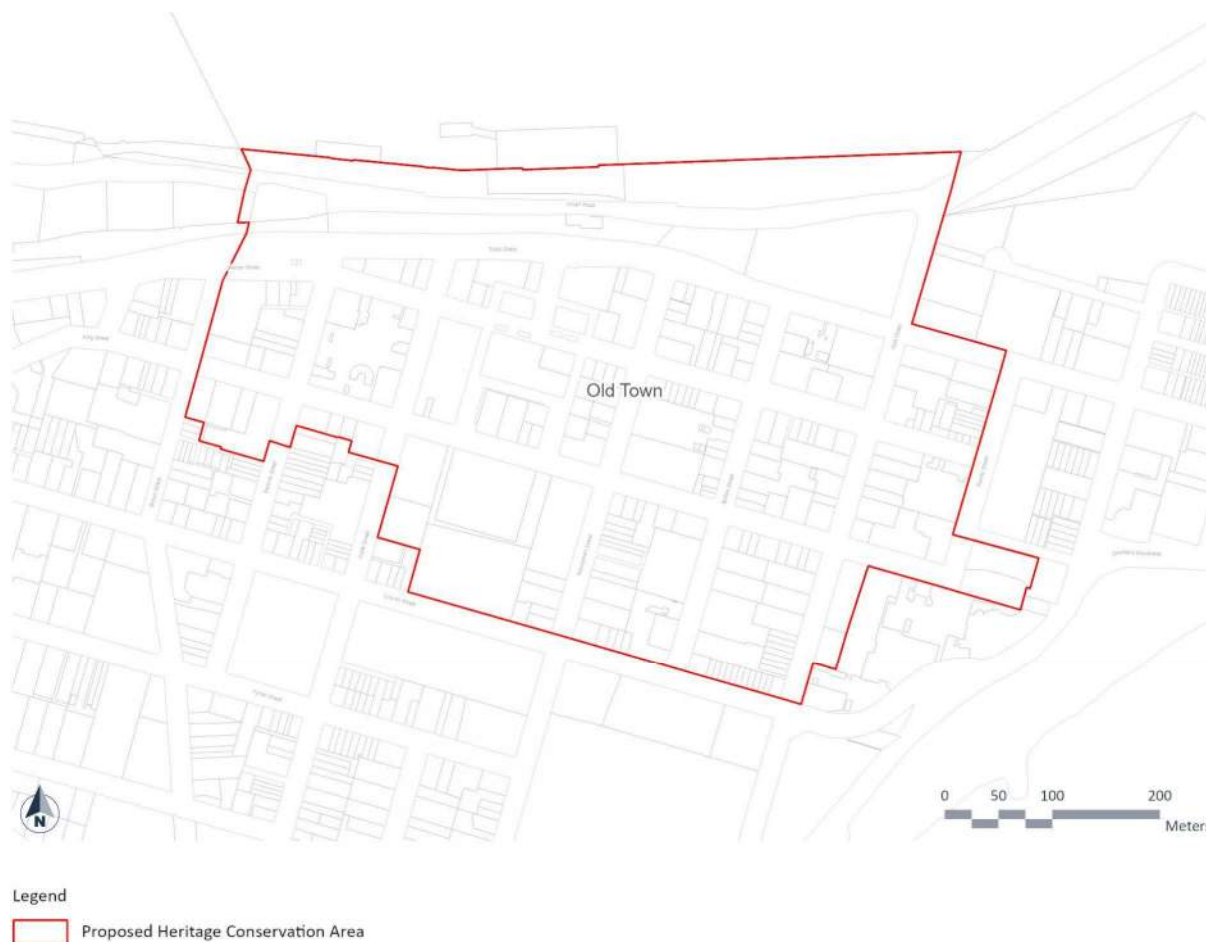


Figure 49: Proposed Old Town Heritage Conservation Area (Proposed Boundary)

6.2 History

Refer to Sections 3.2 and 3.3 for the Aboriginal and historical context of the study area.

6.3 Physical Description

The Old Town HCA comprises an area of predominantly flat land along the northern side of the Newcastle peninsula below and rising up to the steep slopes of The Hill (**refer to Figure 49**). It contains iconic sites of cultural significance to the local Aboriginal community, including the harbour landscape of Muluubinba. Newcastle Railway Station, Newcastle Signal Box, Great Northern Hotel, Newcastle Post Office, Christ Church Cathedral, Cathedral Park, Manufacturer's House, Former Nurses Home, T&G Mutual Life Assurance Building, Victoria Theatre, David Cohen & Co Warehouse, Toll Cottage (formerly Rose Cottage), and the Church and Watt Street Terraces Group are heritage places of state significance that define the Old Town.

The proximity and views of the harbour to the north framed by the steep topography of The Hill and the imposing landmark of Christ Church Cathedral to the south are an important aspect of Old Town's urban character. Views of townscape interest include the tower of Christ Church Cathedral atop The Hill, the view down the Hunter Mall section of Hunter Street, and the fine grain grid system provides channelled views over the harbour along Perkins, Wolfe, Newcomen and Watt Streets.

Market Street Lawn and Newcastle Foreshore are an important element of the amenity and physical character of Old Town and provide views of the tower of Christ Church Cathedral and an attractive setting for Newcastle Railway Station, Newcastle Signal Box, and the working harbour beyond.

In summary, the physical character of the Old Town is defined by a range of historically, culturally and visually significant built, natural and landscape features (**refer to Figures 50 to 58**). These features include:

- Fine grain, grid system of streets and laneways from Pacific Street in the east to Brown Street in the west, Scott Street to the north and Church/King Streets to the south,
- Diverse built form demonstrated by the diversity of building types and architectural styles - retail, warehousing, and apartments of mostly Victorian, Inter-War, or late twentieth century to the present day reflecting varying periods of economic prosperity and building activity. In particular, the economic wealth generated by the port of Newcastle is expressed in its fine stock of nineteenth century and early twentieth century commercial and retail buildings.
- Original building stock and infill provides a consistent street wall height of between two and four storeys, with more recent taller built elements setback on podiums.
- A dense grouping of heritage item buildings, with most building stock in the HCA contributing to the character of the HCA.
- The parks of Market Street Lawn and Newcastle Foreshore facilitate a visual and physical connection between the town and the harbour.
- A rich pre-contact and convict/early settler archaeological record.
- Views out to the port of Newcastle and harbour mouth, the traditional harbour landscape of Muluubinba.
- Christ Church Cathedral, Newcastle Railway Station, T&G Mutual Life Assurance Building and Newcastle Post Office are significant heritage landmarks.



Figure 50: Newcastle Railway Station at 110 Scott Street, Newcastle (Source: Google Streetview)



Figure 51: 90 and 55 Hunter Street, Newcastle - view east towards T&G Mutual Life Assurance Building at 45 Hunter Street, Newcastle (Source: Google Streetview)



Figure 52: Newcastle Post Office and War Memorial Statue at 96-100 Hunter Street, Newcastle (Source: Google Streetview)



Figure 53: Church and Watt Street Terraces Group, Newcastle (Source: Google Streetview)



Figure 54: Newcastle Signal Box at 155 Wharf Road, Newcastle with the tower of Christ Church Cathedral in background (Source: Google Streetview)



Figure 55: David Cohen & Co Warehouse at 50 Bolton Street, Newcastle (Source: Google Streetview)



Figure 56: Newcastle Hospital North Wing at 2 Ocean Street and Former Nurses' Home (Royal Newcastle Hospital - The Club Building) at 30 Pacific Street, Newcastle (Source: Google Streetview)



Figure 57: The Great Northern Hotel at 89 Scott Street, Newcastle (Source: Google Streetview)



Figure 58: Market Street Lawn and Newcastle Foreshore - 130 Wharf Road facing west (Source: Google Streetview)

6.4 Previous Heritage Studies

Refer to Section 5.5 for previous heritage studies for the Old Town area.

6.5 Assessment of Heritage Significance

Applying the NSW Heritage Criteria

In revising the assessment of heritage significance for the area, the NSW heritage assessment guidelines and the NSW heritage criteria has been applied as expressed below:

- *Criterion a - An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area):*

Old Town HCA is significant for its role in the course of the history of New South Wales, including being a place of documented first contact between Aboriginal people and the British. It is important in the course of NSW's history as the site of the Colonial government's attempt to control and punish recidivist convicts, through the proclamation by Governor King of the penal settlement in 1804, which continued for an 18 year period until 1822. In 1823, shortly after the penal period, the Old Town's streets were laid out by Surveyor General Henry Dangar. Remnant buildings from this period include 'Claremont' of the Newcastle Club (c.1840) and Rose Cottage (c.1850). This grid street pattern complemented by the terminus of the Great Northern Rail Line in 1878, and its fine stock of nineteenth century and early twentieth century commercial and retail buildings established the Old Town area as the commercial core of Newcastle. A situation reinforced in its formative years by the constraints of the AA Company's land ownership beyond Brown Street which held back urban development west of the city until its coal mining monopoly was broken in the 1850s. Old Town remained the city's commercial core until its gradual decline towards the end of the twentieth century.

Old Town HCA is important for its ongoing existence as an urban settlement which is demonstrated by the rich archaeological heritage from the early convict settlement period through to the present day. This significant archaeological record also documents the continuous and extensive Aboriginal occupation. The pre contact traditions and life ways of the Aboriginal people of Muluubinba, who through the ongoing connections of its traditional custodians maintain an attachment to the area today. Following the arrival of the British, Aboriginal associations are recorded in paintings and records of the penal period and the decades that followed.

- *Criterion b - An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area):*

The Old Town HCA has special associations with the convict history of Australia, being a place of secondary punishment for reoffending convicts between 1804-1822. The first administrators of the colony and some of the first European navigators are associated with the area, including Lieutenant Shortland, Governors King and Hunter, and numerous others of importance in the history of early colonial Australia, including Commandant Wallis and Commandant Morisset.

The Old Town's layout by Surveyor General Henry Dangar* in 1823 is still visible in the city's streets, and is an element of historical value, particularly in the vicinity of Thorn, Keithley, Hunter and Market Streets, with the original axis from Christ Church to the Harbour via a market square partly re-instated by recent development activity. Toll Cottage (formally Rose Cottage) is one of Newcastle's oldest buildings, represents an early subdivision of the allotment originally planned by Dangar, and shares

associations with the city's convict origins, being constructed in the 1850s using materials from older building stock.

* *Dangar was an explorer and pastoralist. He owned several large farms including the property on which the Myall Creek Massacre took place in 1838. Today he is recognised, along with many other colonial administrators at that time were significantly involved in the dispossession of Aboriginal people from their traditional lands and the Frontier Wars which followed.*

- *Criterion c - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area):*

Old Town HCA is important urban cultural landscape in that it demonstrates aesthetic characteristics that define the evolution of an early Australian city established during the earliest phases of Australia's development into a modern nation, and that has evolved a rich urban fabric that represents over 200 years of urban development. These aesthetic features include:

1. Buildings that represent architectural styles and construction technologies predominantly from the Victorian, Federation, and Inter War periods of urban development.
2. A Strongly homogenous street and lot layout developed to a human scale based on Dangar's Old Town Plan of 1823.
3. The historic commercial retail streetscapes of Hunter and King streets provide an east-west spine and strongly contribute to the character of the suburb.
4. Streetscapes and vistas outwards and inwards which strongly contribute to the character of the suburb. This includes visual connections between the working harbour, Fort Scratchley and the tower of Christ Church Cathedral.
5. The steep rise in topography south from the edge of Hunter Street up towards Christ Church Cathedral on The Hill is accommodated in the streetscape by a series of stairs, handrails, and retaining walls.
6. The corner façade of the David Jones Building, the domes and colonnades of the Post Office Building, and the tower of the T&G Building are prominent landmark features which help to orientate the visitor.
7. The areas of parkland that are an integral element of Old Town including the Foreshore and Market Street Lawn. These public spaces provide views of the tower of Christ Church Cathedral and an attractive setting for Newcastle Railway Station and Newcastle Signal Box, the former railway and port infrastructure that they have replaced.

- *Criterion d - An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;*

Feedback from residents and businesses in 2023 revealed that the community significantly value the character and physical elements of Old Town 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. The area meets this criterion on cultural grounds at the local level.

- *Criterion e - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);*

Given the high rate of survival of key elements of the early urban settlement of Newcastle, the area has the potential to yield information that will contribute to understanding aspects of Newcastle's cultural history, and more broadly to the State of NSW. This includes the capacity to yield information about the cessation of a penal settlement and its evolution to a modern city. Also for its ability to demonstrate elements of the early development of Newcastle as well as the system of land subdivision and crown grants following the cessation of the penal colony mining. There also remains the potential for Aboriginal objects of conservation value to be present in the area due to its proximity to the former course of the Coquun (Hunter River) which ventured further south when compared to today.

- *Criterion f - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area):*

There is rare surviving archaeological evidence associated with the convict settlement period as the earliest penal settlement outside of Sydney, and one of few such places to be established in NSW.

- *Criterion g - An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).*

Old Town contains many surviving elements of the early 19th and 20th centuries and the processes of urbanisation. It demonstrates these characteristics in its key elements including building stock and the relationship of buildings to the street and each other, street layout including laneways, along with heritage items and green space.

Statement of Significance

The Old Town 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 by the sea and the harbour.

Toll Cottage (formally Rose Cottage) is one of Newcastle's oldest buildings, represents an early subdivision of the allotment originally planned by Dangar, and shares associations with the city's convict origins, being constructed in the 1850s using materials from older building stock. Newcastle has a rich archaeological record of national significance, with the potential to yield information about the early convict settlement and early industrial activities. The city area is known to have been a place of contact between colonists and the Indigenous population. This evidence is available in historical accounts and in the archaeological record surviving beneath the modern city.

The high numbers of commercial and civic buildings of the 19th and 20th centuries gives the city a rich historic character which is notable and allows an understanding of the importance of the city as a place of commerce, governance and city building. The historical foundation of the city was the discovery and exploitation of coal with good shipping access via a safe and navigable harbour. The

town's layout by Surveyor General Henry Dangar in 1823 is still visible in the city's streets, and is an element of historical value, particularly in the vicinity of Thorn, Keightley, Hunter and Market Streets, with the original axis between Christ Church and the Harbour via a market square partly re-instated by recent development activity.

The architectural values of the Old Town HCA are to be found in the high quality of buildings, in the landscape settings of many of them, in the style, scale and detail, and in the contribution to the streetscape. The overall impression of Old Town is a strongly established historic precinct.

Key visual elements include:

- Buildings that represent architectural styles and construction technologies predominantly from the Victorian, Federation, and Inter War periods of urban development.
- A Strongly homogenous street and lot layout developed to a human scale based on Dangar's Old Town Plan of 1823.
- The historic commercial retail streetscapes of Hunter and King streets provide an east-west spine and strongly contribute to the character of the suburb.
- Streetscapes and vistas outwards and inwards strongly contribute to the area's character. This includes visual connections between the working harbour, Fort Scratchley and the tower of Christ Church Cathedral.
- The corner façade of the David Jones Building, the domes and colonnades of the Post Office Building, and the towers of Christ Church Cathedral and the T&G Building are prominent landmark features which help to orientate the visitor.
- The areas of parkland that are an integral element of Old Town include the Foreshore and Market Street Lawn. These public spaces provide views of the tower of Christ Church Cathedral and an attractive setting for the Newcastle Railway Station and Signal Box, the former railway and port infrastructure they have replaced.

- Key Period of Significance - circa 1801 to 1940.

Recommendation

The above assessment of heritage significance follows the standard Heritage Assessment Guidelines and the NSW state heritage criteria. As a result, it is recommended that the area be protected through the mechanism of a statutory HCA referred to as the Old Town Heritage Conservation Area, in a future LEP amendment.

6.6 Comparative Assessment

The Old Town area is rare at the state level for its pre-1840s grid system layout and its pre-contact Aboriginal and early convict settlement archaeological layers surviving beneath the modern city, comparable only with NSW's other convict settlements at Sydney's The Rocks, Paramatta and Port Macquarie. It is locally rare for the high concentration, integrity and intactness of late nineteenth and early twentieth century commercial and retail buildings, comparable locally with the HCAs of Civic and Honeysuckle, Darby Street in Cooks Hill, Hunter Street, and Hamilton Business Centre.

6.7 Threatening Processes

Some issues that undermine the integrity and intactness of the Old Town HCA include:

- Unsympathetic development that is out of scale or not designed as sensitive infill that replaces original building stock, or that alters and adds to contributory buildings.
- Erosion of views to the tower of Christ Church Cathedral and its visual connections to the harbour and Fort Scratchley.
- Facadism of local heritage item buildings rather than retention of their three-dimensional form and adaptive re-use.
- The painting of exposed face brick and stone of existing building facades and front fencing.

6.8 Desired Future Character Statement

The DCP provides Desired Future Character Statements for each HCA. These guide development assessment and design planning. Should the Old Town area become an HCA replacing parts of the existing Newcastle City Centre and The Hill HCAs, it is recommended DCP 2023 be amended to include the following statement:

The character of the Old Town Heritage Conservation Area is made up of a variety of building styles that date from the 19th and early decades of the 20th century. The special character is to be preserved, celebrated and maintained through the retention of contributory buildings, existing subdivision pattern, and elements of visual interest.

Elements to be preserved and/or sensitively restored or reconstructed (based on evidence of original appearance) include:

- *Range of contributory and historic buildings constructed prior to the Second World War, particularly intact or historically significant groupings, heritage items, iconic structures, and the appearance and layout of streets.*
- *Existing subdivision pattern and street layout, including preserving the human scale of development, the integrity of laneways and the fine grain of Henry Dangar's 1823 'Old Town' plan in the Newcastle East End Precinct from Pacific Street to Brown Street, and from Church Street to Hunter Street.*
- *Exposed face brick and stone of existing building facades and front fencing.*
- *Street furniture such as sandstone kerbing and guttering, and other features of historical interest such as heritage items, public stairs, lanes, parks.*
- *Distinctive early industrial, warehouse and retail buildings, including prominent corner buildings.*
- *Views and vistas to and from significant cultural landmarks such as the T&G Building and former Newcastle Post Office. Views terminating at significant heritage buildings such as Fort Scratchley and the former Newcastle Courthouse. Views from Market Street Lawn, Newcastle Foreshore, Market Street and Morgan Street to the tower of Christ Church Cathedral. Views to the Hunter*

River from Cathedral Park and Christ Church Cathedral and also framed along Market, Watt and Newcomen Streets.

- *Views to and the visual interconnections between significant Aboriginal cultural landscape features including Whibayganba (Nobbys Head), Tahlbihn (Flagstaff Hill / Fort Scratchley), Burrabihngarn (Pirate Point, Stockton), Yohaaba (Port Hunter), Coquun (Hunter River: South Channel), Khanterin (Shepherds Hill), and Cathedral Park.*
- *Mature trees in the public domain, and parks and public spaces including Market Street Lawn.*
- *Items of heritage significance individually listed as heritage items in Schedule 5 of LEP 2012, including retention of the three-dimensional form and adaptive re-use of heritage item buildings.*
- *The rich record of relics and archaeological sites beneath the modern city.*

6.9 Contributory Buildings

Fieldwork was undertaken in January 2020 to establish the overall intactness of this area. The Contributory Buildings Map for the Old Town HCA (refer to **Figure 59**) grades the contribution of buildings to the streetscape character and heritage significance for the existing Newcastle City Centre and The Hill HCAs in which they are currently located. For definitions of contributory buildings, refer to Section 1.8. If the area is subject to the regulation of a new HCA to replace parts of the existing Newcastle City Centre and The Hill HCAs, an updated contributory buildings map for The Hill HCA and a new contributory buildings map for the Old Town area will be required.

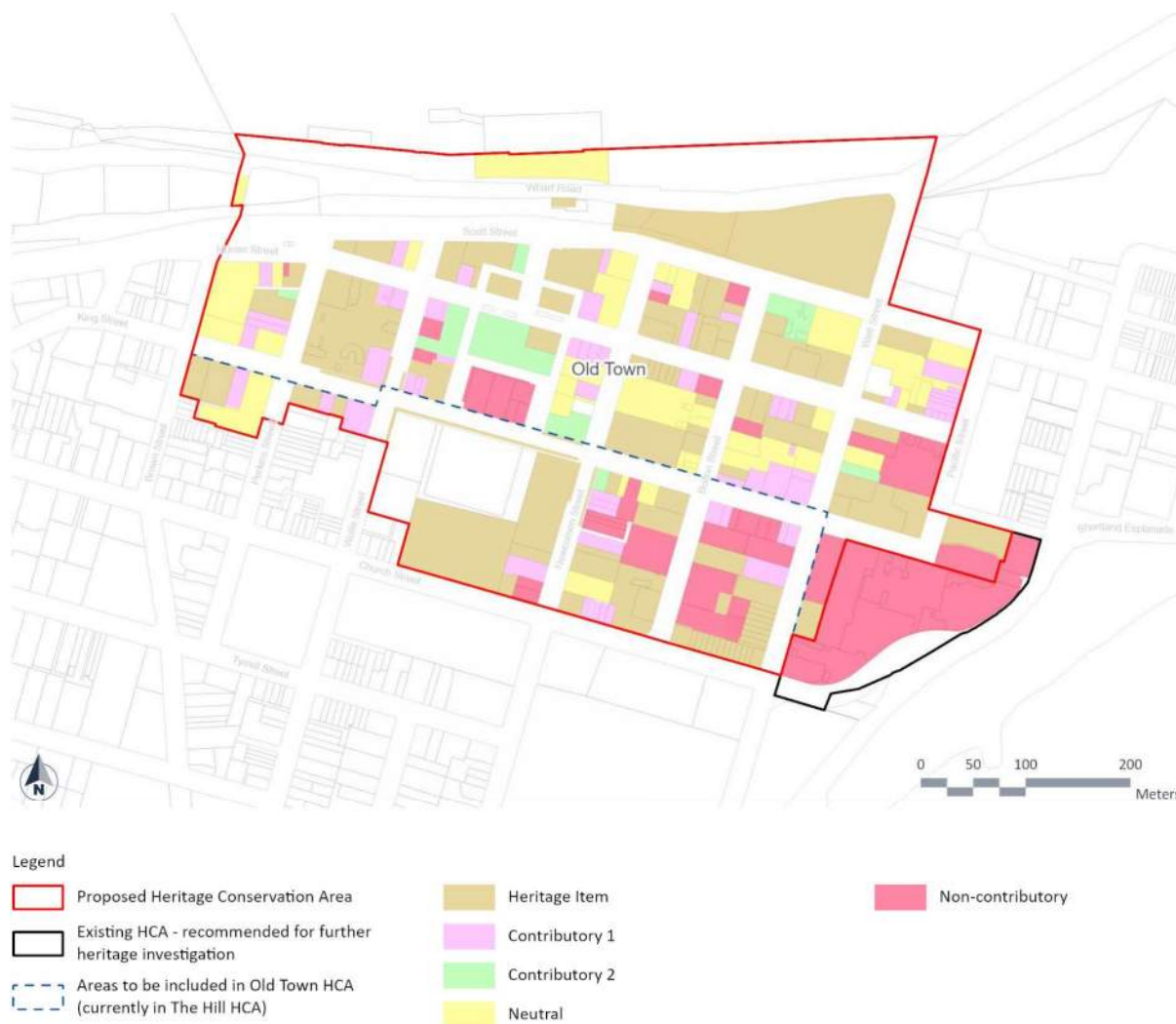


Figure 59: Proposed Old Town HCA - Contributory Buildings Map (Source: CN GIS 24 January 2020)

6.10 Community Engagement Feedback

Refer to Section 5.11 for community engagement feedback for the Old Town area of the existing Newcastle City Centre HCA.

6.11 Heritage Conservation Area Boundary

The boundaries of the existing Newcastle City Centre HCA were reviewed for land between Pacific Street and Brown Street. For this locality, overall, the existing boundaries of the HCA are considered appropriate to ensure the heritage significance of the area is retained and conserved, with a few exceptions.

The United Services Club at 55 Watt Street (LEP item I468) (**refer to Figure 60**), and the Newcastle Hospital North Wing at 2 Ocean Street (LEP item I442) (**refer to Figure 32**) are significant built elements of the HCA that should be retained and conserved. Furthermore, the low-rise commercial building located on the western side part of 45 Watt Street at the corner of Watt and King Streets provides a neutral contribution to the existing HCA, including the setting of the United Services Club and the significant streetscape character of Watt Street (**refer to Figure 62**). However, the land parcels in the street block between King Street, Ocean Street, Shortland Esplanade and Watt Street have recently been comprehensively and intensively re-developed with mixed-use medium to high rise buildings (**refer to Figures 61 and 62**). This no longer reinforces the special built character of Old Town.



Figure 60: United Services Club at 55 Watt Street, Newcastle (Source: Google Streetview)



Figure 61: 61 Shortland Esplanade and 1 King Street, Newcastle (Source: Google Streetview)



Figure 62: 45 Watt Street, Newcastle - corner of Watt and King streets facing east (Source: Google Streetview)

In addition, land parcels located both in the Newcastle City Centre boundary and the existing The Hill HCA were reviewed. This area applies to two street blocks between Watt and Newcomen streets to the south of King Street and north of Church Street (**refer to Figures 29 and 31**), and properties which address the south side of King Street between Wolfe and Brown streets (**refer to Figure 39**). The land

is situated within Dangar's 1823 Old Town Plan and, except for a few low-rise residential properties south of King Street, shares a development history and the commercial, mixed-use built character with the adjacent Newcastle City Centre HCA.



Figure 63: 115 King Street, Newcastle facing west (Source: Google Streetview)

This review found land in the street block of The Hill HCA (between King, Newcomen, Church and Wolfe streets) and within Dangar's 1823 Old Town Plan better identifies with Old Town HCA. Christ Church Cathedral and the former burial ground of Cathedral Park were integral components of that plan, and future protection of the significant visual connections between these elements, the working harbour and Fort Scratchley would be best managed and maintained if included in the proposed Old Town HCA. In addition, the properties on the western side of Newcomen Street (which includes Newcastle Club at 40 Newcomen Street - LEP Items I437 - The Newcastle Club and I438 - Claremont (Former Residence)) share a predominantly nineteenth century development history and low-rise residential built character with those on the eastern side of Newcomen Street directly opposite (**refer to Figure 64**). As such, the east and west sides of Newcomen Street should be included in the boundary of the proposed Old Town HCA. The land at 45-49 Wolfe Street, 54, 56, 58, 60 and 64 Church Street (**refer to Figure 65**) should remain in The Hill HCA as these properties share a late nineteenth and early twentieth century development history and low-rise residential built character with those on the western side of Wolfe Street (with the notable exception of the inter-war and mid-rise (seven storey) Segenhoe Flats at 50 Wolfe Street - LEP item I478 & SHR ID 02038) and the residential properties continuing west along the north side of Church Street.



Figure 64: 44 Newcomen Street, Newcastle facing north (Source: Google Streetview)



Figure 65: 58 Church Street, The Hill facing west (Source: Google Streetview)

Amendments to the LEP maps for the Old Town area are recommended (refer to **Figure 66**) below:

- The existing Newcastle City Centre HCA between Pacific and Brown streets is renamed the Old Town HCA.
- Retain in the existing Newcastle City Centre HCA all land parcels in the street block between King Street, Ocean Street, Shortland Esplanade and Watt Street (with the exception of the United Services Club at 55 Watt Street, the low-rise western part of 45 Watt Street at the corner of Watt and King streets, and the Newcastle Hospital North Wing at 2 Ocean Street which are added to the Old Town HCA). Further investigation is recommended to assess whether the remnant area meets NSW assessment criteria for an HCA. This includes investigating potential new LEP heritage item listings for any buildings ranked as Contributory 1 or Contributory 2 items in that area.
- Boundary adjustments to The Hill HCA so all land parcels located both in the Newcastle City Centre boundary and the existing The Hill HCA are added to the Old Town HCA (except for 15, 17 and 19 Brown Street, 27 and 29 Perkins Street, and 6 Noster Place which remain in The Hill HCA).

- Boundary adjustments to The Hill HCA to remove land parcels in the street block between King, Newcomen, Church and Wolfe streets adding them to the Old Town HCA (except for 45-49 Wolfe Street, 54, 56, 58, 60 and 64 Church Street which will remain in The Hill HCA).



Figure 66: Proposed changes to The Hill Heritage Conservation Area (Source: CN GIS 24 January 2020)

6.12 Newcastle City Centre Boundary

The Newcastle City Centre boundary was reviewed for land parcels in the existing Newcastle City Centre HCA between Pacific Street and Brown Street. Overall, it is considered appropriate that this land will remain in the Newcastle City Centre boundary as the LEP provisions for this area align with the heritage significance and desired future character of the proposed Old Town HCA.

In addition, the Newcastle City Centre boundary was reviewed for land parcels between Watt, Church and Brown streets located in the existing The Hill HCA. Again, overall, it is considered appropriate that this land will remain in the Newcastle City Centre boundary as the LEP provisions for the Newcastle

City Centre are commensurate with the heritage significance and desired future character of the proposed Old Town HCA, with one exception.

The review identified a handful of land parcels in the existing Newcastle City Centre boundary located behind the commercial properties situated along the southern side of King Street, which consist of low-rise two to three storey residential dwellings (**refer to Figures 67 and 68**). These dwellings contribute to the heritage significance of The Hill HCA and share a development history and built character with the other neighbouring residential properties in The Hill to the south, rather than the more intensively developed commercial properties which address King Street to the north. The continued retention and conservation of these residential properties is at odds with the LEP provisions for the Newcastle City Centre which is tailored to encouraging larger scale commercial and mixed-use development.

The review identified a few land parcels adjacent to the Newcastle City Centre boundary at 93 King Street, Newcastle zoned, RE1 Public Recreation, known as Cathedral Park, that are rich in archaeology as a former burial ground for Christ Church Cathedral (LEP item A6 - Cathedral Park and Cemetery) and once the site of an early colonial settler home (LEP item A16 - Former Mulimbah House Site). This 0.88ha, regionally significant public park provides an important recreational amenity and cultural heritage attraction for residents, workers and visitors of Newcastle City Centre and The Hill (**refer to Figure 69**). As such the existing and future use of this land is consistent with the LEP provisions for the Newcastle City Centre which includes the promotion of recreational and tourism opportunities.

However, it is recommended that all other land parcels in this same street block between King, Newcomen, Church and Wolfe streets (which includes Christ Church Cathedral and the Newcastle Club) remain outside the Newcastle City Centre boundary as this land is zoned R3 Medium Density Residential. The LEP provisions for the Newcastle City Centre are tailored to encouraging larger scale commercial and mixed-use development. As such, the continued retention and conservation of these low-rise two storey civic and residential properties is best served by continuing to exclude this land from the Newcastle City Centre.

As such, the following is recommended:

- Minor adjustments to the Newcastle City Centre boundary to remove land parcels 15, 17 and 19 Brown Street; 27 and 29 Perkins Street; and 6 Noster Place (**refer to Figure 70**).
- Minor adjustments to the Newcastle City Centre boundary to add land parcels for Cathedral Park at 93 King Street, Newcastle (**refer to Figure 70**).



Figure 67: 15, 17 and 19 Brown Street, Newcastle (Source: Google Streetview)



Figure 68: 6 Noster Place, Newcastle (Source: Google Streetview)



Figure 69: 93 King Street, Newcastle - Cathedral Park (Source: Google Streetview)



Figure 70: Recommended Newcastle City Centre boundary in Old Town locality

6.13 Land use zoning

A review of the land use zoning within the boundary of the proposed Old Town HCA was undertaken. Overall, the existing land use zoning is considered appropriate and compatible with retaining and conserving the heritage significance of the proposed HCA.

Though outside the boundary of the proposed Old Town HCA, the review has identified a handful of land parcels in The Hill HCA also located in the existing Newcastle City Centre boundary which consist of low-rise two to three storey residential dwellings (refer to **Figures 67 and 68**). The subject land currently has a land use zoning of MU1 Mixed Use, which is inconsistent with the current use and built form on the land and would conflict with the conservation objectives that this review proposes. These residential dwellings contribute to the heritage significance of The Hill HCA and share a development history and built character with the other neighbouring residential properties in The Hill to the south which are zoned R3 Medium Density Residential. This is in stark contrast to the adjacent more intensively developed commercial properties which address King Street to the north zoned MU1 Mixed Use (Note: land identified in **Figure 40** which is proposed to be relocated from the existing The

Hill HCA to the proposed Old Town HCA). As such, in tandem with the recommended changes to the Newcastle City Centre boundary, the following is recommended:

- Amendments to LEP maps to change the land use zoning of land parcels 15, 17 and 19 Brown Street, 27 and 29 Perkins Street, and 6 Noster Place from MU1 Mixed Use to R3 Medium Density Residential (**refer to Figure 71**).

6.14 Minimum lot size, height of buildings and floor space ratio

A review considered the minimum lot size, height of buildings (HOB) and floor space ratio (FSR) development standards for land parcels in the Newcastle City Centre boundary between Pacific Street and Brown Street, currently located either in the Newcastle City Centre or The Hill HCAs. Overall, the existing minimum lot size, HOB and FSR development standards applied are considered appropriate and compatible with retaining and conserving the heritage significance of the proposed Old Town HCA.

Though outside the boundary of the proposed Old Town HCA, the review has identified a handful of land parcels in The Hill HCA also located in the existing Newcastle City Centre boundary which consist of low-rise two to three storey residential dwellings (**refer to Figures 67 and 68**). These dwellings contribute to the heritage significance of The Hill HCA and share a development history and built character with the other neighbouring residential properties in The Hill to the south, rather than the adjacent more intensively developed commercial properties which address King Street to the north. However, the land currently has a maximum building height of 14m and an FSR of 1.5:1, which is inconsistent with the current built form on the land and would conflict with the conservation objectives that this review proposes. HOB and FSR does not necessarily promote the best heritage outcome for a low-rise residential area as it can provide perception and expectation of building envelope entitlement, resulting in a built form that inadequately respects the character and significance of the existing building stock. CN does not currently apply numeric HOB or FSR development standards to residential zoned properties on HCA land located outside Newcastle City Centre boundary.

To ensure consistency with development standards of neighbouring residential properties in The Hill to the south, these identified residential land parcels should have a minimum lot size of 400m.

As such, in tandem with the recommended changes to the Newcastle City Centre boundary and land use zoning, the following is recommended:

- Amendments to LEP maps to remove the HOB and FSR development standards from land parcels at 15, 17 and 19 Brown Street, 27 and 29 Perkins Street, and 6 Noster Place (**refer to Figure 71**).
- Amendments to LEP maps to add minimum lot size of 400m to land parcels at 15, 17 and 19 Brown Street, 27 and 29 Perkins Street, and 6 Noster Place (**refer to Figure 71**).

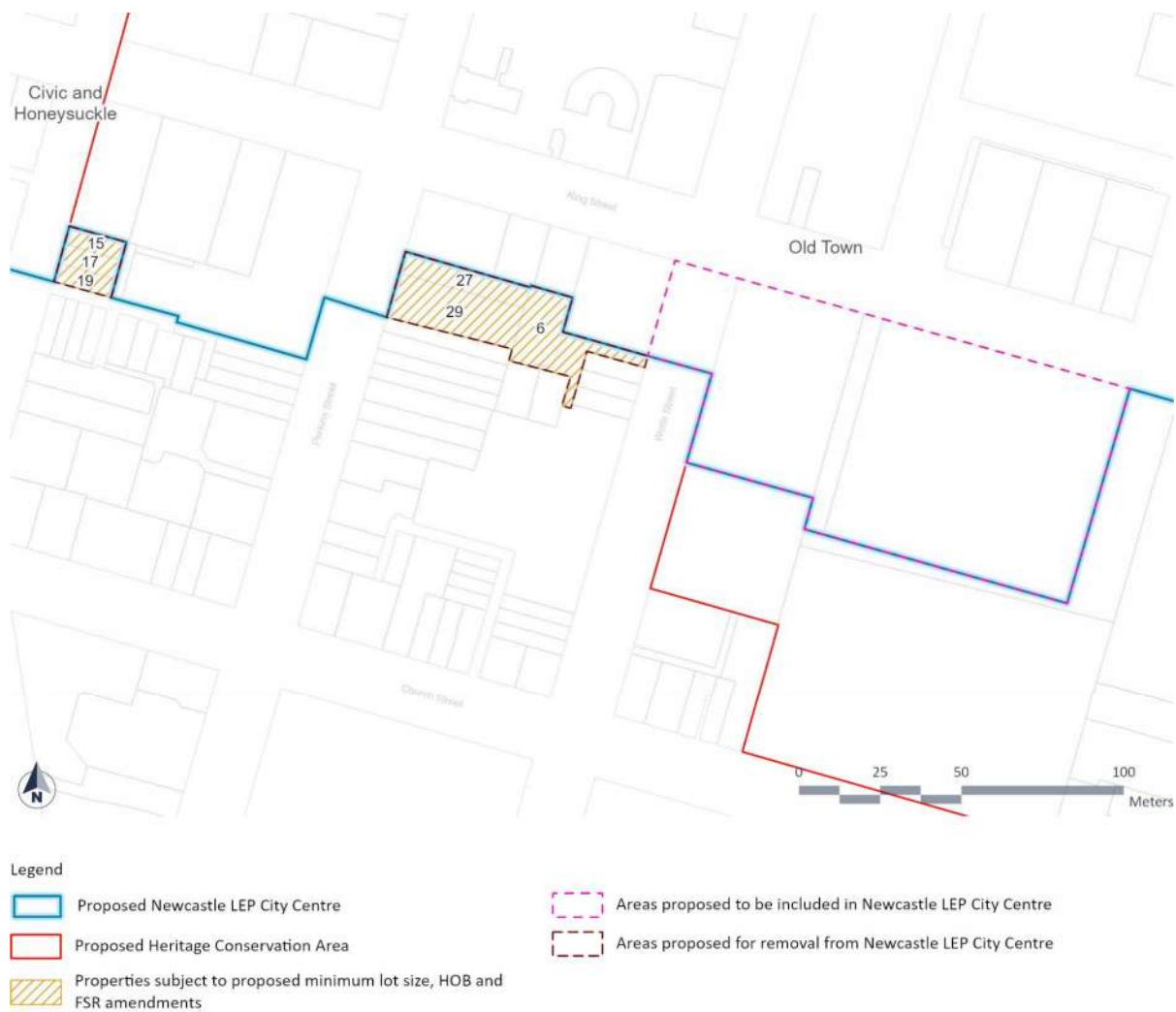


Figure 71: Land at 15, 17, and 19 Brown Street, 27 and 29 Perkins Street, and 6 Noster Place, Newcastle

6.15 Heritage Items

Identified by the assessment above and from community engagement feedback, it is recommended the following new LEP heritage items and amendments to existing LEP heritage items be investigated:

- War Memorial Statue, Hunter Street - investigate new LEP listing.
- Other places in the HCA identified from the community engagement feedback as having potential cultural heritage merit will be investigated for LEP listing in a future heritage study.

CHAPTER SEVEN – CIVIC AND HONEYSUCKLE HERITAGE CONSERVATION AREA

7.1 Introduction

This section documents the proposed Civic and Honeysuckle Heritage Conservation Area, located in the Newcastle City Centre, which is bounded by Brown Street at its east, Union Street and Worth Place at its west, King Street and Civic Park to the south and by the harbour to the north. A map of the HCA is reproduced in **Figure 72**.

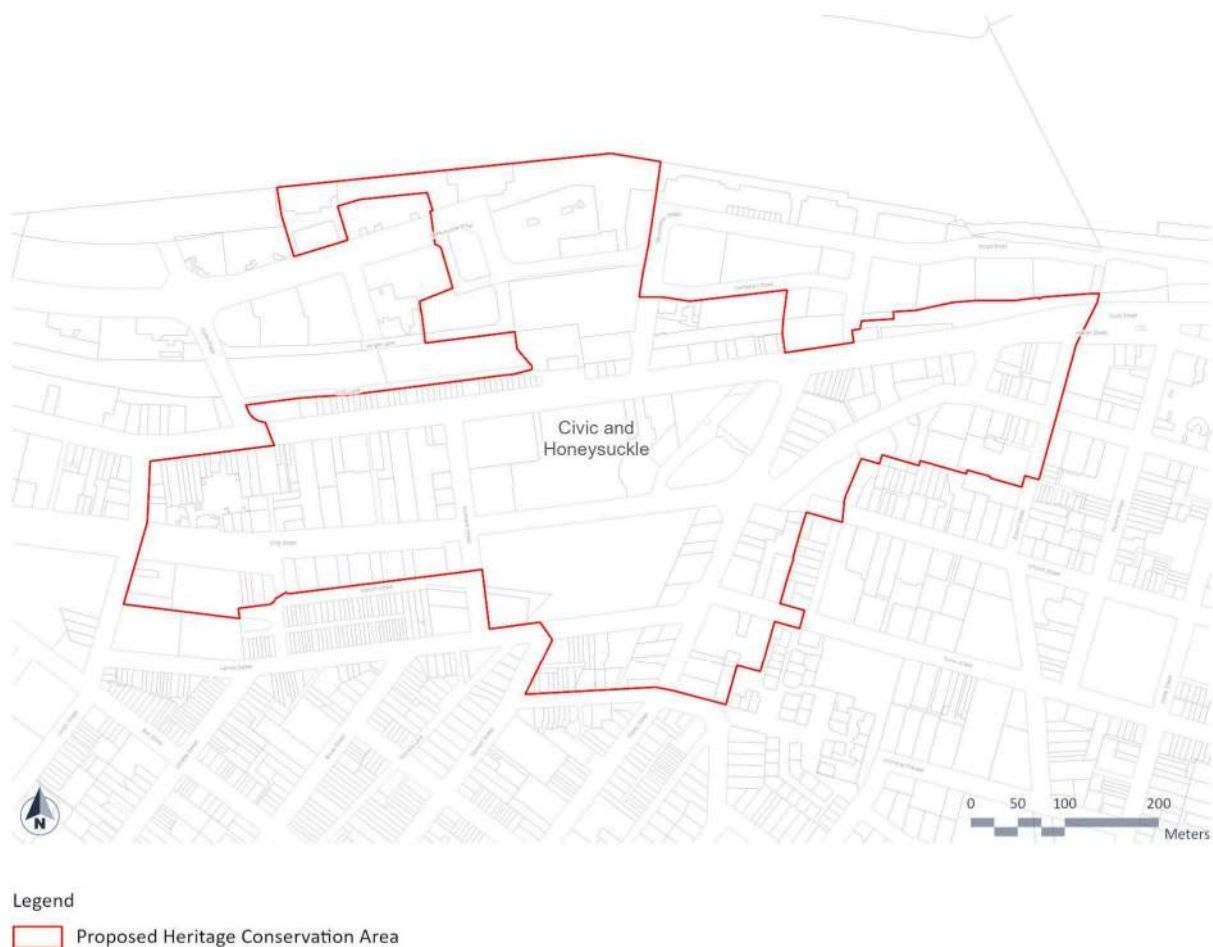


Figure 72: Proposed Civic and Honeysuckle Heritage Conservation Area (Proposed Boundary)

7.2 History

Refer to Sections 3.2 and 3.3 for the Aboriginal and historical context of the study area.

7.3 Physical Description

The Civic and Honeysuckle HCA is an area of predominantly flat land along the northern side of the Newcastle peninsula and in part below and rising up the steep slopes of The Hill (**refer to Figure 72**). It contains iconic sites of cultural significance to the local Aboriginal community, including the harbour landscape of Muluubinba. Civic Park, St Andrews Presbyterian Church, Newcastle War Memorial Cultural Centre, Nesca House, Newcastle City Hall and Civic Theatre, Former City Administration Building, Emporium Building, Civic Railway Station, Civic Railway Workshops, and Lee Wharf buildings are significant heritage places that define the Civic and Honeysuckle area.

The proximity and views of the harbour from the Honeysuckle public domain to the north, the east-west commercial spine of Hunter Street, and Civic Park at its centre are an important aspect of Civic and Honeysuckle's urban character. The series of public open spaces between Laman Street and Honeysuckle Drive are a significant element of the amenity and civic meeting space for the city which connect the regionally important clusters of city institutions and visitor attractions.

The physical character of the Civic and Honeysuckle area is defined by a range of historically, culturally and visually significant built, natural and landscape features (**refer to Figures 73 to 79**). These include:

- Diverse built form demonstrated by the diversity of building types and architectural styles – reflecting varying periods of economic prosperity and building activity. In particular, the economic wealth generated by the Newcastle port and steel manufacturing industry expressed in its fine stock of late nineteenth to early twentieth century and inter-war period civic, industrial, commercial office and retail buildings, apartments, and former industrial warehousing. This includes late Victorian, inter-war Art Deco, post-war Brutalist and late twentieth century to present day architecture.
- Original building stock and infill provides a consistent street wall height of two to four storeys.
- A dense grouping of heritage item buildings through the centre of the HCA between Laman Street and the harbour, with most building stock in the HCA contributing to its character in some way.
- Civic Park, Wheeler Place and Museum Park provide important civic meeting places and the setting for clusters of regionally important city institutions and visitor attractions.
- The precinct contains a rich pre-contact and nineteenth century settler-colonial archaeological record, including remnants of Australia's first railway at 280 Hunter Street.
- Views from Honeysuckle out to the port of Newcastle and harbour mouth, the traditional harbour landscape of Muluubinba.
- St Andrews Presbyterian Church, Newcastle City Hall, Former City Administration Building, Civic Railway Workshops, and Lee Wharf buildings are significant heritage landmarks.



Figure 73: Civic Park facing north (Source: Google Streetview)



Figure 74: No.2 Lee Wharf - Building C (Source: Google Streetview)



Figure 75: Wheeler Place facing south (Source: Google Streetview)



Figure 76: Civic Railway Workshops (Source: Google Streetview)



Figure 77: Museum Park, Civic Railway Station, and Civic Theatre, Newcastle facing east (Source: Google Streetview)



Figure 78: Corner of Crown and Hunter streets, Newcastle facing west (Source: Google Streetview)



Figure 79: Corner of Union and Hunter streets, Newcastle facing east with Emporium Building at 517 to 525 Hunter Street (Source: Google Streetview)

7.4 Previous Heritage Studies

Refer to Section 5.5 for previous heritage studies for the Civic and Honeysuckle area.

7.5 Assessment of Heritage Significance

Applying the NSW Heritage Criteria

In revising the assessment of heritage significance for the area, the NSW heritage assessment guidelines and the NSW heritage criteria has been applied as expressed below:

- *Criterion a - An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area):*

Civic and Honeysuckle HCA is significant as a record of the development of Newcastle and the transition from a coal town largely in the ownership of the Austrian Agricultural Company to an industrial city. It is also a place that is important in the course of NSW's cultural history as the site of Australia's oldest railway (the remnant AA Company bridge and pier at Hunter Street) and the first railway in the colony to carry public passengers (the Burwood Railway). Honeysuckle Railway Station (site of today's Honeysuckle Light Rail stop) was the original location for the terminus of the Great Northern Line in 1857 connecting freight and passengers with Sydney for the first time. The inter-war station building of Civic Railway Station assisted with the development of a new civic centre for Newcastle in the 1930s. The Lee Wharf buildings are historically significant as they are among the earliest surviving examples of the extensive cargo and commercial wharf facilities that once existed in the port of Newcastle.

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.

The commercial and retail buildings along Hunter and King Streets in the Civic and Honeysuckle HCA represent the city's development and trade during the late nineteenth and early twentieth centuries in a growing country. Many Victorian and Inter-war period buildings remain, most notably the Menkens designed Fred Ash Building and the Emporium Building.

Civic and Honeysuckle HCA is important for its ongoing existence as an urban settlement which is demonstrated by the rich archaeological heritage from the mid nineteenth century settler-colonial period through to the present day. This significant archaeological record also documents the continuous and extensive Aboriginal occupation. The pre contact traditions and life ways of the Aboriginal people of Muluubinba, who through the ongoing connections of its traditional custodians maintain an attachment to the area today. Following the arrival of the British, Aboriginal associations are recorded in paintings and records of the penal period and the decades that followed.

- *Criterion b - An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area):*

The original street pattern of the Civic and Honeysuckle HCA was established by the AA Company following the breaking of its monopoly on the city's coal mining industry in 1850 and the completion of subdivision works between Crown Street and Union Street in 1853. Burwood Street was formed by Dr James Mitchell's Burwood Railway in 1854.

Civic and Honeysuckle HCA has special associations with the civic cultural and institutional centre of Newcastle and the region. It is the location for the City's administration buildings, art gallery, regional library, and museum, a university campus, and several places of public worship. Civic Park is an important meeting place for civic events and public protest, and home to Newcastle's war memorials.

- *Criterion c - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area):*

Civic and Honeysuckle HCA is an important urban cultural landscape in that it demonstrates aesthetic characteristics that define the evolution of an early Australian city established during the earliest phases of Australia's development into a modern nation, and that has evolved a rich urban fabric that represents over 150 years of urban development. These aesthetic features include:

1. Buildings that represent architectural styles and construction technologies predominantly from the Victorian, Federation, and Inter War periods of urban development.
2. The historic commercial retail streetscapes of Hunter and King streets provide an east-west spine and strongly contribute to the character of the suburb.
3. The siting of Civic Park is significant within a civic centre, framed by buildings, most importantly the City Hall and the War Memorial Cultural Centre that reinforce the central axis and create an enclosed civic space with openings that form vistas.
4. The Lee Wharf buildings have a group quality which creates a visually appealing edge to the waterfront.
5. The spire of St. Andrews Presbyterian Church, the clock tower of Newcastle City Hall, and the glazed top floor of the Former City Administration Centre Building are prominent landmark features which help to orientate the visitor.
6. The areas of parkland and public domain that are an integral element of Civic and Honeysuckle including Civic Park, Church Walk Park, Christie Place, Wheeler Place, Museum Park, Honeysuckle Drive Reserve, and the Honeysuckle Waterfront.

- *Criterion d - An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;*

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. The area meets this criterion on cultural grounds at the local level.

- *Criterion e - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);*

Given the rate of survival of key elements of the nineteenth century urban settlement of Newcastle, the area has the potential to yield information that will contribute to understanding aspects of Newcastle's cultural history, and more broadly to the State of NSW. This includes the capacity to yield information about the industrial pattern of development and its evolution to a modern city. There also remains the potential for Aboriginal objects of conservation value to be present in the area due to its proximity to the former course of the Coquun (Hunter River) and Cottage Creek which respectively ventured further south and east when compared to today.

- *Criterion f - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area):*

This area is rare at the local level for the number of intact late nineteenth and early twentieth century civic, commercial, industrial, and retail buildings and its pre-contact Aboriginal and nineteenth century settler-colonial archaeological layers surviving beneath the modern city.

- *Criterion g - An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).*

Civic and Honeysuckle HCA is relatively intact, containing many surviving elements of the mid-19th to early 20th century and the processes of urbanisation. It demonstrates these characteristics in its key elements including building stock and the relationship of buildings to the street and each other, street layout including laneways, along with heritage items and green space.

Statement of Significance

The Civic and Honeysuckle Heritage Conservation Area is of heritage significance for its contribution to the civic and commercial life of Newcastle and its region. The mix of civic, commercial and retail 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 at the mouth of a harbour.

Civic and Honeysuckle is a place that is important in the course of NSW's cultural history as the site of Australia's oldest railway (the remnant AA Company bridge and pier at Hunter Street). Honeysuckle Railway Station (site of today's Honeysuckle Light Rail stop) was the original location for the terminus of the Great Northern Line, and the inter-war station building of Civic Railway Station assisted with the development of a new civic centre for Newcastle. The Lee Wharf buildings are historically significant as they are among the earliest surviving examples of the extensive cargo and commercial wharf facilities that once existed in the port of Newcastle.

Civic and Honeysuckle HCA is a record of the development of the civic centre of Newcastle over the last one hundred years with the establishment of Civic Park from an industrial site and the significant cluster of civic and administrative buildings including Newcastle City Hall and Civic Theatre, the War Memorial Cultural Centre, the Newcastle Art Gallery, and the University of Newcastle city campus.

Newcastle has a rich archaeological record, with the potential to yield information about the post convict settlement and early industrial activities. Most of the Civic and Honeysuckle area is traditionally known as Muluubinba and continues today to be a significant cultural place for its Traditional Custodians. Evidence from the pre-contact and early contact periods is available in historical accounts and in the archaeological record surviving beneath the modern city.

The architectural values of the Civic and Honeysuckle HCA are to be found in the high quality of buildings, in the landscape settings of many of them, in the style, scale and detail, and in the contribution to the streetscape. The overall impression of Civic and Honeysuckle is a strongly established historic precinct.

Key visual elements include:

- Buildings that represent architectural styles and construction technologies predominantly from the Victorian, Federation, and Inter War periods of urban development.
- The historic commercial retail streetscapes of Hunter and King streets provide an east-west spine and strongly contribute to the character of the suburb.
- The siting of Civic Park is significant within a civic centre, framed by buildings, most importantly the City Hall and the War Memorial Cultural Centre that reinforce the central axis and create an enclosed civic space with openings that form vistas.
- The Lee Wharf buildings have a group quality that is a visually appealing waterfront edge.
- The spire of St. Andrews Presbyterian Church, the clock tower of Newcastle City Hall, and the glazed top floor of the Former City Administration Centre Building are prominent landmark features which help to orientate the visitor.
- The areas of parkland and public domain that are an integral element of Civic and Honeysuckle including Civic Park, Church Walk Park, Christie Place, Wheeler Place, Museum Park, Honeysuckle Drive Reserve, and the Honeysuckle Waterfront.

- Key Period of Significance - circa 1850 to 1940.

Recommendation

The above heritage significance assessment followed the standard Heritage Assessment Guidelines and the NSW state heritage criteria. As a result, it is recommended that the area be protected through the mechanism of a statutory HCA and referred to as the Civic and Honeysuckle Heritage Conservation Area, in a future LEP amendment.

[7.6 Comparative Assessment](#)

The Civic and Honeysuckle area is locally rare for the high concentration, integrity and intactness of late nineteenth and early twentieth century commercial, industrial and retail buildings, comparable locally with the HCAs of Old Town, Darby Street in Cooks Hill, Hunter Street, and Hamilton Business Centre and the industrial rail heritage at the Broadmeadow Railway Locomotive Depot at 25 Cameron Street, Broadmeadow (LEP Item I46, SHR ID 01100) and the Railway Goods Shed at 76 Cowper Street,

Wallsend (LEP Item I632, SHR ID 00739). The civic buildings and associated public spaces of the HCA are comparable nationally with Hyde Park in Sydney and Brisbane City Hall in Brisbane.

7.7 Threatening Processes

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.
- Facadism of local heritage item buildings rather than retention of their three-dimensional form and adaptive re-use.
- The painting of exposed face brick and stone of existing building facades and front fencing.

7.8 Desired Future Character Statement

Desired Future Character Statements for each HCA are provided in the DCP as a clear guide for development assessment and design planning. If the Civic and Honeysuckle area is subject to the regulation of a new HCA to replace parts of the existing Newcastle City Centre, The Hill and Cooks Hill HCAs, it is recommended DCP 2023 be updated to include the following statement:

The character of the Civic and Honeysuckle Heritage Conservation Area is made up of a variety of building styles that date from the 19th and early decades of the 20th century. The special character is to be preserved, celebrated and maintained through the retention of contributory buildings, existing subdivision pattern, and elements of visual interest.

Elements to be preserved and/or sensitively restored or reconstructed (based on evidence of original appearance) include:

- *Range of contributory and historic buildings constructed prior to the Second World War, particularly intact or historically significant groupings, heritage items, iconic structures, and the appearance and layout of streets.*
- *Existing subdivision pattern and street layout, including preserving the human scale of development, the integrity of laneways, the fine grain and the groupings of contributory late 19th century and art deco buildings which predominate in the cultural, educational and administrative Civic Precinct between Brown and Union streets.*
- *Exposed face brick and stone of existing building facades and front fencing.*
- *Street furniture such as sandstone kerbing and guttering, and other features of historical interest such as heritage items, public stairs, lanes, parks.*
- *Distinctive early industrial, warehouse and retail buildings, including prominent corner buildings.*

- *Views and vistas to and from significant cultural landmarks such as the Newcastle City Hall, St Andrews Presbyterian Church and the former City Administration Building. Views to the Coquun (Hunter River) are protected and framed along Honeysuckle Drive and Honeysuckle Foreshore.*
- *The setting of Civic Park, a public space framed by Church Walk Park and the significant civic heritage buildings of the former City Administration Building, Newcastle City Hall, Nesca House, St Andrews Presbyterian Church, the Baptist Tabernacle and the Newcastle War Memorial Cultural Centre.*
- *Views to and the visual interconnections between significant Aboriginal cultural landscape features including Whibayganba (Nobbys Head), Tahlbihn (Flagstaff Hill / Fort Scratchley), Burrabihngarn (Pirate Point, Stockton), Yohaaba (Port Hunter), Coquun (Hunter River: South Channel), Khanterin (Shepherds Hill), and Cathedral Park.*
- *Mature trees in the public domain, and parks and public spaces including Civic Park, Church Walk Park, Wheeler Place, Museum Park, and Christie Place.*
- *Items of heritage significance individually listed as heritage items in Schedule 5 of LEP 2012, including retention of the three-dimensional form and adaptive re-use of heritage item buildings.*
- *The rich record of relics and archaeological sites beneath the modern city.*

7.9 Contributory Buildings

Fieldwork was undertaken in January 2020 to establish the overall intactness of this area. The Contributory Buildings Map for the Civic and Honeysuckle HCA (**refer to Figure 80**) grades the contribution of buildings to the streetscape character and heritage significance for the existing Newcastle City Centre, The Hill, and Cooks Hill HCAs in which they are currently located. For definitions of contributory buildings, refer to Section 1.8. If the area is subject to the regulation of a new HCA to replace parts of the existing Newcastle City Centre, The Hill and Cooks Hill HCAs, updated contributory buildings maps for The Hill and Cooks Hill HCAs and a new contributory buildings map for the Civic and Honeysuckle area will be required.

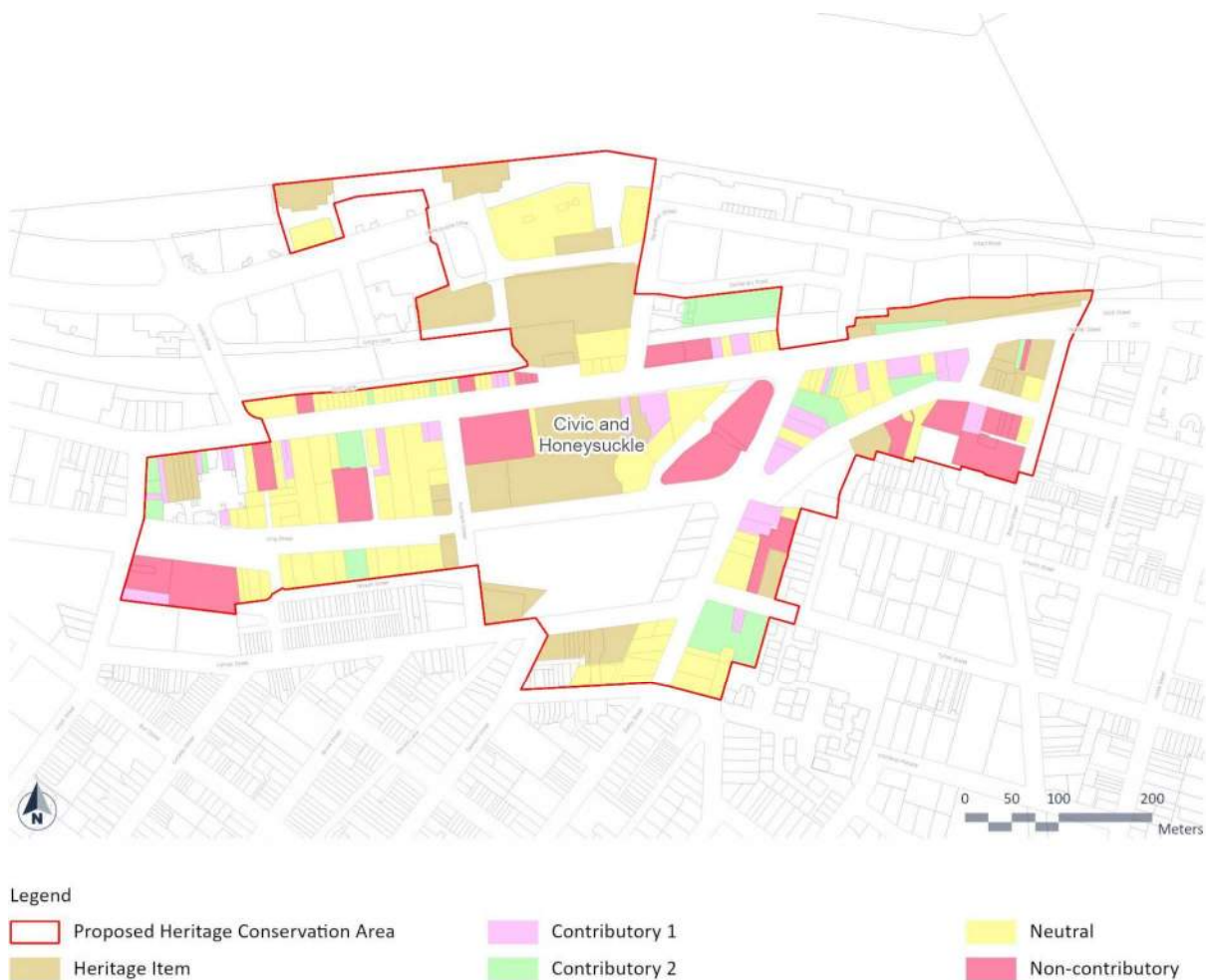


Figure 80: Proposed Civic and Honeysuckle HCA - Contributory Buildings Map (Source: CN GIS 24 January 2020)

7.10 Community Engagement Feedback

Section 5.11 summarises the community engagement feedback for the Civic and Honeysuckle area of the existing Newcastle City Centre HCA.

7.11 Heritage Conservation Area Boundary

The boundaries of the existing Newcastle City Centre HCA were reviewed for land between Brown and Union streets. For this locality, overall, the existing boundaries of the HCA are considered appropriate to ensure the heritage significance of the area is retained and conserved, with a few exceptions.

In the Honeysuckle area the land parcels in the street blocks north of Centenary Road and the former Great Northern Railway line, east of Merewether Street, south of the harbour, west of 233 and 292

Wharf Road are either vacant post-war industrial warehouse buildings, open car parking areas or, in the last three decades, have been comprehensively and intensively re-developed with mixed-use medium to high rise buildings (refer to Figures 81 and 82). Land parcels east of Settlement Lane and west of Honeysuckle Drive Reserve, and between 1 Workshop Way and the harbour have also in the last two decades been comprehensively and intensively re-developed with mixed-use medium to high rise (refer to Figure 83). Furthermore, land parcels in the former Great Northern Railway line corridor between Museum Park and Worth Place are either vacant undeveloped land or open car parking areas (refer to Figure 84). Except for the southern portion of Rydges Hotel at 350 Wharf Road located west of Merewether Street, which is exposed face brick and so compatible with the setting of the adjacent Civic Railway Workshops Group (LEP item I479) (refer to Figure 76), this no longer reinforces the special built character of Honeysuckle.



Figure 81: 317 and 304 Wharf Road, Newcastle facing west (Source: Google Streetview)



Figure 82: 237 Wharf Road, Newcastle facing west (Source: Google Streetview)



Figure 83: 4 and 5 Honeysuckle Drive, Newcastle facing west (Source: Google Streetview)



Figure 84: 14 Honeysuckle Drive, Newcastle facing north (Source: Google Streetview)

The heritage significance of the land parcel containing Fanny's Tavern at 311 Wharf Road is already conserved and protected by existing heritage item listings (LEP item I476, SHR ID 00315) and is isolated from the special built character of Honeysuckle by adjoining recent development (**refer to Figure 85**).



Figure 85: Fanny's Tavern at 311 Wharf Road, Newcastle (Source: Google Streetview)

In addition, land parcels located both in the Newcastle City Centre boundary and the existing The Hill and Cooks Hill HCAs were reviewed. This area applies to properties which address the south side of King Street between Brown and Darby streets (**refer to Figure 86**), the Newcastle Synagogue at 122 Tyrell Street, The Hill (LEP Item I608) (**refer to Figure 89**), and the properties adjacent to the south-east corner of Civic Park - those being Newcastle War Memorial Cultural Centre (LEP Item I87), Baptist Tabernacle (LEP Item I90), and St Andrew's Presbyterian Church (LEP Item I89) (**refer to Figure 90**). The land, except for the rear part of residential property 22 Brown Street (**refer to Figure 94**), shares a development history and a civic, commercial, mixed-use built character with the adjacent Newcastle City Centre HCA.

Land west of Brown Street was subdivided and developed after the Australian Agricultural Company's mining monopoly ended in the 1850s. The residential, commercial and former industrial buildings between Brown Street and Darby Street are of a different built character and period to the predominantly nineteenth century Old Town, as it is mainly of inter-war construction (with some late nineteenth century such as the Albert Terraces at 164 to 176 King Street - LEP item I428).

Notable buildings and spaces of the inter-war period include the Moorings at 199 King Street (LEP item I429) and Foghorn Brewery at 218 King Street (**refer to Figure 86**), the Corona Building at 269 to 283 Hunter Street (**refer to Figure 87**), 9 Darby Street, and the landscaped Church Walk Park at 203 King Street (LEP item I431). This is consistent with the inter-war period of construction for civic buildings in the proposed Civic and Honeysuckle HCAs such as Newcastle City Hall (LEP item I433), Civic Theatre (LEP item I418), Former Civic Railway Station (LEP item I703) and Nesca House (LEP item I435) immediately west of Darby Street. The AA Company Park at 193 King Street and the remains of the AA Company Bridge and Fence at 280 Hunter Street (LEP item I415) (**refer to Figure 88**) share a similar nineteenth century industrial coal mining and rail history as the former Burwood Rail Line through Civic Park (LEP item I430) and the Civic Railway Workshops Group in Honeysuckle (LEP item I479) (**refer to Figure 76**).



Figure 86: 199 and 218 King Street, Newcastle facing west (Source: Google Streetview)



Figure 87: 269 to 283 Hunter Street, Newcastle facing east (Source: Google Streetview)



Figure 88: remains of AA Company Bridge and Fence at 280 Hunter Street (Source: Google Streetview)



Figure 89: the Newcastle Synagogue at 122 Tyrell Street, The Hill (Source: Google Streetview)



Figure 90: Newcastle War Memorial Cultural Centre, Baptist Tabernacle, and St Andrew's Presbyterian Church at Laman Street, Cooks Hill (Source: Google Streetview)

The section of King Street between Auckland and Union streets should remain as HCA in the proposed Civic and Honeysuckle HCA. Most buildings in this locality are rated as providing a neutral contribution to the HCA due to their late twentieth and early twenty-first century construction, consistent low to medium-rise height and scale (between two and five storeys), and mixed commercial/residential built form (**refer to Figure 91**). This HCA provides the assessment authority with more control over the future development of this land, thereby discouraging intensive and inappropriate development adjacent to Cooks Hill HCA to the south in Gibson Street and 100 and 102 Laman Street (LEP item I92 - Cooks Hill Special School). These properties are of a low-rise height and scale (two to three storeys), and residential built form (**refer to Figure 92**). This part of the HCA provides an important buffer, assisting with conserving the heritage significance of the adjacent Cooks Hill HCA.



Figure 91: 239 King Street, Newcastle facing west (Source: Google Streetview)



Figure 92: 43 Gibson Street and rear of 267 King Street, Newcastle facing east (Source: Google Streetview)

For land between Brown and Union streets, all buildings no longer in an HCA and ranked as Contributory 1 or Contributory 2 items, should be investigated as potential new LEP heritage item listings.

The following amendments to the LEP maps for the Civic and Honeysuckle areas are recommended (refer to **Figure 93**):

- The existing Newcastle City Centre HCA between Brown and Union streets is renamed Civic and Honeysuckle HCA.
- Retain in the Newcastle City Centre HCA:
 - land parcel 352 Hunter Street, all land parcels in the street blocks east of Merewether Street and west of 233 Wharf Road, south of the harbour and north of Centenary Road, and the land parcels north of the former Great Northern Railway line and east of Lot 185 DP164170. This includes Fanny's Tavern at 311 Wharf Road (LEP item I476, SHR ID 00315).
 - all land parcels in the street blocks north of 1 Workshop Way, east of Settlement Lane, west of the Honeysuckle Drive Reserve, and south of the harbour.
 - Further investigation is recommended to assess whether this area meets NSW assessment criteria for an HCA. This includes investigating potential new LEP heritage item listings for any buildings ranked as Contributory 1 or Contributory 2 items in that area.
- Boundary adjustments to The Hill HCA so that all land parcels between Brown Street and Darby Street located in both the Newcastle City Centre boundary and the existing The Hill HCA are added to the Civic and Honeysuckle HCA Street (except for the rear part of 22 Brown Street, Newcastle which is retained in The Hill HCA).
- Boundary adjustments to The Hill HCA so that the land parcel of the Newcastle Synagogue at 122 Tyrell Street, The Hill is added to the Civic and Honeysuckle HCA.

- Boundary adjustments to the Cooks Hill HCA so land parcels of St Andrew's Presbyterian Church at 12 Laman Street, the Baptist Tabernacle at 25 Laman Street, and the Newcastle War Memorial Cultural Centre at 1 Laman Street, Cooks Hill are added to the Civic and Honeysuckle HCA.

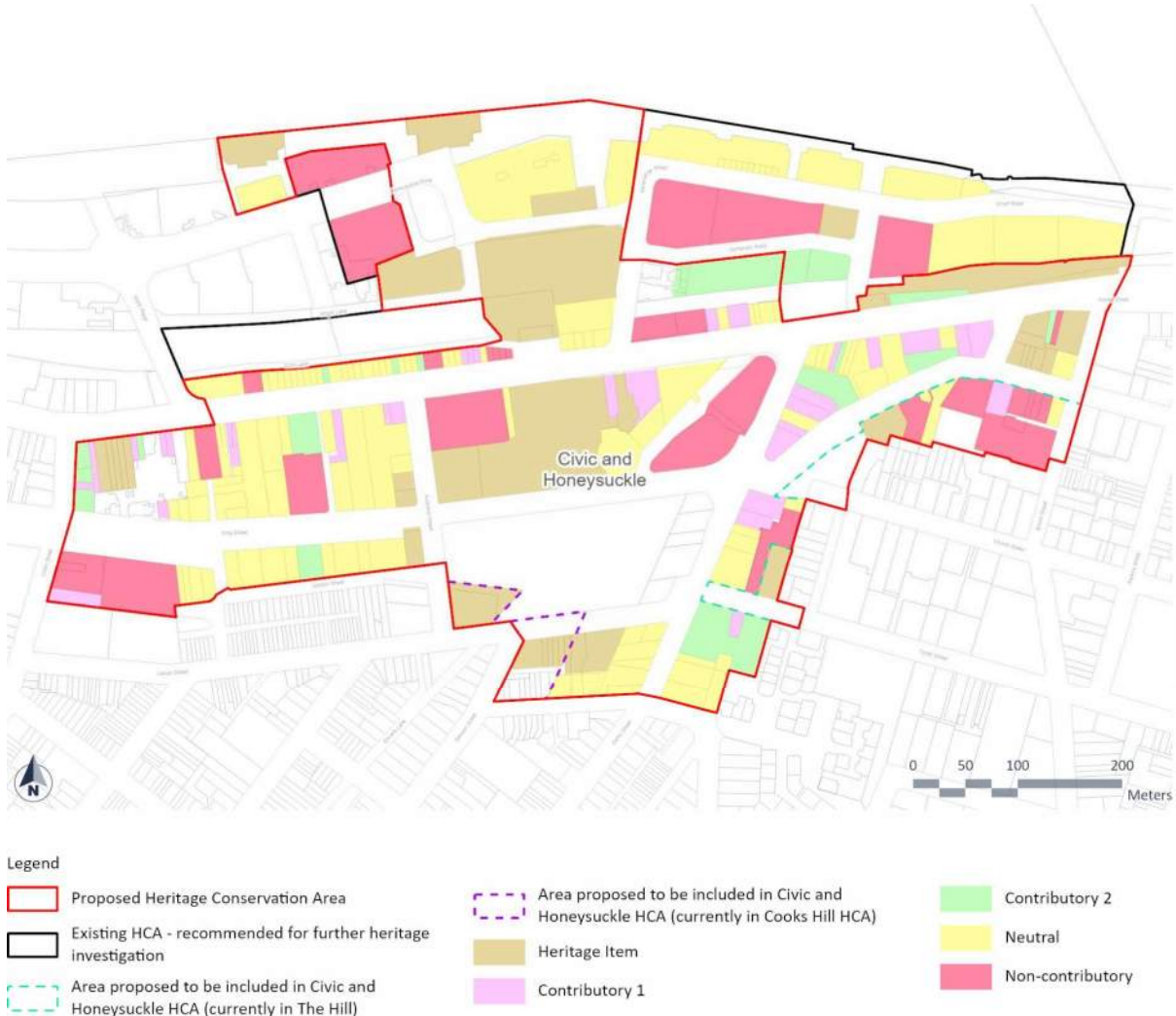


Figure 93: Proposed Civic and Honeysuckle HCA - Proposed boundary changes to the existing Newcastle City Centre, The Hill and Cooks Hill HCAs

7.12 Newcastle City Centre Boundary

A review of the Newcastle City Centre boundary was undertaken for land parcels in the boundary of the proposed Civic and Honeysuckle HCA. Overall, it is considered appropriate that this land will remain in the Newcastle City Centre boundary as the LEP provisions for the Newcastle City Centre are commensurate with the heritage significance and desired future character of the proposed HCA, with one exception.

The review has identified part of a land parcel at the rear of 22 Brown Street. It is in the existing Newcastle City Centre boundary located behind the commercial properties situated along the southern side of King Street, yet consists of a low-rise single storey residential building (refer to **Figure**

94). The scale and form of this post-war building makes a benign contribution to The Hill HCA and is compatible with the other neighbouring residential properties in The Hill to the south and west, rather than the more intensively developed commercial properties which address King Street to the north. The continued benign contribution of this residential property is at odds with the LEP provisions for the Newcastle City Centre which is tailored to encouraging larger scale commercial and mixed-use development. As such, the following recommended:

- Minor adjustments to the Newcastle City Centre boundary to remove part of land parcel at the rear of 22 Brown Street, Newcastle (**refer to Figure 95**).



Figure 94: 22 Brown Street, The Hill (Source: Google Streetview)



Figure 95: Recommended Newcastle City Centre boundary in Civic and Honeysuckle locality

7.13 Land use zoning

A review of the land use zoning was undertaken for land parcels in the boundary of the proposed Civic and Honeysuckle HCA. Overall, the existing land use zoning is considered appropriate and compatible with retaining and conserving the heritage significance of the proposed HCA.

7.14 Minimum lot size, height of buildings and floor space ratio

A review of the minimum lot size, HOB and FSR development standards was undertaken for land parcels in the boundary of the proposed Civic and Honeysuckle HCA. Overall, these standards applied to this land are considered appropriate and compatible with retaining and conserving the heritage significance of the proposed HCA, with one exception.

Though outside the boundary of the proposed Civic and Honeysuckle HCA, the review has identified a land parcel at 22 Brown Street in The Hill HCA, part of which is also located in the existing Newcastle City Centre boundary, and which consists of low-rise one and two storey residential buildings zoned R3 Medium Density Residential by the LEP (**refer to Figure 94**). The scale and form of these post-war buildings make a benign contribution to The Hill HCA and are compatible with the other neighbouring residential properties zoned R3 in The Hill to the south and west. This is in sharp contrast to the more intensively developed commercial properties zoned MU1 which address King Street immediately to the north. However, the land currently has a maximum building height of 10m and an FSR of 1.5:1, which is inconsistent with the current built form on the land and would conflict with the conservation objectives that this review proposes. HOB and FSR does not necessarily promote the best heritage outcome for low-rise residential properties as it can provide perception and expectation of building envelope entitlement, resulting in a built form that inadequately respects the character and significance of the existing building stock. CN does not currently apply numeric HOB or FSR development standards to residential zoned properties on HCA land located outside Newcastle City Centre boundary.

The review notes that although within the existing Newcastle City Centre boundary, a minimum lot size of 400m is already applied to the land parcel at 22 Brown Street consistent with the development standards of other neighbouring residential properties in The Hill to the south.

As such, in tandem with the recommended changes to the Newcastle City Centre boundary, the following is recommended:

- Amendments to LEP maps to remove the HOB and FSR development standards from land parcel 22 Brown Street, Newcastle (**refer to Figure 96**).



Figure 96: Land at 22 Brown Street, Newcastle

7.15 Heritage Items

Identified by the assessment above and from community engagement feedback, it is recommended the following new LEP heritage items and amendments to existing LEP heritage items be investigated:

- City Administration Building, King Street - new LEP listing consistent with existing City Administration Building SHR listing (SHR ID 02055).
- Civic Railway Workshops - investigate separately listing as a new LEP heritage item (archaeological site) land parcels in the curtilage of the Civic Railway Workshops SHR listing (SHR ID 00956) which are not listed by LEP item Civic Railway Workshops Group (item I479).
- Other places in the HCA identified from the community engagement feedback as having potential cultural heritage merit will be investigated for LEP listing in a future heritage study.

CHAPTER EIGHT – HUNTER STREET WEST HERITAGE CONSERVATION AREA

8.1 Introduction

This section documents the proposed Hunter Street West Heritage Conservation Area, located within the Newcastle City Centre. It is bounded by Worth Place and Union Street at its east, National Park Street and 770 Hunter Street at its west, King Street to the south and to the north by the Newcastle Light Rail corridor and Hunter Street. A map of the HCA is reproduced in **Figure 97**.

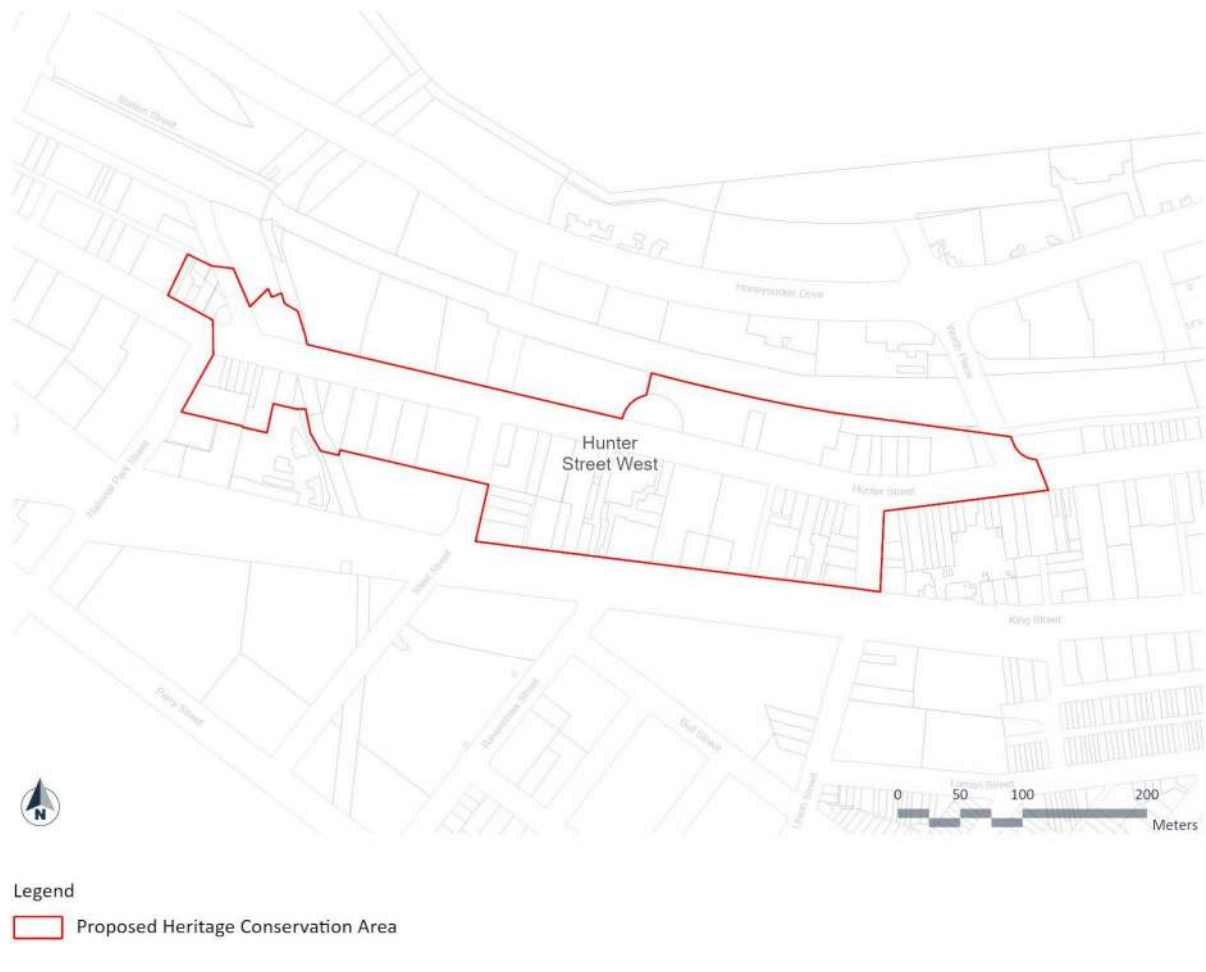


Figure 97: Proposed Hunter Street West Heritage Conservation Area (Proposed Boundary)

8.2 History

Refer to Sections 3.2 and 3.3 for the Aboriginal and historical context of the study area.

8.3 Physical Description

The Hunter Street West HCA comprises an area of flat land along the north-western side of the Newcastle peninsula (refer to **Figure 97**). It contains iconic sites of cultural significance to the local Aboriginal community, including the harbour landscape of Muluubinba. Newcastle Technical College, the Hunter Water Board Building, Miss Porter's House, Theatre Royale, and Bank Corner are significant heritage places that define Hunter Street.

The current built character of the Hunter Street West HCA is intensive mixed-use residential and commercial urban forms. The buildings are an eclectic mix of mostly Victorian, Inter-War, or late twentieth century to the present day. The contributory building stock in the HCA is defined by a shared nineteenth and early twentieth century development history, and commercial built character, with a consistent medium density scale (refer to **Figures 98 to 105**). These features include:

- Diverse built form demonstrated by the diversity of building types and architectural styles – offices, retail, and apartments of mostly late Victorian, inter-war Art Deco, or late twentieth century to the present day reflecting varying periods of economic prosperity and building activity. In particular, the economic wealth generated by the Newcastle port and steel manufacturing industry expressed in its fine stock of late nineteenth to early twentieth century and inter-war period commercial office and retail buildings.
- Original building stock and infill provides a consistent street wall height of two to four storeys.
- Newcastle Technical College and Bank Corner are significant heritage landmarks.



Figure 98: 558 Hunter Street, Newcastle facing west (Source: Google Streetview)



Figure 99: Corner of Union and Hunter streets, Newcastle West facing west (Source: Google Streetview)



Figure 100: Newcastle Technical College at 590-608 Hunter Street, Newcastle West (Source: Google Streetview)



Figure 101: Corner of Devonshire and Hunter streets, Newcastle West facing south (Source: Google Streetview)



Figure 102: the Hunter Water Board Building at 591-595 Hunter Street, Newcastle West (Source: Google Streetview)



Figure 103: Miss Porter's House at 434 King Street, Newcastle West (Source: Google Streetview)



Figure 104: Theatre Royale at 669 Hunter Street, Newcastle West and its neighbours (Source: Google Streetview)



Figure 105: Bank Corner at 744 Hunter Street, Newcastle West (Source: Google Streetview)

8.4 Previous Heritage Studies

Refer to Section 5.5 for previous heritage studies for the Hunter Street West area.

8.5 Assessment of Heritage Significance

Applying the NSW Heritage Criteria

In revising the assessment of heritage significance for the area, the NSW heritage assessment guidelines and the NSW heritage criteria has been applied as expressed below:

- *Criterion a - An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area):*

Hunter Street West HCA consists of a range of buildings dating from the latter part of the nineteenth century and early part of the twentieth, the conservation area has historical importance for reflecting the development and prosperity of central Newcastle during this period. Historically significant for its

associations with the AA Company, it has become a densely populated entertainment, commercial and residential precinct.

The Hunter Street West HCA provided the location for The Star Hotel riot, a significant historical event which is a record of the area's importance as an entertainment hub for the city.

Hunter Street West HCA is important for its continuous and extensive Aboriginal occupation. This is demonstrated through the rich archaeological heritage which records the pre contact traditions and life ways of Aboriginal people of Muluubinba, who through the ongoing connections of its traditional custodians maintain an attachment to the area today. Following the arrival of the British, Aboriginal associations are recorded in paintings and records of the penal period and the decades that followed.

- *Criterion b - An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area):*

Hunter Street West HCA does not demonstrate this criterion to any notable degree.

- *Criterion c - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area):*

Hunter Street West HCA is important urban cultural landscape in that it demonstrates aesthetic characteristics that define the evolution of an early Australian city established during the earliest phases of Australia's development into a modern nation, and that has evolved a rich urban fabric that represents over 150 years of urban development. These aesthetic features of the retail strip include:

1. Buildings that represent architectural styles and construction technologies predominantly from the Victorian, Federation, and Inter War periods of urban development.
2. The historic commercial retail streetscapes of Hunter and King streets provide an east-west spine and strongly contribute to the character of the suburb.
3. Bank Corner and Newcastle Technical College (TAFE NSW - Hunter Street) are prominent landmark features which help to orientate the visitor.
4. The areas of public domain that are an integral element of Hunter Street including Cottage Creek and Kuwumi Place.

- *Criterion d - An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;*

Feedback from residents and businesses in 2023 found the community significantly value the character and physical elements of the Hunter Street retail strip and identify with its protection as an HCA. Overall, there is a high degree of esteem held by the resident community and strong attachment to the character of the area, the streetscape and buildings. The area meets this criterion on cultural grounds at the local level.

- *Criterion e - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);*

Given the high rate of survival of key elements of the nineteenth century urban settlement of Newcastle, the area has the potential to yield information that will contribute to understanding aspects of Newcastle's cultural history, and more broadly to the State of NSW. This includes the capacity to yield information about the retail and commercial pattern of development and its evolution to a modern city. There also remains the potential for Aboriginal objects of conservation value to be present in the area due to its proximity to the former course of the Coquun (Hunter River) and Cottage Creek which respectively ventured further south and east-west when compared to today.

- *Criterion f - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area):*

This area is rare at the local level for the number of intact late nineteenth and early twentieth century commercial, and retail buildings and its pre-contact Aboriginal and nineteenth century settler-colonial archaeological layers surviving beneath the modern city.

- *Criterion g - An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).*

Hunter Street West HCA is consistent and relatively intact, containing many surviving elements of the late 19th to early 20th century and the processes of urbanisation. It demonstrates these characteristics in its key elements including building stock and the relationship of buildings to the street and each other, street layout including laneways, along with heritage items and public space.

Statement of Significance

The Hunter Street Heritage Conservation Area is of local historical, social and aesthetic significance as it provides an evocative physical record of Newcastle's various periods of economic growth and social history, and has high regard in the community. Many of the buildings are impressive reminders of the area's role as a civic, retail and entertainment hub, exemplified by the quality and quantity of relatively intact late nineteenth to the early twentieth century building stock. The continuous two and three storey facades and the general uniformity of scale visually reinforce the area's outstanding townscape qualities and historical character.

Key visual elements include:

- Buildings that represent architectural styles and construction technologies predominantly from the Victorian, Federation, and Inter War periods of urban development.
- The historic commercial retail streetscapes of Hunter and King streets provide an east-west spine and strongly contribute to the character of the suburb.
- Bank Corner and Newcastle Technical College (TAFE NSW - Hunter Street) are prominent landmark features which help to orientate the visitor.
- Areas of public domain forming an integral element of Hunter Street include Cottage Creek and Kuwumi Place.

- Key Period of Significance - circa 1850 to 1940

Recommendation

The above assessment of heritage significance followed the standard Heritage Assessment Guidelines and the NSW state heritage criteria. As a result, it is recommended the area be protected through the mechanism of a statutory HCA referred to as the Hunter Street Heritage Conservation Area, in a future LEP amendment.

8.6 Comparative Assessment

The Hunter Street area is locally rare for the high concentration, integrity and intactness of late nineteenth and early twentieth century commercial and retail buildings, comparable locally with the HCAs of Old Town, Civic and Honeysuckle, Darby Street in Cooks Hill, and Hamilton Business Centre, and in NSW with the historic retail and entertainment precinct of Newtown in Sydney.

8.7 Threatening Processes

Some issues undermine the integrity and intactness of the Hunter Street West HCA. These include:

- Unsympathetic development, in particular, inappropriately scaled and designed infill development that replaces original building stock.
- Facadism of local heritage item buildings rather than retention of their three-dimensional form and adaptive re-use.
- The painting of exposed face brick and stone of existing building facades and front fencing.

8.8 Desired Future Character Statement

The DCP provides Desired Future Character Statements for each HCA for development assessment and design planning guidance. If the Hunter Street West area becomes a new HCA to replace part of the existing Newcastle City Centre HCA, it is recommended DCP 2023 be updated to include the following statement:

The character of the Hunter Street West Heritage Conservation Area is made up of a variety of building styles that date from the 19th and early decades of the 20th century. The special character is to be preserved, celebrated and maintained through the retention of contributory buildings, existing subdivision pattern, and elements of visual interest.

Elements to be preserved and/or sensitively restored or reconstructed (based on evidence of original appearance) include:

-
- *Range of contributory and historic buildings constructed prior to the Second World War, particularly intact or historically significant groupings, heritage items, iconic structures, and the appearance and layout of streets.*
 - *Existing subdivision pattern and street layout, including preserving the human scale of development, the integrity of laneways, the fine grain and the groupings of contributory late 19th century and art deco buildings.*
 - *The integrity of laneways and the fine grain of Devonshire Street.*
 - *Exposed face brick and stone of existing building facades and front fencing.*
 - *Street furniture such as sandstone kerbing and guttering, and other features of historical interest such as heritage items.*
 - *Distinctive early retail and commercial buildings, including prominent corner buildings.*
 - *Mature trees in the public domain, and public spaces including Cottage Creek and Kuwumi Place.*
 - *Items of heritage significance individually listed as heritage items in Schedule 5 of LEP 2012, including retention of the three-dimensional form and adaptive re-use of heritage item buildings.*
 - *The rich record of relics and archaeological sites beneath the modern city.*

8.9 Contributory Buildings

Fieldwork was undertaken in January 2020 to establish the overall intactness of this area. The Contributory Buildings Map for the Hunter Street West HCA (**refer to Figure 106**) grades the contribution of buildings to the streetscape character and heritage significance for the existing Newcastle City Centre HCA in which they are currently located. For definitions of contributory buildings, refer to Section 1.8. If the area is subject to the regulation of a new HCA to replace part of the existing Newcastle City Centre HCA, a new contributory buildings map for the Hunter Street West area will be required.

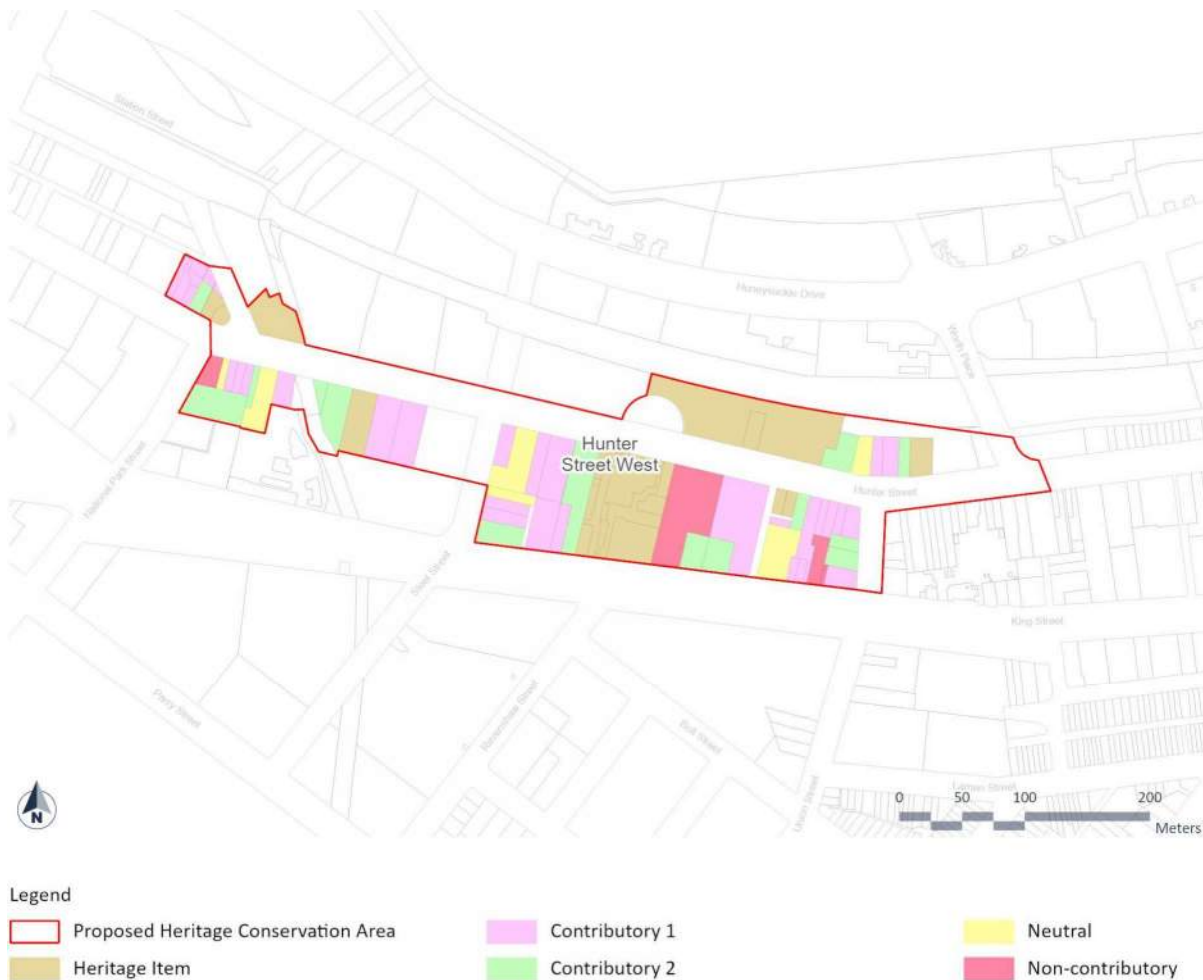


Figure 106: Proposed Hunter Street West HCA - Contributory Buildings Map (Source: CN GIS 24 January 2020)

8.10 Community Engagement Feedback

Section 5.11 summarises community engagement feedback for the Hunter Street West part of the existing Newcastle City Centre HCA.

8.11 Heritage Conservation Area Boundary

The boundaries of the existing Newcastle City Centre HCA were reviewed for land between Union and National Park streets. For this locality, overall, with the exception of development on land parcels addressing either Hunter or King Streets, the existing boundaries of the HCA no longer reinforces the special built character of Newcastle West.

In the Marketown and Arnott Street area the street blocks between National Park, Parry, Union, and King Streets (including the lots addressing the north side of King Street) is a minor scattering of

properties with special built character (including some heritage items). Land parcels of open car parking areas, or in the last 30 years, were comprehensively and intensively re-developed with a mix of retail, commercial office and residential medium to high-rise buildings isolate parts of the area from Hunter Street (refer to Figures 107 to 110). No longer reinforcing Newcastle West's special built character.

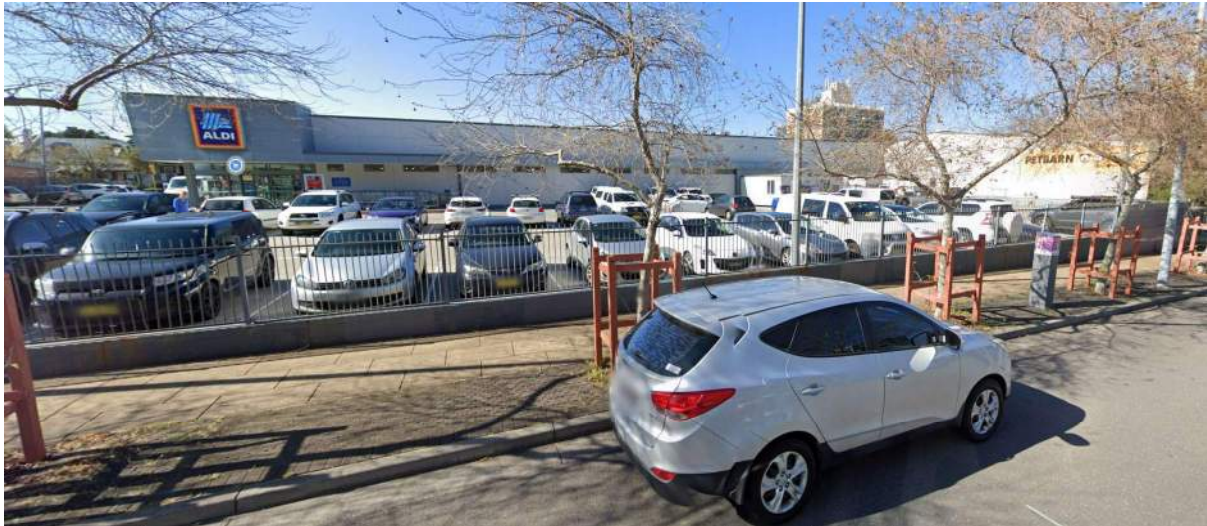


Figure 107: 54 Union Street, Cooks Hill (Source: Google Streetview)



Figure 108: 19 and 21 Steel Street, Newcastle West (Source: Google Streetview)



Figure 109: 464 King Street, Newcastle West (Source: Google Streetview)



Figure 110: 670 and 684 Hunter Street, Newcastle West (Source: Google Streetview)

The western side of Dick Street (**refer to Figure 111**) and north-western end of Arnott Street (**refer to Figure 112**) contain contributory buildings comparable to the proposed Parry Street HCA for its early twentieth century development history and low-rise industrial warehouse character. However, this area is less representative in demonstrating the principal characteristics of a Newcastle industrial streetscape as it is less intact, comprising two small and separate pockets (with only two to three contributory buildings each). Instead, these properties should be investigated for potential as new LEP heritage item listings.



Figure 111: 6 Dick Street, Newcastle West facing north (Source: Google Streetview)



Figure 112: 106 Parry Street, Newcastle West facing north (Source: Google Streetview)

The heritage significance of the land parcels containing the Fire Station at 44 Union Street (LEP item I108) (refer to **Figure 113**), the Former Gasworks Office at 461 King Street (LEP item I507) (refer to **Figure 114**), and the Commandants Farm archaeological site at 684 Hunter Street (LEP item A8) (refer to **Figure 110**) are already conserved and protected by existing heritage item listings and are isolated from the special built character of Newcastle West by adjoining recent development. Similarly isolated

properties with potential cultural value are at 117 and 125 Bull Street (refer to **Figures 115 and 116**). Instead, these properties should be investigated for potential as new LEP heritage item listings.



Figure 113: Fire Station at 44 Union Street, Cooks Hill (Source: Google Streetview)



Figure 114: Former Gasworks Office at 461 King Street, Newcastle West (Source: Google Streetview)



Figure 115: 117 Bull Street, Newcastle West (Source: Google Streetview)



Figure 116: 125 Bull Street, Newcastle West (Source: Google Streetview)

For land between Union and National Park streets, all buildings no longer in an HCA and ranked as Contributory 1 or Contributory 2 items, should be investigated as potential new LEP heritage item listings.

Recommended LEP map amendments for the Newcastle West area are as follows (refer to **Figure 117**):

- Rename part of the existing Newcastle City Centre HCA the Hunter Street West HCA which is north of King Street and south of the Newcastle Light Rail corridor between Worth Place/Union Street and National Park Street/770 Hunter Street.
- Retain in the Newcastle City Centre HCA:
 - all land parcels south of the Newcastle Light Rail Corridor and north of Hunter Street between Kuwumi Place and Cottage Creek.
 - all land parcels in the street blocks west of Union Street, south of King Street, east of National Park Street and north of Parry Street.
 - all land parcels in the street block between Steel and National Park streets which address the north side of King Street.
 - Further investigation is recommended to assess whether this area meets NSW assessment criteria for an HCA. This includes investigating potential new LEP heritage item listings for all buildings ranked as Contributory 1 or Contributory 2 items in that area.

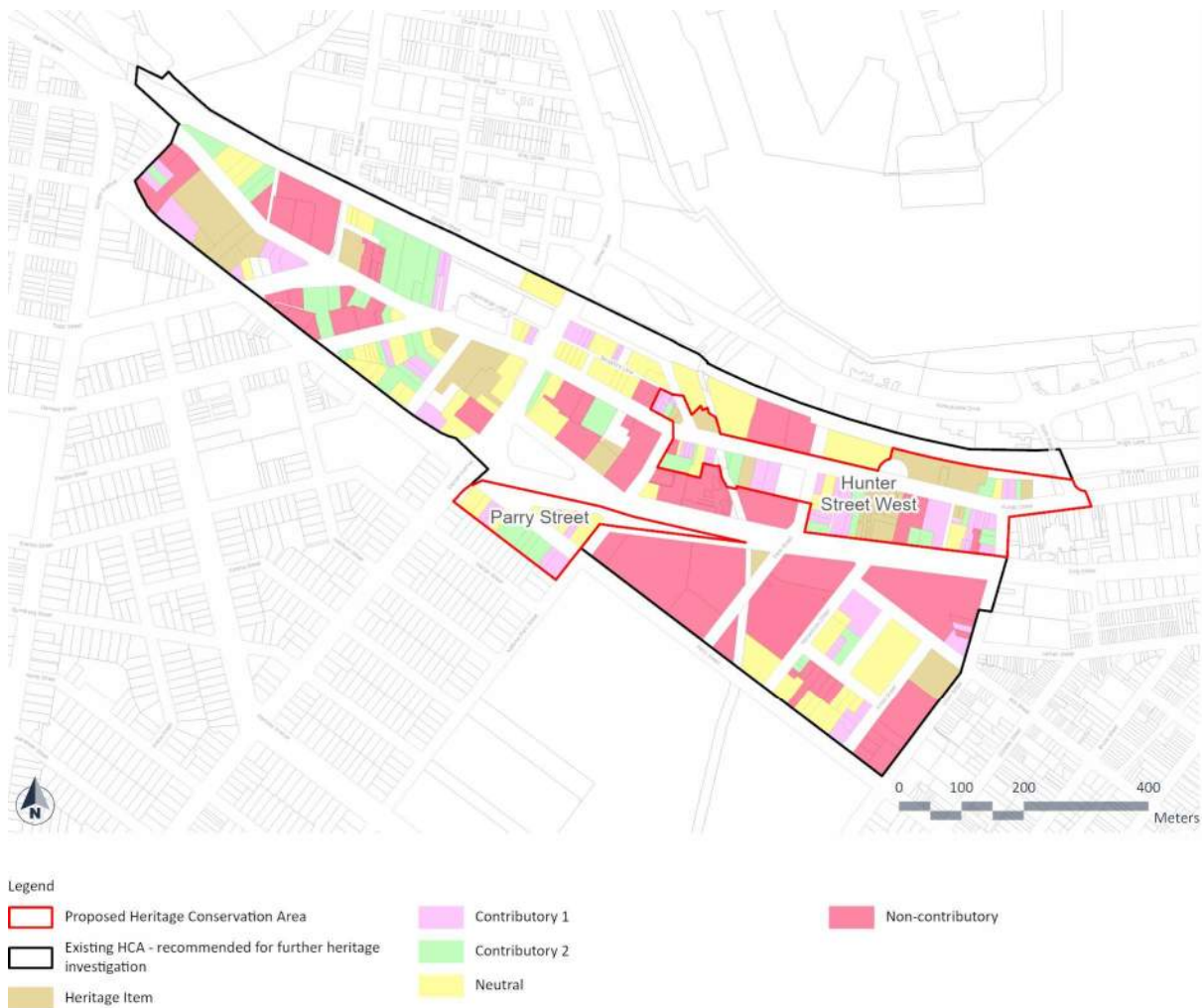


Figure 117: Proposed Hunter Street West HCA - changes to existing Newcastle City Centre HCA (Source: CN GIS 24 January 2020)

8.12 Newcastle City Centre Boundary

A review of the Newcastle City Centre boundary was undertaken for land parcels in the boundary of the proposed Hunter Street West HCA. Overall, it is considered appropriate that this land will remain in the Newcastle City Centre boundary as the LEP provisions for the Newcastle City Centre are commensurate with the heritage significance and desired future character of the proposed HCA.

8.13 Land use zoning

A review of the land use zoning was undertaken for land parcels in the boundary of the proposed Hunter Street West HCA. Overall, the existing land use zoning is considered appropriate and compatible with retaining and conserving the heritage significance of the proposed HCA.

8.14 Minimum lot size, height of buildings and floor space ratio

The minimum lot size, HOB and FSR development standards was undertaken for land parcels in the boundary of the proposed Hunter Street West HCA. Overall, these standards applied to this land are considered appropriate and compatible with retaining and conserving the heritage significance of the proposed HCA.

8.15 Heritage Items

Identified by the assessment above and from community engagement feedback, it is recommended the following new LEP heritage items and amendments to existing LEP heritage items be investigated:

- 125 Bull Street, Newcastle West - investigate potential new LEP listing.
- 117 Bull Street, Newcastle West - investigate potential new LEP listing.
- Other places in the HCA identified from the community engagement feedback as having potential cultural heritage merit will be investigated for LEP listing in a future heritage study.

CHAPTER NINE – PARRY STREET HERITAGE CONSERVATION AREA

9.1 Introduction

This section documents the proposed Parry Street HCA in the Newcastle City Centre, bounded by King Street at its north, National Park Street at its east, Stewart Avenue to the west, and the rear of properties addressing the south side of Parry Street. It also includes Little Birdwood Park situated east of National Park Street, west of Cottage Creek, north of 136 Parry Street, and south of King Street. A map of the heritage conservation area is reproduced in **Figure 118**.

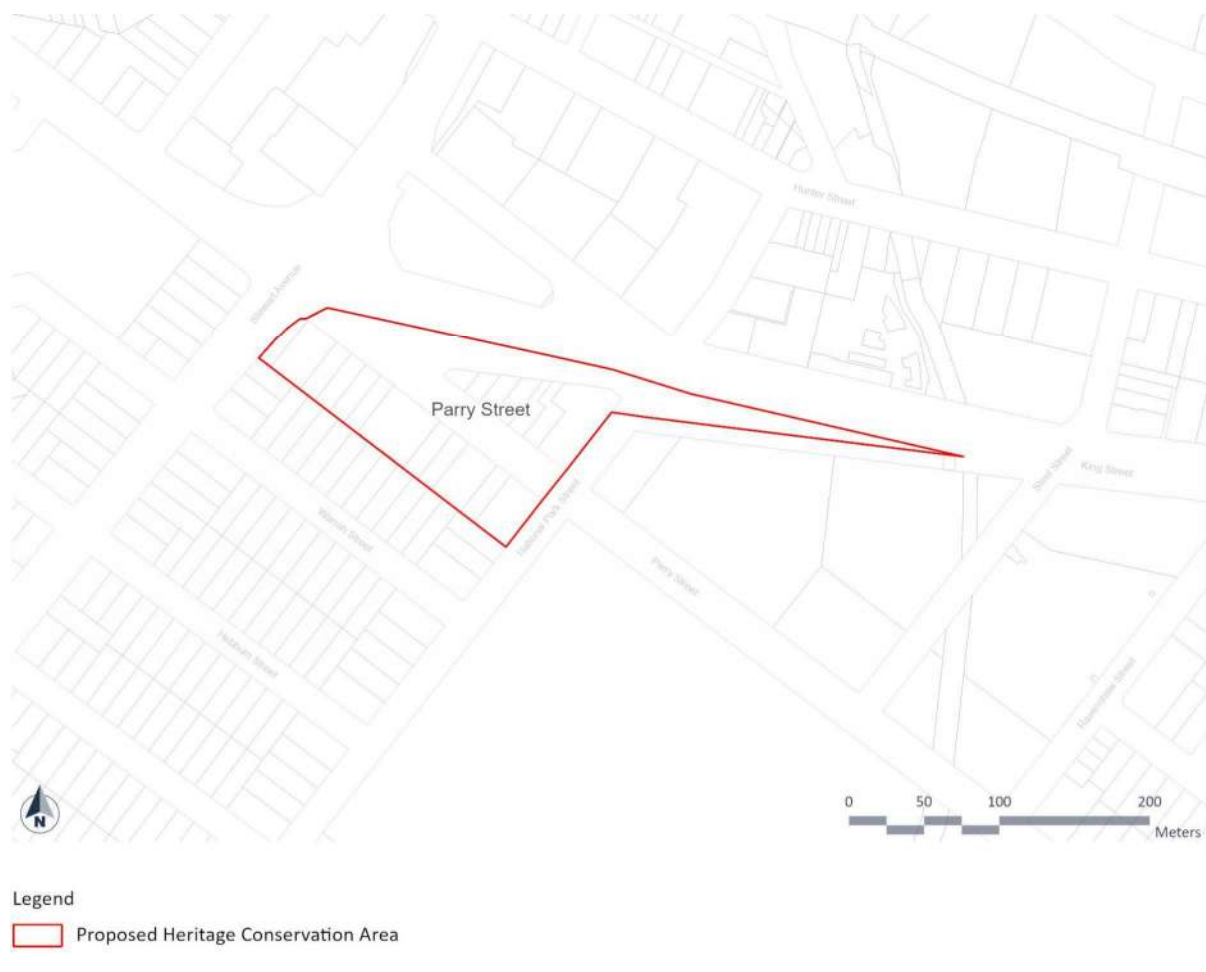


Figure 118: Proposed Parry Street Heritage Conservation Area (Proposed Boundary)

9.2 History

Refer to Sections 3.2 and 3.3 for the Aboriginal and historical context of the study area.

9.3 Physical Description

The Parry Street HCA comprises an area of flat land along the north-western side of the Newcastle peninsula (**refer to Figure 118**).

The current built character of the Parry Street HCA is low-rise industrial warehouse urban forms. It is a highly intact group of mostly inter-war period buildings, physically separated from the rest of the Newcastle City Centre by King Street. The contributory building stock in the HCA is defined by a shared early twentieth century development history, and modest industrial and commercial built character, with a consistent medium density scale (**refer to Figures 119 to 122**). These features include:

- Limited diversity of building types and architectural styles – an apartment building, and former industrial warehousing converted to offices and retail, predominantly from the inter-war period, with some post-war to the present-day infill.
- Original building stock and infill provides a consistent scale, form and massing, with structures between one and two storeys.
- The mature trees of Little Birdwood Park provide an important landscaped screen from vehicle traffic using King Street.



Figure 119: Parry Street, Newcastle West - view south towards National Park Street (Source: Google Streetview)



Figure 120: 69 and 154 Parry Street, Newcastle West - view north towards Stewart Avenue (Source: Google Streetview)



Figure 121: Corner of National Park and Parry streets, Newcastle West facing west (Source: Google Streetview)



Figure 122: Little Birdwood Park and 148 Parry Street, Newcastle West (Source: Google Streetview)

9.4 Previous Heritage Studies

Refer to Section 5.5 for previous heritage studies for the Parry Street area.

9.5 Assessment of Heritage Significance

Applying the NSW Heritage Criteria

In revising the assessment of heritage significance for the area, the NSW heritage assessment guidelines and the NSW heritage criteria has been applied as expressed below:

- *Criterion a - An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area):*

Parry Street HCA is important at the local level as a record of the development of Newcastle and the transition from a coal town largely in the ownership of the Austrian Agricultural Company to an industrial city. The significant group of inter-war period industrial and warehouse buildings containing factories and workshops helped grow the industrial base of the NSW economy in preparation for World War II, and represents the industrial development of Newcastle West during the twentieth century.

- *Criterion b - An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area):*

Parry Street HCA does not demonstrate this criterion to any notable degree.

- *Criterion c - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area):*

Parry Street HCA is important in demonstrating aesthetic characteristics at a local level that define the inter-war period and style of industrial and warehouse buildings. These aesthetic features include:

1. Attached one to two storey industrial and warehouse buildings with flat or slightly pitched roofs and brick facades with limited ornamentation other than some decorative brickwork along the cornice or parapet. The restrained building design and ornamentation reflects the materials and labour shortages during the 1930s.
2. The consistency in the scale, form and massing, style and construction of industrial and warehouse buildings built during the inter-war period. Industrial building techniques, employing repeated modular forms and steel and timber structures to cover large spans. Vehicle openings integrated into facades indicate how many of these buildings were constructed during a period when motorised vehicles became more widespread, and both an integral part and product of manufacturing.
3. The buildings in this area make important contributions to the streetscapes of Parry and National Park streets. The streetscapes of both roads have a distinct industrial character

derived from the consistent period of the buildings, modular building forms, the dominant brick materials, and stepped parapets repeated along the street.

The three storey inter-war residential apartment building and its decorative face brickwork at 32 National Park Street provide an important transition in scale and form between the industry and warehousing of Parry Street and the single storey inter-war brick and timber residential bungalows of Hamilton South 'Garden Suburb' immediately to the south.

- *Criterion d - An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;*

Feedback from residents and businesses in 2023 revealed that the community significantly value the character and physical elements of Parry Street 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 and buildings. The area meets this criterion on cultural grounds at the local level.

- *Criterion e - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);*

There remains the potential for Aboriginal objects of conservation value to be present in the area due to its proximity to the former course of Cottage Creek which ventured further east and west when compared to today.

- *Criterion f - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area):*

Parry Street HCA does not demonstrate this criterion to any notable degree.

- *Criterion g - An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).*

The Parry Street HCA is important at the local level for being a significant intact grouping of inter-war industrial and warehouse buildings that represent the architectural styles and construction technologies of that period of urban development.

Statement of Significance

The Parry Street HCA is important at the local level in demonstrating the nature of industrial and warehouse building construction in Newcastle between 1923 and 1940. The significant group of inter-war period industrial and warehouse buildings containing factories and workshops helped grow the industrial base of the NSW economy in preparation for World War II, and represents the industrial development of Newcastle West during the twentieth century.

The narrow window of time in which the precinct developed is significant, it provides evidence of the key features of the period including construction and building technologies. The uniformity of the

group in terms of architectural style, age, height, form, massing, setbacks, and materials contributes to defining the character.

Key visual elements include:

- Attached one to two storey industrial and warehouse buildings with flat or slightly pitched roofs and brick facades with limited ornamentation other than some decorative brickwork along the cornice or parapet. The restrained building design and ornamentation reflects the materials and labour shortages during the 1930s.
- The consistency in the scale, form and massing, style and construction of industrial and warehouse buildings built during the inter-war period. Industrial building techniques, employ repeated modular forms and steel and timber structures to cover large spans. Vehicle openings integrated into facades indicate how many of these buildings were constructed during a period when motorised vehicles became more widespread, and both an integral part and product of manufacturing.
- The buildings in this area make important contributions to the streetscapes of Parry and National Park streets. The streetscapes of both roads have a distinct industrial character derived from the consistent period of the buildings, modular building forms, the dominant brick materials, and stepped parapets repeated along the street.

- Key Period of Significance - circa 1923 to 1940

Recommendation

The above assessment of heritage significance followed the standard Heritage Assessment Guidelines and the NSW state heritage criteria. As a result, it is recommended the area be protected through with a statutory HCA, referred to as the Parry Street Heritage Conservation Area, in a future LEP amendment.

9.6 Comparative Assessment

The Parry Street precinct is locally rare for the high concentration, integrity and intactness of inter-war period industrial and warehouse buildings, comparable locally with isolated LEP heritage item listings such as the ELMA Factory at 54 Clyde Street, Hamilton North (LEP Item I168) and the Dicks Bros Engineering building at 62 Fern Street, Islington (LEP Item I198), and in NSW with William Street and North Alexandria HCAs in Alexandria, Sydney.

9.7 Threatening Processes

Should issues experienced in adjacent areas of the Newcastle City Centre were to eventuate in this locality, it could undermine the integrity and intactness of the Parry Street HCA. This includes:

- Unsympathetic development, in particular, inappropriately scaled and designed infill development that replaces original building stock.

9.8 Desired Future Character Statement

The DCP provides Desired Future Character Statements for each HCA for development assessment and design planning guidance. If the Parry Street area becomes a new HCA to replace part of the existing Newcastle City Centre HCA, it is recommended DCP 2023 be amended to include the following statement:

The character of the Parry Street Heritage Conservation Area is made up of single and two storey industrial and warehouse buildings that were built in the early decades of the twentieth century. The special character is to be preserved, celebrated and maintained through the retention of contributory buildings, existing subdivision pattern, and elements of visual interest.

Elements to be preserved and/or sensitively restored or reconstructed (based on evidence of original appearance) include:

- *Range of contributory and historic buildings constructed prior to the Second World War, particularly intact or historically significant groupings, and the appearance and layout of streets.*
- *Existing subdivision pattern and street layout, including preserving the human scale of development and the groupings of contributory early twentieth century and inter-war buildings.*
- *Modest single to two storey scale of distinctive early industrial and warehouse buildings that is an original defining feature of the group.*
- *Exposed face brick of existing building facade and front fencing at 32 National Park Street.*
- *Mature trees in the public domain, and parks and public spaces including Little Birdwood Park.*
- *Items of heritage significance recommended for individual listing as heritage items in Schedule 5 of LEP 2012.*
- *The rich record of relics and archaeological sites beneath the modern city.*

9.9 Contributory Buildings

Fieldwork was undertaken in January 2020 to establish the overall intactness of this area. The Contributory Buildings Map for the Parry Street HCA (refer to **Figure 123**) grades the contribution of buildings to the streetscape character and heritage significance for the existing Newcastle City Centre HCA in which they are currently located. For definitions of contributory buildings, refer to Section 1.8. If the area is subject to the regulation of a new HCA to replace part of the existing Newcastle City Centre HCA, a new contributory buildings map for the Parry Street area will be required.



Figure 123: Proposed Parry Street HCA - Contributory Buildings Map (Source: CN GIS 24 January 2020)

9.10 Community Engagement Feedback

Refer to Section 5.11 for community engagement feedback for the Parry Street area of the existing Newcastle City Centre HCA.

9.11 Heritage Conservation Area Boundary

The boundaries of the existing Newcastle City Centre HCA were reviewed for land between National Park and Selma streets. For this locality, overall, with the exception of development on land parcels between Stewart Avenue, King and Parry streets, the existing HCA boundary no longer reinforces the special built character of Newcastle West.

Except for a minor scattering of properties with special built character (including some heritage items) which are isolated from Parry Street by adjoining land parcels consisting of either retail warehousing, sale yards and open car parking areas, or in the last few decades, have been comprehensively and intensively re-developed with a mix of retail, commercial office and residential medium to high-rise buildings (refer to **Figures 124 to 127**). This no longer reinforces the special built character of Newcastle West.



Figure 124: 990 Hunter Street, Newcastle West facing east (Source: Google Streetview)



Figure 125: 214 Parry Street, Newcastle West facing north (Source: Google Streetview)



Figure 126: 874 Hunter Street, Newcastle West facing east (Source: Google Streetview)



Figure 127: Corner of National Park and King streets, Newcastle West facing west (Source: Google Streetview)

1, 3 and 5 Selma Street, Newcastle West consists of three residential bungalows from the Federation and Inter-War urban development periods (**refer to Figure 128**). This no longer reinforces the special built character of Newcastle West, and a significant number of residential dwellings from the Federation and Inter-War period are represented and protected in other HCAs in the Newcastle centre including the Glebe Road Federation Cottages, Cooks Hill, Hamilton Residential Precinct and Hamilton South 'Garden Suburb' HCAs. In the same block, former industrial warehouse buildings at 246 Parry Street, Newcastle West may have potential cultural value (**refer to Figure 129**). Their heritage significance and the potential to include these buildings and adjust the boundary of the adjacent LEP listing (Item I503 - St Joseph's Convent and Sacred Heart Church and School) should be investigated.



Figure 128: 1, 3 and 5 Selma Street, Newcastle West (Source: Google Streetview)



Figure 129: 246 Parry Street, Newcastle West (Source: Google Streetview)

Wood Street is comparable to the proposed Parry Street HCA considering its development history and low-rise industrial warehouse character. In demonstrating principal characteristics of a Newcastle industrial streetscape it is less representative as it is a smaller area (a row of five contributory buildings midway along its western side and two heritage items), and has less integrity with most of the front facades of these contributory buildings exhibiting significant and intrusive alterations and additions, particularly at ground floor level to accommodate more modern shopfronts (**refer to Figure 130**). These properties should be investigated for potential as new LEP heritage item listings. The Former Castlemaine Brewery at 787 Hunter Street (LEP item I501, SHR ID 00312) extends along the full length of the east side of the street, and at its north-west end is the Cambridge Hotel at 789 Hunter Street (LEP item I502) (**refer to Figure 131**). The heritage significance of these land parcels is already conserved and protected by existing heritage item listings and are isolated from the special built character of Newcastle West by recent development adjoining such as the Newcastle Bus Interchange at 874 Hunter Street and the commercial office buildings at 168 Parry Street and 12 Stewart Avenue.



Figure 130: 22 Wood Street, Newcastle West facing north (Source: Google Streetview)



Figure 131: Former Castlemaine Brewery at 787 Hunter Street and the Cambridge Hotel at 789 Hunter Street, Newcastle West (Source: Google Streetview)

The heritage significance of the land parcels containing Birdwood Park (LEP Item I509), Stewart Avenue's Fig Trees (LEP Item I161), the Army Drill Hall at 498 King Street (LEP item I508) (**refer to Figure 132**), Dairy Farmers Building at 924 Hunter Street (LEP item I505), and St Joseph's Convent and Sacred Heart Church and School at 841 Hunter Street (LEP Item I503) (**refer to Figure 133**) are already conserved and protected by existing heritage item listings and are isolated from the special built character of Newcastle West by adjoining recent development.



Figure 132: Birdwood Park and the Army Drill Hall at 498 King Street, Newcastle West (Source: Google Streetview)



Figure 133: St Joseph's Convent and Sacred Heart Church and School at 841 Hunter Street, Newcastle West (Source: Google Streetview)

Some properties have potential cultural value such as those at 741 Hunter Street, 17 and 19 Beresford Street, 840 Hunter Street, 904-908 Hunter Street, and 23 Denison Street, Newcastle West (**refer to Figures 134 to 138**). However, these properties are isolated from the special built character of Newcastle West by adjoining recent development. Instead, these properties should be investigated for new LEP heritage item listings.



Figure 134: 741 Hunter Street, Newcastle West (Source: Google Streetview)



Figure 135: 17 and 19 Beresford Street, Newcastle West (Source: Google Streetview)



Figure 136: 840 Hunter Street, Newcastle West (Source: Google Streetview)



Figure 137: 904-908 Hunter Street, Newcastle West (Source: Google Streetview)



Figure 138: 23 Denison Street, Newcastle West (Source: Google Streetview)

For land between National Park and Selma streets, all buildings no longer in an HCA and ranked as Contributory 1 or Contributory 2 items, should be investigated as potential new LEP heritage item listings. This should include the small number of contributory buildings in Beresford Street and Beresford Lane, isolated from the special built character of Newcastle West by adjoining recent development (refer to **Figures 135 and 139**).



Figure 139: 29 and 31 Beresford Street, Newcastle West (Source: Google Streetview)

As well as their positive contribution to the heritage significance of the HCA, the properties along the south side of Parry Street should be retained in the HCA to maintain the setting of an immediately adjacent HCA. The HCA provides an assessment regime with more control over future development of this land, discouraging intensive and inappropriate development adjacent to Hamilton South 'Garden Suburb' HCA to the south and its properties in Warrah Street. These properties are of a low-rise height and scale (single storey), and residential built form (**refer to Figure 140**). This section of the HCA provides an important buffer, assisting with conserving the heritage significance of the adjacent Hamilton South 'Garden Suburb' HCA.



Figure 140: 8 Warrah Street, Hamilton East facing south-east (Source: Google Streetview)

As such, the following amendments to the LEP maps for the Newcastle West area are recommended (refer to Figure 141):

- Rename part of the existing Newcastle City Centre HCA Parry Street HCA which is south of King Street, east of Stewart Avenue, and west of National Park Street.
- Retain in the Newcastle City Centre HCA all land parcels north of King Street, west of Bellevue Street/764 Hunter Street/National Park Street, and east of Selma Street. Further investigation is recommended to assess whether the area meets NSW assessment criteria for an HCA. This includes investigating potential new LEP heritage item listings for any buildings ranked as Contributory 1 or Contributory 2 items in that area.

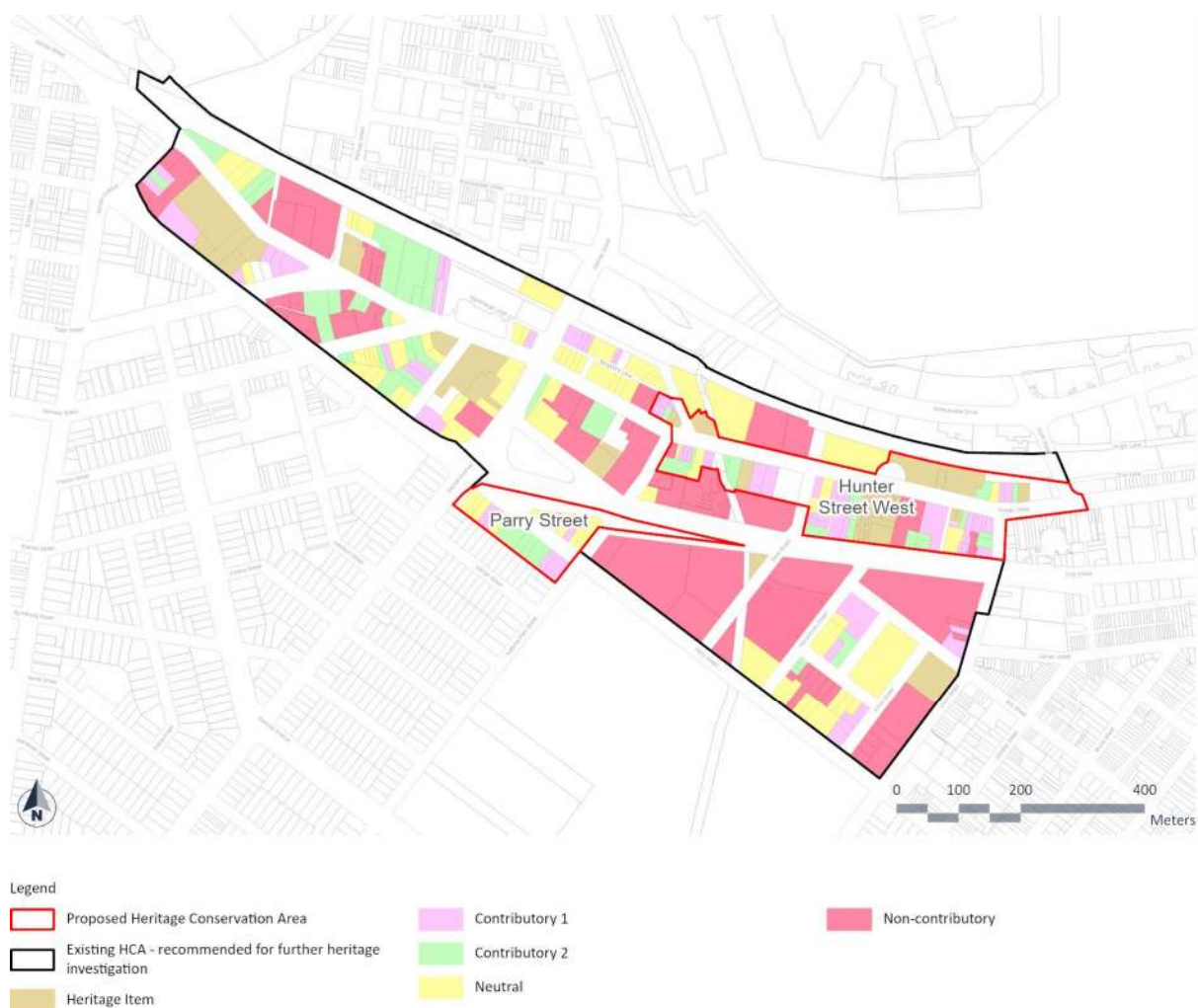


Figure 141: Proposed Parry Street HCA - Proposed changes to the existing Newcastle City Centre HCA (Source: CN GIS 24 January 2020)

9.12 Newcastle City Centre Boundary

A review of the Newcastle City Centre boundary considered land parcels at the boundary of the proposed Parry Street HCA. Overall, it is considered appropriate that this land will remain in the Newcastle City Centre boundary as the LEP provisions for the Newcastle City Centre are commensurate with the heritage significance and desired future character of the proposed HCA.

9.13 Land use zoning

A review of the land use zoning was undertaken for land parcels in the boundary of the proposed Parry Street HCA. Overall, the existing land use zoning is considered appropriate and compatible with retaining and conserving the heritage significance of the proposed HCA.

9.14 Minimum lot size, height of buildings and floor space ratio

A review of the minimum lot size, HOB and FSR development standards was undertaken for land parcels in the boundary of the proposed Parry Street HCA. Overall, these standards applied to this land are considered appropriate and compatible with retaining and conserving the heritage significance of the proposed HCA.

9.15 Heritage Items

Identified by the assessment above and from community engagement feedback, it is recommended the following new LEP heritage items and amendments to existing LEP heritage items be investigated:

- Former Castlemaine Brewery, Wood Street - adjust boundary of existing LEP listing (Item I501) to include the adjacent land parcel at 1 Wood Street consistent with the existing Former Castlemaine Brewery SHR listing (SHR ID 00312).
- Former Drill Hall, Little King Street - adjust boundary of existing LEP item (Item I508) consistent with recent boundary adjustments to the property.
- 246 Parry Street - investigate heritage value and potential to adjust boundary of existing LEP listing (Item I503 - St Joseph's Convent and Sacred Heart Church and School) to include adjacent industrial warehouse buildings.
- 741 Hunter Street, Newcastle West - investigate potential new LEP listing.
- 17 and 19 Beresford Street, Newcastle West - investigate potential new LEP listing.
- 840 Hunter Street, Newcastle West - investigate potential new LEP listing.
- 904-908 Hunter Street, Newcastle West - investigate potential new LEP listing.
- 23 Denison Street, Newcastle West - investigate potential new LEP listing.
- Christadelphian Church at 152 Parry Street - investigate potential new LEP listing.

- Other places in the HCA identified from the community engagement feedback as having potential cultural heritage merit will be investigated for LEP listing in a future heritage study.

CHAPTER TEN – RECOMMENDATIONS

10.1 Introduction

The recommendations below include an analysis of the community engagement outcomes from Phase 1, between 17 April 2023 and 29 May 2023, and Phase 2 public exhibition of Draft Newcastle City Centre HCAs Review Report from 6 November 2023 to 18 December 2023.

The recommendations do not allow CN to make changes to the HCA boundaries or heritage listings. Such changes follow a strict legal process requiring a planning proposal to amend the LEP. Similarly, recommended changes to the DCP require a formal, legal process. This work will be done as a separate project and will require council approval and further exhibition.

10.2 Recommendations

The recommendations for further consideration are as follows:

Newcastle East Heritage Conservation Area (Refer to Chapter 4)

- The Newcastle East HCA remains protected through the mechanism of a statutory HCA.
- Amend the LEP maps to adjust the boundary of the Newcastle East and The Hill HCAs.
- Amend the LEP maps to remove height of buildings and floorspace ratio development standards from identified low-rise precinct in the Newcastle East HCA.
- Further investigate whether the planning provisions for the Newcastle East HCA and the Newcastle City Centre should both apply, particularly for the identified low-rise precinct in Newcastle East and any similar areas in the Newcastle City Centre.
- Amend DCP 2023 to include updated statement of significance and desired future character statement for Newcastle East HCA.
- Amend the Heritage Technical Manual to include updated contributory building maps for the Newcastle East and The Hill HCAs.
- Investigate changes to the LEP heritage schedule and maps to amend existing and add new heritage items.

Newcastle City Centre Heritage Conservation Area (Refer to Chapter 5)

- Amend the LEP heritage schedule and maps to replace part of the Newcastle City Centre HCA with the smaller Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street HCAs.
- The proposed remnant land of the Newcastle City Centre HCA remains protected through the mechanism of the statutory HCA.
- Further investigate whether the remnant land in Newcastle City Centre HCA meets NSW assessment criteria for an HCA. This includes investigating potential new LEP heritage item listings for any buildings ranked as Contributory 1 or Contributory 2 items on this land.

Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street Conservation Areas (Refer to Chapters 6, 7, 8 and 9)

- Amend the LEP maps to adjust the boundary of the Newcastle City Centre, The Hill and Cooks Hill HCAs with the corresponding boundaries of the Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street HCAs.
- Amend the LEP maps to adjust the Newcastle City Centre boundary, change land use zoning, (from MU1 mixed use to R3 Medium Density), add minimum lot size development standards, and remove height of buildings and floorspace ratio development standards from identified low-rise residential properties in The Hill HCA.
- Amend DCP 2023 to include updated statement of significance and desired future character statements for the amended Newcastle City Centre HCA, and new statements for Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street HCAs.
- Amend the Heritage Technical Manual to include updated contributory building maps for Newcastle City Centre, The Hill and Cooks Hill HCAs, and new contributory building maps for Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street HCAs.
- Investigate potential changes to the LEP heritage schedule and maps to amend existing and add new heritage items.

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APPENDIX A

COMMUNITY ENGAGEMENT REPORT (PHASE 1)

- September 2023

APPENDIX B

PUBLIC EXHIBITION REPORT (PHASE 2)

- January 2024



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Newcastle City Centre Heritage Conservation Areas Review Final Report



City of
Newcastle

ACKNOWLEDGEMENT OF COUNTRY

City of Newcastle (CN) acknowledges its Local Government Area (LGA) sits within the Country of the Awabakal and Worimi peoples. We acknowledge that Country for Aboriginal peoples is an interconnected set of ancient relationships. We acknowledge the custodianship of the Awabakal and Worimi peoples and the care and stewardship they have performed in this place since time immemorial. We recognise the history of truth that acknowledges the impact of invasion and colonisation on Aboriginal and Torres Strait Islander people and how this still resonates today.

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EXECUTIVE SUMMARY

This report presents the findings of a review of heritage conservation areas (HCAs) within the Newcastle City Centre boundary. It includes the following HCAs:

- Newcastle City Centre
- Newcastle East
- The Hill (part of due to a shared boundary)
- Cooks Hill (part of due to a shared boundary).

It defines current heritage significance of each area and provides desired future character statements. It assesses the appropriateness of boundaries, examines the planning context and controls, identifies items that contribute to or detract from the areas and documents what the community values about them. It also investigates a few potential new HCAs.

The review's methodology is based on NSW Heritage criteria as found in the heritage assessment guidelines of the NSW Heritage Council. These guidelines are accepted as the standard methodology for assessing heritage significance. The review considers the "Better Placed: Design Guide for Heritage" best practice guidelines of the NSW Heritage Council. This included a literature review of previous studies and an analysis of new information based on fieldwork and community engagement feedback.

The report's recommendations incorporate an analysis of the feedback made during the community engagement held 17 April 2023 and 29 May 2023 (Phase 1) by CN's Community Engagement team. That feedback is used as the baseline data to determine the social significance of each HCA.

This report's recommendations incorporates the outcomes of the public exhibition of the draft report held 6 November to 18 December 2023 (Phase 2) by CN's Community Engagement team.

The review finds HCA residents generally want to maintain the special character of these areas and existing HCA boundaries. The community identified several distinct character areas for protection and conservation, particularly in the Newcastle City Centre HCA. Updated statements of significance and desired future character in the Newcastle Development Control Plan (DCP) is an appropriate way to reinforce character along with revisions to the contributory buildings maps in the Heritage Technical Manual.

The review concludes CN should develop a program to apply its findings and amend Newcastle Local Environmental Plan 2012 (LEP) and DCP. The ~~final~~ recommendations include:

- Amendments to the Newcastle East, Newcastle City Centre, The Hill and Cooks Hill HCA boundaries for land located in the Newcastle City Centre boundary.
- Replacement ~~part~~ of the Newcastle City Centre HCA with the smaller Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street HCAs.
- Amendments to an identified low-rise area located in the Newcastle East HCA to delete height of building (HOB) and floorspace ratio (FSR) development standards.
- Amendments to low-rise residential properties located in The Hill HCA to remove them from the Newcastle City Centre boundary, delete HOB and FSR development standards, add

minimum lot size development standards, and where applicable change the land use zoning from MU1 Mixed Use to R3 Medium Density Residential.

- Amendments to the DCP to include updated statements of significance and desired future character statements for the amended Newcastle East [and Newcastle City Centre](#), and proposed Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street HCAs.
- Amendments to the Heritage Technical Manual to update contributory building maps for the amended Newcastle East, [Newcastle City Centre](#), The Hill, and Cooks Hill HCAs, and new contributory building maps for the proposed Old Town, Civic and Honeysuckle, Hunter Street, and Parry Street HCAs.

The recommendations from the review do not instigate changes to HCA boundaries or heritage listings. Such changes require [further investigation, council approval and](#) strict legal process to amend the LEP and similarly, recommended changes to the DCP require a formal, legal process. This work will be undertaken as a separate [future](#) project.

CHAPTER ONE – INTRODUCTION

1.1 Introduction

A Heritage conservation area (HCA) is a group of places, often defined by its distinctive architecture, streetscape, and landscape features, which together contribute to our history and cultural identity. Heritage significance of these areas is likely to change over time and with use. These dynamic areas continuously change from development, cultural and social changes to the resident population and use, as well as renewal, neglect, and decay. These changes enhance, maintain and erode their cultural heritage significance. Therefore, it is essential to review and update the conservation management strategies, policies and planning framework for these areas to ensure their heritage value is understood, protected and supported for future generations.

This report presents the results of a review and analysis conducted during 2023 of two of City of Newcastle's (CN) eight existing HCAs - Newcastle City Centre and Newcastle East HCAs. It incorporates the results from CN's engagement with the community (Phase 1) from 17 April 2023 to 29 May 2023. This report is refined incorporating the analysis of community feedback from the public exhibition of the draft report (Phase 2) from 6 November to 18 December 2023. The Community Engagement Report (Phase 1), September 2023 is attached in Appendix A and the Public Exhibition Report (Phase 2), January 2024 is attached in Appendix B.

CN's Strategic Planning team drafted the report. The study area for this review is existing HCA land within the Newcastle City Centre boundary and comprises the following HCAs:

- Newcastle City Centre
- Newcastle East
- The Hill (part of due to a shared boundary)
- Cooks Hill (part of due to a shared boundary)

Following a review of feedback received during public exhibition, a final report will be presented to Council for adoption.

The project included the following tasks for the Newcastle City Centre and Newcastle East HCAs:

- Community engagement to determine what residents and businesses value about these HCAs.
- Review the heritage significance of the HCAs in accordance with Heritage NSW guidelines.
- Identify and define building styles and key elements of heritage value within these HCAs.
- Review the HCAs boundaries for continued heritage significance, examining whether they remain appropriate and for any need to adjust or manage them differently to best guide development assessment.
- Review the boundaries of other existing HCAs that adjoin these areas (The Hill and Cooks Hill) to examine whether land in the Newcastle City Centre Local Environmental Plan boundary reflects the heritage significance or would be better added to the Newcastle City Centre or Newcastle East HCAs.

- Identify low-rise residential properties on HCA land in the Newcastle City Centre boundary. Review the land use zoning objectives and development standards in the Newcastle Local Environmental Plan 2012 (LEP) with the built form of the land, the development objectives of the Newcastle City Centre, and the HCA's conservation objectives.

1.2 Purpose of this report

This report presents the findings of the Newcastle City Centre and Newcastle East HCAs review. The purpose of the report is to recommend ways to guide future heritage planning. It aims to ensure these HCAs reflect significant and demonstrable built, landscape or other heritage values in the study area, and are identified and mapped for clarity. The report reviews and proposes planning controls with specific measures tailored to strengthen the conservation and management of the distinctive heritage significance of each HCA.

The buildings, streets, and precincts of the Newcastle City Centre's HCAs have experienced significant change with recent economic revitalisation. This has altered the streetscape with many older buildings replaced and vacant sites infilled with new mixed-use higher density development, and triggered the need for a review.

The review aims to allow the Newcastle City Centre's revitalisation to continue while enabling our rich and diverse cultural heritage to remain protected and conserved.

The report focusses on built heritage and urban form and:

- Reviews the boundaries, significance and integrity of existing HCAs in response to change.
- Recommends amendments to the LEP and DCP (and associated Heritage Technical Manual).

1.3 Newcastle 2040 Community Strategic Plan

The Newcastle 2040 Community Strategic Plan (CSP) is a shared community vision, developed as a guide to inform policies and actions throughout the city for the next 10+ years. With direct input from the community, it represents what we value in our city and what we want to prioritise.

The CSP outlines four key themes to guide the implementation of this vision (**refer to Figure 1**). This project aligns with the objectives set under these themes, and will contribute to "*enriched neighbourhoods and places*" (Theme 1.1), as well as "*trust and transparency*" (Theme 4.2).

Through the CSP, the Newcastle community has expressed its aspiration that moving towards 2040, local heritage places will be protected. Overall, CN aims to ensure that the significant aspects of the city's heritage are identified, cared for, celebrated and appropriately managed on behalf of residents and visitors of Newcastle. The intention is to ensure decisions about heritage places are made with due regard to heritage significance, and that we strengthen or better appreciate heritage significance.

 1. Liveable	 2. Sustainable	 3. Creative	 4. Achieving Together
<p>1.1 Enriched neighbourhoods and places</p> <ul style="list-style-type: none"> 111 Great spaces 112 Well-designed places 113 Protected heritage places <p>1.2 Connected and fair communities</p> <ul style="list-style-type: none"> 121 Connected communities 122 Inclusive communities 123 Equitable communities 124 Healthy communities <p>1.3 Safe, active and linked movement across the city</p> <ul style="list-style-type: none"> 131 Connected cycleways and pedestrian networks 132 Road networks 133 Managed parking 134 Effective public transport <p>1.4 Innovative and connected city</p> <ul style="list-style-type: none"> 141 Emerging technologies 142 Digital inclusion and social innovation 	<p>2.1 Action on climate change</p> <ul style="list-style-type: none"> 211 Towards net zero emissions 212 Know and share our climate risk 213 Resilient urban and natural areas <p>2.2 Nature-based solutions</p> <ul style="list-style-type: none"> 221 Regenerate natural systems 222 Expand the urban forest 223 Achieve a water sensitive city <p>2.3 Circular economy</p> <ul style="list-style-type: none"> 231 Design out waste 232 Localised supply chain and sustainable procurement 	<p>3.1 Vibrant and creative city</p> <ul style="list-style-type: none"> 311 Vibrant events 312 Bold and challenging programs 313 Tourism and visitor economy 314 Vibrant night-time economy <p>3.2 Opportunities in jobs, learning and innovation</p> <ul style="list-style-type: none"> 321 Inclusive opportunities 322 Skilled people and businesses 323 Innovative people and businesses <p>3.3 Celebrating culture</p> <ul style="list-style-type: none"> 331 Nurture cultural and creative practitioners 332 Promote Newcastle as a major arts and cultural destination 333 Culture in everyday life <p>3.4 City-shaping partnerships</p> <ul style="list-style-type: none"> 341 Optimise city opportunities 342 Advocacy and partnership 	<p>4.1 Inclusive and integrated planning</p> <ul style="list-style-type: none"> 411 Financial sustainability 412 Integrated planning and reporting 413 Aligned and engaged workforce <p>4.2 Trust and transparency</p> <ul style="list-style-type: none"> 421 Genuine engagement 422 Shared information and celebration of success 423 Trusted customer experience <p>4.3 Collaborative and innovative approach</p> <ul style="list-style-type: none"> 431 Collaborative organisation 432 Innovation and continuous improvement 433 Data-driven decision-making and insights

Figure 1: Newcastle 2040 Community Strategic Plan themes and objectives.

1.4 Alignment with Newcastle Heritage Strategy 2020-2030

CN's Heritage Strategy is a strategic framework to guide the management of heritage matters in the Newcastle LGA over the next ten years. It draws from the Newcastle 2030 Community Strategic Plan 2018-2028 (CSP) (City of Newcastle, 2018) and Newcastle's Heritage Policy 2013 (updated 2022). Consultation told us the Newcastle community has strongly expressed its aspiration that moving towards 2030+, local heritage will be valued, enhanced and celebrated.

The Heritage Strategy allows CN to articulate a framework for achieving this vision and to meet its statutory obligations and community expectations for regulating and managing local heritage. It aligns with the Sustainable Development Goals and New Urban Agenda developed by the United Nations, the Hunter Regional Plan 2041, Greater Newcastle Metropolitan Plan 2036 and contemporary heritage guidelines for local government required by the NSW Heritage Council.

The Heritage Strategy identifies actions and services that when implemented align with the Newcastle Heritage Policy, best practice, legislative responsibilities and community expectations. It identifies the vision statement for heritage, sets out the context, identifies the core themes/priorities and the objectives, outcomes and measures of these themes.

This review delivers on the following priorities outlined in the Newcastle Heritage Strategy 2020-2030:

- Priority 1** *Enhancing our community's knowledge of and regard for local heritage items and places.*
- Priority 2** *City of Newcastle will protect and conserve the City's heritage places for the benefit of everyone.*
- Priority 3** *City of Newcastle will protect the integrity of heritage places by ensuring consistent and sympathetic uses, physical and aesthetic treatments and outstanding interpretations.*
- Priority 4** *Newcastle's significant heritage places are a unique historical resource and represent an asset for the continuing educational, cultural and economic enrichment of the*

region. City of Newcastle will invest in the promotion and care of these assets as part of the city's economic and cultural development.

1.5 What is a heritage conservation area (HCA)?

An HCA is an area of land recognised for its collective nature of buildings and elements that contribute to an overall heritage significance valued by the community and worth protecting. More than a collection of heritage items, it can include a group of buildings, landscape or whole suburbs with heritage values that give it a distinct identity. Their significance is often associated with the underlying land subdivision, street pattern, arrangement of lots, and a predominance of buildings that share common periods of development, historical associations, materials, form and scale.

An HCA is determined by examining its heritage significance and identifying the special characteristics making up that significance. To be considered for listing by the NSW Minister and protected under the *Environmental Planning and Assessment Act 1979* (EP&A Act), the area must meet at least one of the seven Heritage Council of NSW criteria for assessing significance.

HCAs are statutorily recognised and protected at the local government level by their listing in the heritage schedule of LEP. The LEP governs the circumstances in which development is permitted. Most development on land in HCAs is unlikely to meet the requirements for exempt development, and therefore needs a development application or complying development certificate.

1.6 Conservation principles

The approach to managing HCA changes is underpinned by the principles and processes of the Australia International Council on Monuments and Sites (ICOMOS) Charter for Conservation of Places of Cultural Significance (The Burra Charter).¹ The Burra Charter is the best practice standard to guide heritage conservation practitioners managing change to heritage places in Australia. This HCA review is based on the following Burra Charter approaches where change should be:

- based on an understanding of the heritage significance of the place
- guided by the heritage significance of the item, site, streetscape and/or area
- managed in accordance with an appropriate conservation policy.

A key principle is that the sum of the parts is equally important as the individual features themselves and explains why the cumulative impact of change is an important consideration. This is often not well

¹ *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*, Australia ICOMOS, 2013. ISBN 0 9578528 4 3

understood. Where buildings positively reinforce the character of an HCA, they need to be retained to conserve the significance of the HCA.

1.7 How are heritage conservation areas determined?

An HCA is determined using the Heritage Council of NSW's evidence based process², the NSW standard criteria used for heritage significance assessment. The process examines heritage significance to determine why an HCA is valued by the community and which special characteristics are worthy of conservation and contribute to that significance. These characteristics can include the subdivision pattern, consistency of the building stock, or common building and construction materials. HCAs usually demonstrate aspects of our cultural, economic and social history, and patterns of change and development over time. These elements will provide evidence of how people respond physically, emotionally, socially and architecturally to their environment; and how places have been occupied, used, ignored, refined, degraded or associated with Australian history over time.

The historical analysis provides the context for assessing significance, which is made by applying standard evaluation criteria to the development and associations of an HCA. The Heritage Council of NSW produced standard evaluation criteria compatible with The Burra Charter values.

To include an HCA on the LEP heritage schedule, the responsible NSW Minister requires it meets one or more of the State Heritage criteria. The values embodied in the criteria generally relate to:

- natural heritage values of places
- Indigenous heritage values of places
- historic heritage values of places

The level of significance of an HCA is determined by its value relative to other comparable HCAs, be they in a local, regional, national, or international context. The rarity and/or representativeness of the HCA is considered as part of the overall analysis of its significance.

Heritage criteria for listing HCAs (and heritage items) at the State or local level in NSW are:

Criterion (a) (Historic significance)	An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)
Criterion (b) (Historical association)	An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

² NSW Department of Planning and Environment, June 2023, *Assessing heritage significance: Guidelines for assessing places and objects against the Heritage Council of NSW criteria*, ISBN 978 1 923018 53 2

Criterion (c) (Aesthetic/creative/technical achievement)	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).
Criterion (d) (Social, cultural, and spiritual)	An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons.
Criterion (e) (Research potential)	An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).
Criterion (f) (Rare)	An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).
Criterion (g) (Representative)	An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).

1.8 Contributory buildings

In HCAs, contributory items are buildings and elements that contribute to the overall significance of the area, and must be kept if the heritage significance of the area is to be retained. Non-contributory items may be replaced. There may also be an opportunity to strengthen the local character by removing elements that detract from or compromise that character.

In the Newcastle LGA, buildings can make three levels of contribution in an HCA – contributory, neutral, and non-contributory. The contribution of any building to the area or streetscape's character and heritage significance, based on the Contributory Buildings Map (example provided in **Figure 2**), will guide the approach to development and assist in determining the degree of change permitted. Each level of contribution is explained in the table below.

Contributory buildings – are buildings that contribute to the character of the HCA. They are:

- (i) **Heritage item** – buildings listed as a heritage item in the LEP; or
- (ii) **Contributory 1** – buildings that clearly reflect a Key Period of Significance for the HCA and are key elements of the HCA. This ranking is assigned where the main front portion of the building is largely unaltered as viewed from the street. Includes buildings with rear additions which do not affect the main front roof; or
- (iii) **Contributory 2** – buildings that have been altered but are still identifiable as dating from a Key Period of Significance for the HCA. They retain their overall form from the original date of construction and, even though altered, are contributory to the heritage conservation area

character. This ranking is assigned where a building has alterations such as cement rendering to Federation or Inter-war period brickwork or a first-floor addition which affects the main front roof form, yet the period and style of the building remains discernible.

Neutral buildings – are buildings that are either altered to an extent where the construction period is uncertain, or are from a construction period which falls outside any Key Period of Significance for the HCA, but which reflect the predominant scale and form of other buildings within the HCA, and therefore do not detract from the character of the HCA. This ranking is assigned where the building is either so altered that the period and style is no longer evident, or it is a recent building which is of a height, form and scale which is consistent with the streetscape.

Non-contributory buildings – are buildings from a construction period which fall outside any Key Period of Significance for the heritage conservation area and that have scale or form that is not consistent with the key characteristics of the heritage conservation area. This ranking is assigned where the building is recent or late 20th century and is out of scale, ie, not consistent with the height, form and scale of buildings within the streetscape.

The Contributory Buildings Maps, prepared in January 2020 provide a snapshot assessment of the building as viewed from the street and can be used as a starting point to understand a building's potential heritage significance. The ranking of each building was a visual assessment and not based on historical documentary research.



Figure 2: Example of Contributory Buildings Map – Hamilton Residential Precinct HCA (Source: CN GIS 24 January 2020)

1.9 Methodology

This review is based on the NSW Heritage Council's heritage assessment guidelines³ and the criteria defined in the NSW Heritage Act 1977 as the standard methodology to assess heritage significance. The document "Better Placed: Design Guide for Heritage", best practice guidelines of Heritage Council of NSW and Government Architect NSW⁴ was also used.

This review includes a literature review of heritage studies relating to the HCAs, an analysis of new information, historical updates, and the results of fieldwork and community engagement. It uses terms consistent with definitions in the LEP and DCP. Google Streetview imagery is used to help visualise each locality.

An important element of heritage significance is social value – that is, the esteem people place on an item or HCA and its contribution to a community's sense of identity. To seek the views of each community residing and working in the HCAs in a robust and objective manner, the review included community engagement feedback. This feedback is included in each HCA chapter and has been treated as the baseline data to explore the social significance of each heritage conservation area.

³ NSW Department of Planning and Environment June 2023, *Assessing heritage significance: Guidelines for assessing places and objects against the Heritage Council of NSW criteria*, ISBN 978 1 923018 53 2

⁴ Heritage Council of NSW and Government Architect NSW, May 2018, *Better Placed: Design Guide for Heritage: Implementing the Better Placed policy for heritage buildings, sites and precincts*, ISBN 978 0 6483700 4 8

CHAPTER TWO – STATUTORY PLANNING FRAMEWORK

2.1 Introduction

This chapter sets out the planning context in which CN regulates and manages the HCAs listed in the LEP. In NSW, State and local Governments share the responsibility for managing heritage. The Heritage Council of NSW, assisted by Heritage NSW, has responsibility for items of State heritage significance listed on the State Heritage Register and for relics of State and local significance. Local Government is responsible for local heritage, through LEPs and DCPs.

The State Heritage Register lists items and areas that have significance to the people of NSW, while nationally significant places are listed on the National Heritage List administered by the Australian Government Department of Climate Change, Energy, the Environment and Water.

The three legal instruments regulating cultural heritage in NSW are:

1. *NSW Heritage Act 1977*
2. *Environmental Planning and Assessment Act, 1979*
3. *NSW National Parks and Wildlife Act 1974.*

Identifying and listing items and places of heritage significance are the first steps in protecting and managing places deemed to be of heritage significance. Listing heritage places on statutory heritage registers provides a legal framework for managing the approval of major changes so that heritage significance is retained and not diminished.

CN's heritage listings are made through the *EP&A Act* which enables the listing of heritage items and places in the LEP. The *Standard Instrument—Principal LEP* contains provisions to regulate heritage. This is the legal framework for recognising and managing heritage items, heritage conservation areas and archaeological sites.

The *Transport and Infrastructure State Environmental Planning Policy (SEPP) 2021* defines the boundary of the Three Ports area including Port Botany, Port Kembla, and Port of Newcastle. The port of Newcastle's Three Ports area (**refer to Figure 3**) applies to the harbour and parts of Kooragang, Mayfield North, Tighes Hill, Carrington, and Newcastle East (Coal River Precinct). Heritage items and archaeological sites in this area are listed in the heritage schedule of the Transport and Infrastructure SEPP 2021 and this provides the mechanism for their identification and management. A SEPP prevails over an LEP, and so heritage listings in the SEPP for the Port of Newcastle's Three Ports area are not listed in CN's LEP.

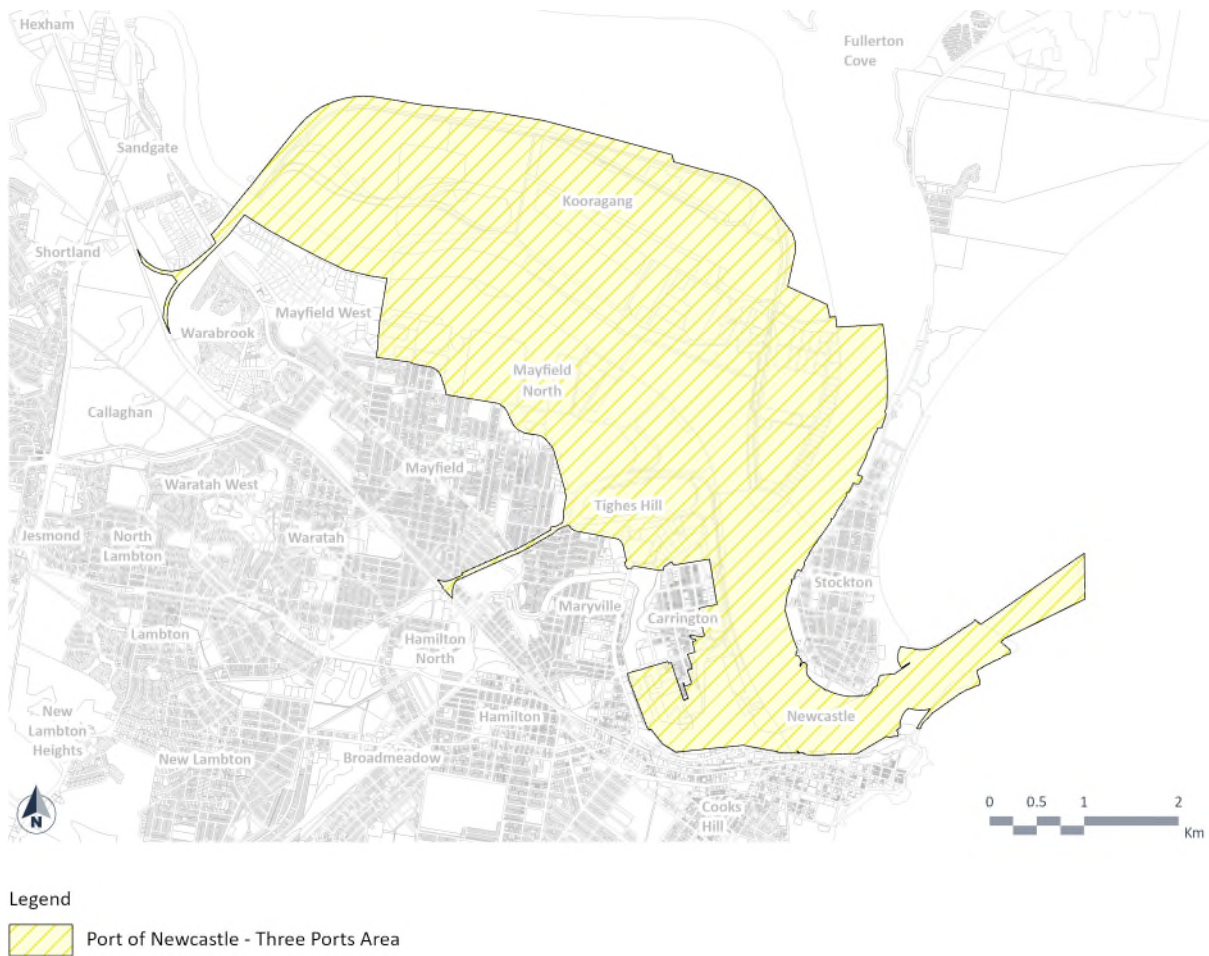


Figure 3: Port of Newcastle - SEPP (Transport and Infrastructure) 2021-~~Three Ports~~

2.2 Local Environmental Plan (LEP)

LEPs are the main planning tool to shape the future of communities by ensuring local development is carried out appropriately. In NSW council's plans are required to conform to a standard LEP, known as the 'Standard Instrument'. This instrument directs the provisions in the LEP which establishes the consent requirements for development in HCAs and provides the assessment framework to follow when assessing a development application within an HCA. Part 5 of the LEP sets out the provisions CN must consider in its assessment of a development application within an HCA or land listed as a heritage item.

Under Clause 5.10 of the LEP, CN must assess the impact of a proposed development on the heritage significance of the HCA or heritage item concerned. Most types of development in a HCA or to a heritage item, unless exempt, require development consent via a development application or complying development certificate. An applicant must demonstrate that there is no heritage impact or that it is minimal and measures to manage impacts are in place.

The heritage clauses at Part 5 of the LEP are mandatory clauses of the NSW planning authority (NSW Department of Planning, Housing and Infrastructure). Council has no discretion to alter or amend these provisions. The LEP is guided by the DCP, which provides direction on the types of changes considered acceptable for an HCA or heritage item. This is further explained below.

HCA and heritage items are listed in Schedule 5 of the LEP. Any changes HCA and heritage item listings such as boundary adjustments, re-naming, removal, or creating a new HCA or heritage item listing requires an amendment to the LEP.

This review examines the heritage significance and boundaries of the existing HCAs and potential new heritage item listings in the HCAs in the Newcastle City Centre boundary (refer to **Figure 4**) to ensure the objectives and associated provisions are responsive to facilitate the preservation ideals and management of the HCAs.

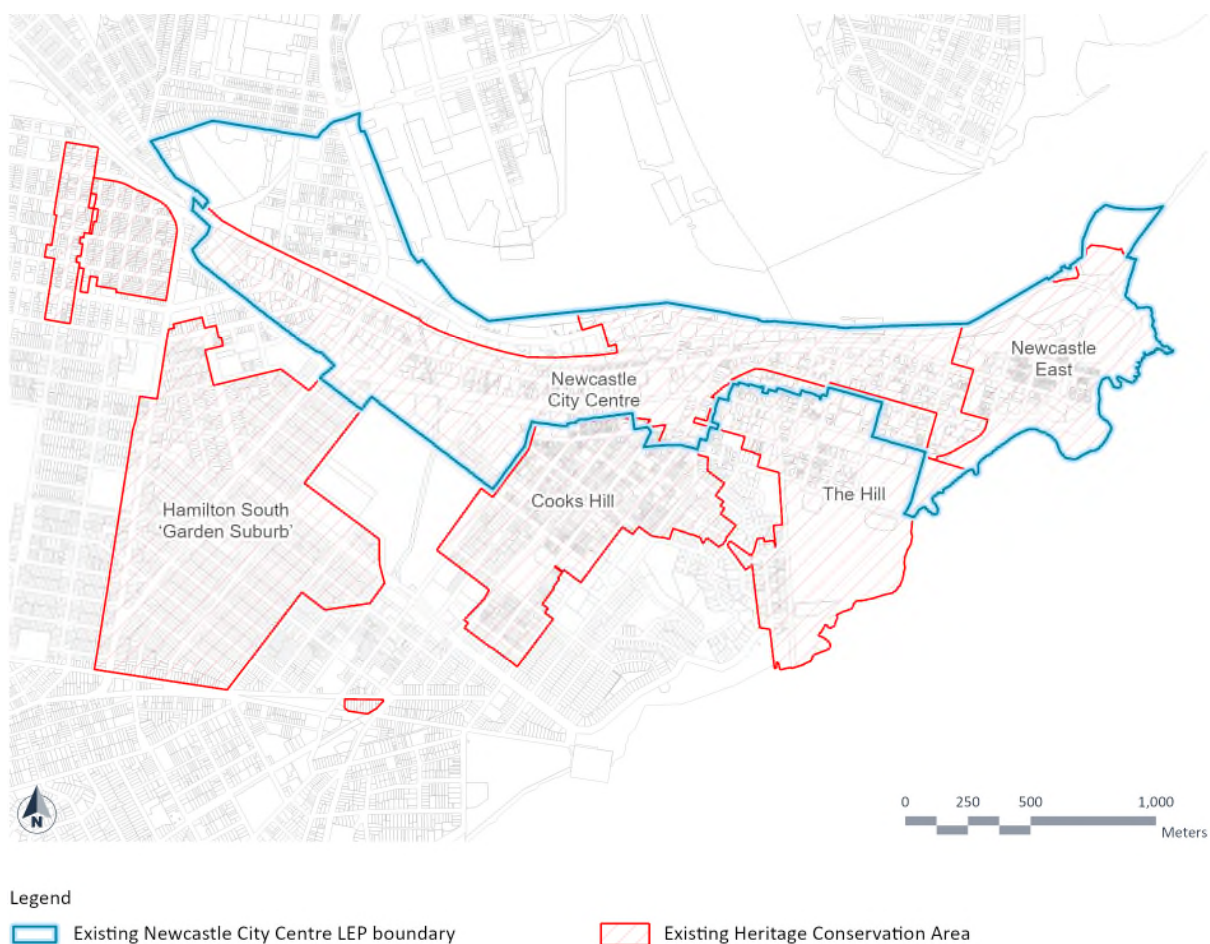


Figure 4: Newcastle City Centre boundary & existing HCAs

2.2.1 Land Use Zones

Zoning is the division of land into categories (i.e. land use zones) providing a local framework for the way land can be developed and used for the area they cover. Zoning in the LEP is guided by the Standard Instrument provisions, and is identified in maps supported by the relevant land use tables.

The Standard Instrument LEP identifies certain mandatory objectives and mandatory land uses permitted with or without consent, or prohibited for each zone. This is provided in Part 2 of the LEP. Any changes to land use zones requires an amendment to the LEP. Councils may, where appropriate, prepare additional local land use objectives and provisions to supplement the standard provisions without altering those mandated and aligning with other relevant State or regional provisions.

The EP&A Act prescribes how a council is to prepare and make a Local Strategic Planning Statement. In 2020 Council, adopted the Newcastle Local Strategic Planning Statement – Planning Newcastle 2040: Global City, Local Character (LSPS). This is Council's 20-year land use vision identifying how we will sustainably manage the city's growth and change. The LSPS gives effect to the Hunter Regional Plan 2041 and Greater Newcastle Metropolitan Plan 2036; and implements priorities from our Community Strategic Plan, Newcastle 2040. The LSPS brings together land use planning actions in adopted strategies and informs changes to the LEP and DCP, to guide land use decisions for the LGA.

This review examines the land use zones to ensure the zone objectives and associated provisions are responsive to facilitate the preservation ideals and management of the HCAs in the Newcastle City Centre boundary.

2.2.2 Minimum subdivision lot size

Subdivision lot size is a development standard to help implement strategic planning objectives and provide certainty to the community and landowners about the acceptable scale of development. Minimum subdivision lot size is one way to establish the building envelope for new development. The DCP supports this with built form provisions such as building setbacks, explained below. It is important to use a consistent approach to the identify and apply minimum subdivision lot size development standards so controls are clear for development and community interests.

2.2.3 Height of Buildings (HOB)

Building height (or height of building) means—

- 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*
- b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,*
including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

A development standard for height is a planning tool to help implement strategic planning objectives and provide certainty to the community and landowners about the acceptable scale of development. Height is one component of a combination of ways used to help establish the primary building envelopes for new development. The DCP supports this with built form provisions such as building setbacks as explained below. It is important that a consistent approach to the identification and application of height development standards is used so controls are clearly understood by development and community interests.

Being an optional clause of the Standard Instrument that CN adopted in its LEP, Clause 4.3 (HOB) to set maximum building heights for development on the accompanying HOB Map. Additionally, the clause allows different maximum heights to be applied for different zones and for different locations in the same zone. Heights are shown in metres.

Although the HOB clause is optional, it is the NSW planning authority's preference (LEP practice note PN 08–001) that building height development standards are applied to strategic centres in the LEP. This is to provide a level of certainty. As part of the planning process, CN assess the impact of a proposed development against the Clause 4.3 (HOB) objectives and development standards specified on the accompany mapping. Any changes to HOBs require an LEP amendment.

This review examines the HOB objectives to ensure the objectives and associated provisions are responsive to facilitate the preservation ideals and management of the HCAs in the Newcastle City Centre boundary.

2.2.4 Floor Space Ratio (FSR)

The floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

A development standard for floor space ratio (FSR) is a planning tool for implementing strategic planning objectives and providing certainty to the community and landowners about the acceptable bulk of development. FSR is one component of a combination of ways to help establish the primary building envelopes for new development and the gross floor areas available for retail, commercial and residential activities in centres. The DCP supports this by including additional built form provisions as explained below. It is important that a consistent approach to the identification and application of FSR development standards is used so these controls are clearly understood by development and community interests.

Clause 4.4 (floor space ratio) of the LEP allows CN to:

- specify maximum FSRs on the accompanying Floor Space Ratio Map;
- apply different maximum FSRs for different zones and different locations in the same zone; and
- use a table in conjunction with a map so separate FSRs may be set out depending on the mix of land uses or the dimensions of the site.

In line with NSW planning authority recommendations, CN adopted Clause 4.5 (calculation of FSR and site area). This provides a method of calculating FSR in a consistent manner by defining FSR and by setting out rules for the calculation of site area for the purpose of applying permitted FSRs.

Although the FSR clauses are optional, it is the NSW planning authority's preference (LEP practice note PN 08–001) to provide FSR development standards for strategic centres set out in the LEP. This gives some certainty about the likely bulk of a building and the likely variations considered to that standard.

As part of the planning process, CN assess the impact of a proposed development against Clause 4.4 (floor space ratio) and Clause 4.5 (calculation of FSR and site area) objectives and development standards specified on the accompany mapping. Any changes to FSR require an LEP amendment.

This review examines the FSR objectives and development standards to ensure the objectives and associated provisions are responsive to facilitate the preservation ideals and management of the heritage conservation areas located in the Newcastle City Centre boundary.

2.2.5 Varying Development Standards

Clause 4.6 of the LEP allows councils to approve development applications with some flexibility so long as the deviation is consistent with the objectives of both the development standard and the zone. In these instances, a consent authority may accept a variation to a development standard if sufficient environmental planning grounds justify it.

A delegate of council can determine the development application, except where it is a numerical standard varied by greater than 10% or the variation is to a non-numerical standard. Where the extent of variation is greater than 10%, in regional areas such as the Newcastle LGA, the elected council has the function of determining the DA.⁵

2.2.6 Newcastle City Centre

The term 'Newcastle City Centre' is defined in Part 7 and mapped by the LEP (**Refer to Figure 4**). It is used generally but also has a statutory definition, such as in the Hunter Regional Plan 2041 and the LSPS. Unless otherwise specified, it can be reasonably assumed this report refers to the area identified in the LEP that applies objectives relating to economic revitalisation and day and evening activities. Measuring 224.5ha, any change to its boundary requires an LEP amendment. . This area is subject to planning provisions in Part 7 Additional local provisions—Newcastle City Centre of the LEP. This aims to strengthen the regional position of Newcastle City Centre, promote its revitalisation and facilitate the development of building design excellence appropriate to its regional city status. The Newcastle City Centre objectives are:

- a) *to promote the economic revitalisation of Newcastle City Centre,*
- b) *to strengthen the regional position of Newcastle City Centre as a multi-functional and innovative centre that encourages employment and economic growth,*
- c) *to protect and enhance the positive characteristics, vitality, identity, diversity and sustainability of Newcastle City Centre, and the quality of life of its local population,*
- d) *to promote the employment, residential, recreational and tourism opportunities in Newcastle City Centre,*
- e) *to facilitate the development of building design excellence appropriate to a regional city,*
- f) *to encourage responsible management, development and conservation of natural and man-made resources and to ensure that Newcastle City Centre achieves sustainable social, economic and environmental outcomes,*

⁵ NSW Department of Planning and Environment, November 2023, *Guide to Varying Development Standards*.

- g) to protect and enhance the environmentally sensitive areas and natural and cultural heritage of Newcastle City Centre for the benefit of present and future generations,*
- h) to help create a mixed use place, with activity during the day and throughout the evening, so Newcastle City Centre is safe, attractive, inclusive and efficient for its local population and visitors alike.*

Part 7 of the LEP sets out matters to consider in assessing a development (or modification) application in the defined Newcastle City Centre area. The provisions are tailored to large scale, medium to high-rise development and include minimum building street frontage, building separation, design excellence, active street frontages, HOB and FSR.

This review examines the Newcastle City Centre objectives and boundary to ensure its objectives and associated provisions are responsive to facilitate the preservation ideals and management of the HCAs located in the current Newcastle City Centre boundary.

2.3 Development Control Plan (DCP)

The DCP supports the LEP with detailed planning and design guidance for those proposing to carry out development in the LGA under a development or modification application. HCA provisions are in Section E1 and Section E2. The Heritage Technical Manual supplements the DCP with further technical information for assessing development applications in HCAs. It includes Contributory Buildings Maps ranking the contribution of buildings to the streetscape character and heritage significance for each of the HCAs.

The DCP enables merit assessment of development applications as it contains relevant aims, objectives and controls. CN can implement a DCP in a discretionary capacity, and in this way, flexibility in the controls supports good design without prescribing the means of achieving it. Applicants can demonstrate how design options to satisfy the objectives. In this sense, the DCP is a non-restrictive planning tool. This approach considers the principle that there is no one-size-fits-all that will be suitable within the HCA, that technology and fashions change and therefore provided that the objectives are met CN does not prescribe the actual means of achieving it.

2.4 The National Housing Accord and Proposed NSW Government Planning Reform

2.4.1 Background

The National Housing Accord (the Accord) was announced by the Commonwealth Government in October 2022 as part of the Federal Budget. Under the accord, State and Territory governments are to undertake expedited zoning, planning and land release to deliver on a joint commitment to improve affordability by addressing Australia's housing supply challenges. In August 2023, National Cabinet endorsed a new national target to build 1.2 million new well-located homes to help align supply with expected demand over the next 5-years. In line with its relative population share of the Accord target, NSW has committed to deliver at least 314,000 new homes by 2029, with a stretch goal of 377,000 homes.

On 7 December 2023, the NSW Government announced the proposed Transport Oriented Development (TOD) Program as well as Low and Mid-Rise Housing planning reform. The changes aim to increase housing capacity close to transport, jobs and existing infrastructure to address the housing crisis. [The timing of this planning reform is unclear at this stage.](#)

2.4.2 [NSW Government Proposed](#) Transport Oriented Development (TOD) Program

The program has two tiers. Tier One relates to Greater Sydney. Tier Two proposes to apply new planning controls to 31 NSW locations to allow more homes within 400m of metro and suburban railway stations. In the context of this HCA review, Tier Two applies to Newcastle Interchange.

The proposed changes will:

- Allow residential flat buildings (RFBs) in all residential zones (R2 Low Density, R3 Medium Density and R4 High Density residential zones) within 400m of the identified stations.
- Allow RFBs and shop-top housing in local and commercial zones (E1 Local Centre and E2 Commercial Centre zones) within 400m of the identified stations.
- Apply a mandatory 2% minimum affordable housing contribution rate for developments using the new provisions.

Notes:

- *RFBs are permissible in the R2, R3 and R4 zones under Newcastle Local Environmental Plan 2012 (NLEP 2012).*
- *shop-top housing is permissible in the E1 and E2 zones under NLEP 2012. RFBs are not permissible in the E1 and E2 zones under NLEP 2012.*

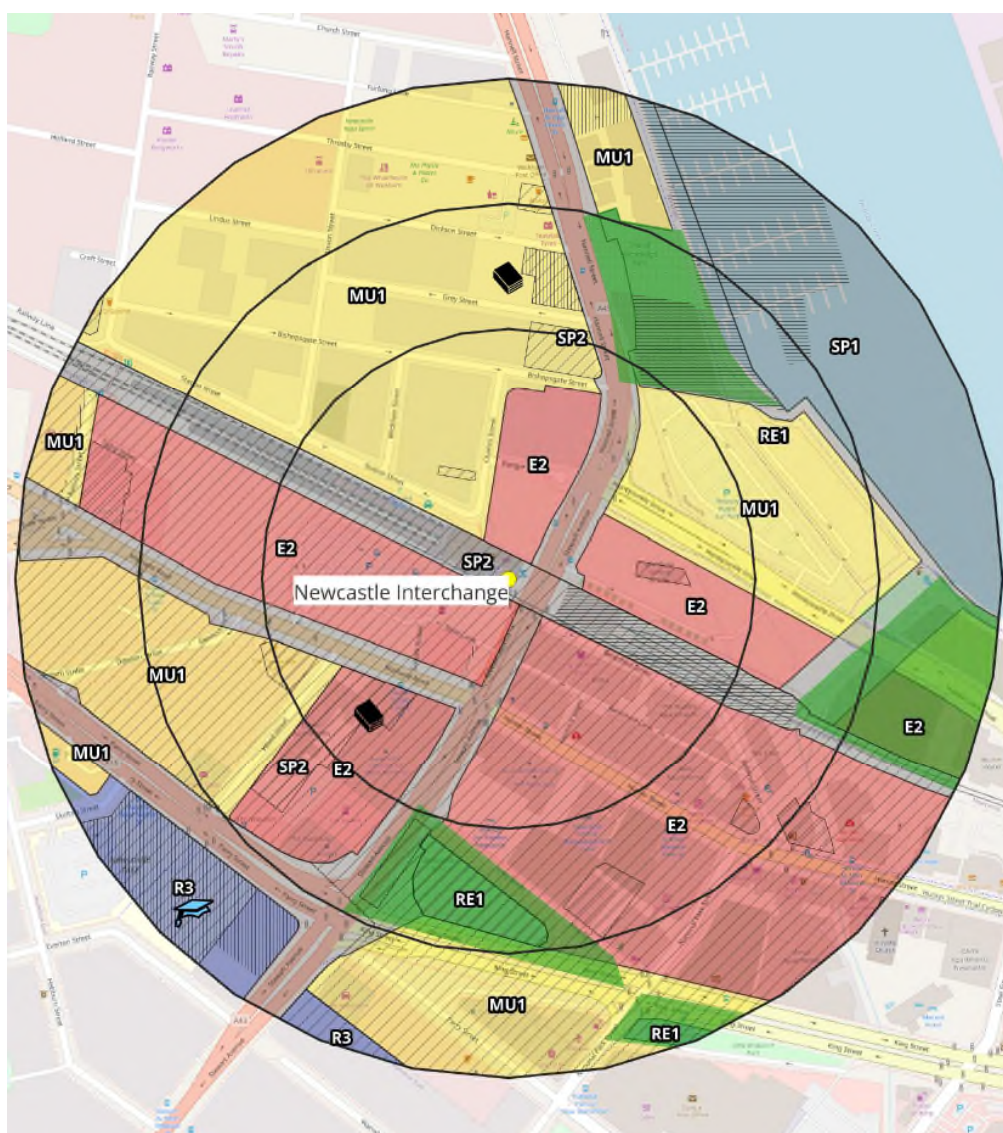


Figure 5: TOD application at Newcastle Interchange
(Source: TOD Briefing Pack for Council (NSW Government, January 2024))

Proposed changes to planning controls include:

- Maximum building height of 21m (approximately six storeys).
- 3:1 floor space ratio (FSR).
- No minimum lot size or lot width.
- Minimum active frontage controls in the E1 and E2 zones – no further information has been provided.
- Maximum parking rates – no further information has been provided.

Notes:

- Within 400m of Newcastle Interchange maximum building heights range from 10m to 90m.

- *Within 400m of Newcastle Interchange current maximum FSR ranges from 0.9:1 to 8:1.*
- *Newcastle DCP 2023 contains minimum frontage (lot) widths for RFBs of 18m in the R2 zone and 15m in the R3, R4 and MU1 zones. No other minimum frontage widths apply.*
- *There is no minimum lot size in the MU1, R4, E1 or E2 zones. A 400m minimum lot size applies in the R2 and R3 zones.*
- *RFBs are not currently permissible in the E1 and E2 zones. Shop-top housing is permissible in E1 and E2 zones and requires commercial/retail uses on the ground floor which provides activation to the street.*
- *Newcastle DCP 2023 applies maximum parking rates to development. It is unclear what implications this may have as no further information about the proposed maximum parking rates have been released.*

[The NSW Government planning reform indicated that f](#)From April 2024, it is anticipated a new State Environmental Planning Policy (SEPP) is proposed to implement the proposed changes and override planning controls in the Newcastle LEP 2012 within 400m of Newcastle Interchange.

New design criteria for mid-rise residential apartment buildings are proposed to support the proposed changes including building separation, setbacks, vehicle access, visual privacy and communal open space controls. A merit-based assessment of development applications in these areas is proposed to use the new controls, including in heritage conservation areas (HCAs). The TOD Program documentation states '*a merit-based assessment will continue to apply in these locations [HCAs] and relevant heritage controls will apply to the extent that they are not inconsistent with the new standards*'. As a result, the proposed controls override any existing heritage controls relating to areas covered by the TOD SEPP and design criteria.

2.4.3 Low and Mid-Rise Housing Reform

The low and mid-rise housing reform proposes to increase the range of housing types permissible in residential zones across the Six Cities Region. Specific to this HCA review, the changes would allow mid-rise apartment blocks (up to six storeys) near station and town centre precincts in the R3 Medium Density Residential Zone. The changes are proposed to apply to areas within:

- 800m walking distance of a heavy rail or light rail station.
- 800m walking distance of land zoned E2 Commercial Centre (e.g. around Civic and Newcastle Interchange)
- 800m walking distance of land zoned E1 Local Centre (e.g. town centres) or MU1 Mixed Use (e.g. most of Newcastle City Centre) – "but only if the zone contains a wide range of frequently needed goods and services such as full line supermarkets, shops and restaurants".

In the context of this HCA review, the low to mid-rise housing reform applies to MU1 and R3 zoned land located within an HCA and the Newcastle City Centre boundary. As such, it would apply to almost all the land in the study area, including mixed-use zoned land in the Newcastle City Centre HCA and the R3 zoned land in the Newcastle East and The Hill HCAs.

Within 400m of the stations/centres, RFBs and shop top housing will have a maximum building height of 21m (six storeys) and a maximum FSR of 3:1. In the outer part of the precincts from 400m to 800m of stations/centres, RFBs and shop top housing will have a maximum building height of 16m (four-five storeys) and a maximum FSR of 2:1. Minimum site area and width standards in LEPs will also be turned off. All other applicable planning controls in LEPs and DCPs such as heritage and environmental considerations will continue to apply to the extent they are not inconsistent with these provisions.

Consistent with the TOD program reform, new design criteria for mid-rise residential apartment buildings will support the proposed changes including building separation, setbacks, vehicle access, visual privacy and communal open space controls. Development applications using these controls will be subject to a merit-based assessment from CN. The proposed reform is envisaged to work 'in tandem with the TOD Program to achieve urban form through appropriate density around centres'. Controls proposed as part of the TOD program will prevail where there are inconsistencies.

2.4.4 Reform Consideration

CN notes the housing reforms detailed above, if enacted, have the potential to significantly affect the statutory planning framework and assessment of development proposed within HCA review area. However, the NSW government has not finalised the reforms, and the implications are unclear.

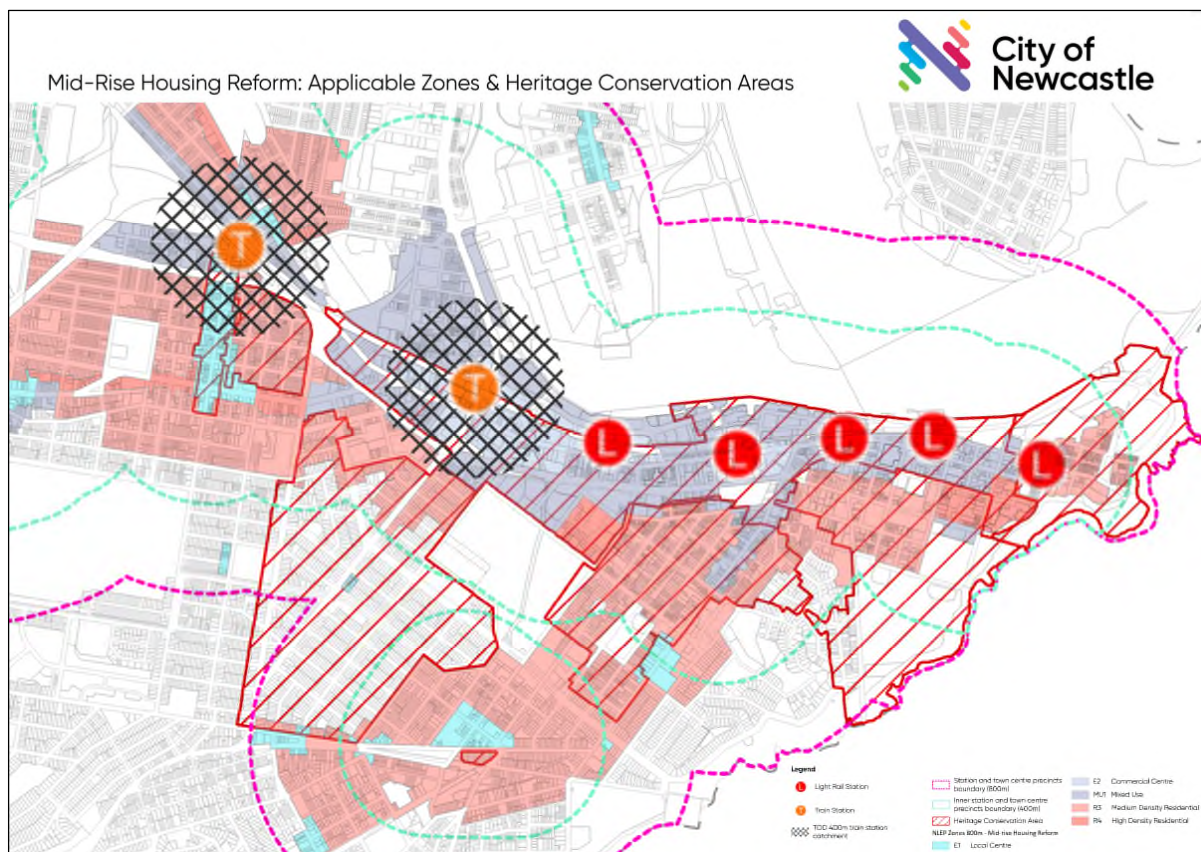


Figure 6: Mid-rise housing reform application (indicative) and HCAs (Source: City of Newcastle, 2024)

CHAPTER THREE – ABORIGINAL AND HISTORICAL CONTEXT

3.1 Introduction

The historical analysis provides the context for assessing significance. The study area is existing HCA land within the Newcastle City Centre boundary. This includes the Newcastle City Centre and Newcastle East HCAs, and some land parcels at the northern periphery of The Hill and Cooks Hill HCAs. These HCAs have a shared and interrelated Aboriginal and Non-Aboriginal cultural history.

3.2 Aboriginal Context

The Traditional Custodians of the land within the Newcastle City Centre, including wetlands, rivers, creeks and coastal environments, have heritage and cultural ties to the study area which date back tens of thousands of years. Traditionally, this and surrounding lands were made up of numerous Nurras, family clan group areas. Each Nurra had ceremonial, story and marriage obligations. These obligations formed the binding relationships between all peoples of this language group, and strengthened ties with neighbouring language groups. They gathered on regular occasions to pay respect to the Dreaming Spirits, the country and each other, through ceremony, song and dance. This maintained the Lore, continuously passing it on.

Muluubinba, the traditional name for the people is attributed to a local sea fern traditionally harvested as a food crop. The Reverend Lancelot Threlkeld, a missionary stationed at Newcastle and Lake Macquarie from the 1820s, recorded that the Aboriginal people of the Newcastle Tribe were called Mulubinbakal (men) and Mulubinbakalleen (female). In breaking down the word, it translates to:

- ‘muluu’ the name of the sea fern
- ‘bin’ is plural and
- ‘ba’ place of meaning - the place of many sea ferns.

This area is where the modern-day Foreshore, Honeysuckle and CBD are situated. It was marshland characterised by ti-tree, honeysuckle and ferns and extending south from the nearby Coquun (Hunter River). Fed by a watercourse from what later became the site of The Obelisk on Prospect Hill, the marsh was part of a much larger swamp drained by a serpentine waterway, now known as Cottage Creek. Its interface with the river consisted of a sandy beach and low sand dunes. Exploitation of shellfish, as demonstrated by large deposits of shells along the creek banks, appears to have begun in earnest some 2000 years ago. The estuarine waters were rich in potential harvests of eels and fish, and the fresh water available in the area attracted game.

Evidence of continuous and extensive Aboriginal occupation of Newcastle City Centre is reflected in recent archaeological records. Multiple sites containing Aboriginal objects have been uncovered and documented throughout the study area. This includes but is not limited to sites in Hunter Street Newcastle West, Hunter Mall Newcastle, a shell midden at Meekarlba (Honeysuckle), and a tool making site at the Convict Lumber Yard on Scott Street.

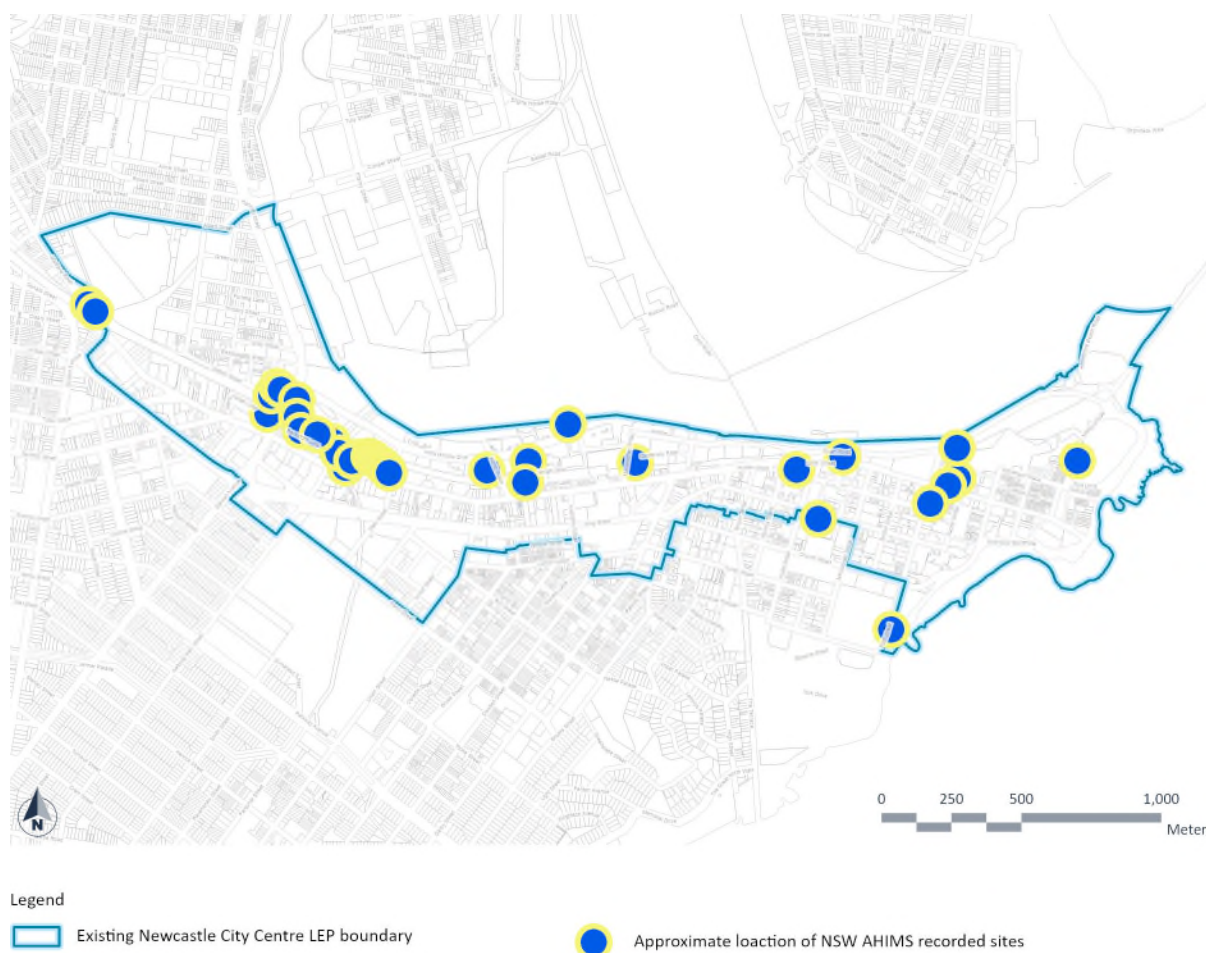


Figure 7: AHIMS listed sites in study area, 14 January 2024

(Source: Aboriginal Heritage Information Management System, NSW Department of Planning & Environment)

Traditional names and stories of many of Newcastle City Centre's natural landmarks and well-known places are still in use today. Whibayganba (Nobbys Headland) is the final dwelling place of the Kangaroo that broke Marriage (skin) Lore. Skin Lore was one of the most important and stringent Lores regarding marriage, community structure and obligations. The Kangaroo Man had forcibly taken a Wallaby Woman, knowing that consequence of his actions was death, he fled from the rest of the people. Trying to outrun them he headed towards the coast, upon reaching the coast he used the cover of a thick fog to escape to Whibayganba. There he was forever trapped by the clever people on the island. An everlasting reminder to all of the punishment that comes with breaking Lore.

Large numbers of clan groups were known to have lived along the river and coast, around the wetlands and hinterlands. Living a settled life managing and farming their lands according to their cultural and family obligations and the Lore, carefully moving with the seasons and for ceremonial necessities. Since approximately 1892, the Indigenous people of Newcastle have come to be known as the Awabakal. Today, the descendants of those people proudly and actively identify with, promote and

protect their Lore, beliefs and languages through connection to country and each other and are now filling important cultural and modern-day roles in the study area.⁶

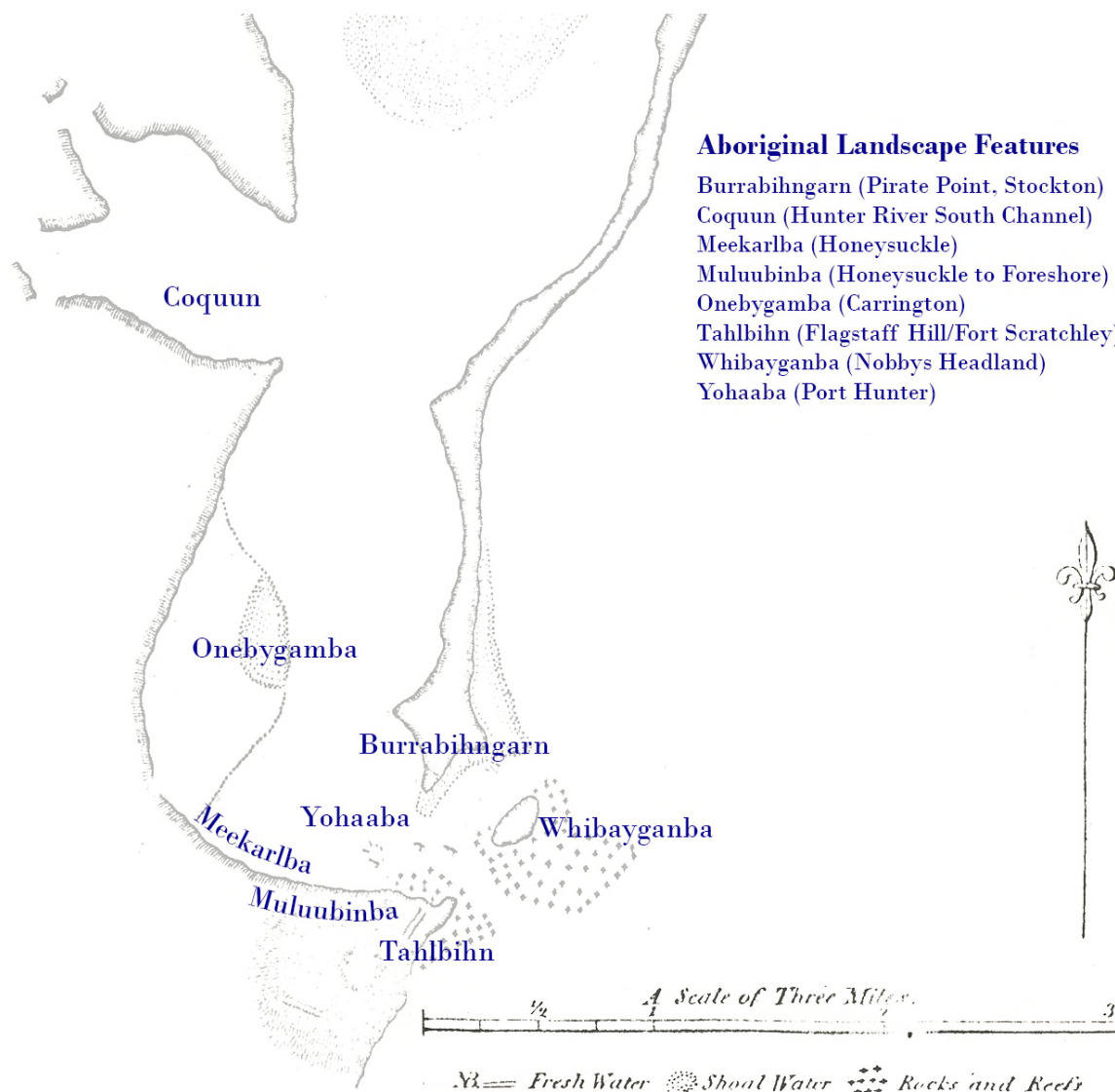


Figure 8: Map of Aboriginal landscape features
 (Source: base map from Mitchell Library, State Library of NSW: Shortland, John, *An eye sketch of Hunter's River it lays N.N.E. true, 63 or 65 miles from Port Jackson : discovered this river 9th Sept'r 1797, in the Governor's whale boat. Published 29th Sept. 1810 by J.Gold, 103, Shoe Lane, London.*
 Dual named landscape features adopted by Newcastle Council on 24 September 2013 and gazetted by NSW Geographical Names Board.
 Muluubinba and Meekarlba identified in CN's Heritage Strategy 2020-2030.
 Onebygamba identified by Traditional Custodian in Phase 2 submissions 6 November to 18 December 2023).

⁶ Extract adapted from pp.5-12 of the Heritage Strategy 2020-2030, written by a traditional knowledge holder of the local community and endorsed by the Guraki Aboriginal Advisory Committee.

3.3 Historical Context

Following in the footsteps of Captain James Cook and his first voyage 1768 to 1771, the First Fleet under Captain Arthur Phillip arrived in Botany Bay in January 1788 to establish a penal colony and the first European settlement in Australia. For the next 13 years, approximately 120km north of Sydney Harbour's penal colony, the coastline and harbour of what is now called Newcastle was the scene of escaping convicts, pursuing naval officers, off-course fisherman and official explorers. Such activity helped to publicise the deep-water port and rich coal seams in the surrounding cliffs.

Lieutenant John Shortland, while pursuing a group of escaped convicts in 1797, landed and camped at the foot of Tahlbihn (Flagstaff Hill / Fort Scratchley) on what is now Camp Shortland in Newcastle East. He was the first European to officially 'discover' the Coquun – a river he named after Governor Hunter and reported coal deposits. The following year enterprising traders began gouging small amounts of coal from the cliffs and exposed reefs to sell to Sydney. In 1801 local coal shipped to Bengal was considered Australia's first commercial export.

In June 1801, in the first official European exploring expedition, Colonel William Paterson reported to Governor King that a small settlement should be established for coal, boiling salt and burning shells for lime. He noted a plentiful fish supply, and excellent pasture for cattle inland. In 1801, a convict camp called Kings Town (after Governor King) was established at the mouth of the Hunter River (then also known as Muluubinba or Coal River) to mine coal and cut cedar. That same year, what is thought to be the Southern Hemisphere's first coal mine was established at Colliers Point, below Tahlbihn (Flagstaff Hill), and its first coal was shipped to Sydney. This settlement closed less than a year later.

A permanent settlement at the mouth of the Hunter River began in March 1804, as a secondary place of punishment for recalcitrant convicts. The administration in Sydney, under Governor King, decided the site's isolation, combined with the hard manual labour of coal mining, lime-burning, salt-making, timber cutting, and construction work would make an ideal secondary penal colony for recidivists. The settlement at Newcastle East was initially named Coal River, also Kingstown, and finally Newcastle, after England's famous coal port. The convicts were mostly Irish rebels from the Castle Hill convict uprising. Initially placed under the direction of Lieutenant Menzies and then from 1805 to 1808 Charles Throsby. The convict settlement rapidly gained a notorious reputation in the Colony as 'Sydney's Siberia' due to its striking similarities of extreme isolation and enforced manual labour also experienced in the Siberia of Imperial Russia. The regime was severe and the work arduous. By 1821 it became the major prison in NSW with over one thousand convicts.

Under Captain James Wallis, commandant from 1816 to 1818, a building boom began. He laid out streets, built the first church on the site of Christ Church Cathedral near an established Aboriginal camp, erected a gaol, and began work on the breakwater. In 1816, the oldest school still operating in Australia, Newcastle East Public School, was established at a site near to Christ Church Cathedral.

Newcastle's appearance and layout as a penal colony is well documented in paintings by convict artists such as Joseph Lycett and Richard Browne. Lycett proved to be an excellent chronicler of penal Newcastle, successfully capturing the shape, colour and development of the town in his paintings. His paintings, without romanticism or denigration recorded Aboriginal people living near Newcastle and their cultural practices such as hunting kangaroo and taking part in a corroboree. His work provides an important snapshot in time just before their way of life was profoundly altered by the growing

European population. The large collection of artworks is an important testimony of the Aboriginal ownership of the area, and a reminder of the experience of first contact between the local Indigenous tribes and the British. Newcastle East has profound historical significance as a place of first contact between traditional custodians of the land and waters of Newcastle and newly arrived Europeans.

Military rule ended in 1823 following the recall of Governor Macquarie to England and the release of the Bigge Report on the state of the colony. Prisoner numbers were reduced to 100 and the remaining 900 were sent to Port Macquarie. Those few that remained in Newcastle were mostly employed on the building of the breakwater, with others in the building of the barracks at James Fletcher Hospital, or by the AA Company in their coal mines. After 1823, the shipping industry began to develop and soon a high proportion of the population were employed in the maritime industry – pilots, lighthouse keepers, life-boat sailors, tugboat crews, wharf labourers, ship chandlers, and customs staff. Work on the Breakwater slowed, gradually ceasing, delaying its completion until 1846.

The great legacy of this period is the foundation of the modern city of Newcastle, which has continued to grow since 1804. Significant heritage sites associated with the convict period survive in the form of Macquarie pier and breakwater, the Convict Lumber Yard, Christ Church Cathedral and burial ground (Cathedral Park), Nobbys, King Edward Park, Bogey Hole, and Signal Hill within the Fort Scratchley Historic Site.

With the decision to declare Newcastle a free town, surveyor Henry Dangar was sent to Newcastle to re-design the street layout for public sale. In 1823 he laid out the town as a grid of three east-west and seven north-south streets, with a central axis at Christ Church, descending to a broad market at Hunter Street (now Market Square) (**refer to Figure 9**).

The width of Dangar's city blocks was 90 metres, compared to 200 metres in Melbourne and 500 metres in Adelaide. Dangar's streets were 20 metres wide, creating an enduring intimacy and human scale still evident in the layout of Newcastle. Even today, it is Dangar's town plan that gives Newcastle a human scale unseen in any other Australian city.

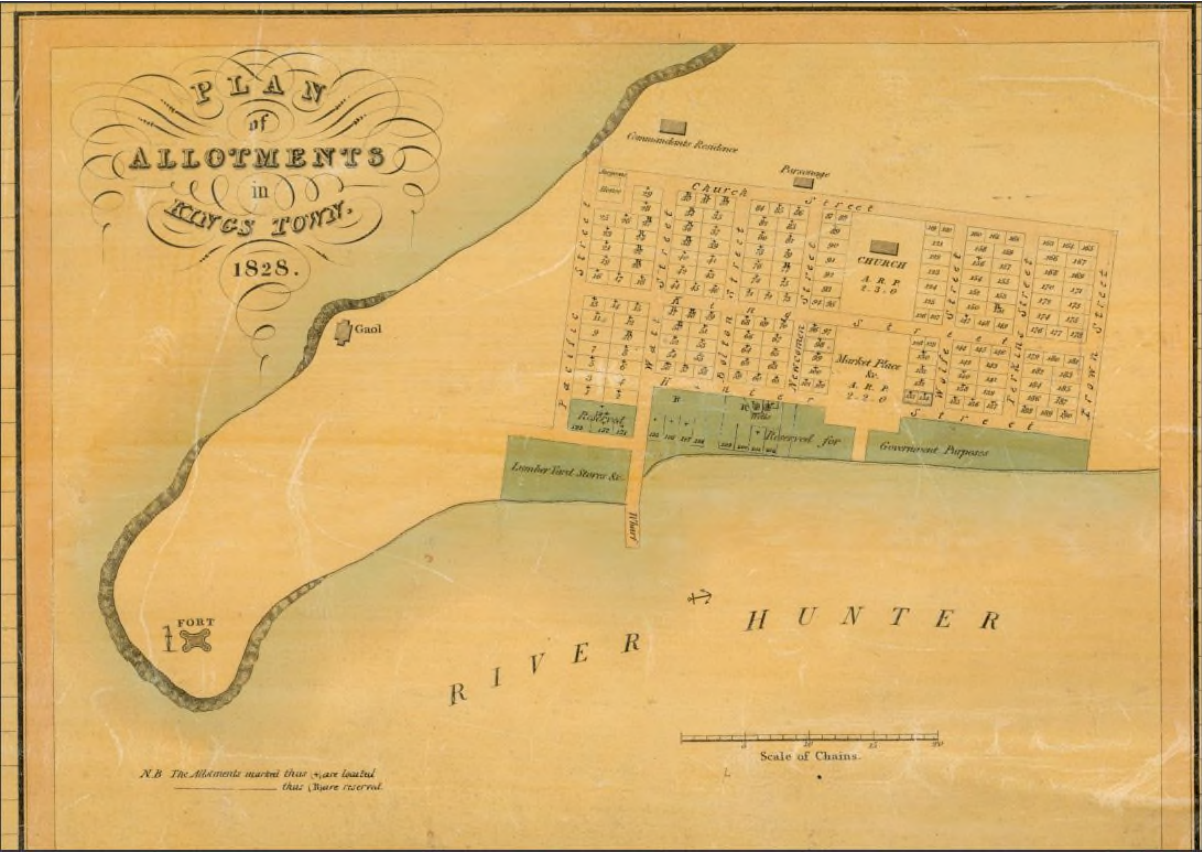


Figure 9: Henry Dangar's 'Old Town' Plan
 (Source: Newcastle Region Library: Plan of allotments in King's Town, 1823 to 1827 surveyed by H. Dangar)

In 1828 the Australian Agricultural Company (AA Company) was given a 2000 acre parcel of coal bearing land in the inner section of Newcastle, and with it, a monopoly on the mining and export of coal. The land extended west from Brown Street to Hamilton and was to constrain residential development west of the city for years to come.

Several coal pits were sunk, commencing with the first private coal mine in Australia, the A Pit, just off Menkens Lane near Church and Brown streets, in 1828, followed by the B, C, D, E, F, and Sea pits (refer to Figure 10). On 10 December 1831 the AA Company opened Australia’s first railway in Brown Street to service the A Pit (refer to Figure 11). Remains of the railway are kept in the collection at Newcastle Museum.

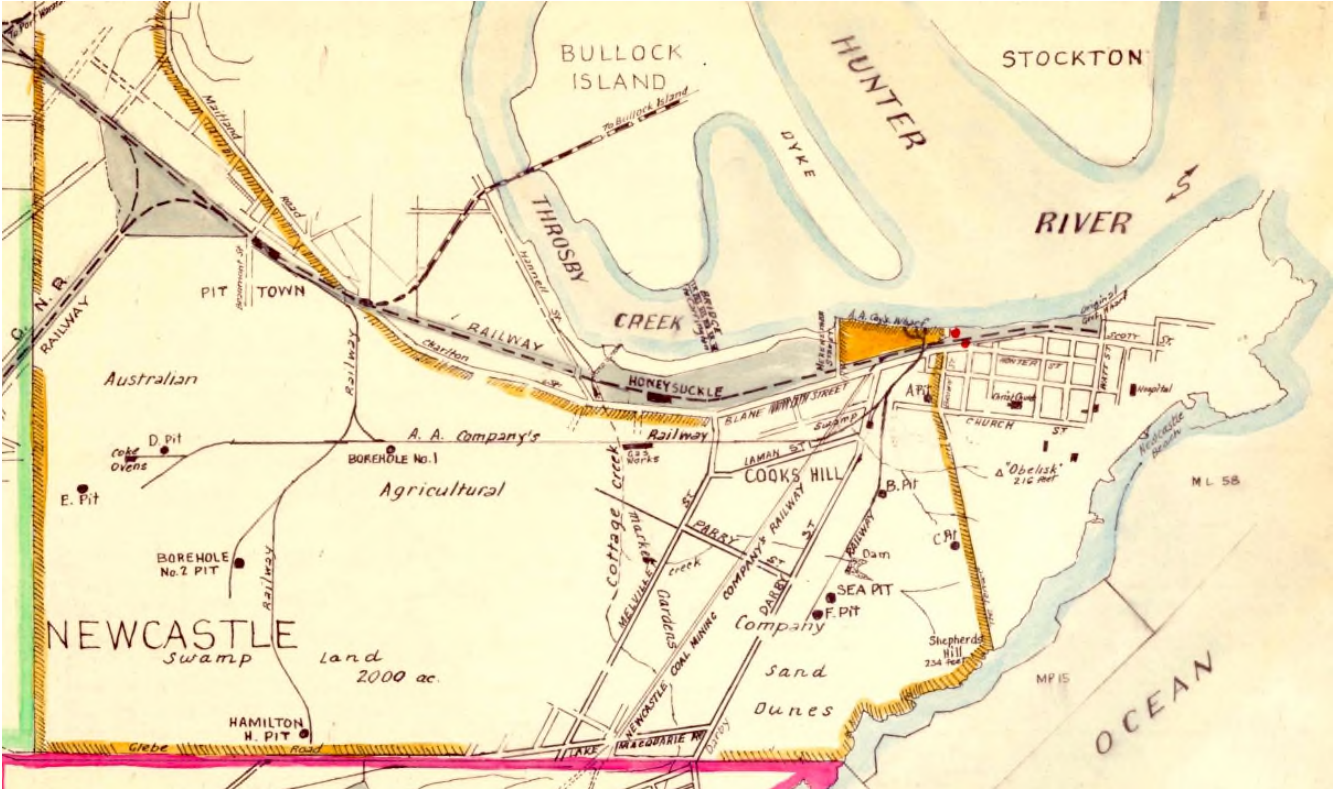


Figure 10: Plan Showing Original Coal Companies' Lands and Railways in the Parish of Newcastle, c.1847 (Source: University of Newcastle Cultural Collections. A.P. Pulver, 1976)



Figure 11: Aust. Agric. Coy's Coal Works. Newcastle, c.1833 (Source: Mitchell Library, State Library of NSW: pencil sketch by J.C. White)

An unintended outcome of the AA Company's presence in Newcastle was the lack of available land to develop other industries, commerce, and population growth. In 1836, the Newcastle township consisted of 40 houses and 704 people, the majority of whom were convicts housed in the barracks. In 1847, the AA Company agreed to relinquish its monopoly on the area in return for the right to subdivide and sell its estates.



Figure 12: Map of City of Newcastle, c1846
(Source: Newcastle Region Library)

A NSW Act of Parliament in 1850 stopped the AA Company's monopoly leading to a plethora of new coal mines and associated villages, and the gradual subdivision of their land for residential development. In 1853 the AA Company completed subdivision works between Crown Street and Union Street. Though the commercial value of this work west of Lake Macquarie Road (now Darby Street) (Refer to Figure 13) was compromised by the completion of Dr James Mitchell's Burwood Railway in 1854, which ran from the coal mines of Merewether to the port of Newcastle via today's Civic Park. It made this low-lying land on lots addressing Lower Church Street (King Street), Blane Street (Hunter Street West) and Laman Street west of the tramroad (Burwood Street) unattractive for residential development but suitable for industry until the line was removed in the 1950s. This industry included Fred Ash, founder of the important Newcastle hardware and building supplies business who established in 1855 a shop in Hunter Street, which by 1905 was replaced by a four-storey retail, office and warehouse building addressing Hunter Street. Cooks Hill was subdivided from the 1850s, followed by Hamilton and Newcastle West. Hamilton South and residual swamp land, including National Park, were sold off in parcels from 1914.



Figure 13: Views of Lake Macquarie Road [Darby Street], Newcastle, NSW. Looking S.S.W. from Church-Street. (1860)
(Source: State Library of Victoria)

The period 1850-1860 saw unprecedented growth in Newcastle and the establishment of civic institutions. The first bank was opened in 1853, the Newcastle Borough Council in 1859, the first fire brigade in 1855 and a chamber of commerce in 1856. Most significantly, the Great Northern Railway was opened between Maitland and Honeysuckle Point in 1857, making possible Newcastle's domination of the Hunter region.

Important civic buildings were built in the 1860s and an office of the Department of Public Works opened, symbolising the importance of the region to the economic conditions of NSW. On Hunter Street a courthouse, lock-up and post office were built, and the first part of Newcastle Railway station begun. Customs House was built and the modernisation of the port's coal loading facilities, facilitated by significant land reclamation of the harbour and links to the Great Northern Railway.

One of the early major problems with building in Newcastle East was caused by wind blown sand. Soon after the arrival of Europeans, vegetation was removed from the area now known as Pacific Park, and along the coastline, and this caused the inundation of the area by sand dunes. This issue would continue to limit residential development in 'The Sandhills' area of Newcastle East until the 1870s (**Refer to Figure 14**), when mitigation work was carried out on behalf of the government by the Scottish Australian Investment Company. To do this, coal mine chitter was used to stabilise the sand by limiting its' movement. This work facilitated subdivision and development. By the 1880s, substantial Victorian villas began to emerge. Newcastle East, by this time, was described as the 'aristocratic end of the city'.



Figure 14: Views of Newcastle, NSW. Looking West from the Old Gaol. (1860)
(Source: State Library of Victoria)

Australia experienced an economic boom in the 1880s. The city of Newcastle was growing and experiencing significant building activity and waves of immigration. The architecture matched the optimism of the time and throughout the city there was a flurry of construction. Architects who emerged at this time include Frederick Menkens, James Barnet (NSW government architect), James Henderson, Peter Bennet and Ernest Yeomans. These architects were responsible for the design of some of the city centre's finest buildings, such as the Centennial Hotel, the Frederick Ash Building, St Andrews Presbyterian Church, the Baptist Tabernacle, Cohen Bond Store, Customs House, Earp Gillam Bond Store, and The Boltions.



Figure 15: View of graveyard, Newcastle, NSW c.1875
 (Source: Harvey, John Henry 1855-1938 photographer, State Library of Victoria)

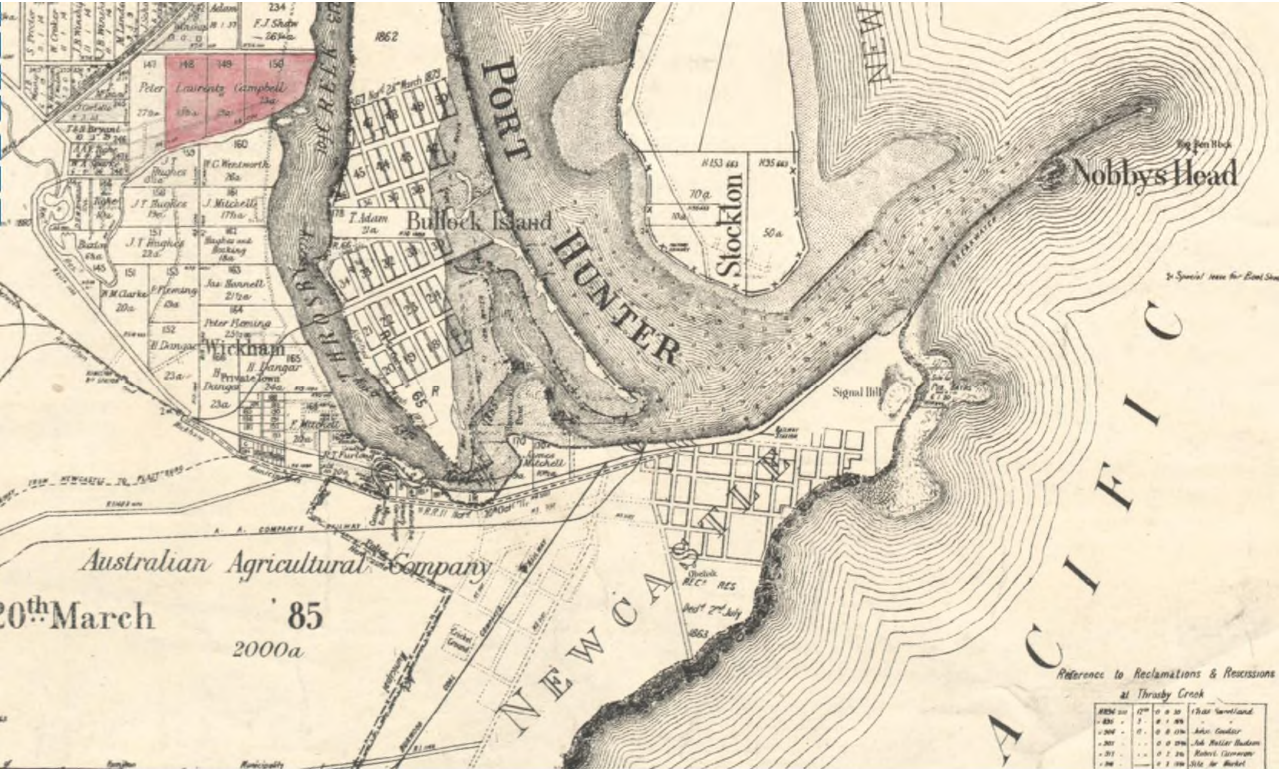


Figure 16: Map of Inner Newcastle, 1886
 (Source: Lewis, G. (George) & New South Wales. Surveyor-General (1886). Parish of Newcastle, County of Northumberland. Surveyor General's Office, Sydney)



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Figure 17: Newcastle Harbour (1885).
(Source: A.D. Edwardes Collection, State Library South Australia)



Figure 18: Newcastle NSW. Broad, Alf Scott, George Murray & Co. (1889).
(Source: Newcastle Region Library)

The need for improved coastal defences along Australia's east coast was accepted by the 1890s and Fort Scratchley was built as part of a wider defence plan. It was completed by 1886, with modifications continuing up until the 1940s.

By 1901 the Borehole Seam was mostly worked out, leading to the closure of pits at Hamilton (1901), and Stockton (1907). Many of the villages became ghost towns. Subsequently, the Newcastle chamber of commerce lobbied government to diversify Newcastle's economy, by attracting new industries to the city. The situation improved when the state government announced the development of the state dockyard at Carrington and permitted BHP to build a steelworks on land at Port Waratah. Both of these initiatives began in 1913 and were soon expanding in readiness for the coming war. By 1919 the local economy developed from a declining coal town to manufacturing and heavy industry. Business in the city centre boomed establishing Newcastle as a major centre of retail, commerce and industry.



Figure 19: Nobbys and the entrance to Newcastle Harbour (1924).
(Source: Mort Collection, Newcastle Region Library)



Figure 20: Subdivision plan: Newcastle, 8 factory and bulk store sites 8, 3rd August, 1923

(Source: Alfred Francis Hall Archive, Newcastle Region Library)

Subdivision plan: Hamilton, 29 residential, business and bulk stores sites 29, 27 October, 1923

(Source: National Library)

The modern city centre landscape took shape in the first three decades of the 20th century. Many architectural and cultural treasures were built such as the final stages of the Christ Church Cathedral, NESCA House, City Hall and Civic Theatre, the CML building, T&G, and the sandstone banks in Hunter Street. With the exponential growth in leisure time, this period also marked the establishment of Newcastle's beach swimming and surf culture with the construction of significant recreational amenities for the city such as Nobbys Beach Pavilion and Newcastle Ocean Baths.



Figure 21: Newcastle Beach, NSW (1920)
(Source: John Turner Collection, University of Newcastle Special Collections)

The general optimism through most of this period was briefly interrupted by World War I. However, a decade later it was more severely curtailed by the 1929 Great Depression, leading to unemployment estimated at 30% of the workforce and the establishment of several shanty towns including at Nobbys Beach, Stockton and Carrington. The State Dockyard closed in 1933 but the steelworks gradually increased its production, leading the city out of the slump as the decade progressed.



Figure 22: Aerial view of Honeysuckle Railway Workshops, Hunter Street and Civic Park looking towards Bar Beach and Merewether, c. 1940



Figure 23: Parish of Newcastle, County of Northumberland, NSW (1933)
 (Source: NSW Department of Lands (1977), Parish of Newcastle, County of Northumberland (9th ed). Dept. of Lands, Sydney)

By the start of World War II, Newcastle had Australia's largest integrated steel making facility, surrounded by heavy industry, coal mines, a busy deep harbour for merchant ships plus shipyards and a floating dock. The task to defend these assets was known as Fortress Newcastle. This included RAAF radar stations at King Edward Park and Ash Island, a minefield across Newcastle's port entrance, tank traps along Stockton Beach, and heavy calibre guns at Shepherd's Hill, Fort Scratchley and Fort Wallace.

On the night of 7-8 June 1942 Japanese submarine I-21 bombarded Newcastle with about two dozen shells (one of the few shells that actually exploded damaged the houses in Parnell Place, with residents escaping uninjured). Fort Scratchley's 6-in guns returned fire, becoming the only coastal fortification in Australia to fire on an enemy vessel during the war.



Figure 24: Aerial photograph of Inner Newcastle (1944).
(Source: Newcastle Region Library)

The story of post-war Newcastle relates to urban infill that occurred on undeveloped land between the coal villages located outside its city centre. This additional housing assisted with accommodating the wave of post-war immigration to Newcastle in the decades immediately following 1945. Providing homes and employment to people predominantly from the war-ravaged countries of Western Europe, notably the United Kingdom, Italy and Greece and refugees from Central and Eastern Europe escaping the expanded Soviet regime. In 1973 the Whitlam Government adopted a completely non-discriminatory immigration policy, effectively putting an end to the White Australia policy. This began the contemporary wave of immigration from predominantly the South Pacific, and southern and eastern Asia to Newcastle and throughout Australia which continues to the present day.

The educational and health sector developed substantial regional facilities in Newcastle in this period, including the Rankin Park campus of the Royal Newcastle Hospital, expansion of the old Royal Hospital,

and the new Newcastle Teachers' College, Hunter Institute of Higher Education (later amalgamated with the University of Newcastle) and Tighes Hill TAFE.

During the 1970s and 1980s the nineteenth century terraces of Newcastle East were conserved, and the former rail marshalling yards and Zaara St Power Station replaced by Foreshore Park, creating an important public link between the harbour, the eastern beaches and the central business district while protecting a cohesive urban village. This significant conservation outcome was achieved largely through the combined efforts of the local community and the Green Bans movement.

The Newcastle earthquake of 28 December 1989 caused the loss of 13 lives and severely injured hundreds of people, particularly at the Newcastle Workers Club and Beaumont Street, Hamilton. There was also significant damage to buildings across Newcastle, with Hamilton and the CBD experiencing the worst destruction. This resulted in the demolition of many landmark heritage buildings in the city centre including the George Hotel, Newcastle.

A major turning point for the city occurred in 1999, when BHP Steelworks Port Waratah closed. This closure heralded a decade of economic and social change from a heavily industrial base to a more diversified economy dominated by the healthcare, services and education sectors. At the same time, significant revitalisation of the harbour waterfront transformed the face of Newcastle with emerging residential development at Wickham and Honeysuckle (**refer to Figures 24 and 25**). The CBD, which had been in decline since the 1970s, also continued its transition from a purely commercial hub to a residential, educational, tourist and recreational precinct.



Figure 25: Aerial photograph of land in Newcastle City Centre boundary, August 2004
(Source: CN GIS)

Over the last decade this transition and CBD revitalisation process has accelerated with the truncation of the Great Northern Railway at Wickham and the construction of the Newcastle Interchange and light rail service to Newcastle Beach. This has facilitated a shift of the commercial core from Hunter Street Mall and Civic precinct in the east to more intensively developed sites clustered around the new public transport interchange in the west (**refer to Figures 25 and 26**). Notable recent changes to the former commercial core of the CBD in the east have included a new Court House, the establishment of a city campus for the University of Newcastle and an international campus for the Tokyo-based Nihon University, and the redevelopment of the Hunter Street Mall precinct into a luxury hotel, residential apartments and boutique retail.



Figure 26: Aerial photograph of land in Newcastle City Centre boundary, February 2023
(Source: CN GIS)

CHAPTER FOUR – NEWCASTLE EAST HERITAGE CONSERVATION AREA

4.1 Introduction

This section documents the Newcastle East HCA, at the north-east end of the Newcastle peninsula. It is bounded by Watt Street/Pacific Street/Shortland Esplanade at its west, the Pacific Ocean at its east, Scott Street/Pacific Park/the Pacific Ocean to the south and to the north by the harbour and Horseshoe Beach. A map of the HCA boundary is reproduced in **Figure 27**.

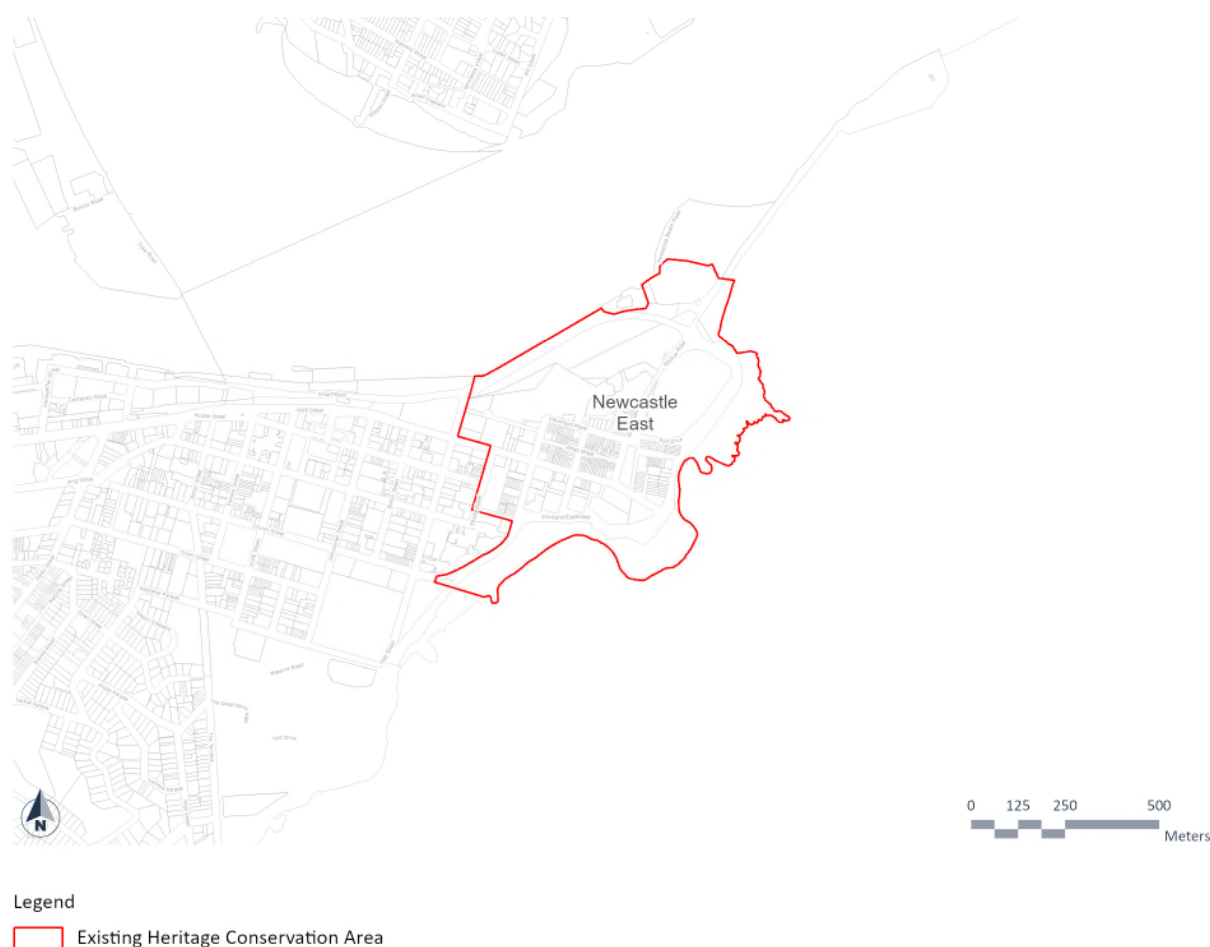


Figure 27: Newcastle East HCA (current boundary)

4.2 Heritage Status - Newcastle East Heritage Conservation Area

The Newcastle East Heritage Conservation Area became an HCA via Amendment No. 52 to Newcastle LEP 1987, 3 July 1992, Gazette No. 83, page 4668 (**refer to Figure 28**). Its current boundary is consistent with that of 1992, with minor adjustments from coastline mapping and from the implementation of the Three Ports SEPP 2013 (now Transport and Infrastructure SEPP 2021).

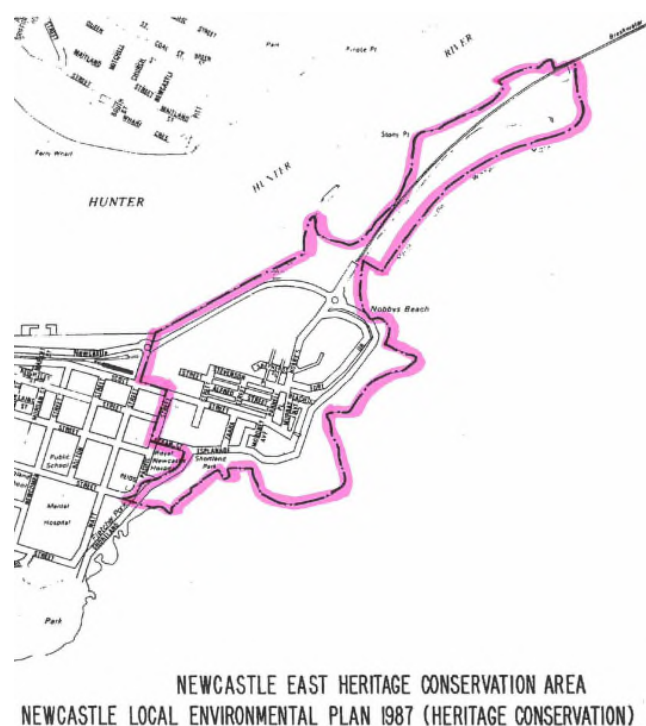


Figure 28: Newcastle East HCA as gazetted by Amendment No. 52 to Newcastle LEP 1987 (1992)

4.3 History

Refer to Sections 3.2 and 3.3 for the Aboriginal and historical context of the study area.

4.4 Physical Description

Newcastle East comprises of an area of flat land at the north-east end of the Newcastle peninsula (**refer to Figure 27**). It contains iconic sites of cultural significance to the local Aboriginal community, including the harbour landscape and ocean. Fort Scratchley Historic site, the Newcastle Customs House, Convict Lumber Yard, Coutts Sailors' Home, and Foreshore Park are significant heritage places that define Newcastle East.

The underlying geology tells important aspects of the Newcastle story. Coal measures outcrop at Newcastle East under Fort Scratchley. The proximity and views of the harbour and ocean are an important aspect of Newcastle East's urban character.

The current built character of Newcastle East HCA ranges from small -scale residential to intensive urban forms, from recreational to business uses. The residential buildings are mostly Victorian or Federation period. Most building stock in the central section of the HCA contributes to the character of the HCA. Collectively, the contributory building stock demonstrates a consistency of scale, style, or

other features which together make up a consistent built form in the Newcastle East HCA. In summary, the physical character of Newcastle East can be described as a cultural landscape comprising historically significant built and natural heritage items (refer to **Figures 29 to 35**). These features include:

- Two and three storey terrace houses, historically significant former bond stores, commercial buildings and worker's housing from the late 19th century and early decades of the 20th century.
- Aboriginal places and sites of cultural significance including locations of known dreaming stories and places of meaning and cultural connection. The Convict Lumber Yard is the location of a documented Aboriginal archaeological site.
- Archaeological areas and relics, known and unknown.
- Views out to the coastline, port of Newcastle and harbour mouth.
- Foreshore Park, Nobbys Beach and Nobbys Beach Pavilion, Fort Scratchley, Pacific Park, Newcastle Beach, and the Convict Lumber Yard, each with their own history, significance and place in the story of Newcastle.



Figure 29: Convict Lumber Yard, Paymasters Cottage, and Newcastle Customs House, Newcastle East (Source: Google Streetview)



Figure 30: Earp Gillam Bond Store at 16 Telford Street, Newcastle East (Source: Google Streetview)



Figure 31: 43 Stevenson Place, Newcastle East facing east (Source: Google Streetview)



Figure 32: 8 and 11 Alfred Steet, Newcastle East facing west (Source: Google Streetview)



Figure 33: 52 and 33 Scott Street, Newcastle East facing east (Source: Google Streetview)



Figure 34: Boatman's Terrace Group and Fort Scratchley, Newcastle East facing north (Source: Google Streetview)

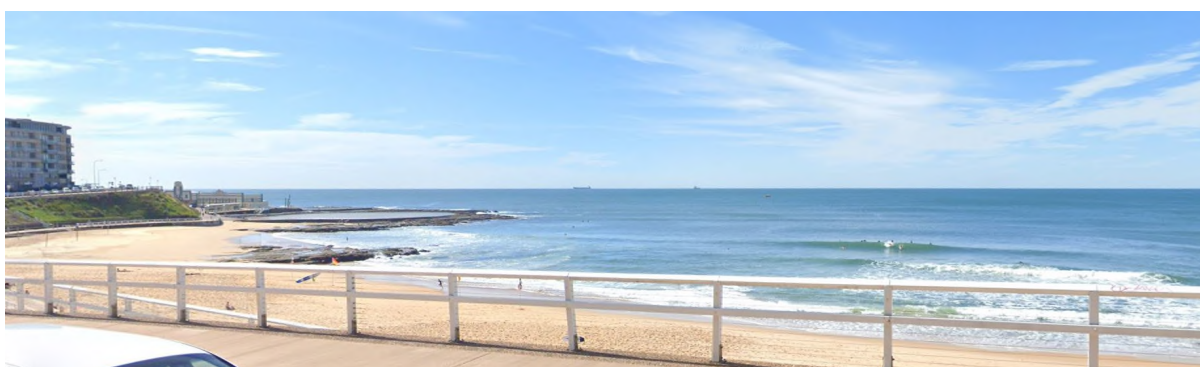


Figure 35: Newcastle Ocean Baths, Canoe Pool, and Newcastle Beach, Newcastle East facing east (Source: Google Streetview)

4.5 Previous Heritage Studies

The heritage value of the inner area of Newcastle has been recognised since the 1960s. On 30 October 1978, the National Trust of Australia (NSW) resolved to classify both The Hill and Newcastle East as an "Urban Conservation Area". The National Trust's 1978 listing boundary became the same boundary implemented in the 1987 Newcastle LEP (5 June 1987) as the statutory boundary of the "Newcastle Conservation Area", now The Hill and Newcastle East HCAs (see **Figure 36**).

Soon after the National Trust listing, the area was included on the Register of the National Estate by the Australian Heritage Commission as the "Newcastle Conservation Area", in 1979.

In 1982, Council commissioned Suters Busted + Lester Firth to assess the character and heritage significance of The Hill and Newcastle East areas. The purpose of the study was to:

- identify and conserve the environmental heritage of the inner city of Newcastle
- provide rehabilitation and infill guidelines for this area
- provide a draft development control plan for urban conservation in Newcastle East, including the identification of public works.

The major emphasis of the study was to enable policies and objectives for conservation management to be incorporated in detailed development controls for the area. The area was regarded by Council as a key aspect of the city's physical identity and heritage.

The Newcastle Inner Areas Conservation Planning Study, 1984 is an invaluable baseline document for managing the heritage values of the areas and is available to view on CN's website. The areas identified were eventually listed as HCAs in the Newcastle LEP 1987, Amendment No. 52 in 1992. In 1997, Council adopted conservation area development control guidelines in the form of DCP 44 – covering Newcastle East, The Hill and Cooks Hill. The DCP introduced principles and objectives to facilitate the protection and management of the built environment within each precinct.

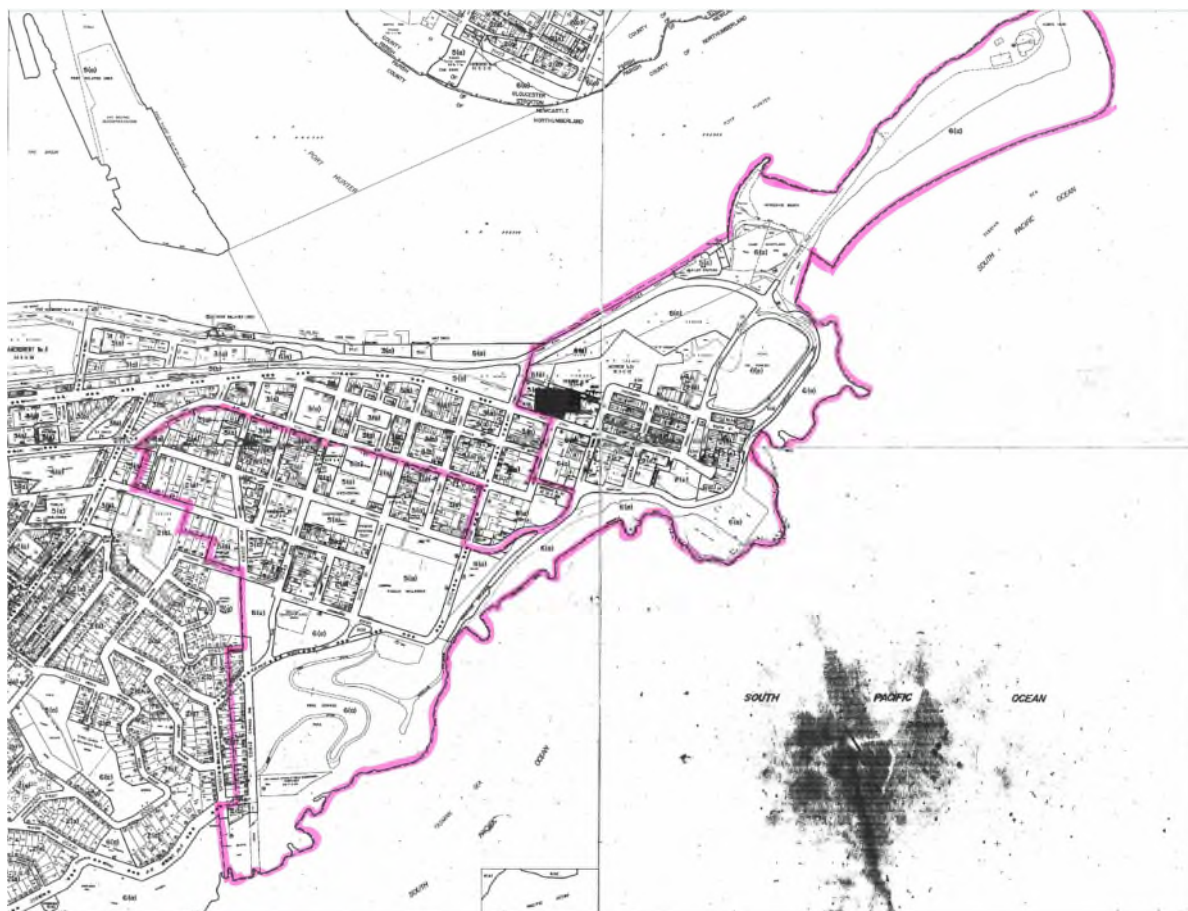


Figure 36: Newcastle Conservation Area boundary as gazetted by Newcastle LEP 1987 (5 June 1987).

In June 2016 Council adopted the Heritage Conservation Areas Review Report which gathered information on the elements of heritage value in Newcastle East, and the features that establish character and provide a sense of place that is recognisable and worth keeping. As a result of this work, CN prepared and included a desired future character statement in DCP Section 6.02 and a contributory buildings map in its Heritage Technical Manual to guide development assessment and design.

4.6 Assessment of Heritage Significance

Applying the NSW Heritage Criteria

In revising the assessment of heritage significance for the area, the NSW heritage assessment guidelines and the NSW heritage criteria has been applied as expressed below:

- *Criterion a - An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area):*

Newcastle East HCA is significant for its role in the course of the history of NSW, including being a place of documented first contact between Aboriginal people and the British. It is significant in the

course of NSW's history as the site of the Colonial government's attempt to control and punish recidivist convicts, through the proclamation by Governor King of the penal settlement in 1804, which continued for an 18 year period until 1822. The penal period would create the hallmarks of the city layout and character that defines it today, including the site of the Convict Lumber Yard and Coal River precinct, Flagstaff Hill (Fort Scratchley) and the gradual transition from an Indigenous landscape to a residential precinct.

Newcastle East HCA is important in course of NSW's cultural history as the site of the establishment of the first successful coal mining in Australia, including the colony's first commercial export of coal. The Coal River precinct is therefore significant for its ability to demonstrate the history of coal mining, its impact on the Australian economy and how coal has shaped the Australian economy.

Newcastle East HCA has a notable association with an important phase of social development in the local area with the exponential increase in leisure time during the early twentieth century and the corresponding establishment and significant growth in popularity of beach swimming and surf culture.

Newcastle East HCA is important for its ongoing existence as an urban settlement which is demonstrated by the rich archaeological heritage from the early convict settlement period through to the present day. This significant archaeological record also documents the continuous and extensive Aboriginal occupation. The pre contact traditions and life ways of the Aboriginal people of Muluubinba, who through the ongoing connections of its traditional custodians maintain an attachment to the area today. Following the arrival of the British, Aboriginal associations are recorded in paintings and records of the penal period and the decades that followed.

- *Criterion b - An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area):*

Newcastle East HCA has special associations with the convict history of Australia, being a place of secondary punishment for reoffending convicts between 1804-1822. The first administrators of the colony and some of the first European navigators are associated with the area, including Lieutenant Shortland, Governors King and Hunter, and numerous others of importance in the history of early colonial Australia, including Commandant Wallis and Commandant Morisset.

- *Criterion c - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area):*

Newcastle East HCA is an important urban cultural landscape. It demonstrates aesthetic characteristics that define the evolution of an early Australian city established during the earliest phases of Australia's development into a modern nation, and that has evolved a rich urban fabric that represents over 200 years of urban development. These aesthetic features include:

1. Buildings that represent architectural styles and construction technologies predominantly from the Victorian, Federation, and Inter War periods of urban development.
2. The low-rise precinct of The Sandhills, a strongly homogenous street and lot layout, developed after the sand reclamation efforts of the 1870s and which can be said to be a reflection of the economic boom of the 1880s.
3. Streetscapes and vistas outwards and inwards strongly contribute to the character of the suburb.

4. An enclosed central precinct with a strongly historic character between Scott Street, Stevenson Place, Parnell Place and Telford Street.
 5. The areas of parkland that are an integral element of Newcastle East including Foreshore Park, Pacific Park, Parnell Place, the beaches and coastal facilities.
 6. The location of Newcastle East at the end of the Newcastle peninsula, is a defining visual marker of the urban geography of Newcastle.
- *Criterion d - An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons:*

The combined achievements of the local community and the Green Bans movement during the 1970s and 1980s have a direct association over the Newcastle East HCA making an important contribution to the history of the local area with the conservation of its nineteenth century terraces and the establishment of Foreshore Park.

Feedback from residents and businesses in 2023 revealed that the community significantly value the character and physical elements of Newcastle East and identify with its' protection as a HCA. 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. The area meets this criterion on cultural grounds at the local level.

- *Criterion e - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area):*

Given the high rate of survival of key elements of the early urban settlement of Newcastle, the area has the potential to yield information that will contribute to understanding aspects of Newcastle's cultural history, and more broadly to the State of NSW. This includes the capacity to yield information about the cessation of a penal settlement and its evolution to a modern city. Also for its ability to demonstrate elements of the early development of Newcastle as well as the system of land subdivision and crown grants following the cessation of the penal colony mining. Archaeological investigations at the Convict Lumber Yard have yielded physical evidence of continuous Aboriginal and then later convict occupation. This reveals evidence of Aboriginal and settler-convicts living and working in the area, especially pre-contact Aboriginal camping, convict coal mining, lime-burning, timber cutting, quarrying and pier building.

- *Criterion f - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area):*

There is rare surviving archaeological evidence associated with the convict settlement period as the earliest penal settlement outside of Sydney, and one of few such places to be established in NSW.

- *Criterion g - An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments):*

Newcastle East contains many surviving elements of the early 19th and 20th centuries and the processes of urbanisation. It demonstrates these characteristics in its key elements including building stock and the relationship of buildings to the street and each other, street layout including laneways, along with heritage items and green space.

Statement of Significance

The Newcastle East HCA represents a pattern of urban settlement that traces its origins back to the earliest phase of the European settlement of the city of Newcastle, and beyond that, to the long tradition of Indigenous settlement, the physical remains of which are contained in a rich archaeological layer and in stories and paintings of Aboriginal people following the arrival of the British from 1797. As such, Newcastle East HCA has the capacity to demonstrate aspects of the history of Newcastle, in terms of its long Indigenous heritage, through to colonisation and urban change.

Throughout its European history the area has been shaped by different activities including being the second penal settlement on the mainland after Sydney (from 1801), the site of the processing and shipping of cedar and coal (CLY), having an important coastal defence installation (Fort Scratchley Historic site), the Nobbys lighthouse and breakwater important to the story of shipping, through to the generation of electricity at the Zaara Street Power Station.

The cultural significance of Newcastle East is embodied in its setting – a core of heritage items and significant building groups surrounded by water on three sides. The inner part of the HCA, bounded by Scott Street and Stevenson Place, is enclosed and the physical elements within it are iconic features of Newcastle East. The building stock is representative of the urban history of Newcastle, covering almost all decades from the 1820s to the present. The historic buildings provide a series of uniform streetscapes which visually reinforce the historical character of the area.

The social history of Newcastle East is derived from it being the site of early conservation battles in the 1970s, between developers and conservationists and there are rows of public housing that make this place a community and home for many. It is also an important place of recreation at facilities like the Ocean Baths, Nobbys Beach, and Foreshore Park.

The archaeological potential of the Newcastle East HCA is well documented. The Newcastle Archaeological Management Plan 1997 and the Review 2013 confirm that the archaeological resources of this area are abundant, both Aboriginal and historical. The Coal River Precinct, listed on the NSW state Heritage Register, is an area where there is documented and predicted archaeological remains of profound research potential to the nation as the place of first contact with the local Aboriginal population and the place of the establishment of the Australian coal industry.

The architectural values of the Newcastle East HCA are to be found in the high quality of buildings, their landscape settings, style, scale, detail, and contribution to the streetscape. The low-rise area of The Sandhills is significant for its consistent streetscapes of two and three storey terrace housing dating from the mid-19th through to early 20th centuries and its housing for workers. There are also examples of single storey detached houses. The overall impression of Newcastle East is a strongly established historic precinct.

Key visual elements include:

- The narrow range of building types including terrace houses, workers' housing, government buildings, and bond stores which reflects the long history of urban settlement and various industrial themes in the city's history.
- A uniform street layout which reflects the flat topography of Newcastle East and laneways which reflects the historical mechanism of sanitation.
- The ocean bathing and surf culture of Nobbys Beach and Newcastle Beach.
- Views from public areas over the coastline and harbour as these are an important aspect of the urban character of Newcastle East
- Open space and reserves including Foreshore Park, Convict Lumber Yard, Newcastle Beach foreshore, and Pacific Park
- Iconic buildings and structures of significance including Newcastle Ocean Baths, Customs House, Fort Scratchley, the Coutts Sailors Home, the Bond stores, Tyrrell House, and Boatmans' Row.

- Key Period of Significance - circa 1801 to 1940.

Recommendation

The above assessment of heritage significance follows the standard Heritage Assessment Guidelines and the NSW state heritage criteria. As a result of the assessment, it is recommended that the Newcastle East area continues to be protected through the mechanism of a statutory HCA.

4.7 Comparative Assessment

Fieldwork as part of this review found that apart from modern developments on the edges of the HCA, the area's central core is very intact and contains many historic elements that can be placed in the late 19th century and early 20th century. It demonstrates characteristics in its key elements including building stock and the relationship of buildings to the street and each other, street layout including laneways, along with heritage items and green space. The high concentration of State and nationally significant heritage items in this HCA (Fort Scratchley, Newcastle Customs House, Convict Lumber Yard, Newcastle Ocean Baths and Coutts Sailors Home), make this HCA very unique. There is rare surviving archaeological evidence associated with the convict settlement period as the earliest penal settlement outside Sydney, and one of few such places to be established in NSW. Australian Heritage Commission and the National Trust citations between the early 1960s and late 1970s which value the significance of Newcastle East as an historic precinct support the review's findings.

4.8 Threatening Processes

Some issues undermine the integrity and intactness of the Newcastle East HCA. These include:

- Land in the Newcastle City Centre boundary has historically and continues to be developed to greater building heights and across larger consolidated lots. The fine-grain, low-rise precinct of two to three storeys in the Newcastle East HCA is distinct from the building typology in the rest of the Newcastle City Centre boundary and its economic revitalisation objectives which promote large scale, medium to high-rise development (**refer to 2.2.4**). Historically known as 'The Sandhills', this part of Newcastle East (and the adjacent land fronting Newcastle Beach) is the only land zoned R3 Medium Density in the Newcastle City Centre boundary. New medium to high-rise development within the Newcastle City Centre boundary is more appropriate fronting Newcastle Beach and land west of Pacific Street, the commercial and mixed-use core around Newcastle Interchange and West End. The Newcastle City Centre boundary, HOB and FSR do not necessarily promote the best heritage outcome for a low-rise residential zoned area as it can provide perception and expectation of medium to high-rise development and building envelope entitlement.
- Unsympathetic development that is out of scale or not designed as sensitive infill that replaces original building stock, or that alters and adds to contributory buildings.

4.9 Desired Future Character Statement

DCP 2023 includes the following statement as a clear guide for development assessment and design planning:

The character of the Newcastle East Heritage Conservation Area is made up of a variety of building styles that date from the late 19th and early decades of the 20th century. The special character of Newcastle East is to be preserved and maintained through the retention of contributory buildings, open space, street trees and elements of visual interest and heritage significance such as the many iconic buildings located in Newcastle East, parks and open space, views and vistas, the unique steep topography and street layout, and the character of the streetscapes including street trees, buildings and the relationship of built elements.

Elements to be preserved and/or sensitively restored or reconstructed (based on evidence of original appearance) include:

- *Range of contributory and historic buildings, particularly intact or historically significant groupings, heritage items, iconic structures, and the appearance and layout of streets.*
- *Existing subdivision pattern and street layout, including preserving the integrity of laneways.*
- *Two to three-storey scale of housing stock located in the area to the north of Scott Street and east of Telford Street.*
- *Exposed face brick and stone of existing building facades and front fencing.*
- *Street furniture such as sandstone kerbing and guttering, and other features of historical interest such as heritage items, public stairs, lanes, parks, views and vistas.*

- *Regular and homogenous urban form which reflects a regular pattern of subdivision and development, and building stock from between the 1870s and 1930, demonstrating the gradual urbanisation of a once indigenous landscape.*
- *Existing appearance of Newcastle East, views outwards to the coastline and harbour, and views into the area from Foreshore Park and the Newcastle coastline and Ocean Baths.*
- *Significant heritage places including the Coal River Precinct, the Nobbys headland and breakwater, Fort Scratchley Historic Site, Convict Lumber Yard and Customs House precinct, the Newcastle Ocean Baths, Joy Cummings Centre and other significant groups such as the Earp Gillam Bond Store Precinct and Stevenson Place terraces.*
- *Views to and visual interconnections between significant Aboriginal cultural landscape features including Whibayganba (Nobbys Head), Tahlbihn (Flagstaff Hill / Fort Scratchley), Burrabihngarn (Pirate Point, Stockton), Yohaaba (Port Hunter), Coquun (Hunter River: South Channel), Khanterin (Shepherds Hill), and Cathedral Park.*
- *Mature trees in public domain.*
- *Public parks and reserves, including Pacific Park, Newcastle Beach, Parnell Place Park, Nobbys Beach, and Foreshore Park.*
- *Items of heritage significance individually listed as heritage items in Schedule 5 of LEP 2012, including retention of the three-dimensional form and adaptive re-use of heritage item buildings.*
- *The rich record of relics and archaeological sites beneath the modern city.*

4.10 Contributory Buildings

Fieldwork was undertaken in January 2020 to establish the overall intactness of this area. The Contributory Buildings Map for the Newcastle East HCA (refer to **Figure 37**) included in the Heritage Technical Manual grades the contribution of buildings to the streetscape character and heritage significance for the HCA. For definitions of contributory buildings, refer to Section 1.8. If the area is subject to the regulation to amend the boundaries of the Newcastle East and neighbouring The Hill HCAs, updated contributory buildings maps for these HCAs will be required.

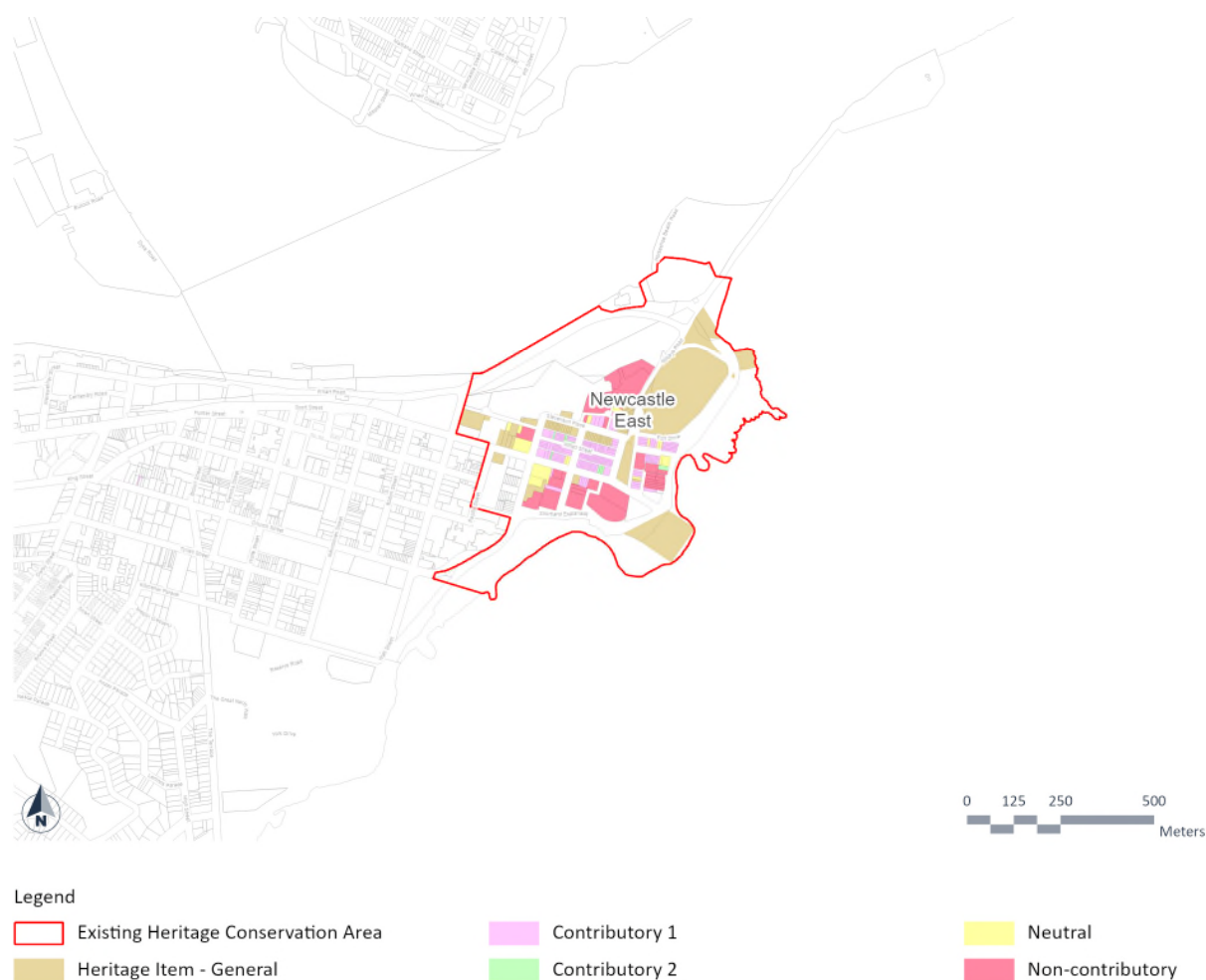


Figure 37: Contributory Buildings Map - Newcastle East HCA (Source: CN GIS 24 January 2020)

4.11 Community Engagement Feedback

Community Engagement (Phase 1)

As part of the Newcastle City Centre HCAs review, feedback from local community members was sought to gain an understanding of what residents and business owners value about the HCA. This engagement (Phase 1) was held in April and May 2023. The following submissions were received:

- 65 submissions via email or Have Your Say
- 328 pins and comments on the interactive map
- 35 precincts of shared history and/or built character drawn on the interactive map
- 238 responses to the streetscape quick poll.

Overall, the Newcastle East HCA was recorded as being significantly valued by the community. Elements of the HCA that were not as highly valued included the more recent and modern development on land parcels which address Shortland Esplanade and Newcastle Beach.

Key findings (Phase 1)

- Heritage conservation merit – 113 pins
- No heritage conservation merit – 11 pins
- Places with heritage merit, highest number of up votes:
 - Newcastle Customs House – 77
 - Newcastle Ocean Baths – 76
 - Fort Scratchley – 70
- Places with no heritage merit, highest number of up votes:
 - 33 Shortland Esplanade – 24
 - Noah's on the Beach – 21
- 91% of the 238 Quick Poll responses indicated that the streetscape of Alfred Street, Newcastle East has heritage value
- 4 precincts of shared history and/or built character were identified, focused on:
 - Heritage collection of bond stores/warehouses
 - The core precinct bounded by Stevenson Place, Parnell Place, Scott Street and Telford Street including surroundings, such as Nobbys Road, Fort Drive, Beach Street and Murray Avenue.
 - The history and archaeology along Shortland Esplanade, despite the significant change from modern development.
- Relevant submission comments:
 - *This area east of Pacific Street through to the ocean is a fundamental cultural heritage area for Newcastle and so it is critical that this whole area remains in this heritage conservation area.*
 - *Newcastle East is a small area packed with character and history and is a drawcard for visitors and residents.*
 - *Newcastle East which has a unique collection of buildings of great historical and heritage value.*
 - *Newcastle East Heritage Conservation Area is the most significant, unique and valuable heritage area in the Newcastle LGA.*
 - *The whole Newcastle east area is unique, small and to be cherished.*

More comprehensive analysis of the community engagement (phase 1) feedback is provided in **Appendix A**.

Public Exhibition (Phase 2)

After incorporating the outcomes of the first phase of engagement into the draft report, feedback from the community was sought. This public exhibition (Phase 2) was held in November and December 2023, and 34 submissions were received during the exhibition.

Most submissions demonstrated support for further heritage protection and maintaining the unique built character of Newcastle, including natural landscapes. Several respondents provided support for the recommendations in the draft report, including the creation of smaller HCAs that better represent the unique character of the different parts of the Newcastle City Centre, and the removal of HOB and FSR development standards for identified low-rise properties in Newcastle East and The Hill HCA. Others maintained the view that the current HOB and FSR standards should remain. Respondents also had general concerns about the loss of heritage and overdevelopment, calling for stronger, more explicit protection of heritage buildings and places. There was some feedback provided suggesting detailed amendments to the draft report. Such suggestions are comprehensively addressed in this report.

A comprehensive analysis of the public exhibition (phase 2) feedback is provided in **Appendix B**.

4.12 Heritage Conservation Area Boundary

The boundaries of the Newcastle East HCA were reviewed. Overall, these are considered appropriate and will be maintained as the Newcastle East HCA to ensure the heritage significance of the area is retained and conserved, with two exceptions.

Newcastle Beach and the Coal River Precinct are identified by the assessment above and from community engagement feedback as significant contributory elements of the Newcastle East HCA. However, not all of either element is included within the existing boundaries of the HCA. As such, the following amendments to the LEP maps are recommended (**refer to Figure 38**):

- Boundary adjustments to Newcastle East and The Hill HCAs so that Newcastle Beach South is added to the Newcastle East HCA and removed from The Hill HCA. This ensures the whole of Newcastle Beach, an identified area of cultural significance, is located within the boundaries of the Newcastle East HCA for the first time.
- Boundary adjustments to the Newcastle East HCA to include all land within the curtilage of the Coal River Precinct State Heritage Register listing (SHR ID 01674) which is located outside the boundary of the Three Ports area (as defined by the *Transport and Infrastructure SEPP 2021*). This land includes the full length of Nobbys Beach to the high-water mark, and land immediately to the west of Macquarie Pier and east of Horseshoe Beach Road, an area comprising the northern part of Camp Shortland and the eastern part of Horseshoe Beach. This ensures the whole of Coal River Precinct (excluding land in the Three Ports area) is located within the boundaries of the Newcastle East HCA for the first time.

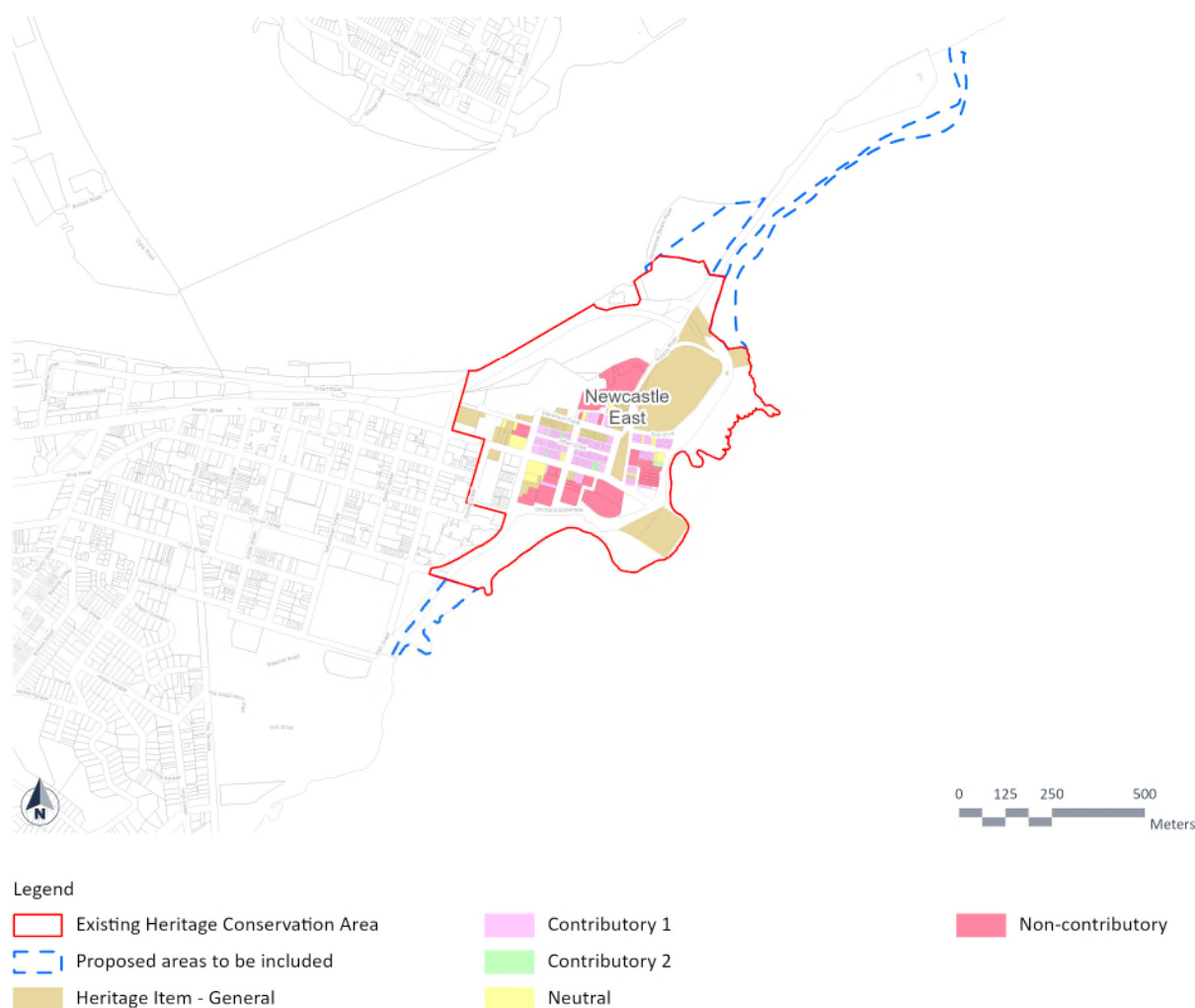


Figure 38: Recommended Newcastle East Heritage Conservation Area (Source: CN GIS 24 January 2020)

4.13 Land use zoning

The land use zoning within the Newcastle East HCA was reviewed. The existing land use zoning is considered appropriate and compatible with retaining and conserving the heritage significance of the Newcastle East HCA.

4.14 Minimum lot size, height of buildings and floor space ratio

The Minimum Lot Size, HOB and FSR development standards within the Newcastle East HCA were reviewed. A fine-grain, low-rise precinct of two to three storey properties zoned R3 Medium Density Residential was identified (**refer to Figure 39**). Historically known as 'The Sandhills', this precinct is at odds with the building typology in the rest of the Newcastle City Centre boundary which is developed

to often far greater heights and across larger consolidated lots. The land currently has a maximum building height of either 10m (approximately 3 storeys) or 14m (approximately 4 to 5 storeys) and an FSR of either 1:1 or 1.5:1. Although the prevailing building height is two to three storeys, the precinct also includes for example single storey bungalows on land with HOB 10m (**refer to Figure 40**), and a mix of two storey dwellings and three storey apartment buildings on land with HOB of 14m (**refer to Figure 41**). These development standards are inconsistent with the current built form on the land and surrounding streetscape, and would conflict with the conservation objectives that this review proposes.



Legend


 Newcastle East low-rise residential area

Figure 39: Newcastle East low-rise area

Though the heritage listed bond stores at 11 Bond Street (LEP Item I373 - Stanton Catchlove Bond Store (Earp Gillam Bond Store Precinct)), 16 Telford Street (LEP Item I492 - Former Earp Gillam Bond Store (Earp Gillam Bond Store Precinct)) and 28 Stevenson Place (LEP item I491 - Former John Bull Warehouse) share the same land use zoning and prevailing building height, they have not been included as part of this identified low-rise area because HOB and FSR development standards are not applied to this land.



Figure 40: 14 Stevenson Place facing north-east (Source: Google Streetview)



Figure 41: 7 to 15 (odd numbers) Scott Street facing south (Source: Google Streetview)

The review notes minimum lot size of 400m applies to the land in this identified low-rise residential zoned area. These standards are considered appropriate and compatible with retaining and conserving the heritage significance of this part of the HCA. It is also consistent with the minimum lot size applied to properties zoned R2 Low Density Residential and R3 Medium Density Residential in CN's other HCAs such as in The Hill, Cooks Hill, and Hamilton Residential Precinct.

Removal of HOB and FSR is recommended from this low-rise residential zoned area of the HCA, justified on the basis that:

- HOB and FSR development standards are not applied to residential zoned land in HCAs outside the Newcastle City Centre boundary, such as residential zoned land in Cooks Hill, The Hill, Hamilton South and Hamilton Residential Precinct HCAs. To remove HOB and FSR from this part of Newcastle East HCA will maintain a consistent land-use planning and heritage conservation approach to the management of these areas.
- A review of current LEPs in NSW confirms best practice and a common approach for HCAs across NSW is to not apply HOB and FSR development standards to land in HCAs. This includes The Rocks and the Millers Point HCA in City of Sydney, and the HCAs in the inner areas of Maitland and Morpeth, Orange, Wagga Wagga, Singleton, Armidale, and Albury.
- HOB and FSR controls do not necessarily promote the best heritage outcomes for a low-rise residential zoned area as they mislead expectations of building envelope entitlement, and may result in inconsistencies with the current built form on the land and surrounding streetscape.
- This area largely consists of small blocks already developed boundary to boundary to a high density. Additionally, existing buildings are already approaching the height limit and Clause 4.6 variations are frequently requested to exceed the FSR to support development applications in this locality (**refer to 2.2.5 for varying development standards**). Furthermore, Clause 4.6 variation requests are required for HOB and FSR exceedances when the proposed bulk and form of the development is appropriate to its streetscape setting and there is no impact on the heritage significance of the HCA. For example, a small kitchen extension at the rear of a residential terrace which is not visible from the public street.
- Removing HOB and FSR provisions facilitates a merit assessment, allowing the assessment authority to consider development proposals that maintain the heritage significance and are compatible with the protected character and appearance of the HCA. It allows a degree of design flexibility to respond to its place within the surrounding townscape rather than complying with a generic set of prescribed LEP development standards. The merit assessment approach and design responding to place is complemented and robustly controlled by detailed planning and design guidelines provided in the heritage conservation chapters of the DCP and associated Heritage Technical Manual. For example, to conserve and maintain the existing low-rise scale of buildings visible from the street for land in the identified 'The Sandhills' residential zoned precinct of Newcastle East HCA or in HCAs outside the Newcastle City Centre boundary, Controls C2 and C3 and Figure E1.03 of Section E1 Built and landscape heritage of the DCP 2023 apply. This requires additions and higher parts of a new building to be concealed and not seen from the street (**refer to Figure 42**).

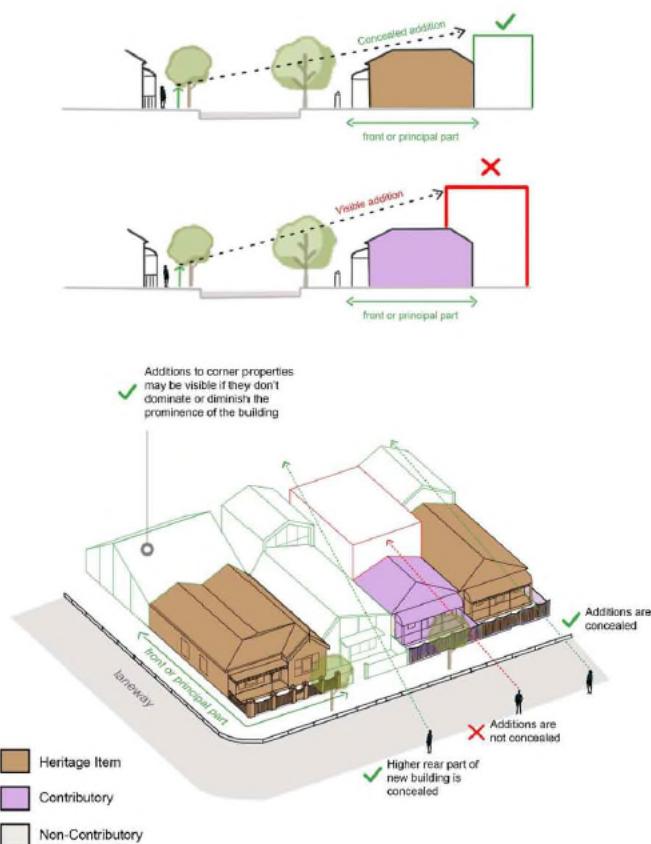


Figure E1.03: Concealed additions and higher parts of a new building

Figure 42: Figure E1.03 of DCP 2023 (Source: DCP 2023: Section E1 Built and landscape heritage, Adopted 12 December 2023)

For the rest of the HCA, including the more intensely developed land fronting Newcastle Beach, the existing minimum lot size, HOB and FSR development standards applied are considered appropriate and compatible with retaining and conserving the heritage significance of the Newcastle East HCA.

4.15 Newcastle City Centre Boundary

This review considers how the LEP provisions for the Newcastle City Centre work with those for the Newcastle East HCA. Shared characteristics of zoning and building height were identified in the low-rise precinct of two to three storey properties zoned R3 Medium Density Residential (**refer to Figure 39**) and three heritage listed bond stores (**refer to 4.14**). This area of 8.9ha, presents as a fine-grain, low-rise residential zoned area with a distinct building typology to that of the rest of the Newcastle City Centre area, which is generally developed to far greater heights and across larger consolidated lots. The identified area is comparable to areas such as Darby Street and Bull Street, Cooks Hill rather than the Newcastle City Centre and the related objectives under Part 7 of the LEP that facilitate large scale, medium to high-rise development (**refer to 2.2.4**). Further investigation is warranted to consider

whether this area and any similar areas should have both LEP provisions apply for the Newcastle East HCA and the Newcastle City Centre boundary.

In addition, a minor adjustment to the Newcastle City Centre boundary is required to remove the Boat Harbour at 100 Wharf Road (**refer to Figure 43**). Although not in the Newcastle East HCA, this 0.45ha property is identified by the *Transport and Infrastructure SEPP 2021* as in the boundary of the Three Ports area. A SEPP prevails over an LEP. Its removal from the Newcastle City Centre boundary is required to correct this anomaly.



Figure 43: Recommended adjustments to the Newcastle City Centre boundary in the Newcastle East HCA locality.

4.16 Heritage Items

Identified by the assessment above and from community engagement feedback, it is recommended the following new LEP heritage items and amendments to existing LEP heritage items be investigated:

- Stone Shelter, South Newcastle Beach - investigate new LEP listing.
- Gaol, Scott Street - investigate new LEP listing of this archaeological site.

-
- Newcastle Ocean Baths - boundary adjustments to the LEP listing (item I489) to include the canoe pool and land between the baths and the high-water mark.
 - Coal River Precinct - boundary adjustments to the Coal River Precinct LEP listing (item A5) to include all land within the curtilage of the Coal River Precinct SHR listing (SHR ID 01674) which is not located within the boundary of the port of Newcastle's Three Ports area.
 - Earp Gillam Bond Store Precinct - amend LEP item listings for Former Earp Gillam Bond Store Precinct (item I492) and Stanton Catchlove Bond Store (item I373) to be consistent with the Earp Gillam Bond Store Precinct SHR listing (SHR ID 00762), and investigate separately listing Foreshore Park as a new LEP item.
 - Other places in the HCA the community engagement feedback found had potential cultural heritage merit will be investigated for LEP listing in a future heritage study.

CHAPTER FIVE – NEWCASTLE CITY CENTRE HERITAGE CONSERVATION AREA

5.1 Introduction

This section documents the Newcastle City Centre HCA, bounded by the heavy/light rail line and Coquun (Hunter River) to the north, Pacific Street and Shortland Esplanade to the east, to the south by King, Queen, Gibson and Parry Streets, and to the west by Selma Street. The current boundaries and location of the Newcastle City Centre HCA are as reproduced in **Figure 44**.

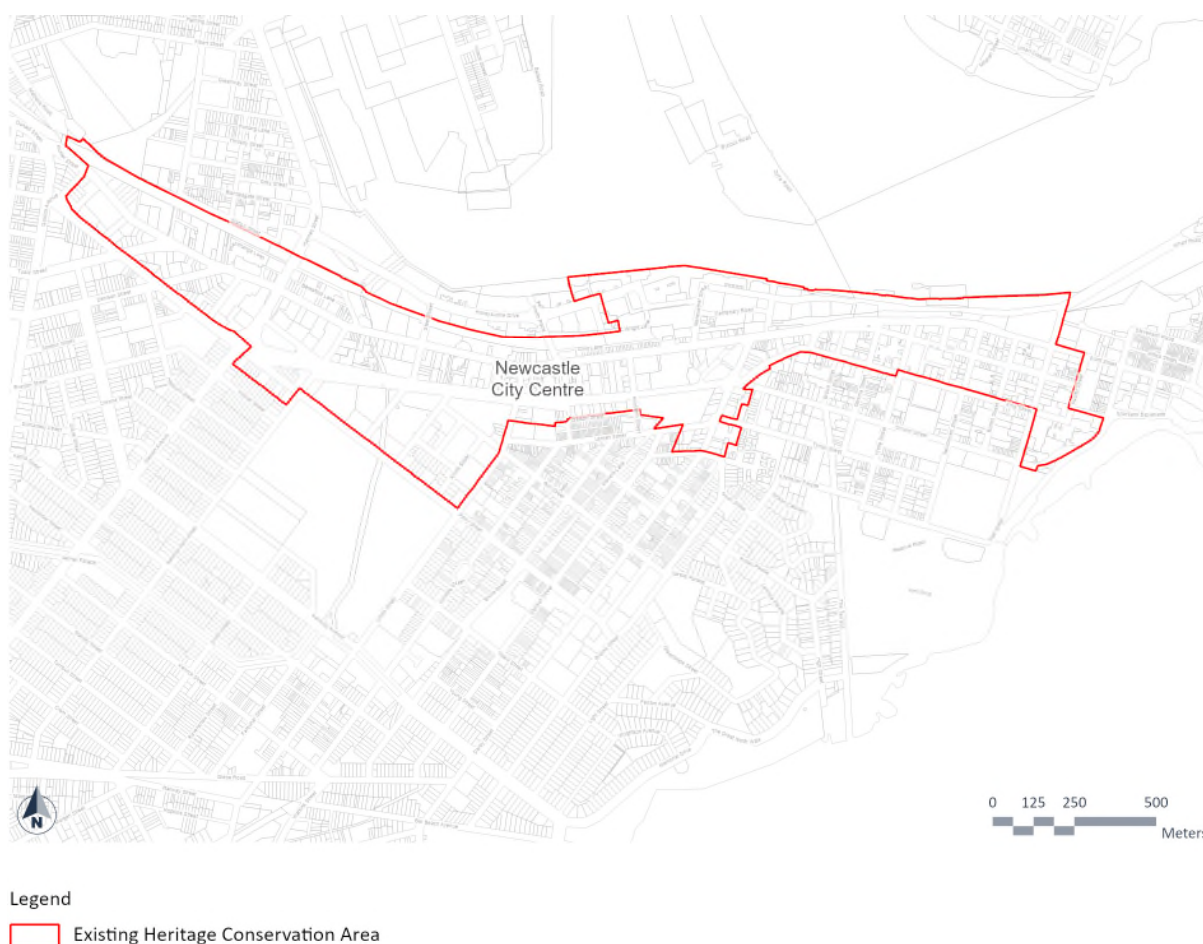
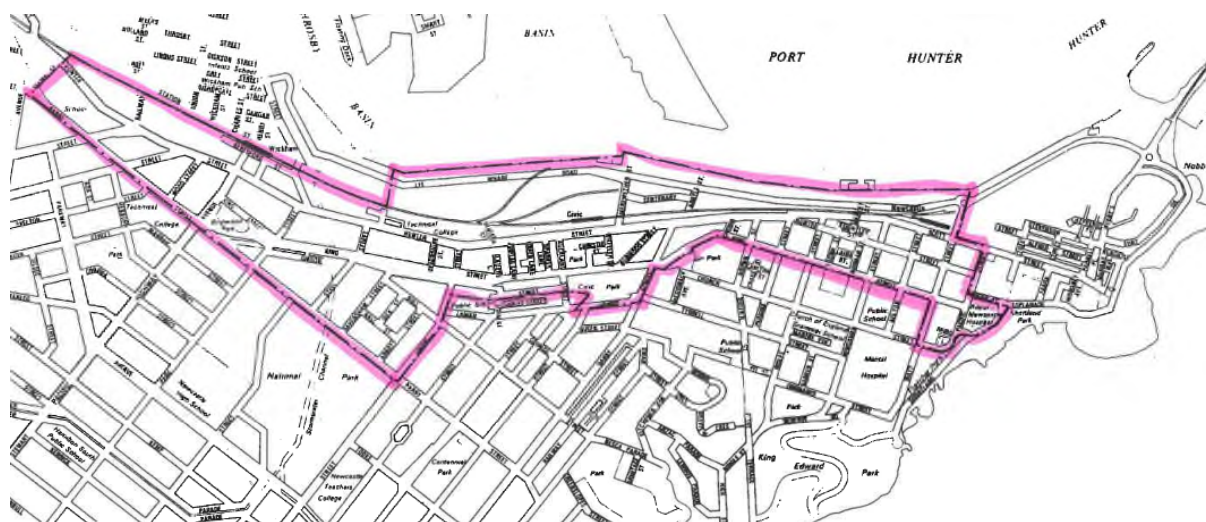


Figure 44: Newcastle City Centre Heritage Conservation Area (Current Boundary)

5.2 Heritage Status - Newcastle City Centre Heritage Conservation Area

The area known as Newcastle City Centre Heritage Conservation Area was gazetted as Newcastle C.B.D. Heritage Conservation Area via Amendment No. 52 to the Newcastle LEP 1987, 3 July 1992, Gazette No. 83, page 4668 (refer to **Figure 45**). The current boundaries remain reasonably consistent from the original. Notable changes include the addition of Parry Street industrial opposite Birdwood Park and properties around Queen Street, Cooks Hill and Tyrrell Street, The Hill; and the removal of land at Honeysuckle west of Merewether Street, Newcastle. These changes were implemented with the commencement of Newcastle City Centre Local Environmental Plan 2008, 1 February 2008. No significant changes have occurred since.



NEWCASTLE C.B.D. HERITAGE CONSERVATION AREA
NEWCASTLE LOCAL ENVIRONMENTAL PLAN 1987 (HERITAGE CONSERVATION)

Figure 45: Newcastle City Centre HCA as gazetted by Amendment No. 52 to Newcastle LEP 1987 (1992).

5.3 History

Refer to Sections 3.2 and 3.3 for the Aboriginal and historical context of the study area.

5.4 Physical Description

The Newcastle City Centre HCA comprises an area of predominantly flat land along the northern side of the Newcastle peninsula (refer to **Figure 44**). It contains iconic sites of cultural significance to the local Aboriginal community, including the harbour landscape of Muluubinba. Newcastle Railway Station, Newcastle Signal Box, Great Northern Hotel, Newcastle Post Office, Former Nurses Home, T&G Mutual Life Assurance Building, Victoria Theatre, Civic Park, Former City Administration Building,

Fred Ash Building, Newcastle City Hall, Civic Theatre, Nesca House, Civic Railway Workshops, Miss Porter's House, and the Castlemaine Brewery are heritage places of State significance that define the Newcastle City Centre HCA.

The proximity and views of the harbour to the north framed by the steep topography of The Hill to the south are an important aspect of Newcastle City Centre's urban character.

The current built character of Newcastle City Centre HCA ranges from regionally significant civic buildings, adaptively re-used industrial buildings, and intensive mixed-use residential and commercial urban forms. The buildings are an eclectic mix of mostly Victorian, Inter-War, or late twentieth century to the present day. Most of the building stock in the eastern and central sections of the HCA contributes to the character of the HCA, with more recent intensive development mostly located in the western section of the HCA. The contributory building stock in the HCA is not homogenous. Instead, it is a series of distinct character precincts, defined by a shared development history or built character, with a consistency of scale, style, or other features in each precinct. These features include:

- Old Town – grid system from Pacific Street in the east to Brown Street in the west, the precinct contains a rich pre-contact and convict/early settler archaeological record, with the economic wealth generated by the Newcastle port expressed in its fine stock of nineteenth century and early twentieth century commercial and retail buildings. Views out to the port of Newcastle and harbour mouth, the traditional harbour landscape of Muluubinba. Newcastle Railway Station, T&G Mutual Life Assurance Building and Newcastle Post Office are significant heritage landmarks.
- Civic and Honeysuckle – the precinct has a shared development history of rail and port related infrastructure, the subsequent establishment and concentration of regionally significant civic institutions, and the fine stock of late nineteenth/early twentieth century and inter-war commercial and retail development. Views from the Honeysuckle public domain out to the port of Newcastle and harbour mouth, the traditional harbour landscape of Muluubinba. Civic Park, City Hall, Former City Administration Building, and Lee Wharf Buildings are significant heritage landmarks.
- Newcastle West – the precinct has a shared development history of late nineteenth and early twentieth century industrial and commercial development which serviced the port of Newcastle and helped establish the industrial base of the NSW economy. Miss Porter's House, Newcastle Technical College, and the Castlemaine Brewery are significant heritage places.

5.5 Previous Heritage Studies

In 1988, Sutera Busted Corner Clode Architects and Planners prepared the Newcastle CBD Urban Design and Heritage Study (the study area is depicted in **Figure 46**). At the time, this innovative urban design guideline established some important planning principles for the city, such as preserving sight lines to the Christ Church Cathedral and preserving iconic heritage items such as Customs House, the Court House and the Post Office. It identified an inventory of items of heritage significance and areas of special heritage significance in Newcastle East and Newcastle West.

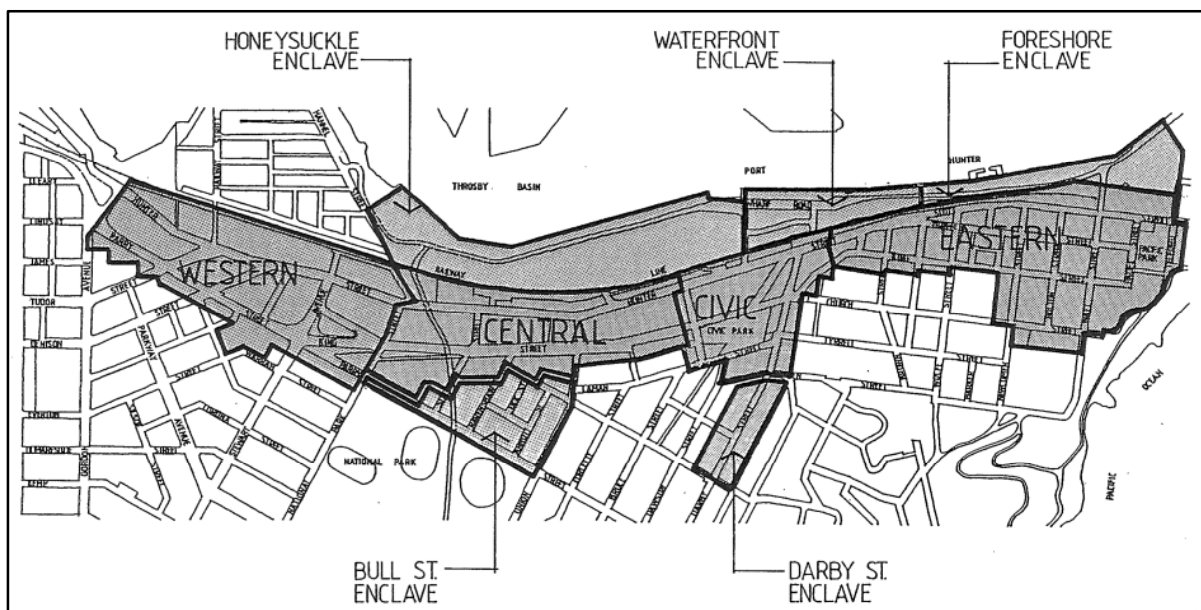
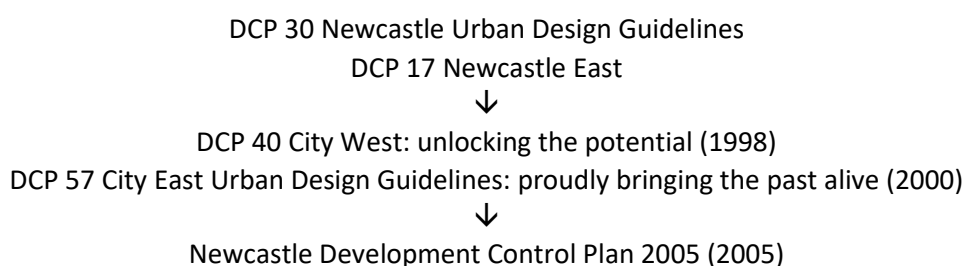


Figure 46: Study Area of the Newcastle CBD Urban Design and Heritage Study

The study area defined under the Newcastle CBD Urban Design and Heritage Study (1988) roughly translated into the HCA listing under the Newcastle LEP 1987, Amendment No 52 in 1992.

An early history of DCPs that guided development of the Newcastle City Centre included:



Early development planning recognised that "*the Newcastle CBD comprised two distinct areas with different characteristics. The east with strong heritage qualities, unique streetscapes and topographical features. The west (including Honeysuckle) is less constrained with flat topography, greenfield development sites and good redevelopment potential*".⁷ These previous DCPs introduced important principles and objectives to facilitate the protection and management of the built environment within the now Newcastle City Centre.

In 2012, the then Department of Planning and Infrastructure prepared the Newcastle Urban Renewal Strategy under State Environmental Planning Policy (Urban Renewal) 2010. The focus of the strategy

⁷ City West unlocking the potential: Development Control Plan 40, Newcastle City Council / Department of Urban Affairs and Planning, 1998. ISBN 0 909115 69 9

was to support the revitalisation of Newcastle over the coming 25 years. It was supported by extensive technical work, which included the heritage field.

Delivery of the Newcastle Urban Renewal Strategy planning vision occurred through incorporation of provisions in the Newcastle LEP 2012 and Section 6.01 Newcastle part 7 City Centre of the Newcastle DCP 2012.

In June 2016 Council adopted the Heritage Conservation Areas Review Report. At the time of this project the Newcastle City Centre HCA was subject to LEP and DCP amendments as part of the Newcastle Urban Renewal Strategy (mentioned above) and was determined to be outside the scope of the review. Though the Newcastle City Centre HCA was excluded from this review, as a result of this work, CN prepared and included a contributory buildings map for this HCA in its Heritage Technical Manual as a clear guide for development assessment and design planning.

5.6 Assessment of Heritage Significance

Refer to Sections 6, 7, 8 and 9 for separate heritage significance assessments for Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street.

5.7 Comparative Assessment

Refer to Sections 6, 7, 8 and 9 for separate comparative assessments for Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street.

5.8 Threatening Processes

Some issues undermine the integrity and intactness of the Newcastle City Centre HCA. These include:

- The Newcastle City Centre HCA is approximately 3.2km from east to west and comprises a series of distinct character precincts developed over different time periods and with different building typologies. Given the size of the existing HCA, the current direction and guidance is too broad. The statement of significance for Newcastle City Centre HCA provided in the DCP primarily relates to the 'Old Town' area of Hunter Mall. The heritage significance and development history of Civic, Honeysuckle and Newcastle West are largely overlooked. Clear direction and guidance to manage change in these heritage places is limited and problematic both for the assessment authority and proponents of development.
- Unsympathetic development that is out of scale or not designed as sensitive infill that replaces original building stock, or that alters and adds to contributory buildings.
- Facadism of local heritage item buildings rather than retention of their three-dimensional form and adaptive re-use.
- The painting of exposed face brick and stone of existing building facades and front fencing.

5.9 Desired Future Character Statement

DCP 2023 includes the following statement as a clear guide for development assessment and design planning:

The character of the Newcastle City Centre Heritage Conservation Area is made up of a variety of building styles that date from the 19th and early decades of the 20th century. The special character is to be preserved, celebrated and maintained through the retention of contributory buildings, existing subdivision pattern, and elements of visual interest.

Elements to be preserved and/or sensitively restored or reconstructed (based on evidence of original appearance) include:

- *Range of contributory and historic buildings constructed prior to the Second World War, particularly intact or historically significant groupings, heritage items, iconic structures, and the appearance and layout of streets.*
- *Existing subdivision pattern and street layout, including preserving the human scale of development, the integrity of laneways and the fine grain of Henry Dangar's 1823 'Old Town' plan in the Newcastle East End Precinct from Pacific Street to Brown Street, and from Church Street to Hunter Street.*
- *Existing subdivision pattern and street layout, including preserving the human scale of development, the integrity of laneways, the fine grain and the groupings of contributory late 19th century and art deco buildings which predominate in the cultural, educational and administrative Civic Precinct between Brown and Ravenshaw/Steel streets.*
- *Single to two storey scale of distinctive early industrial and warehouse buildings in Parry Street between National Park Street and Stewart Avenue, and between Wood Street and Railway Street.*
- *Emerging commercial core of tall and landmark mixed-use retail, office and residential apartment buildings of the Newcastle West End Precinct between Ravenshaw/Steel Street and Wood Street are of high-quality contextual design, compatible with and preserve the remnant contributory 19th century and early 20th century properties and their two to three storey scale and setting, the integrity of laneways and the fine grain of Beresford Lane and Beresford Street.*
- *Exposed face brick and stone of existing building facades and front fencing.*
- *Street furniture such as sandstone kerbing and guttering, and other features of historical interest such as heritage items, public stairs, lanes, parks.*
- *Distinctive early industrial, warehouse and retail buildings, including prominent corner buildings.*
- *Views and vistas to and from significant cultural landmarks such as the T&G Building and the former Newcastle Post Office. Views which terminate at significant heritage buildings such as Fort Scratchley and the former Newcastle Courthouse. Views from Market Street and Morgan Street to Christ Church Cathedral. Views to the Hunter River are protected and framed along Market Street, Watt Street and Newcomen Street.*
- *Views to and the visual interconnections between significant Aboriginal cultural landscape features including Whibayganba (Nobbys Head), Tahlbihn (Flagstaff Hill / Fort Scratchley), Burrabihngarn (Pirate Point, Stockton), Yohaaba (Port Hunter), Coquun (Hunter River: South Channel), Khanterin (Shepherds Hill), and Cathedral Park.*

- *Mature trees in the public domain, and parks and public spaces including Market Street Lawn, Civic Park, Wheeler Place, Museum Park, Christie Place and Birdwood Park.*
- *Items of heritage significance individually listed as heritage items in Schedule 5 of LEP 2012, including retention of the three-dimensional form and adaptive re-use of heritage item buildings.*
- *The rich record of relics and archaeological sites beneath the modern city.*

Refer to Sections 6, 7, 8 and 9 for a separate Desired Future Character Statement for Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street.

5.10 Contributory Buildings

Fieldwork in January 2020 established the overall intactness of this area. The Contributory Buildings Map for the Newcastle City Centre HCA (**refer to Figure 47**) included in the Heritage Technical Manual grades the contribution of buildings to the streetscape character and heritage significance for the HCA. For definitions of contributory buildings, refer to Section 1.8.

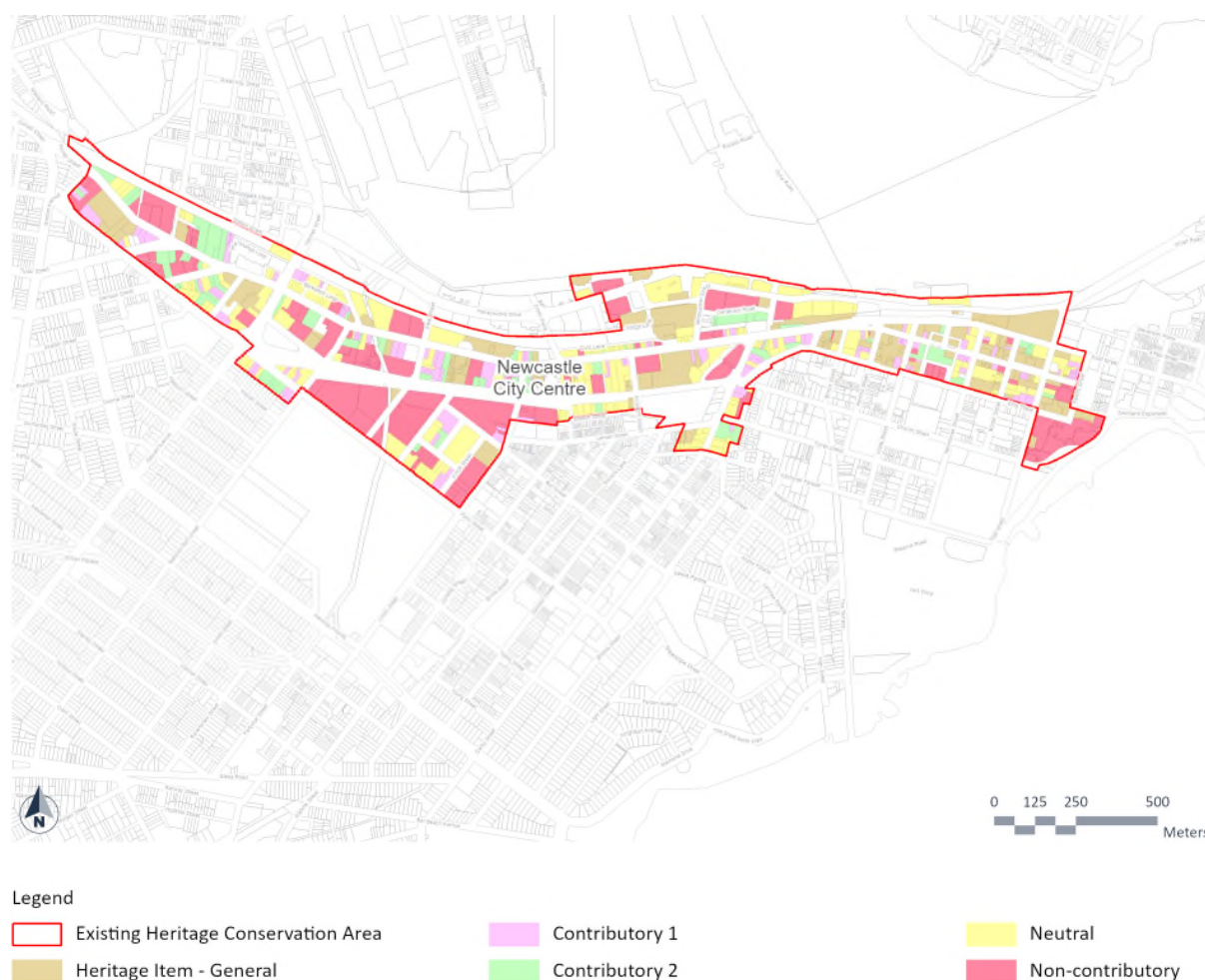


Figure 47: *Contributory Buildings Map - Newcastle City Centre HCA (Source: CN GIS 24 January 2020)*

5.11 Community Engagement Feedback

Community Engagement (Phase 1)

As part of the Newcastle City Centre HCAs review, feedback from local community members was sought to gain an understanding of what residents and business owners value about the HCA. This engagement (phase 1) was held in April and May 2023. The following submissions were received:

- 65 submissions via email or Have Your Say
- 328 pins and comments on the interactive map
- 35 precincts of shared history and/or built character drawn on the interactive map
- 238 responses to the streetscape quick poll

Feedback found the community placed high value on the heritage significance of the eastern half of the Newcastle City Centre HCA, namely around Civic and the Hunter Mall areas. This value noticeably begins to decrease as you go further westward in the HCA, particularly from Union Street. Elements not as highly valued included development at the former Royal Newcastle Hospital site (opposite Newcastle Beach on Shortland Esplanade), Rydges at Honeysuckle, Marketown commercial precinct and Newcastle's remnant industrial/warehouse buildings, particularly west of Stewart Avenue.

Key findings

- Heritage conservation merit – 161 pins
- No heritage conservation merit – 43 pins
- Places with heritage merit, highest number of up votes:
 - Newcastle Post Office – 97
 - Victoria Theatre – 83
 - Newcastle Railway Station – 70
 - Honeysuckle Railway Workshops – 62
 - Bank Corner/Formal Bank of NSW – 57
- Places with no heritage merit, highest number of up votes:
 - Queens Wharf – 21
 - Ibis Hotel (700 Hunter Street, Newcastle West) – 20
 - Arvia Building (67 Watt Street, Newcastle) – 20
 - Novotel Newcastle Beach (1 King Street, Newcastle) – 19
 - Marketown – 19
 - Arena Building (75 Shortland Esplanade) – 18
 - Royal Development (61 Shortland Esplanade, Newcastle) – 18
 - Royal Development (3 King Street, Newcastle) – 17
- The east end and central part of Hunter Street around the Post Office and at Civic scored highly in the Quick Poll of 238 responses with 97% and 95% respectively indicating these streetscapes have heritage value.
- Streetscapes that didn't register as having a high heritage merit included Marketown (10%), Centenary Road (18%) and west end of Hunter Street around Sacred Heart Cathedral (21%)

- 31 precincts of shared history and/or built character were identified. These focused on:
 - Hunter Mall/Henry Dangar's Old Town
 - Honeysuckle port and railway legacies
 - Civic - institutional, administration and cultural hub
 - Small scale contributory shopfronts along Hunter Street between Worth Place and National Park Street
 - Bank Corner shop top housing and warehouses
 - Parry Street industrial between National Park Street and Stewart Avenue
 - West end industrial – west of Stewart Avenue
 - Sacred Heart Cathedral precinct
- Relevant submission comments:
 - *In recognition of the varied character of Newcastle West and its individuality distinct from Newcastle city centre, consideration should be given to either reducing the size of the NCCHCA by protracting the western end and reviewing specific West End buildings for individual heritage significance or, splitting the NCCHCA into smaller areas reflecting the historical and architectural character, e.g. City Centre, Civic Precinct, and Newcastle West. The current boundary of NCCHCA encompasses some vastly different character and the City Centre Statement of Significance seems to be unrelated to this.*
 - *The “desired future character” of the city and surrounding areas should seek to build on, rather than diminish, the extant heritage character. Planning should seek to preserve clear evidence of historical precincts.*
 - *There is a wealth of commercial and residential architectural styles, sites, buildings, monuments, facades, streets and open spaces within the HCAs.*
 - *31-37 Shortland Esplanade, Newcastle East was built in 2006, replacing a 1970s hotel. There is no current heritage value and should be removed from the Heritage area, like all newly built buildings on Shortland Esplanade. There is significant recognised contributory heritage widely spread within the boundaries of both subject heritage conservation areas as they are currently defined. It is therefore important to maintain HCAs as larger continuous areas to ensure that the heritage impact of any development within the area is assessed.*
 - *Notwithstanding the development of over 20 mixed use (apartment/office) complexes within the two HCAs since 2003, the fundamental heritage significance, shared history, and archaeology of these HCAs remains largely unchanged. That said, the character of some City Centre blocks west of Worth Place has been substantially altered due to the construction of several large floorplate Non-Contributory apartment towers, offices and the eastern Market Town shopping complex.*
 - *Planning should aim to preserve clear evidence of historical precincts, well beyond a curated selection of heritage-listed and contributory items.*
 - *Henry Dangar’s 1828 street design created an enduring intimacy and human scale still evident in the layout of Newcastle today. Newcastle’s human scale is unseen in any other Australian city and it is vitally important to retain it for the future.*
 - *The heritage facades designed by skilled architects of the time (Frederick Menkens and his contemporaries) to Newcastle’s CBD which has contributed to Newcastle’s*

attractive streetscapes and date from the 1800's must not be disturbed, diminished or obliterated.

- *Although the boundary of the NCCHCA takes in Newcastle West, this Statement of Significance is seemingly unrelated to this end of the city, and even to the easterly Civic Precinct. The current Statement of Significance for the Newcastle City Centre Heritage Conservation Area is largely irrelevant when considering the West End and Civic area.*

A more comprehensive analysis of the community engagement (phase 1) feedback is provided in **Appendix A**.

Public Exhibition (Phase 2)

After incorporating the outcomes of the first phase of engagement into the draft report, feedback from community was sought. This public exhibition (Phase 2) was held in November and December 2023, and 34 submissions were received during the exhibition.

Most submissions demonstrated support for further heritage protection and maintaining the unique built character of Newcastle, including natural landscapes. Several respondents provided support for the recommendations in the draft report, including the creation of smaller HCAs that better represent the unique character of the different parts of the Newcastle City Centre, and the removal of HOB and FSR development standards for identified low-rise properties in Newcastle East and The Hill HCA. Others maintained the view that the current HOB and FSR standards should remain. Respondents also had general concerns about the loss of heritage and overdevelopment, calling for stronger, more explicit protection of heritage buildings and places. There was some feedback provided suggesting detailed amendments to the draft report. Such suggestions are comprehensively addressed in this report.

A comprehensive analysis of the public exhibition (phase 2) feedback is provided in **Appendix B**.

5.12 Heritage Conservation Area Boundary

The boundaries of the Newcastle City Centre HCA were reviewed. The existing boundaries of the HCA are considered inappropriate to ensure the heritage significance of the area is retained and conserved. The Newcastle City Centre HCA is too large (approximately 3.5km from east to west) and comprises a series of distinct character precincts developed over different time periods and with different building typologies. This means clear direction and guidance to manage change in these heritage places is limited and problematic both for the assessment authority and proponents of development.

It is recommended [part of](#) the Newcastle City Centre HCA be replaced with smaller, more specific HCAs based on shared development history and/or built character.

The HCAs to replace [part of](#) the existing Newcastle City Centre HCA are recommended as follows:

- Old Town
- Civic and Honeysuckle
- Hunter Street West
- Parry Street.

[Further investigation is recommended to assess whether the proposed remnant land in the Newcastle City Centre HCA meets NSW assessment criteria for an HCA. This includes investigating potential new LEP heritage item listings for any buildings ranked as Contributory 1 or Contributory 2 items on this land.](#)

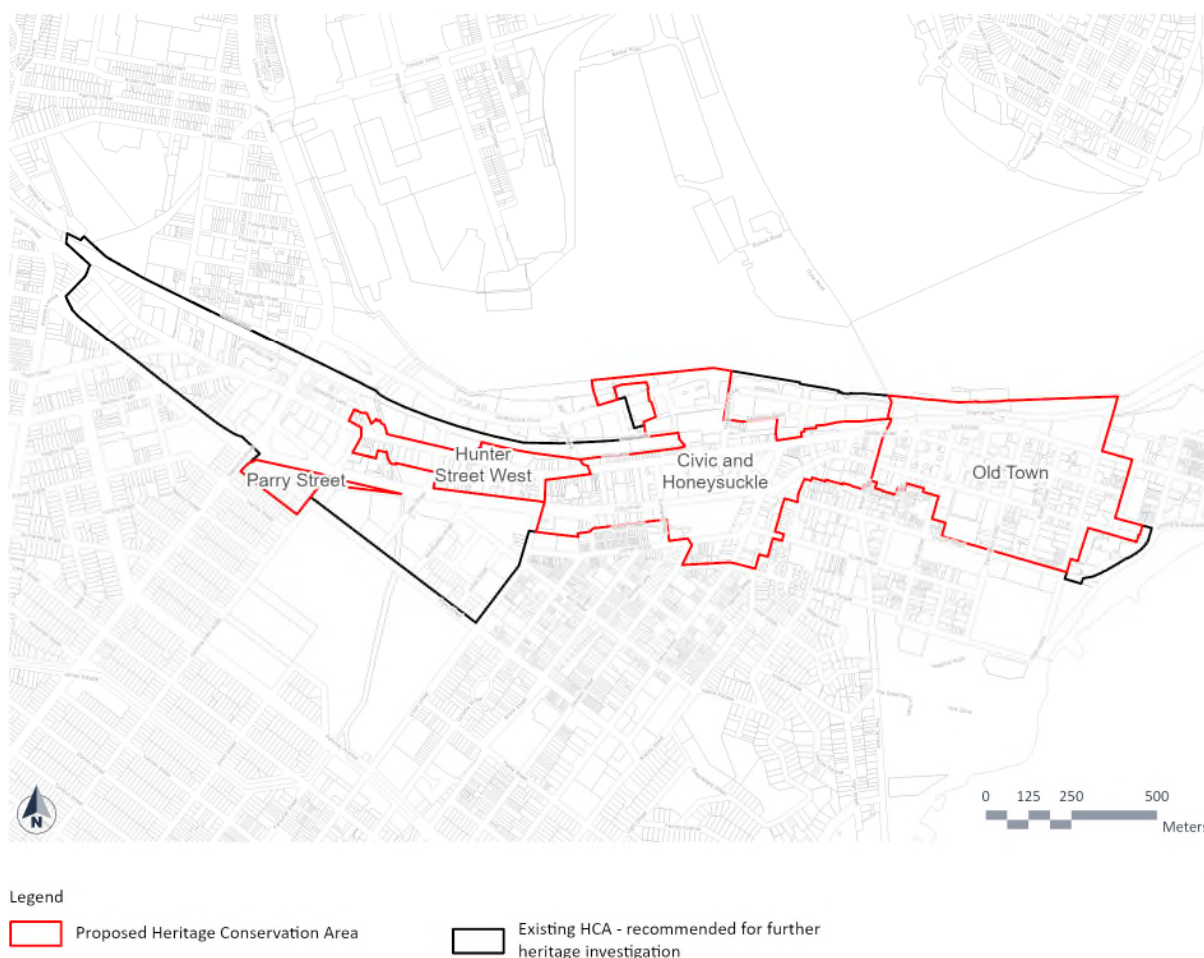


Figure 48: Proposed heritage conservation areas to replace [part of](#) the Newcastle City Centre Heritage Conservation Area

The four proposed HCAs (**refer to Figure 48**) are discussed separately in chapters six to nine which follow. This includes separate reviews of the proposed boundaries, land use zoning, height of building and floor space ratio, the Newcastle City Centre boundary, and heritage items for each of these areas.

CHAPTER SIX – OLD TOWN HERITAGE CONSERVATION AREA

6.1 Introduction

This section documents the proposed Old Town Heritage Conservation Area, located in the Newcastle City Centre. It is bounded by Pacific Street at its east, Brown Street at its west, Church and King Streets to the south and to the north by the harbour. A map of the HCA is reproduced in **Figure 49**.



Figure 49: Proposed Old Town Heritage Conservation Area (Proposed Boundary)

6.2 History

Refer to Sections 3.2 and 3.3 for the Aboriginal and historical context of the study area.

6.3 Physical Description

The Old Town HCA comprises an area of predominantly flat land along the northern side of the Newcastle peninsula below and rising up to the steep slopes of The Hill (**refer to Figure 49**). It contains iconic sites of cultural significance to the local Aboriginal community, including the harbour landscape of Muluubinba. Newcastle Railway Station, Newcastle Signal Box, Great Northern Hotel, Newcastle Post Office, Christ Church Cathedral, Cathedral Park, Manufacturer's House, Former Nurses Home, T&G Mutual Life Assurance Building, Victoria Theatre, David Cohen & Co Warehouse, Toll Cottage (formerly Rose Cottage), and the Church and Watt Street Terraces Group are heritage places of state significance that define the Old Town.

The proximity and views of the harbour to the north framed by the steep topography of The Hill and the imposing landmark of Christ Church Cathedral to the south are an important aspect of Old Town's urban character. Views of townscape interest include the tower of Christ Church Cathedral atop The Hill, the view down the Hunter Mall section of Hunter Street, and the fine grain grid system provides channelled views over the harbour along Perkins, Wolfe, Newcomen and Watt Streets.

Market Street Lawn and Newcastle Foreshore are an important element of the amenity and physical character of Old Town and provide views of the tower of Christ Church Cathedral and an attractive setting for Newcastle Railway Station, Newcastle Signal Box, and the working harbour beyond.

In summary, the physical character of the Old Town is defined by a range of historically, culturally and visually significant built, natural and landscape features (**refer to Figures 50 to 58**). These features include:

- Fine grain, grid system of streets and laneways from Pacific Street in the east to Brown Street in the west, Scott Street to the north and Church/King Streets to the south,
- Diverse built form demonstrated by the diversity of building types and architectural styles - retail, warehousing, and apartments of mostly Victorian, Inter-War, or late twentieth century to the present day reflecting varying periods of economic prosperity and building activity. In particular, the economic wealth generated by the port of Newcastle is expressed in its fine stock of nineteenth century and early twentieth century commercial and retail buildings.
- Original building stock and infill provides a consistent street wall height of between two and four storeys, with more recent taller built elements setback on podiums.
- A dense grouping of heritage item buildings, with most building stock in the HCA contributing to the character of the HCA.
- The parks of Market Street Lawn and Newcastle Foreshore facilitate a visual and physical connection between the town and the harbour.
- A rich pre-contact and convict/early settler archaeological record.
- Views out to the port of Newcastle and harbour mouth, the traditional harbour landscape of Muluubinba.
- Christ Church Cathedral, Newcastle Railway Station, T&G Mutual Life Assurance Building and Newcastle Post Office are significant heritage landmarks.



Figure 50: Newcastle Railway Station at 110 Scott Street, Newcastle (Source: Google Streetview)



Figure 51: 90 and 55 Hunter Street, Newcastle - view east towards T&G Mutual Life Assurance Building at 45 Hunter Street, Newcastle (Source: Google Streetview)



Figure 52: Newcastle Post Office and War Memorial Statue at 96-100 Hunter Street, Newcastle (Source: Google Streetview)



Figure 53: Church and Watt Street Terraces Group, Newcastle (Source: Google Streetview)



Figure 54: Newcastle Signal Box at 155 Wharf Road, Newcastle with the tower of Christ Church Cathedral in background (Source: Google Streetview)



Figure 55: David Cohen & Co Warehouse at 50 Bolton Street, Newcastle (Source: Google Streetview)



Figure 56: Newcastle Hospital North Wing at 2 Ocean Street and Former Nurses' Home (Royal Newcastle Hospital - The Club Building) at 30 Pacific Street, Newcastle (Source: Google Streetview)



Figure 57: The Great Northern Hotel at 89 Scott Street, Newcastle (Source: Google Streetview)



Figure 58: Market Street Lawn and Newcastle Foreshore - 130 Wharf Road facing west (Source: Google Streetview)

6.4 Previous Heritage Studies

Refer to Section 5.5 for previous heritage studies for the Old Town area.

6.5 Assessment of Heritage Significance

Applying the NSW Heritage Criteria

In revising the assessment of heritage significance for the area, the NSW heritage assessment guidelines and the NSW heritage criteria has been applied as expressed below:

- *Criterion a - An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area):*

Old Town HCA is significant for its role in the course of the history of New South Wales, including being a place of documented first contact between Aboriginal people and the British. It is important in the course of NSW's history as the site of the Colonial government's attempt to control and punish recidivist convicts, through the proclamation by Governor King of the penal settlement in 1804, which continued for an 18 year period until 1822. In 1823, shortly after the penal period, the Old Town's streets were laid out by Surveyor General Henry Dangar. Remnant buildings from this period include 'Claremont' of the Newcastle Club (c.1840) and Rose Cottage (c.1850). This grid street pattern complemented by the terminus of the Great Northern Rail Line in 1878, and its fine stock of nineteenth century and early twentieth century commercial and retail buildings established the Old Town area as the commercial core of Newcastle. A situation reinforced in its formative years by the constraints of the AA Company's land ownership beyond Brown Street which held back urban development west of the city until its coal mining monopoly was broken in the 1850s. Old Town remained the city's commercial core until its gradual decline towards the end of the twentieth century.

Old Town HCA is important for its ongoing existence as an urban settlement which is demonstrated by the rich archaeological heritage from the early convict settlement period through to the present day. This significant archaeological record also documents the continuous and extensive Aboriginal occupation. The pre contact traditions and life ways of the Aboriginal people of Muluubinba, who through the ongoing connections of its traditional custodians maintain an attachment to the area today. Following the arrival of the British, Aboriginal associations are recorded in paintings and records of the penal period and the decades that followed.

- *Criterion b - An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area):*

The Old Town HCA has special associations with the convict history of Australia, being a place of secondary punishment for reoffending convicts between 1804-1822. The first administrators of the colony and some of the first European navigators are associated with the area, including Lieutenant Shortland, Governors King and Hunter, and numerous others of importance in the history of early colonial Australia, including Commandant Wallis and Commandant Morisset.

The Old Town's layout by Surveyor General Henry Dangar* in 1823 is still visible in the city's streets, and is an element of historical value, particularly in the vicinity of Thorn, Keithley, Hunter and Market Streets, with the original axis from Christ Church to the Harbour via a market square partly re-instated by recent development activity. Toll Cottage (formally Rose Cottage) is one of Newcastle's oldest buildings, represents an early subdivision of the allotment originally planned by Dangar, and shares

associations with the city's convict origins, being constructed in the 1850s using materials from older building stock.

* *Dangar was an explorer and pastoralist. He owned several large farms including the property on which the Myall Creek Massacre took place in 1838. Today he is recognised, along with many other colonial administrators at that time were significantly involved in the dispossession of Aboriginal people from their traditional lands and the Frontier Wars which followed.*

- *Criterion c - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area):*

Old Town HCA is important urban cultural landscape in that it demonstrates aesthetic characteristics that define the evolution of an early Australian city established during the earliest phases of Australia's development into a modern nation, and that has evolved a rich urban fabric that represents over 200 years of urban development. These aesthetic features include:

1. Buildings that represent architectural styles and construction technologies predominantly from the Victorian, Federation, and Inter War periods of urban development.
2. A Strongly homogenous street and lot layout developed to a human scale based on Dangar's Old Town Plan of 1823.
3. The historic commercial retail streetscapes of Hunter and King streets provide an east-west spine and strongly contribute to the character of the suburb.
4. Streetscapes and vistas outwards and inwards which strongly contribute to the character of the suburb. This includes visual connections between the working harbour, Fort Scratchley and the tower of Christ Church Cathedral.
5. The steep rise in topography south from the edge of Hunter Street up towards Christ Church Cathedral on The Hill is accommodated in the streetscape by a series of stairs, handrails, and retaining walls.
6. The corner façade of the David Jones Building, the domes and colonnades of the Post Office Building, and the tower of the T&G Building are prominent landmark features which help to orientate the visitor.
7. The areas of parkland that are an integral element of Old Town including the Foreshore and Market Street Lawn. These public spaces provide views of the tower of Christ Church Cathedral and an attractive setting for Newcastle Railway Station and Newcastle Signal Box, the former railway and port infrastructure that they have replaced.

- *Criterion d - An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;*

Feedback from residents and businesses in 2023 revealed that the community significantly value the character and physical elements of Old Town 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. The area meets this criterion on cultural grounds at the local level.

- *Criterion e - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);*

Given the high rate of survival of key elements of the early urban settlement of Newcastle, the area has the potential to yield information that will contribute to understanding aspects of Newcastle's cultural history, and more broadly to the State of NSW. This includes the capacity to yield information about the cessation of a penal settlement and its evolution to a modern city. Also for its ability to demonstrate elements of the early development of Newcastle as well as the system of land subdivision and crown grants following the cessation of the penal colony mining. There also remains the potential for Aboriginal objects of conservation value to be present in the area due to its proximity to the former course of the Coquun (Hunter River) which ventured further south when compared to today.

- *Criterion f - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area):*

There is rare surviving archaeological evidence associated with the convict settlement period as the earliest penal settlement outside of Sydney, and one of few such places to be established in NSW.

- *Criterion g - An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).*

Old Town contains many surviving elements of the early 19th and 20th centuries and the processes of urbanisation. It demonstrates these characteristics in its key elements including building stock and the relationship of buildings to the street and each other, street layout including laneways, along with heritage items and green space.

Statement of Significance

The Old Town 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 by the sea and the harbour.

Toll Cottage (formally Rose Cottage) is one of Newcastle's oldest buildings, represents an early subdivision of the allotment originally planned by Dangar, and shares associations with the city's convict origins, being constructed in the 1850s using materials from older building stock. Newcastle has a rich archaeological record of national significance, with the potential to yield information about the early convict settlement and early industrial activities. The city area is known to have been a place of contact between colonists and the Indigenous population. This evidence is available in historical accounts and in the archaeological record surviving beneath the modern city.

The high numbers of commercial and civic buildings of the 19th and 20th centuries gives the city a rich historic character which is notable and allows an understanding of the importance of the city as a place of commerce, governance and city building. The historical foundation of the city was the discovery and exploitation of coal with good shipping access via a safe and navigable harbour. The

town's layout by Surveyor General Henry Dangar in 1823 is still visible in the city's streets, and is an element of historical value, particularly in the vicinity of Thorn, Keightley, Hunter and Market Streets, with the original axis between Christ Church and the Harbour via a market square partly re-instated by recent development activity.

The architectural values of the Old Town HCA are to be found in the high quality of buildings, in the landscape settings of many of them, in the style, scale and detail, and in the contribution to the streetscape. The overall impression of Old Town is a strongly established historic precinct.

Key visual elements include:

- Buildings that represent architectural styles and construction technologies predominantly from the Victorian, Federation, and Inter War periods of urban development.
- A Strongly homogenous street and lot layout developed to a human scale based on Dangar's Old Town Plan of 1823.
- The historic commercial retail streetscapes of Hunter and King streets provide an east-west spine and strongly contribute to the character of the suburb.
- Streetscapes and vistas outwards and inwards strongly contribute to the area's character. This includes visual connections between the working harbour, Fort Scratchley and the tower of Christ Church Cathedral.
- The corner façade of the David Jones Building, the domes and colonnades of the Post Office Building, and the towers of Christ Church Cathedral and the T&G Building are prominent landmark features which help to orientate the visitor.
- The areas of parkland that are an integral element of Old Town include the Foreshore and Market Street Lawn. These public spaces provide views of the tower of Christ Church Cathedral and an attractive setting for the Newcastle Railway Station and Signal Box, the former railway and port infrastructure they have replaced.

- Key Period of Significance - circa 1801 to 1940.

Recommendation

The above assessment of heritage significance follows the standard Heritage Assessment Guidelines and the NSW state heritage criteria. As a result, it is recommended that the area be protected through the mechanism of a statutory HCA referred to as the Old Town Heritage Conservation Area, in a future LEP amendment.

6.6 Comparative Assessment

The Old Town area is rare at the state level for its pre-1840s grid system layout and its pre-contact Aboriginal and early convict settlement archaeological layers surviving beneath the modern city, comparable only with NSW's other convict settlements at Sydney's The Rocks, Paramatta and Port Macquarie. It is locally rare for the high concentration, integrity and intactness of late nineteenth and early twentieth century commercial and retail buildings, comparable locally with the HCAs of Civic and Honeysuckle, Darby Street in Cooks Hill, Hunter Street, and Hamilton Business Centre.

6.7 Threatening Processes

Some issues that undermine the integrity and intactness of the Old Town HCA include:

- Unsympathetic development that is out of scale or not designed as sensitive infill that replaces original building stock, or that alters and adds to contributory buildings.
- Erosion of views to the tower of Christ Church Cathedral and its visual connections to the harbour and Fort Scratchley.
- Facadism of local heritage item buildings rather than retention of their three-dimensional form and adaptive re-use.
- The painting of exposed face brick and stone of existing building facades and front fencing.

6.8 Desired Future Character Statement

The DCP provides Desired Future Character Statements for each HCA. These guide development assessment and design planning. Should the Old Town area become an HCA replacing parts of the existing Newcastle City Centre and The Hill HCAs, it is recommended DCP 2023 be amended to include the following statement:

The character of the Old Town Heritage Conservation Area is made up of a variety of building styles that date from the 19th and early decades of the 20th century. The special character is to be preserved, celebrated and maintained through the retention of contributory buildings, existing subdivision pattern, and elements of visual interest.

Elements to be preserved and/or sensitively restored or reconstructed (based on evidence of original appearance) include:

- *Range of contributory and historic buildings constructed prior to the Second World War, particularly intact or historically significant groupings, heritage items, iconic structures, and the appearance and layout of streets.*
- *Existing subdivision pattern and street layout, including preserving the human scale of development, the integrity of laneways and the fine grain of Henry Dangar's 1823 'Old Town' plan in the Newcastle East End Precinct from Pacific Street to Brown Street, and from Church Street to Hunter Street.*
- *Exposed face brick and stone of existing building facades and front fencing.*
- *Street furniture such as sandstone kerbing and guttering, and other features of historical interest such as heritage items, public stairs, lanes, parks.*
- *Distinctive early industrial, warehouse and retail buildings, including prominent corner buildings.*
- *Views and vistas to and from significant cultural landmarks such as the T&G Building and former Newcastle Post Office. Views terminating at significant heritage buildings such as Fort Scratchley and the former Newcastle Courthouse. Views from Market Street Lawn, Newcastle Foreshore, Market Street and Morgan Street to the tower of Christ Church Cathedral. Views to the Hunter*

River from Cathedral Park and Christ Church Cathedral and also framed along Market, Watt and Newcomen Streets.

- *Views to and the visual interconnections between significant Aboriginal cultural landscape features including Whibayganba (Nobbys Head), Tahlbihn (Flagstaff Hill / Fort Scratchley), Burrabihngarn (Pirate Point, Stockton), Yohaaba (Port Hunter), Coquun (Hunter River: South Channel), Khanterin (Shepherds Hill), and Cathedral Park.*
- *Mature trees in the public domain, and parks and public spaces including Market Street Lawn.*
- *Items of heritage significance individually listed as heritage items in Schedule 5 of LEP 2012, including retention of the three-dimensional form and adaptive re-use of heritage item buildings.*
- *The rich record of relics and archaeological sites beneath the modern city.*

6.9 Contributory Buildings

Fieldwork was undertaken in January 2020 to establish the overall intactness of this area. The Contributory Buildings Map for the Old Town HCA (**refer to Figure 59**) grades the contribution of buildings to the streetscape character and heritage significance for the existing Newcastle City Centre and The Hill HCAs in which they are currently located. For definitions of contributory buildings, refer to Section 1.8. If the area is subject to the regulation of a new HCA to replace parts of the existing Newcastle City Centre and The Hill HCAs, an updated contributory buildings map for The Hill HCA and a new contributory buildings map for the Old Town area will be required.

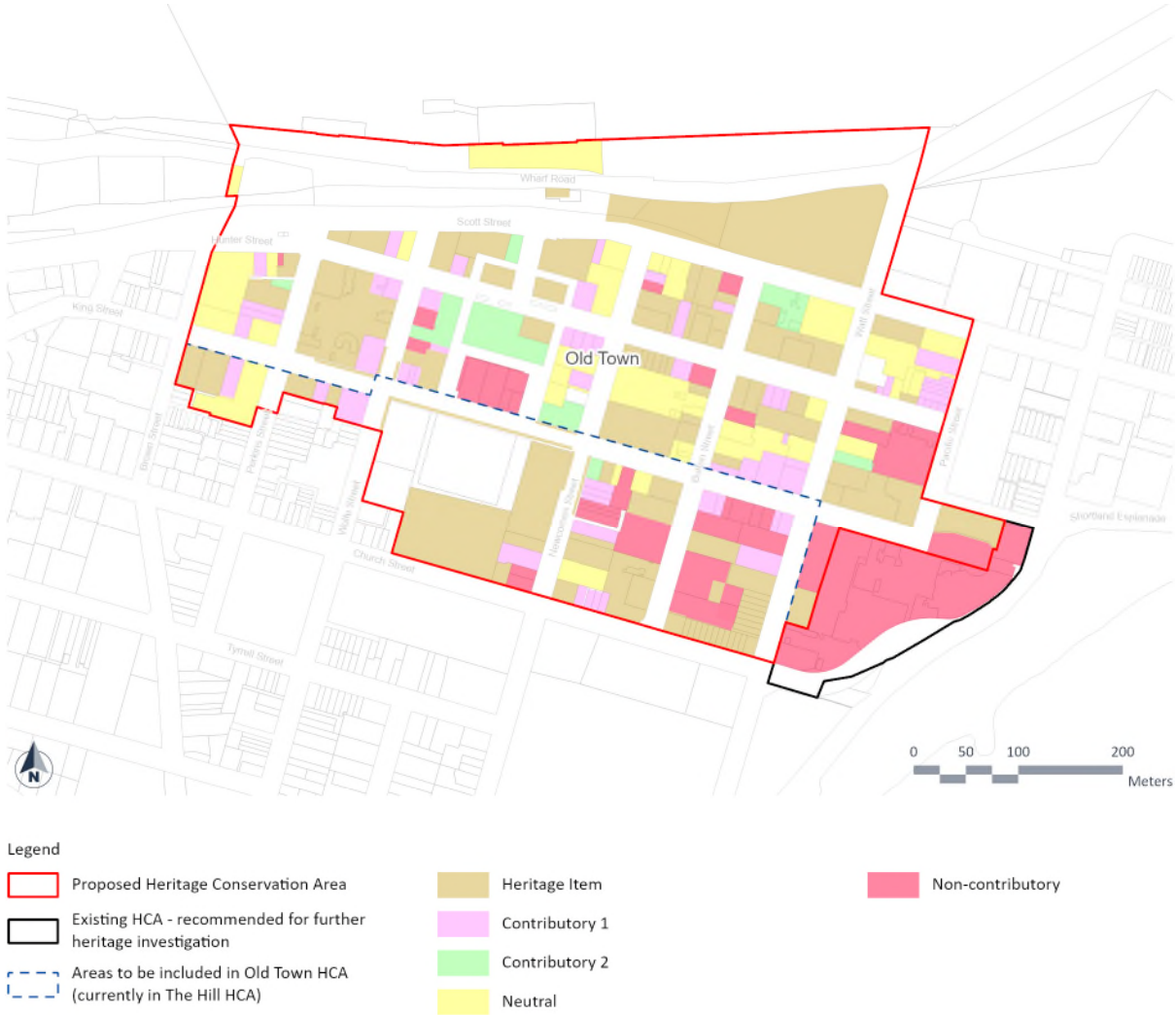


Figure 59: Proposed Old Town HCA - Contributory Buildings Map (Source: CN GIS 24 January 2020)

6.10 Community Engagement Feedback

Refer to Section 5.11 for community engagement feedback for the Old Town area of the existing Newcastle City Centre HCA.

6.11 Heritage Conservation Area Boundary

The boundaries of the existing Newcastle City Centre HCA were reviewed for land between Pacific Street and Brown Street. For this locality, overall, the existing boundaries of the HCA are considered appropriate to ensure the heritage significance of the area is retained and conserved, with a few exceptions.

The United Services Club at 55 Watt Street (LEP item I468) (refer to **Figure 60**), and the Newcastle Hospital North Wing at 2 Ocean Street (LEP item I442) (refer to **Figure 32**) are significant built elements of the HCA that should be retained and conserved. Furthermore, the low-rise commercial building located on the western side part of 45 Watt Street at the corner of Watt and King Streets provides a neutral contribution to the existing HCA, including the setting of the United Services Club and the significant streetscape character of Watt Street (refer to **Figure 62**). However, the land parcels in the street block between King Street, Ocean Street, Shortland Esplanade and Watt Street have recently been comprehensively and intensively re-developed with mixed-use medium to high rise buildings (refer to **Figures 61 and 62**). This no longer reinforces the special built character of Old Town.



Figure 60: United Services Club at 55 Watt Street, Newcastle (Source: Google Streetview)



Figure 61: 61 Shortland Esplanade and 1 King Street, Newcastle (Source: Google Streetview)



Figure 62: 45 Watt Street, Newcastle - corner of Watt and King streets facing east (Source: Google Streetview)

In addition, land parcels located both in the Newcastle City Centre boundary and the existing The Hill HCA were reviewed. This area applies to two street blocks between Watt and Newcomen streets to the south of King Street and north of Church Street (**refer to Figures 29 and 31**), and properties which address the south side of King Street between Wolfe and Brown streets (**refer to Figure 39**). The land

is situated within Dangar's 1823 Old Town Plan and, except for a few low-rise residential properties south of King Street, shares a development history and the commercial, mixed-use built character with the adjacent Newcastle City Centre HCA.



Figure 63: 115 King Street, Newcastle facing west (Source: Google Streetview)

This review found land in the street block of The Hill HCA (between King, Newcomen, Church and Wolfe streets) and within Dangar's 1823 Old Town Plan better identifies with Old Town HCA. Christ Church Cathedral and the former burial ground of Cathedral Park were integral components of that plan, and future protection of the significant visual connections between these elements, the working harbour and Fort Scratchley would be best managed and maintained if included in the proposed Old Town HCA. In addition, the properties on the western side of Newcomen Street (which includes Newcastle Club at 40 Newcomen Street - LEP Items I437 - The Newcastle Club and I438 - Claremont (Former Residence)) share a predominantly nineteenth century development history and low-rise residential built character with those on the eastern side of Newcomen Street directly opposite (**refer to Figure 64**). As such, the east and west sides of Newcomen Street should be included in the boundary of the proposed Old Town HCA. The land at 45-49 Wolfe Street, 54, 56, 58, 60 and 64 Church Street (**refer to Figure 65**) should remain in The Hill HCA as these properties share a late nineteenth and early twentieth century development history and low-rise residential built character with those on the western side of Wolfe Street (with the notable exception of the inter-war and mid-rise (seven storey) Segenhoe Flats at 50 Wolfe Street - LEP item I478 & SHR ID 02038) and the residential properties continuing west along the north side of Church Street.



Figure 64: 44 Newcomen Street, Newcastle facing north (Source: Google Streetview)

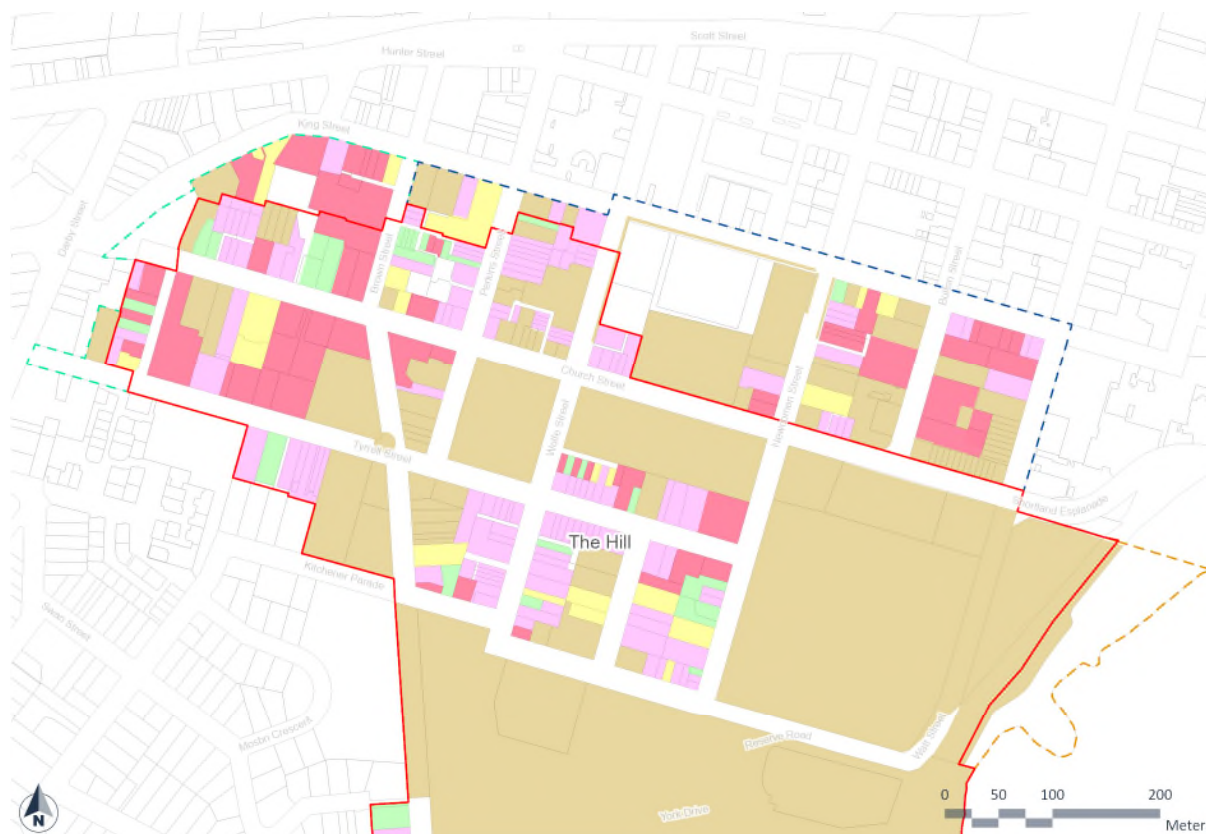


Figure 65: 58 Church Street, The Hill facing west (Source: Google Streetview)

Amendments to the LEP maps for the Old Town area are recommended (refer to **Figure 66**) below:

- The existing Newcastle City Centre HCA between Pacific and Brown streets is renamed the Old Town HCA.
- [Retain in the existing Newcastle City Centre HCA](#)~~Boundary adjustments to the Old Town HCA to remove from the HCA~~ all land parcels in the street block between King Street, Ocean Street, Shortland Esplanade and Watt Street (with the exception of the United Services Club at 55 Watt Street, the low-rise western part of 45 Watt Street at the corner of Watt and King streets, and the Newcastle Hospital North Wing at 2 Ocean Street which [are added to remain in](#) the Old Town HCA). [Further investigation is recommended to assess whether the remnant area meets NSW assessment criteria for an HCA. This includes investigating potential new LEP heritage item listings for any buildings ranked as Contributory 1 or Contributory 2 items in that area.](#)

- Boundary adjustments to The Hill HCA so all land parcels located both in the Newcastle City Centre boundary and the existing The Hill HCA are added to the Old Town HCA (except for 15, 17 and 19 Brown Street, 27 and 29 Perkins Street, and 6 Noster Place which remain in The Hill HCA).
- Boundary adjustments to The Hill HCA to remove land parcels in the street block between King, Newcomen, Church and Wolfe streets adding them to the Old Town HCA (except for 45-49 Wolfe Street, 54, 56, 58, 60 and 64 Church Street which will remain in The Hill HCA).



Legend


	Proposed Heritage Conservation Area		Areas to be included in Old Town HCA (previously The Hill HCA)		Contributory 2
	Area proposed to be included in Newcastle East HCA (previously The Hill)		Heritage Item		Neutral
	Area proposed to be included in Civic and Honeysuckle HCA (previously The Hill)		Contributory 1		Non-contributory

Figure 66: Proposed changes to The Hill Heritage Conservation Area (Source: CN GIS 24 January 2020)

6.12 Newcastle City Centre Boundary

The Newcastle City Centre boundary was reviewed for land parcels in the existing Newcastle City Centre HCA between Pacific Street and Brown Street. Overall, it is considered appropriate that this land will remain in the Newcastle City Centre boundary as the LEP provisions for this area align with the heritage significance and desired future character of the proposed Old Town HCA.

In addition, the Newcastle City Centre boundary was reviewed for land parcels between Watt, Church and Brown streets located in the existing The Hill HCA. Again, overall, it is considered appropriate that this land will remain in the Newcastle City Centre boundary as the LEP provisions for the Newcastle City Centre are commensurate with the heritage significance and desired future character of the proposed Old Town HCA, with one exception.

The review identified a handful of land parcels in the existing Newcastle City Centre boundary located behind the commercial properties situated along the southern side of King Street, which consist of low-rise two to three storey residential dwellings (**refer to Figures 67 and 68**). These dwellings contribute to the heritage significance of The Hill HCA and share a development history and built character with the other neighbouring residential properties in The Hill to the south, rather than the more intensively developed commercial properties which address King Street to the north. The continued retention and conservation of these residential properties is at odds with the LEP provisions for the Newcastle City Centre which is tailored to encouraging larger scale commercial and mixed-use development.

The review identified a few land parcels adjacent to the Newcastle City Centre boundary at 93 King Street, Newcastle zoned, RE1 Public Recreation, known as Cathedral Park, that are rich in archaeology as a former burial ground for Christ Church Cathedral (LEP item A6 - Cathedral Park and Cemetery) and once the site of an early colonial settler home (LEP item A16 - Former Mulimbah House Site). This 0.88ha, regionally significant public park provides an important recreational amenity and cultural heritage attraction for residents, workers and visitors of Newcastle City Centre and The Hill (**refer to Figure 69**). As such the existing and future use of this land is consistent with the LEP provisions for the Newcastle City Centre which includes the promotion of recreational and tourism opportunities.

However, it is recommended that all other land parcels in this same street block between King, Newcomen, Church and Wolfe streets (which includes Christ Church Cathedral and the Newcastle Club) remain outside the Newcastle City Centre boundary as this land is zoned R3 Medium Density Residential. The LEP provisions for the Newcastle City Centre are tailored to encouraging larger scale commercial and mixed-use development. As such, the continued retention and conservation of these low-rise two storey civic and residential properties is best served by continuing to exclude this land from the Newcastle City Centre.

As such, the following is recommended:

- Minor adjustments to the Newcastle City Centre boundary to remove land parcels 15, 17 and 19 Brown Street; 27 and 29 Perkins Street; and 6 Noster Place (**refer to Figure 70**).
- Minor adjustments to the Newcastle City Centre boundary to add land parcels for Cathedral Park at 93 King Street, Newcastle (**refer to Figure 70**).

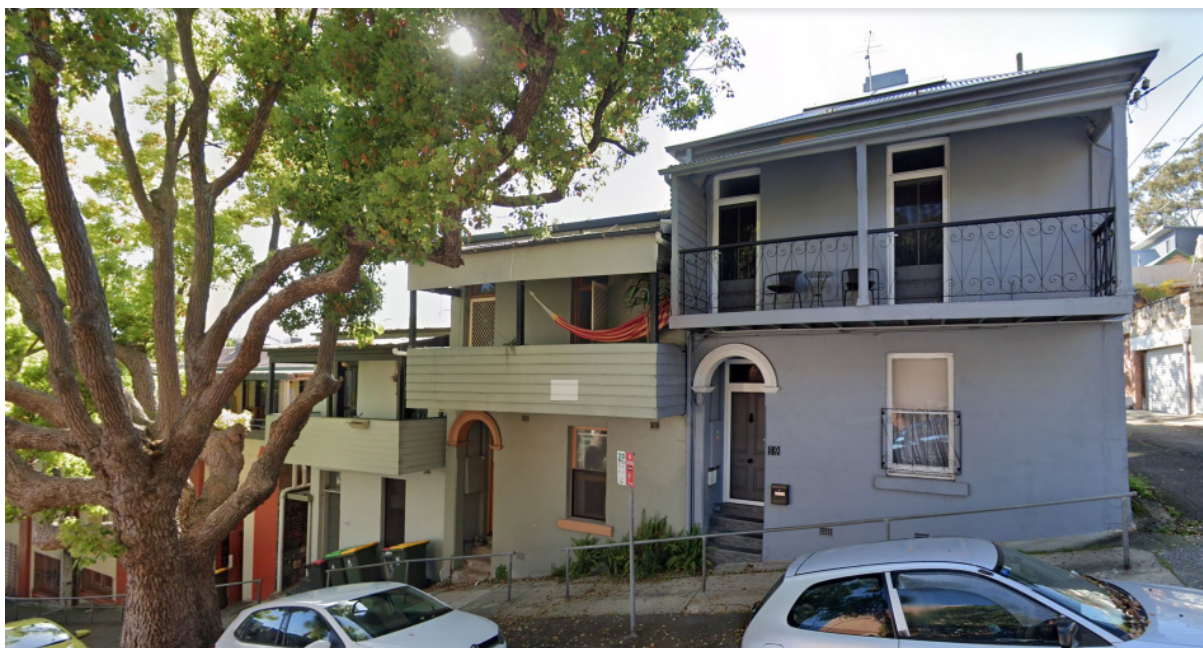


Figure 67: 15, 17 and 19 Brown Street, Newcastle (Source: Google Streetview)



Figure 68: 6 Noster Place, Newcastle (Source: Google Streetview)



Figure 69: 93 King Street, Newcastle - Cathedral Park (Source: Google Streetview)

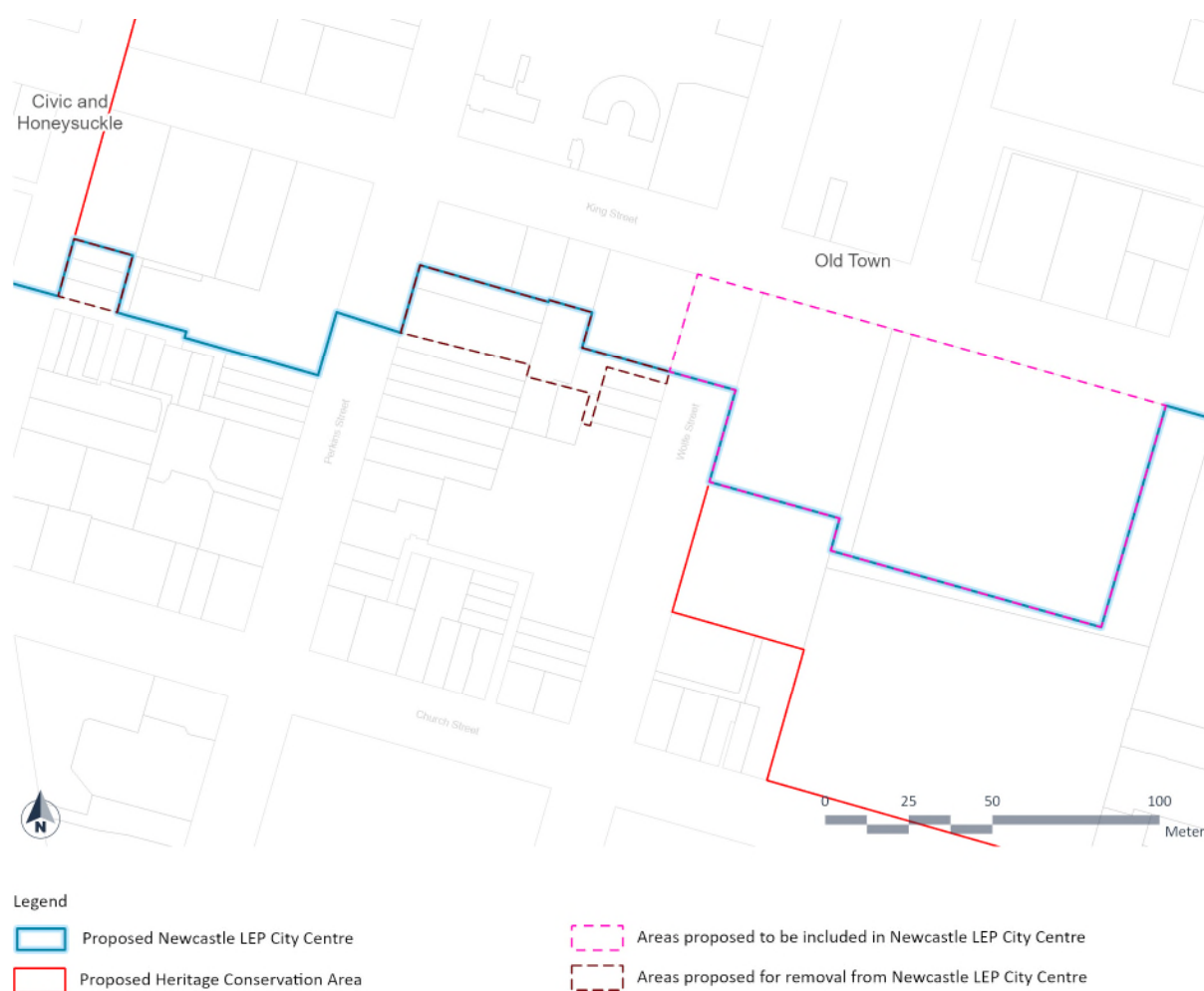


Figure 70: Recommended Newcastle City Centre boundary in Old Town locality

6.13 Land use zoning

A review of the land use zoning within the boundary of the proposed Old Town HCA was undertaken. Overall, the existing land use zoning is considered appropriate and compatible with retaining and conserving the heritage significance of the proposed HCA.

Though outside the boundary of the proposed Old Town HCA, the review has identified a handful of land parcels in The Hill HCA also located in the existing Newcastle City Centre boundary which consist of low-rise two to three storey residential dwellings (refer to **Figures 67 and 68**). The subject land currently has a land use zoning of MU1 Mixed Use, which is inconsistent with the current use and built form on the land and would conflict with the conservation objectives that this review proposes. These residential dwellings contribute to the heritage significance of The Hill HCA and share a development history and built character with the other neighbouring residential properties in The Hill to the south which are zoned R3 Medium Density Residential. This is in stark contrast to the adjacent more intensively developed commercial properties which address King Street to the north zoned MU1 Mixed Use (Note: land identified in **Figure 40** which is proposed to be relocated from the existing The

Hill HCA to the proposed Old Town HCA). As such, in tandem with the recommended changes to the Newcastle City Centre boundary, the following is recommended:

- Amendments to LEP maps to change the land use zoning of land parcels 15, 17 and 19 Brown Street, 27 and 29 Perkins Street, and 6 Noster Place from MU1 Mixed Use to R3 Medium Density Residential (**refer to Figure 71**).

6.14 Minimum lot size, height of buildings and floor space ratio

A review considered the minimum lot size, height of buildings (HOB) and floor space ratio (FSR) development standards for land parcels in the Newcastle City Centre boundary between Pacific Street and Brown Street, currently located either in the Newcastle City Centre or The Hill HCAs. Overall, the existing minimum lot size, HOB and FSR development standards applied are considered appropriate and compatible with retaining and conserving the heritage significance of the proposed Old Town HCA.

Though outside the boundary of the proposed Old Town HCA, the review has identified a handful of land parcels in The Hill HCA also located in the existing Newcastle City Centre boundary which consist of low-rise two to three storey residential dwellings (**refer to Figures 67 and 68**). These dwellings contribute to the heritage significance of The Hill HCA and share a development history and built character with the other neighbouring residential properties in The Hill to the south, rather than the adjacent more intensively developed commercial properties which address King Street to the north. However, the land currently has a maximum building height of 14m and an FSR of 1.5:1, which is inconsistent with the current built form on the land and would conflict with the conservation objectives that this review proposes. HOB and FSR does not necessarily promote the best heritage outcome for a low-rise residential area as it can provide perception and expectation of building envelope entitlement, resulting in a built form that inadequately respects the character and significance of the existing building stock. CN does not currently apply numeric HOB or FSR development standards to residential zoned properties on HCA land located outside Newcastle City Centre boundary.

To ensure consistency with development standards of neighbouring residential properties in The Hill to the south, these identified residential land parcels should have a minimum lot size of 400m.

As such, in tandem with the recommended changes to the Newcastle City Centre boundary and land use zoning, the following is recommended:

- Amendments to LEP maps to remove the HOB and FSR development standards from land parcels at 15, 17 and 19 Brown Street, 27 and 29 Perkins Street, and 6 Noster Place (**refer to Figure 71**).
- Amendments to LEP maps to add minimum lot size of 400m to land parcels at 15, 17 and 19 Brown Street, 27 and 29 Perkins Street, and 6 Noster Place (**refer to Figure 71**).

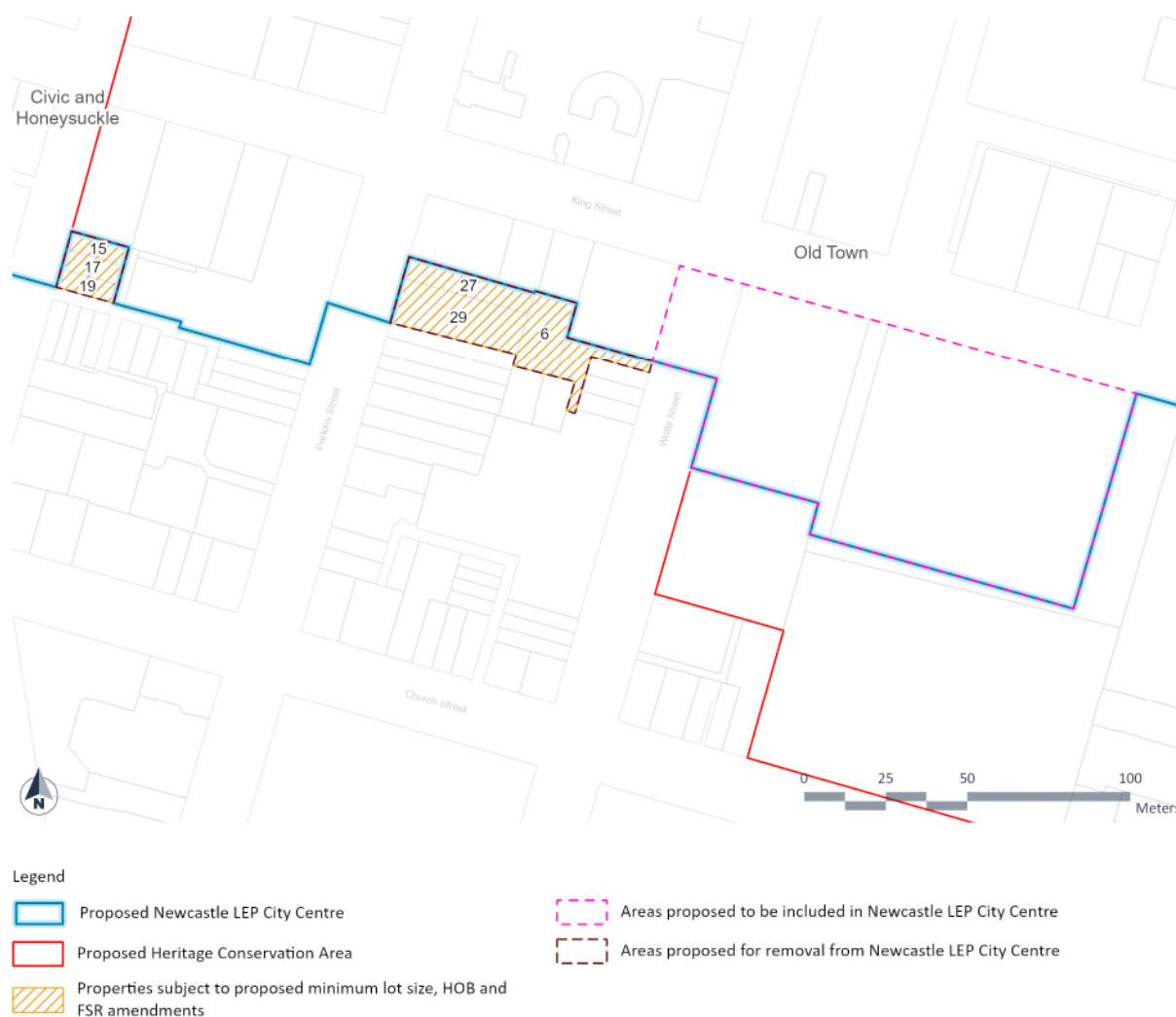


Figure 71: Land at 15, 17, and 19 Brown Street, 27 and 29 Perkins Street, and 6 Noster Place, Newcastle

6.15 Heritage Items

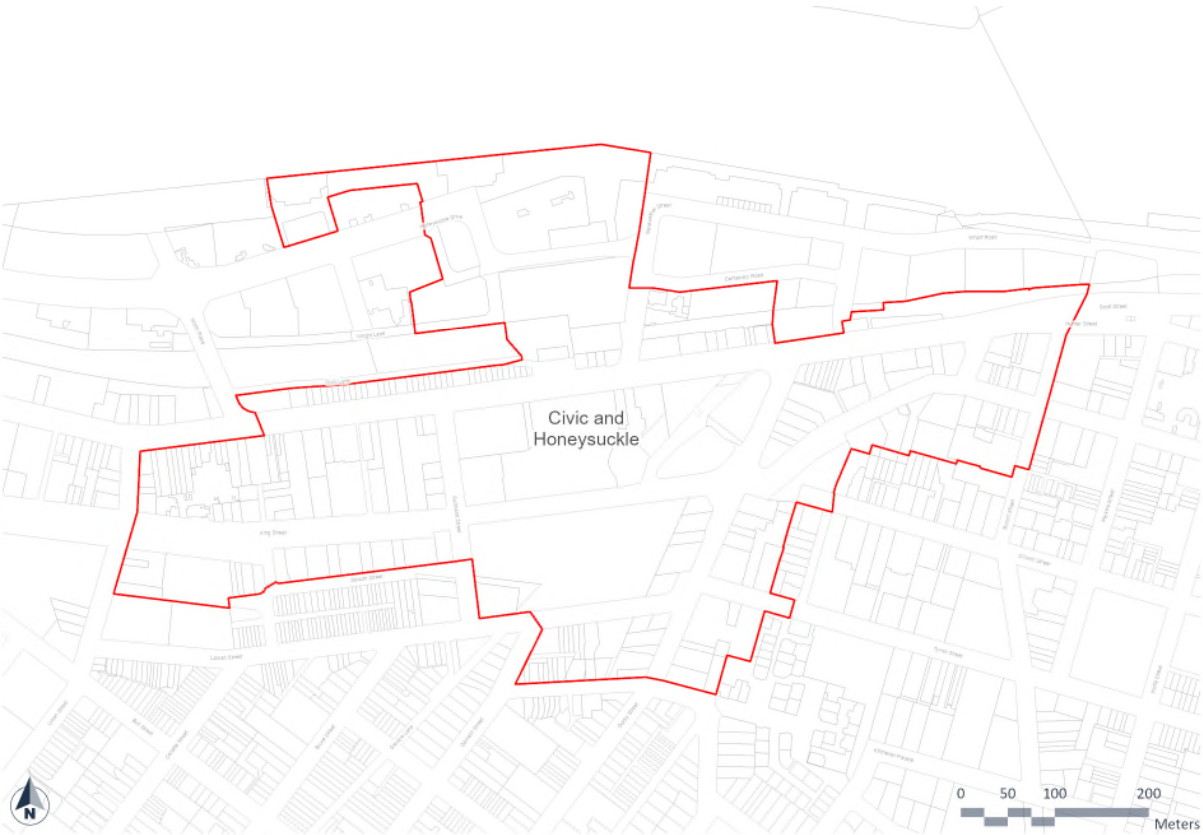
Identified by the assessment above and from community engagement feedback, it is recommended the following new LEP heritage items and amendments to existing LEP heritage items be investigated:

- War Memorial Statue, Hunter Street - investigate new LEP listing.
- Other places in the HCA identified from the community engagement feedback as having potential cultural heritage merit will be investigated for LEP listing in a future heritage study.

CHAPTER SEVEN – CIVIC AND HONEYSUCKLE HERITAGE CONSERVATION AREA

7.1 Introduction

This section documents the proposed Civic and Honeysuckle Heritage Conservation Area, located in the Newcastle City Centre, which is bounded by Brown Street at its east, Union Street and Worth Place at its west, King Street and Civic Park to the south and by the harbour to the north. A map of the HCA is reproduced in **Figure 72**.



Legend
[Red Outline] Proposed Heritage Conservation Area

Figure 72: Proposed Civic and Honeysuckle Heritage Conservation Area (Proposed Boundary)

7.2 History

Refer to Sections 3.2 and 3.3 for the Aboriginal and historical context of the study area.

7.3 Physical Description

The Civic and Honeysuckle HCA is an area of predominantly flat land along the northern side of the Newcastle peninsula and in part below and rising up the steep slopes of The Hill (**refer to Figure 72**). It contains iconic sites of cultural significance to the local Aboriginal community, including the harbour landscape of Muluubinba. Civic Park, St Andrews Presbyterian Church, Newcastle War Memorial Cultural Centre, Nesca House, Newcastle City Hall and Civic Theatre, Former City Administration Building, Emporium Building, Civic Railway Station, Civic Railway Workshops, and Lee Wharf buildings are significant heritage places that define the Civic and Honeysuckle area.

The proximity and views of the harbour from the Honeysuckle public domain to the north, the east-west commercial spine of Hunter Street, and Civic Park at its centre are an important aspect of Civic and Honeysuckle's urban character. The series of public open spaces between Laman Street and Honeysuckle Drive are a significant element of the amenity and civic meeting space for the city which connect the regionally important clusters of city institutions and visitor attractions.

The physical character of the Civic and Honeysuckle area is defined by a range of historically, culturally and visually significant built, natural and landscape features (**refer to Figures 73 to 79**). These include:

- Diverse built form demonstrated by the diversity of building types and architectural styles – reflecting varying periods of economic prosperity and building activity. In particular, the economic wealth generated by the Newcastle port and steel manufacturing industry expressed in its fine stock of late nineteenth to early twentieth century and inter-war period civic, industrial, commercial office and retail buildings, apartments, and former industrial warehousing. This includes late Victorian, inter-war Art Deco, post-war Brutalist and late twentieth century to present day architecture.
- Original building stock and infill provides a consistent street wall height of two to four storeys.
- A dense grouping of heritage item buildings through the centre of the HCA between Laman Street and the harbour, with most building stock in the HCA contributing to its character in some way.
- Civic Park, Wheeler Place and Museum Park provide important civic meeting places and the setting for clusters of regionally important city institutions and visitor attractions.
- The precinct contains a rich pre-contact and nineteenth century settler-colonial archaeological record, including remnants of Australia's first railway at 280 Hunter Street.
- Views from Honeysuckle out to the port of Newcastle and harbour mouth, the traditional harbour landscape of Muluubinba.
- St Andrews Presbyterian Church, Newcastle City Hall, Former City Administration Building, Civic Railway Workshops, and Lee Wharf buildings are significant heritage landmarks.



Figure 73: Civic Park facing north (Source: Google Streetview)



Figure 74: No.2 Lee Wharf - Building C (Source: Google Streetview)



Figure 75: Wheeler Place facing south (Source: Google Streetview)



Figure 76: Civic Railway Workshops (Source: Google Streetview)



Figure 77: Museum Park, Civic Railway Station, and Civic Theatre, Newcastle facing east (Source: Google Streetview)



Figure 78: Corner of Crown and Hunter streets, Newcastle facing west (Source: Google Streetview)



Figure 79: Corner of Union and Hunter streets, Newcastle facing east with Emporium Building at 517 to 525 Hunter Street (Source: Google Streetview)

7.4 Previous Heritage Studies

Refer to Section 5.5 for previous heritage studies for the Civic and Honeysuckle area.

7.5 Assessment of Heritage Significance

Applying the NSW Heritage Criteria

In revising the assessment of heritage significance for the area, the NSW heritage assessment guidelines and the NSW heritage criteria has been applied as expressed below:

- *Criterion a - An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area):*

Civic and Honeysuckle HCA is significant as a record of the development of Newcastle and the transition from a coal town largely in the ownership of the Austrian Agricultural Company to an industrial city. It is also a place that is important in the course of NSW's cultural history as the site of Australia's oldest railway (the remnant AA Company bridge and pier at Hunter Street) and the first railway in the colony to carry public passengers (the Burwood Railway). Honeysuckle Railway Station (site of today's Honeysuckle Light Rail stop) was the original location for the terminus of the Great Northern Line in 1857 connecting freight and passengers with Sydney for the first time. The inter-war station building of Civic Railway Station assisted with the development of a new civic centre for Newcastle in the 1930s. The Lee Wharf buildings are historically significant as they are among the earliest surviving examples of the extensive cargo and commercial wharf facilities that once existed in the port of Newcastle.

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.

The commercial and retail buildings along Hunter and King Streets in the Civic and Honeysuckle HCA represent the city's development and trade during the late nineteenth and early twentieth centuries in a growing country. Many Victorian and Inter-war period buildings remain, most notably the Menkens designed Fred Ash Building and the Emporium Building.

Civic and Honeysuckle HCA is important for its ongoing existence as an urban settlement which is demonstrated by the rich archaeological heritage from the mid nineteenth century settler-colonial period through to the present day. This significant archaeological record also documents the continuous and extensive Aboriginal occupation. The pre contact traditions and life ways of the Aboriginal people of Muluubinba, who through the ongoing connections of its traditional custodians maintain an attachment to the area today. Following the arrival of the British, Aboriginal associations are recorded in paintings and records of the penal period and the decades that followed.

- *Criterion b - An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area):*

The original street pattern of the Civic and Honeysuckle HCA was established by the AA Company following the breaking of its monopoly on the city's coal mining industry in 1850 and the completion of subdivision works between Crown Street and Union Street in 1853. Burwood Street was formed by Dr James Mitchell's Burwood Railway in 1854.

Civic and Honeysuckle HCA has special associations with the civic cultural and institutional centre of Newcastle and the region. It is the location for the City's administration buildings, art gallery, regional library, and museum, a university campus, and several places of public worship. Civic Park is an important meeting place for civic events and public protest, and home to Newcastle's war memorials.

- *Criterion c - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area):*

Civic and Honeysuckle HCA is an important urban cultural landscape in that it demonstrates aesthetic characteristics that define the evolution of an early Australian city established during the earliest phases of Australia's development into a modern nation, and that has evolved a rich urban fabric that represents over 150 years of urban development. These aesthetic features include:

1. Buildings that represent architectural styles and construction technologies predominantly from the Victorian, Federation, and Inter War periods of urban development.
2. The historic commercial retail streetscapes of Hunter and King streets provide an east-west spine and strongly contribute to the character of the suburb.
3. The siting of Civic Park is significant within a civic centre, framed by buildings, most importantly the City Hall and the War Memorial Cultural Centre that reinforce the central axis and create an enclosed civic space with openings that form vistas.
4. The Lee Wharf buildings have a group quality which creates a visually appealing edge to the waterfront.
5. The spire of St. Andrews Presbyterian Church, the clock tower of Newcastle City Hall, and the glazed top floor of the Former City Administration Centre Building are prominent landmark features which help to orientate the visitor.
6. The areas of parkland and public domain that are an integral element of Civic and Honeysuckle including Civic Park, Church Walk Park, Christie Place, Wheeler Place, Museum Park, Honeysuckle Drive Reserve, and the Honeysuckle Waterfront.

- *Criterion d - An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;*

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. The area meets this criterion on cultural grounds at the local level.

- *Criterion e - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);*

Given the rate of survival of key elements of the nineteenth century urban settlement of Newcastle, the area has the potential to yield information that will contribute to understanding aspects of Newcastle's cultural history, and more broadly to the State of NSW. This includes the capacity to yield information about the industrial pattern of development and its evolution to a modern city. There also remains the potential for Aboriginal objects of conservation value to be present in the area due to its proximity to the former course of the Coquun (Hunter River) and Cottage Creek which respectively ventured further south and east when compared to today.

- *Criterion f - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area):*

This area is rare at the local level for the number of intact late nineteenth and early twentieth century civic, commercial, industrial, and retail buildings and its pre-contact Aboriginal and nineteenth century settler-colonial archaeological layers surviving beneath the modern city.

- *Criterion g - An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).*

Civic and Honeysuckle HCA is relatively intact, containing many surviving elements of the mid-19th to early 20th century and the processes of urbanisation. It demonstrates these characteristics in its key elements including building stock and the relationship of buildings to the street and each other, street layout including laneways, along with heritage items and green space.

Statement of Significance

The Civic and Honeysuckle Heritage Conservation Area is of heritage significance for its contribution to the civic and commercial life of Newcastle and its region. The mix of civic, commercial and retail 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 at the mouth of a harbour.

Civic and Honeysuckle is a place that is important in the course of NSW's cultural history as the site of Australia's oldest railway (the remnant AA Company bridge and pier at Hunter Street). Honeysuckle Railway Station (site of today's Honeysuckle Light Rail stop) was the original location for the terminus of the Great Northern Line, and the inter-war station building of Civic Railway Station assisted with the development of a new civic centre for Newcastle. The Lee Wharf buildings are historically significant as they are among the earliest surviving examples of the extensive cargo and commercial wharf facilities that once existed in the port of Newcastle.

Civic and Honeysuckle HCA is a record of the development of the civic centre of Newcastle over the last one hundred years with the establishment of Civic Park from an industrial site and the significant cluster of civic and administrative buildings including Newcastle City Hall and Civic Theatre, the War Memorial Cultural Centre, the Newcastle Art Gallery, and the University of Newcastle city campus.

Newcastle has a rich archaeological record, with the potential to yield information about the post convict settlement and early industrial activities. Most of the Civic and Honeysuckle area is traditionally known as Muluubinba and continues today to be a significant cultural place for its Traditional Custodians. Evidence from the pre-contact and early contact periods is available in historical accounts and in the archaeological record surviving beneath the modern city.

The architectural values of the Civic and Honeysuckle HCA are to be found in the high quality of buildings, in the landscape settings of many of them, in the style, scale and detail, and in the contribution to the streetscape. The overall impression of Civic and Honeysuckle is a strongly established historic precinct.

Key visual elements include:

- Buildings that represent architectural styles and construction technologies predominantly from the Victorian, Federation, and Inter War periods of urban development.
- The historic commercial retail streetscapes of Hunter and King streets provide an east-west spine and strongly contribute to the character of the suburb.
- The siting of Civic Park is significant within a civic centre, framed by buildings, most importantly the City Hall and the War Memorial Cultural Centre that reinforce the central axis and create an enclosed civic space with openings that form vistas.
- The Lee Wharf buildings have a group quality that is a visually appealing waterfront edge.
- The spire of St. Andrews Presbyterian Church, the clock tower of Newcastle City Hall, and the glazed top floor of the Former City Administration Centre Building are prominent landmark features which help to orientate the visitor.
- The areas of parkland and public domain that are an integral element of Civic and Honeysuckle including Civic Park, Church Walk Park, Christie Place, Wheeler Place, Museum Park, Honeysuckle Drive Reserve, and the Honeysuckle Waterfront.

- Key Period of Significance - circa 1850 to 1940.

Recommendation

The above heritage significance assessment followed the standard Heritage Assessment Guidelines and the NSW state heritage criteria. As a result, it is recommended that the area be protected through the mechanism of a statutory HCA and referred to as the Civic and Honeysuckle Heritage Conservation Area, in a future LEP amendment.

7.6 Comparative Assessment

The Civic and Honeysuckle area is locally rare for the high concentration, integrity and intactness of late nineteenth and early twentieth century commercial, industrial and retail buildings, comparable locally with the HCAs of Old Town, Darby Street in Cooks Hill, Hunter Street, and Hamilton Business Centre and the industrial rail heritage at the Broadmeadow Railway Locomotive Depot at 25 Cameron Street, Broadmeadow (LEP Item I46, SHR ID 01100) and the Railway Goods Shed at 76 Cowper Street,

Wallsend (LEP Item I632, SHR ID 00739). The civic buildings and associated public spaces of the HCA are comparable nationally with Hyde Park in Sydney and Brisbane City Hall in Brisbane.

7.7 Threatening Processes

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.
- Facadism of local heritage item buildings rather than retention of their three-dimensional form and adaptive re-use.
- The painting of exposed face brick and stone of existing building facades and front fencing.

7.8 Desired Future Character Statement

Desired Future Character Statements for each HCA are provided in the DCP as a clear guide for development assessment and design planning. If the Civic and Honeysuckle area is subject to the regulation of a new HCA to replace parts of the existing Newcastle City Centre, The Hill and Cooks Hill HCAs, it is recommended DCP 2023 be updated to include the following statement:

The character of the Civic and Honeysuckle Heritage Conservation Area is made up of a variety of building styles that date from the 19th and early decades of the 20th century. The special character is to be preserved, celebrated and maintained through the retention of contributory buildings, existing subdivision pattern, and elements of visual interest.

Elements to be preserved and/or sensitively restored or reconstructed (based on evidence of original appearance) include:

- *Range of contributory and historic buildings constructed prior to the Second World War, particularly intact or historically significant groupings, heritage items, iconic structures, and the appearance and layout of streets.*
- *Existing subdivision pattern and street layout, including preserving the human scale of development, the integrity of laneways, the fine grain and the groupings of contributory late 19th century and art deco buildings which predominate in the cultural, educational and administrative Civic Precinct between Brown and Union streets.*
- *Exposed face brick and stone of existing building facades and front fencing.*
- *Street furniture such as sandstone kerbing and guttering, and other features of historical interest such as heritage items, public stairs, lanes, parks.*
- *Distinctive early industrial, warehouse and retail buildings, including prominent corner buildings.*

- *Views and vistas to and from significant cultural landmarks such as the Newcastle City Hall, St Andrews Presbyterian Church and the former City Administration Building. Views to the Coquun (Hunter River) are protected and framed along Honeysuckle Drive and Honeysuckle Foreshore.*
- *The setting of Civic Park, a public space framed by Church Walk Park and the significant civic heritage buildings of the former City Administration Building, Newcastle City Hall, Nesca House, St Andrews Presbyterian Church, the Baptist Tabernacle and the Newcastle War Memorial Cultural Centre.*
- *Views to and the visual interconnections between significant Aboriginal cultural landscape features including Whibayganba (Nobbys Head), Tahlbihn (Flagstaff Hill / Fort Scratchley), Burrabihngarn (Pirate Point, Stockton), Yohaaba (Port Hunter), Coquun (Hunter River: South Channel), Khanterin (Shepherds Hill), and Cathedral Park.*
- *Mature trees in the public domain, and parks and public spaces including Civic Park, Church Walk Park, Wheeler Place, Museum Park, and Christie Place.*
- *Items of heritage significance individually listed as heritage items in Schedule 5 of LEP 2012, including retention of the three-dimensional form and adaptive re-use of heritage item buildings.*
- *The rich record of relics and archaeological sites beneath the modern city.*

7.9 Contributory Buildings

Fieldwork was undertaken in January 2020 to establish the overall intactness of this area. The Contributory Buildings Map for the Civic and Honeysuckle HCA (**refer to Figure 80**) grades the contribution of buildings to the streetscape character and heritage significance for the existing Newcastle City Centre, The Hill, and Cooks Hill HCAs in which they are currently located. For definitions of contributory buildings, refer to Section 1.8. If the area is subject to the regulation of a new HCA to replace parts of the existing Newcastle City Centre, The Hill and Cooks Hill HCAs, updated contributory buildings maps for The Hill and Cooks Hill HCAs and a new contributory buildings map for the Civic and Honeysuckle area will be required.

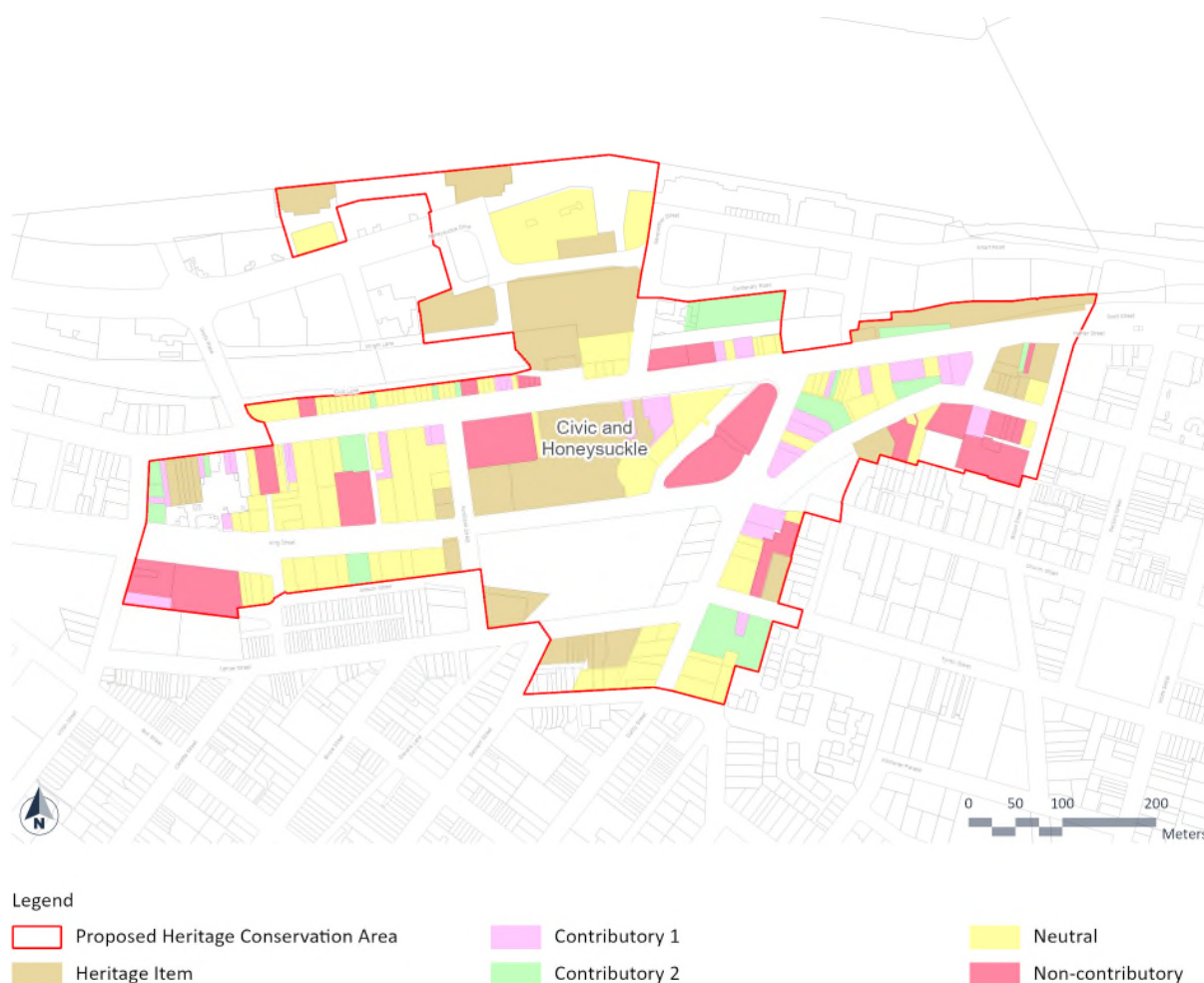


Figure 80: Proposed Civic and Honeysuckle HCA - Contributory Buildings Map (Source: CN GIS 24 January 2020)

7.10 Community Engagement Feedback

Section 5.11 summarises the community engagement feedback for the Civic and Honeysuckle area of the existing Newcastle City Centre HCA.

7.11 Heritage Conservation Area Boundary

The boundaries of the existing Newcastle City Centre HCA were reviewed for land between Brown and Union streets. For this locality, overall, the existing boundaries of the HCA are considered appropriate to ensure the heritage significance of the area is retained and conserved, with a few exceptions.

In the Honeysuckle area the land parcels in the street blocks north of Centenary Road and the former Great Northern Railway line, east of Merewether Street, south of the harbour, west of 233 and 292

Wharf Road are either vacant post-war industrial warehouse buildings, open car parking areas or, in the last three decades, have been comprehensively and intensively re-developed with mixed-use medium to high rise buildings (**refer to Figures 81 and 82**). Land parcels east of Settlement Lane and west of Honeysuckle Drive Reserve, and between 1 Workshop Way and the harbour have also in the last two decades been comprehensively and intensively re-developed with mixed-use medium to high rise (**refer to Figure 83**). Furthermore, land parcels in the former Great Northern Railway line corridor between Museum Park and Worth Place are either vacant undeveloped land or open car parking areas (**refer to Figure 84**). Except for the southern portion of Rydges Hotel at 350 Wharf Road located west of Merewether Street, which is exposed face brick and so compatible with the setting of the adjacent Civic Railway Workshops Group (LEP item I479) (**refer to Figure 76**), this no longer reinforces the special built character of Honeysuckle.



Figure 81: 317 and 304 Wharf Road, Newcastle facing west (Source: Google Streetview)



Figure 82: 237 Wharf Road, Newcastle facing west (Source: Google Streetview)



Figure 83: 4 and 5 Honeysuckle Drive, Newcastle facing west (Source: Google Streetview)



Figure 84: 14 Honeysuckle Drive, Newcastle facing north (Source: Google Streetview)

The heritage significance of the land parcel containing Fanny's Tavern at 311 Wharf Road is already conserved and protected by existing heritage item listings (LEP item I476, SHR ID 00315) and is isolated from the special built character of Honeysuckle by adjoining recent development (**refer to Figure 85**).



Figure 85: Fanny's Tavern at 311 Wharf Road, Newcastle (Source: Google Streetview)

In addition, land parcels located both in the Newcastle City Centre boundary and the existing The Hill and Cooks Hill HCAs were reviewed. This area applies to properties which address the south side of King Street between Brown and Darby streets (**refer to Figure 86**), the Newcastle Synagogue at 122 Tyrell Street, The Hill (LEP Item I608) (**refer to Figure 89**), and the properties adjacent to the south-east corner of Civic Park - those being Newcastle War Memorial Cultural Centre (LEP Item I87), Baptist Tabernacle (LEP Item I90), and St Andrew's Presbyterian Church (LEP Item I89) (**refer to Figure 90**). The land, except for the rear part of residential property 22 Brown Street (**refer to Figure 94**), shares a development history and a civic, commercial, mixed-use built character with the adjacent Newcastle City Centre HCA.

Land west of Brown Street was subdivided and developed after the Australian Agricultural Company's mining monopoly ended in the 1850s. The residential, commercial and former industrial buildings between Brown Street and Darby Street are of a different built character and period to the predominantly nineteenth century Old Town, as it is mainly of inter-war construction (with some late nineteenth century such as the Albert Terraces at 164 to 176 King Street - LEP item I428).

Notable buildings and spaces of the inter-war period include the Moorings at 199 King Street (LEP item I429) and Foghorn Brewery at 218 King Street (**refer to Figure 86**), the Corona Building at 269 to 283 Hunter Street (**refer to Figure 87**), 9 Darby Street, and the landscaped Church Walk Park at 203 King Street (LEP item I431). This is consistent with the inter-war period of construction for civic buildings in the proposed Civic and Honeysuckle HCAs such as Newcastle City Hall (LEP item I433), Civic Theatre (LEP item I418), Former Civic Railway Station (LEP item I703) and Nesca House (LEP item I435) immediately west of Darby Street. The AA Company Park at 193 King Street and the remains of the AA Company Bridge and Fence at 280 Hunter Street (LEP item I415) (**refer to Figure 88**) share a similar nineteenth century industrial coal mining and rail history as the former Burwood Rail Line through Civic Park (LEP item I430) and the Civic Railway Workshops Group in Honeysuckle (LEP item I479) (**refer to Figure 76**).



Figure 86: 199 and 218 King Street, Newcastle facing west (Source: Google Streetview)



Figure 87: 269 to 283 Hunter Street, Newcastle facing east (Source: Google Streetview)



Figure 88: remains of AA Company Bridge and Fence at 280 Hunter Street (Source: Google Streetview)



Figure 89: the Newcastle Synagogue at 122 Tyrell Street, The Hill (Source: Google Streetview)



Figure 90: Newcastle War Memorial Cultural Centre, Baptist Tabernacle, and St Andrew's Presbyterian Church at Laman Street, Cooks Hill (Source: Google Streetview)

The section of King Street between Auckland and Union streets should remain as HCA in the proposed Civic and Honeysuckle HCA. Most buildings in this locality are rated as providing a neutral contribution to the HCA due to their late twentieth and early twenty-first century construction, consistent low to medium-rise height and scale (between two and five storeys), and mixed commercial/residential built form (**refer to Figure 91**). This HCA provides the assessment authority with more control over the future development of this land, thereby discouraging intensive and inappropriate development adjacent to Cooks Hill HCA to the south in Gibson Street and 100 and 102 Laman Street (LEP item I92 - Cooks Hill Special School). These properties are of a low-rise height and scale (two to three storeys), and residential built form (**refer to Figure 92**). This part of the HCA provides an important buffer, assisting with conserving the heritage significance of the adjacent Cooks Hill HCA.



Figure 91: 239 King Street, Newcastle facing west (Source: Google Streetview)



Figure 92: 43 Gibson Street and rear of 267 King Street, Newcastle facing east (Source: Google Streetview)

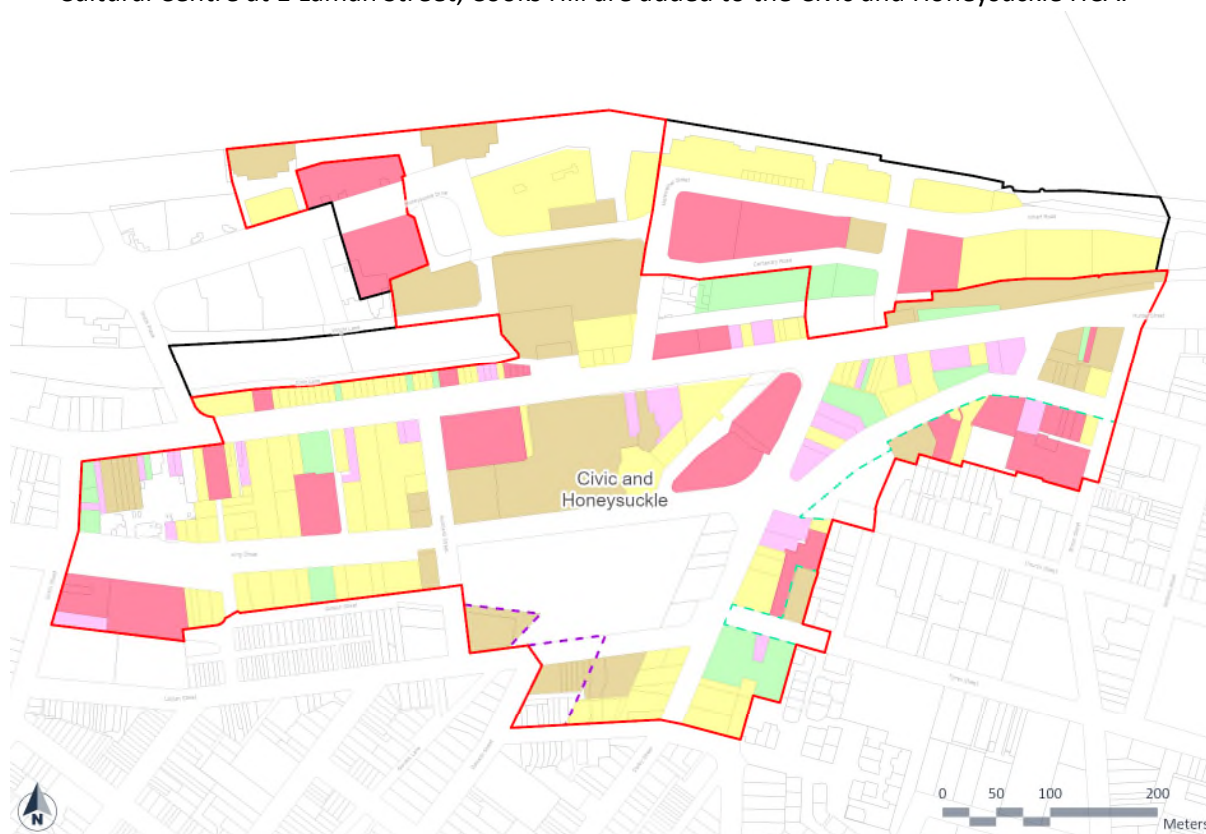
For land between Brown and Union streets, all buildings no longer in an HCA and ranked as Contributory 1 or Contributory 2 items, should be investigated as potential new LEP heritage item listings.

The following amendments to the LEP maps for the Civic and Honeysuckle areas are recommended (refer to **Figure 93**):

- The existing Newcastle City Centre HCA between Brown and Union streets is renamed Civic and Honeysuckle HCA.
- Retain in the Newcastle City Centre HCA:
 - Boundary adjustments to the Civic and Honeysuckle HCA to remove from the HCA land parcel 352 Hunter Street, all land parcels in the street blocks east of Merewether Street and west of 233 Wharf Road, south of the harbour and north of Centenary Road, and the land parcels north of the former Great Northern Railway line and east of Lot 185 DP164170. This includes removal from the HCA the land parcel containing Fanny's Tavern at 311 Wharf Road (LEP item I476, SHR ID 00315).
 - Boundary adjustments to the Civic and Honeysuckle HCA to remove from the HCA all land parcels in the street blocks north of 1 Workshop Way, east of Settlement Lane, west of the Honeysuckle Drive Reserve, and south of the harbour.
 - Further investigation is recommended to assess whether this area meets NSW assessment criteria for an HCA. This includes investigating potential new LEP heritage item listings for any buildings ranked as Contributory 1 or Contributory 2 items in that area.
- Boundary adjustments to The Hill HCA so that all land parcels between Brown Street and Darby Street located in both the Newcastle City Centre boundary and the existing The Hill HCA are added

to the Civic and Honeysuckle HCA Street (except for the rear part of 22 Brown Street, Newcastle which is retained in The Hill HCA).

- Boundary adjustments to The Hill HCA so that the land parcel of the Newcastle Synagogue at 122 Tyrell Street, The Hill is added to the Civic and Honeysuckle HCA.
- Boundary adjustments to the Cooks Hill HCA so land parcels of St Andrew's Presbyterian Church at 12 Laman Street, the Baptist Tabernacle at 25 Laman Street, and the Newcastle War Memorial Cultural Centre at 1 Laman Street, Cooks Hill are added to the Civic and Honeysuckle HCA.



Legend










	Proposed Heritage Conservation Area		Area proposed to be included in Civic and Honeysuckle HCA (currently in Cooks Hill HCA)		Contributory 2
	Existing HCA - recommended for further heritage investigation		Heritage Item		Neutral
	Area proposed to be included in Civic and Honeysuckle HCA (currently in The Hill)		Contributory 1		Non-contributory

Figure 93: Proposed Civic and Honeysuckle HCA - Proposed boundary changes to the existing Newcastle City Centre, The Hill and Cooks Hill HCAs

7.12 Newcastle City Centre Boundary

A review of the Newcastle City Centre boundary was undertaken for land parcels in the boundary of the proposed Civic and Honeysuckle HCA. Overall, it is considered appropriate that this land will remain in the Newcastle City Centre boundary as the LEP provisions for the Newcastle City Centre are

commensurate with the heritage significance and desired future character of the proposed HCA, with one exception.

The review has identified part of a land parcel at the rear of 22 Brown Street. It is in the existing Newcastle City Centre boundary located behind the commercial properties situated along the southern side of King Street, yet consists of a low-rise single storey residential building (**refer to Figure 94**). The scale and form of this post-war building makes a benign contribution to The Hill HCA and is compatible with the other neighbouring residential properties in The Hill to the south and west, rather than the more intensively developed commercial properties which address King Street to the north. The continued benign contribution of this residential property is at odds with the LEP provisions for the Newcastle City Centre which is tailored to encouraging larger scale commercial and mixed-use development. As such, the following recommended:

- Minor adjustments to the Newcastle City Centre boundary to remove part of land parcel at the rear of 22 Brown Street, Newcastle (**refer to Figure 95**).



Figure 94: 22 Brown Street, The Hill (Source: Google Streetview)



Figure 95: Recommended Newcastle City Centre boundary in Civic and Honeysuckle locality

7.13 Land use zoning

A review of the land use zoning was undertaken for land parcels in the boundary of the proposed Civic and Honeysuckle HCA. Overall, the existing land use zoning is considered appropriate and compatible with retaining and conserving the heritage significance of the proposed HCA.

7.14 Minimum lot size, height of buildings and floor space ratio

A review of the minimum lot size, HOB and FSR development standards was undertaken for land parcels in the boundary of the proposed Civic and Honeysuckle HCA. Overall, these standards applied to this land are considered appropriate and compatible with retaining and conserving the heritage significance of the proposed HCA, with one exception.

Though outside the boundary of the proposed Civic and Honeysuckle HCA, the review has identified a land parcel at 22 Brown Street in The Hill HCA, part of which is also located in the existing Newcastle City Centre boundary, and which consists of low-rise one and two storey residential buildings zoned R3 Medium Density Residential by the LEP (**refer to Figure 94**). The scale and form of these post-war buildings make a benign contribution to The Hill HCA and are compatible with the other neighbouring residential properties zoned R3 in The Hill to the south and west. This is in sharp contrast to the more intensively developed commercial properties zoned MU1 which address King Street immediately to the north. However, the land currently has a maximum building height of 10m and an FSR of 1.5:1, which is inconsistent with the current built form on the land and would conflict with the conservation objectives that this review proposes. HOB and FSR does not necessarily promote the best heritage outcome for low-rise residential properties as it can provide perception and expectation of building envelope entitlement, resulting in a built form that inadequately respects the character and significance of the existing building stock. CN does not currently apply numeric HOB or FSR development standards to residential zoned properties on HCA land located outside Newcastle City Centre boundary.

The review notes that although within the existing Newcastle City Centre boundary, a minimum lot size of 400m is already applied to the land parcel at 22 Brown Street consistent with the development standards of other neighbouring residential properties in The Hill to the south.

As such, in tandem with the recommended changes to the Newcastle City Centre boundary, the following is recommended:

- Amendments to LEP maps to remove the HOB and FSR development standards from land parcel 22 Brown Street, Newcastle (**refer to Figure 96**).



Figure 96: Land at 22 Brown Street, Newcastle

7.15 Heritage Items

Identified by the assessment above and from community engagement feedback, it is recommended the following new LEP heritage items and amendments to existing LEP heritage items be investigated:

- City Administration Building, King Street - new LEP listing consistent with existing City Administration Building SHR listing (SHR ID 02055).
- Civic Railway Workshops - investigate separately listing as a new LEP heritage item (archaeological site) land parcels in the curtilage of the Civic Railway Workshops SHR listing (SHR ID 00956) which are not listed by LEP item Civic Railway Workshops Group (item I479).
- ~~Investigate potential new LEP heritage item listings for all buildings where no longer in an HCA and are ranked as Contributory 1 or Contributory 2 items.~~
- Other places in the HCA identified from the community engagement feedback as having potential cultural heritage merit will be investigated for LEP listing in a future heritage study.

CHAPTER EIGHT – HUNTER STREET WEST HERITAGE CONSERVATION AREA

8.1 Introduction

This section documents the proposed Hunter Street West Heritage Conservation Area, located within the Newcastle City Centre. It is bounded by Worth Place and Union Street at its east, National Park Street ad 770 Hunter Street at its west, King Street to the south and to the north by the Newcastle Light Rail corridor and Hunter Street. A map of the HCA is reproduced in **Figure 97**.

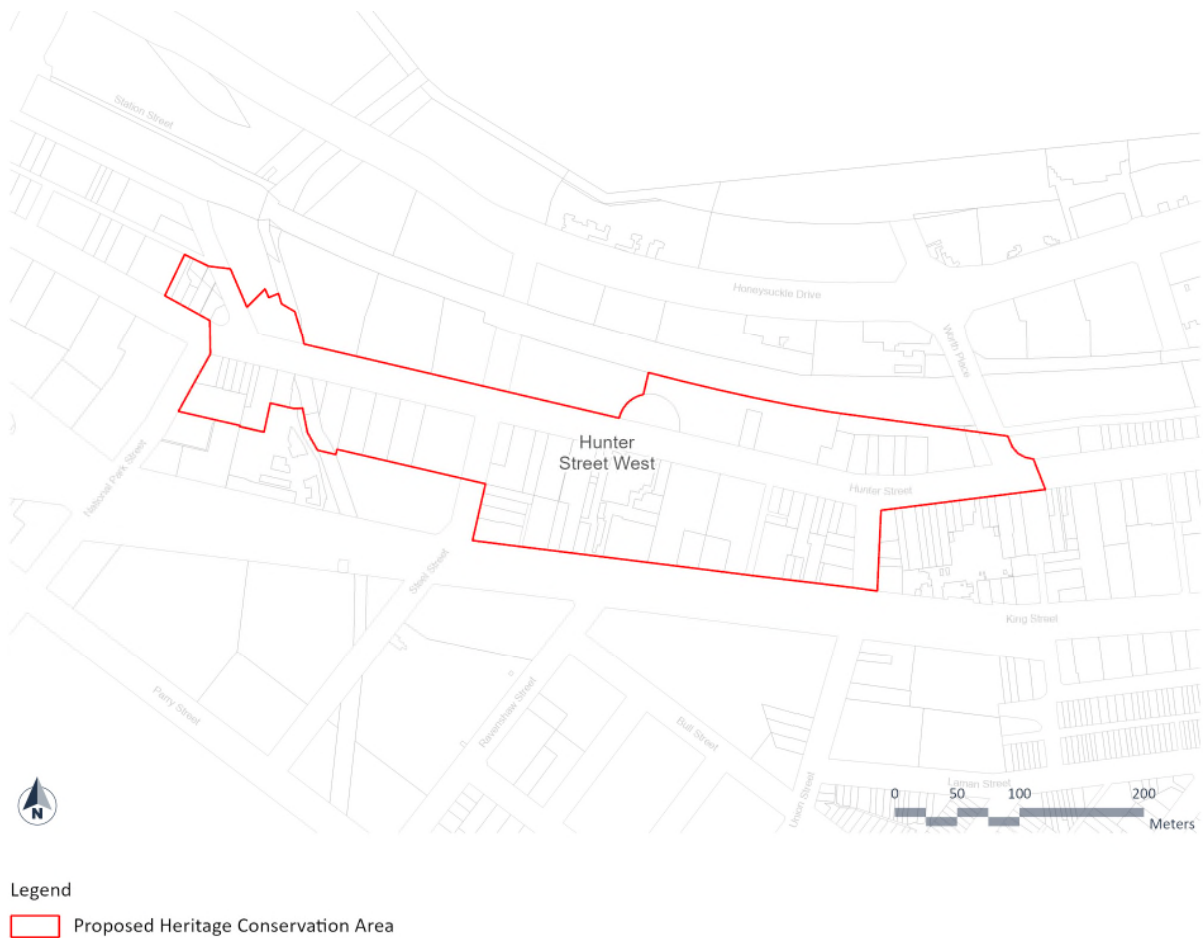


Figure 97: Proposed Hunter Street West Heritage Conservation Area (Proposed Boundary)

8.2 History

Refer to Sections 3.2 and 3.3 for the Aboriginal and historical context of the study area.

8.3 Physical Description

The Hunter Street West HCA comprises an area of flat land along the north-western side of the Newcastle peninsula (**refer to Figure 97**). It contains iconic sites of cultural significance to the local Aboriginal community, including the harbour landscape of Muluubinba. Newcastle Technical College, the Hunter Water Board Building, Miss Porter's House, Theatre Royale, and Bank Corner are significant heritage places that define Hunter Street.

The current built character of the Hunter Street West HCA is intensive mixed-use residential and commercial urban forms. The buildings are an eclectic mix of mostly Victorian, Inter-War, or late twentieth century to the present day. The contributory building stock in the HCA is defined by a shared nineteenth and early twentieth century development history, and commercial built character, with a consistent medium density scale (**refer to Figures 98 to 105**). These features include:

- Diverse built form demonstrated by the diversity of building types and architectural styles – offices, retail, and apartments of mostly late Victorian, inter-war Art Deco, or late twentieth century to the present day reflecting varying periods of economic prosperity and building activity. In particular, the economic wealth generated by the Newcastle port and steel manufacturing industry expressed in its fine stock of late nineteenth to early twentieth century and inter-war period commercial office and retail buildings.
- Original building stock and infill provides a consistent street wall height of two to four storeys.
- Newcastle Technical College and Bank Corner are significant heritage landmarks.



Figure 98: 558 Hunter Street, Newcastle facing west (Source: Google Streetview)



Figure 99: Corner of Union and Hunter streets, Newcastle West facing west (Source: Google Streetview)



Figure 100: Newcastle Technical College at 590-608 Hunter Street, Newcastle West (Source: Google Streetview)



Figure 101: Corner of Devonshire and Hunter streets, Newcastle West facing south (Source: Google Streetview)



Figure 102: the Hunter Water Board Building at 591-595 Hunter Street, Newcastle West (Source: Google Streetview)



Figure 103: Miss Porter's House at 434 King Street, Newcastle West (Source: Google Streetview)



Figure 104: Theatre Royale at 669 Hunter Street, Newcastle West and its neighbours (Source: Google Streetview)



Figure 105: Bank Corner at 744 Hunter Street, Newcastle West (Source: Google Streetview)

8.4 Previous Heritage Studies

Refer to Section 5.5 for previous heritage studies for the Hunter Street West area.

8.5 Assessment of Heritage Significance

Applying the NSW Heritage Criteria

In revising the assessment of heritage significance for the area, the NSW heritage assessment guidelines and the NSW heritage criteria has been applied as expressed below:

- *Criterion a - An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area):*

Hunter Street West HCA consists of a range of buildings dating from the latter part of the nineteenth century and early part of the twentieth, the conservation area has historical importance for reflecting the development and prosperity of central Newcastle during this period. Historically significant for its

associations with the AA Company, it has become a densely populated entertainment, commercial and residential precinct.

The Hunter Street West HCA provided the location for The Star Hotel riot, a significant historical event which is a record of the area's importance as an entertainment hub for the city.

Hunter Street West HCA is important for its continuous and extensive Aboriginal occupation. This is demonstrated through the rich archaeological heritage which records the pre contact traditions and life ways of Aboriginal people of Muluubinba, who through the ongoing connections of its traditional custodians maintain an attachment to the area today. Following the arrival of the British, Aboriginal associations are recorded in paintings and records of the penal period and the decades that followed.

- *Criterion b - An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area):*

Hunter Street West HCA does not demonstrate this criterion to any notable degree.

- *Criterion c - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area):*

Hunter Street West HCA is important urban cultural landscape in that it demonstrates aesthetic characteristics that define the evolution of an early Australian city established during the earliest phases of Australia's development into a modern nation, and that has evolved a rich urban fabric that represents over 150 years of urban development. These aesthetic features of the retail strip include:

1. Buildings that represent architectural styles and construction technologies predominantly from the Victorian, Federation, and Inter War periods of urban development.
2. The historic commercial retail streetscapes of Hunter and King streets provide an east-west spine and strongly contribute to the character of the suburb.
3. Bank Corner and Newcastle Technical College (TAFE NSW - Hunter Street) are prominent landmark features which help to orientate the visitor.
4. The areas of public domain that are an integral element of Hunter Street including Cottage Creek and Kuwumi Place.

- *Criterion d - An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;*

Feedback from residents and businesses in 2023 found the community significantly value the character and physical elements of the Hunter Street retail strip and identify with its protection as an HCA. Overall, there is a high degree of esteem held by the resident community and strong attachment to the character of the area, the streetscape and buildings. The area meets this criterion on cultural grounds at the local level.

- *Criterion e - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);*

Given the high rate of survival of key elements of the nineteenth century urban settlement of Newcastle, the area has the potential to yield information that will contribute to understanding aspects of Newcastle's cultural history, and more broadly to the State of NSW. This includes the capacity to yield information about the retail and commercial pattern of development and its evolution to a modern city. There also remains the potential for Aboriginal objects of conservation value to be present in the area due to its proximity to the former course of the Coquun (Hunter River) and Cottage Creek which respectively ventured further south and east-west when compared to today.

- *Criterion f - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area):*

This area is rare at the local level for the number of intact late nineteenth and early twentieth century commercial, and retail buildings and its pre-contact Aboriginal and nineteenth century settler-colonial archaeological layers surviving beneath the modern city.

- *Criterion g - An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).*

Hunter Street West HCA is consistent and relatively intact, containing many surviving elements of the late 19th to early 20th century and the processes of urbanisation. It demonstrates these characteristics in its key elements including building stock and the relationship of buildings to the street and each other, street layout including laneways, along with heritage items and public space.

Statement of Significance

The Hunter Street Heritage Conservation Area is of local historical, social and aesthetic significance as it provides an evocative physical record of Newcastle's various periods of economic growth and social history, and has high regard in the community. Many of the buildings are impressive reminders of the area's role as a civic, retail and entertainment hub, exemplified by the quality and quantity of relatively intact late nineteenth to the early twentieth century building stock. The continuous two and three storey facades and the general uniformity of scale visually reinforce the area's outstanding townscape qualities and historical character.

Key visual elements include:

- Buildings that represent architectural styles and construction technologies predominantly from the Victorian, Federation, and Inter War periods of urban development.
- The historic commercial retail streetscapes of Hunter and King streets provide an east-west spine and strongly contribute to the character of the suburb.
- Bank Corner and Newcastle Technical College (TAFE NSW - Hunter Street) are prominent landmark features which help to orientate the visitor.
- Areas of public domain forming an integral element of Hunter Street include Cottage Creek and Kuwumi Place.

- Key Period of Significance - circa 1850 to 1940

Recommendation

The above assessment of heritage significance followed the standard Heritage Assessment Guidelines and the NSW state heritage criteria. As a result, it is recommended the area be protected through the mechanism of a statutory HCA referred to as the Hunter Street Heritage Conservation Area, in a future LEP amendment.

8.6 Comparative Assessment

The Hunter Street area is locally rare for the high concentration, integrity and intactness of late nineteenth and early twentieth century commercial and retail buildings, comparable locally with the HCAs of Old Town, Civic and Honeysuckle, Darby Street in Cooks Hill, and Hamilton Business Centre, and in NSW with the historic retail and entertainment precinct of Newtown in Sydney.

8.7 Threatening Processes

Some issues undermine the integrity and intactness of the Hunter Street West HCA. These include:

- Unsympathetic development, in particular, inappropriately scaled and designed infill development that replaces original building stock.
- Facadism of local heritage item buildings rather than retention of their three-dimensional form and adaptive re-use.
- The painting of exposed face brick and stone of existing building facades and front fencing.

8.8 Desired Future Character Statement

The DCP provides Desired Future Character Statements for each HCA for development assessment and design planning guidance. If the Hunter Street West area becomes a new HCA to replace part of the existing Newcastle City Centre HCA, it is recommended DCP 2023 be updated to include the following statement:

The character of the Hunter Street West Heritage Conservation Area is made up of a variety of building styles that date from the 19th and early decades of the 20th century. The special character is to be preserved, celebrated and maintained through the retention of contributory buildings, existing subdivision pattern, and elements of visual interest.

Elements to be preserved and/or sensitively restored or reconstructed (based on evidence of original appearance) include:

-
- *Range of contributory and historic buildings constructed prior to the Second World War, particularly intact or historically significant groupings, heritage items, iconic structures, and the appearance and layout of streets.*
 - *Existing subdivision pattern and street layout, including preserving the human scale of development, the integrity of laneways, the fine grain and the groupings of contributory late 19th century and art deco buildings.*
 - *The integrity of laneways and the fine grain of Devonshire Street.*
 - *Exposed face brick and stone of existing building facades and front fencing.*
 - *Street furniture such as sandstone kerbing and guttering, and other features of historical interest such as heritage items.*
 - *Distinctive early retail and commercial buildings, including prominent corner buildings.*
 - *Mature trees in the public domain, and public spaces including Cottage Creek and Kuwumi Place.*
 - *Items of heritage significance individually listed as heritage items in Schedule 5 of LEP 2012, including retention of the three-dimensional form and adaptive re-use of heritage item buildings.*
 - *The rich record of relics and archaeological sites beneath the modern city.*

8.9 Contributory Buildings

Fieldwork was undertaken in January 2020 to establish the overall intactness of this area. The Contributory Buildings Map for the Hunter Street West HCA (**refer to Figure 106**) grades the contribution of buildings to the streetscape character and heritage significance for the existing Newcastle City Centre HCA in which they are currently located. For definitions of contributory buildings, refer to Section 1.8. If the area is subject to the regulation of a new HCA to replace part of the existing Newcastle City Centre HCA, a new contributory buildings map for the Hunter Street West area will be required.

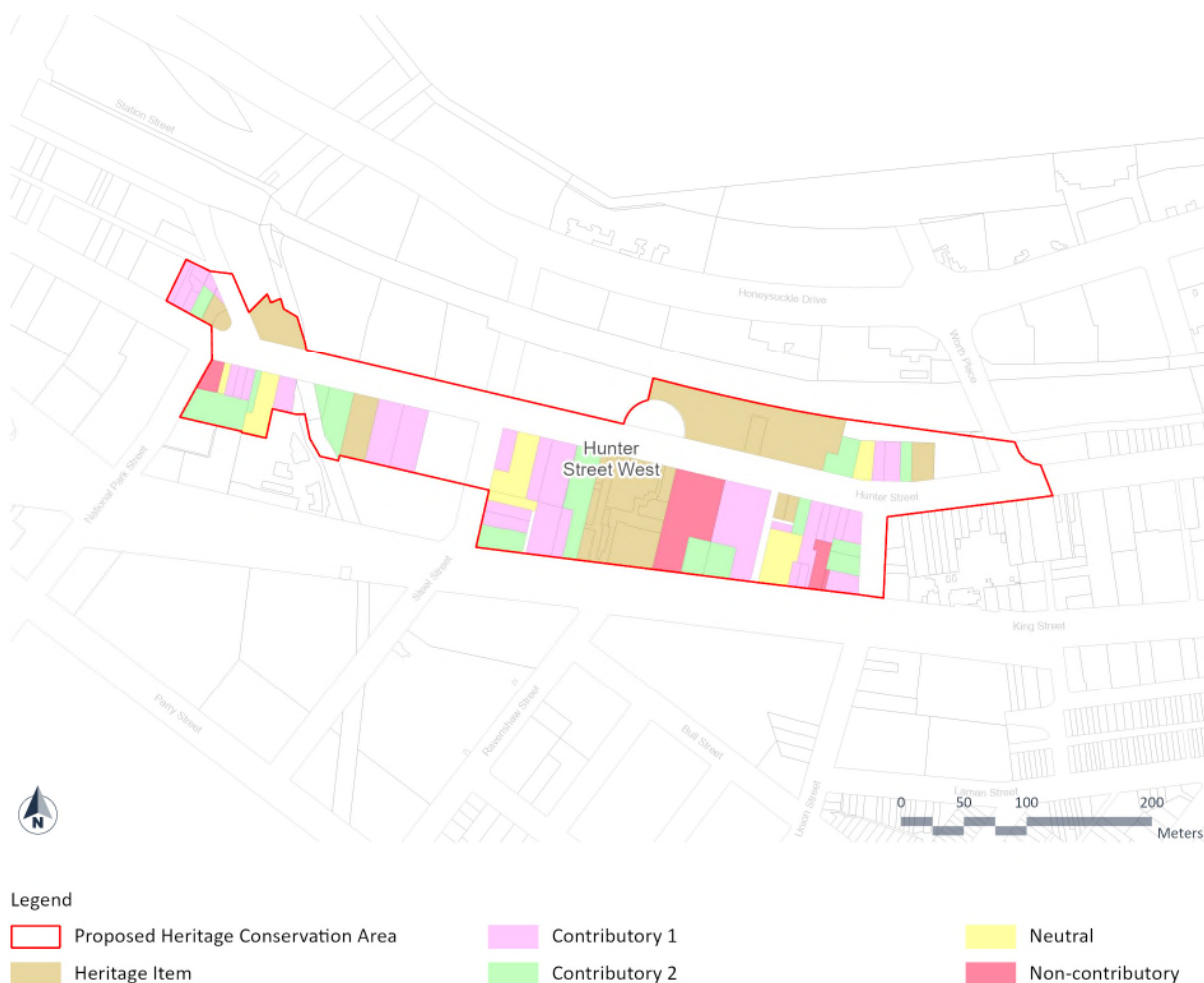


Figure 106: Proposed Hunter Street West HCA - Contributory Buildings Map (Source: CN GIS 24 January 2020)

8.10 Community Engagement Feedback

Section 5.11 summarises community engagement feedback for the Hunter Street West part of the existing Newcastle City Centre HCA.

8.11 Heritage Conservation Area Boundary

The boundaries of the existing Newcastle City Centre HCA were reviewed for land between Union and National Park streets. For this locality, overall, with the exception of development on land parcels addressing either Hunter or King Streets, the existing boundaries of the HCA no longer reinforces the special built character of Newcastle West.

In the Marketown and Arnott Street area the street blocks between National Park, Parry, Union, and King Streets (including the lots addressing the north side of King Street) is a minor scattering of

properties with special built character (including some heritage items). Land parcels of open car parking areas, or in the last 30 years, were comprehensively and intensively re-developed with a mix of retail, commercial office and residential medium to high-rise buildings isolate parts of the area from Hunter Street (refer to Figures 107 to 110). No longer reinforcing Newcastle West's special built character.



Figure 107: 54 Union Street, Cooks Hill (Source: Google Streetview)



Figure 108: 19 and 21 Steel Street, Newcastle West (Source: Google Streetview)



Figure 109: 464 King Street, Newcastle West (Source: Google Streetview)



Figure 110: 670 and 684 Hunter Street, Newcastle West (Source: Google Streetview)

The western side of Dick Street (**refer to Figure 111**) and north-western end of Arnott Street (**refer to Figure 112**) contain contributory buildings comparable to the proposed Parry Street HCA for its early twentieth century development history and low-rise industrial warehouse character. However, this area is less representative in demonstrating the principal characteristics of a Newcastle industrial streetscape as it is less intact, comprising two small and separate pockets (with only two to three contributory buildings each). Instead, these properties should be investigated for potential as new LEP heritage item listings.



Figure 111: 6 Dick Street, Newcastle West facing north (Source: Google Streetview)



Figure 112: 106 Parry Street, Newcastle West facing north (Source: Google Streetview)

The heritage significance of the land parcels containing the Fire Station at 44 Union Street (LEP item I108) (refer to **Figure 113**), the Former Gasworks Office at 461 King Street (LEP item I507) (refer to **Figure 114**), and the Commandants Farm archaeological site at 684 Hunter Street (LEP item A8) (refer to **Figure 110**) are already conserved and protected by existing heritage item listings and are isolated from the special built character of Newcastle West by adjoining recent development. Similarly isolated

properties with potential cultural value are at 117 and 125 Bull Street (refer to **Figures 115 and 116**). Instead, these properties should be investigated for potential as new LEP heritage item listings.



Figure 113: Fire Station at 44 Union Street, Cooks Hill (Source: Google Streetview)



Figure 114: Former Gasworks Office at 461 King Street, Newcastle West (Source: Google Streetview)



Figure 115: 117 Bull Street, Newcastle West (Source: Google Streetview)



Figure 116: 125 Bull Street, Newcastle West (Source: Google Streetview)

For land between Union and National Park streets, all buildings no longer in an HCA and ranked as Contributory 1 or Contributory 2 items, should be investigated as potential new LEP heritage item listings.

Recommended LEP map amendments for the Newcastle West area are as follows (refer to **Figure 117**):

- Rename part of the existing Newcastle City Centre HCA the Hunter Street West HCA which is north of King Street and south of the Newcastle Light Rail corridor between Worth Place/Union Street and National Park Street/770 Hunter Street.
- [Retain in the Newcastle City Centre HCA:](#)
 - ~~Boundary adjustments to the Hunter Street West HCA to remove~~ all land parcels south of the Newcastle Light Rail Corridor and north of Hunter Street between Kuwumi Place and Cottage Creek.
 - ~~Boundary adjustments to the Hunter Street West HCA to remove~~ all land parcels in the street blocks west of Union Street, south of King Street, east of National Park Street and north of Parry Street.
 - ~~Boundary adjustments to the Hunter Street West HCA to remove from the HCA~~ all land parcels in the street block between Steel and National Park streets which address the north side of King Street.
 - [Further investigation is recommended to assess whether this area meets NSW assessment criteria for an HCA. This includes investigating potential new LEP heritage item listings for all buildings ranked as Contributory 1 or Contributory 2 items in that area.](#)

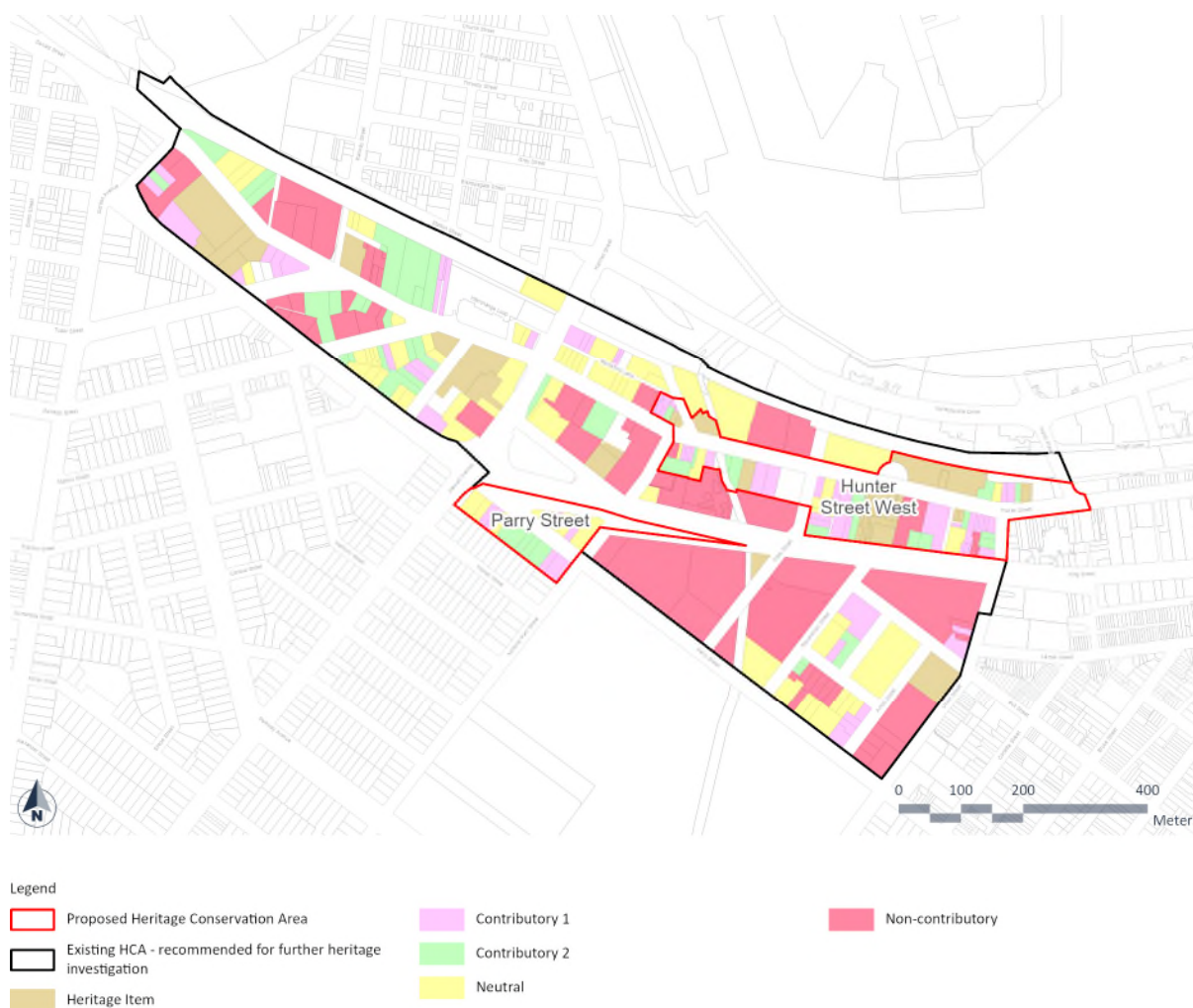


Figure 117: Proposed Hunter Street West HCA - changes to existing Newcastle City Centre HCA (Source: CN GIS 24 January 2020)

8.12 Newcastle City Centre Boundary

A review of the Newcastle City Centre boundary was undertaken for land parcels in the boundary of the proposed Hunter Street West HCA. Overall, it is considered appropriate that this land will remain in the Newcastle City Centre boundary as the LEP provisions for the Newcastle City Centre are commensurate with the heritage significance and desired future character of the proposed HCA.

8.13 Land use zoning

A review of the land use zoning was undertaken for land parcels in the boundary of the proposed Hunter Street West HCA. Overall, the existing land use zoning is considered appropriate and compatible with retaining and conserving the heritage significance of the proposed HCA.

8.14 Minimum lot size, height of buildings and floor space ratio

The minimum lot size, HOB and FSR development standards was undertaken for land parcels in the boundary of the proposed Hunter Street West HCA. Overall, these standards applied to this land are considered appropriate and compatible with retaining and conserving the heritage significance of the proposed HCA.

8.15 Heritage Items

Identified by the assessment above and from community engagement feedback, it is recommended the following new LEP heritage items and amendments to existing LEP heritage items be investigated:

- 125 Bull Street, Newcastle West - investigate potential new LEP listing.
- 117 Bull Street, Newcastle West - investigate potential new LEP listing.
- ~~Investigate potential new LEP heritage item listings for all buildings where no longer in an HCA and are ranked as Contributory 1 or Contributory 2 items.~~
- Other places in the HCA identified from the community engagement feedback as having potential cultural heritage merit will be investigated for LEP listing in a future heritage study.

CHAPTER NINE – PARRY STREET HERITAGE CONSERVATION AREA

9.1 Introduction

This section documents the proposed Parry Street HCA in the Newcastle City Centre, bounded by King Street at its north, National Park Street at its east, Stewart Avenue to the west, and the rear of properties addressing the south side of Parry Street. It also includes Little Birdwood Park situated east of National Park Street, west of Cottage Creek, north of 136 Parry Street, and south of King Street. A map of the heritage conservation area is reproduced in **Figure 118**.



Figure 118: Proposed Parry Street Heritage Conservation Area (Proposed Boundary)

9.2 History

Refer to Sections 3.2 and 3.3 for the Aboriginal and historical context of the study area.

9.3 Physical Description

The Parry Street HCA comprises an area of flat land along the north-western side of the Newcastle peninsula (**refer to Figure 118**).

The current built character of the Parry Street HCA is low-rise industrial warehouse urban forms. It is a highly intact group of mostly inter-war period buildings, physically separated from the rest of the Newcastle City Centre by King Street. The contributory building stock in the HCA is defined by a shared early twentieth century development history, and modest industrial and commercial built character, with a consistent medium density scale (**refer to Figures 119 to 122**). These features include:

- Limited diversity of building types and architectural styles – an apartment building, and former industrial warehousing converted to offices and retail, predominantly from the inter-war period, with some post-war to the present-day infill.
- Original building stock and infill provides a consistent scale, form and massing, with structures between one and two storeys.
- The mature trees of Little Birdwood Park provide an important landscaped screen from vehicle traffic using King Street.



Figure 119: Parry Street, Newcastle West - view south towards National Park Street (Source: Google Streetview)



Figure 120: 69 and 154 Parry Street, Newcastle West - view north towards Stewart Avenue (Source: Google Streetview)



Figure 121: Corner of National Park and Parry streets, Newcastle West facing west (Source: Google Streetview)



Figure 122: Little Birdwood Park and 148 Parry Street, Newcastle West (Source: Google Streetview)

9.4 Previous Heritage Studies

Refer to Section 5.5 for previous heritage studies for the Parry Street area.

9.5 Assessment of Heritage Significance

Applying the NSW Heritage Criteria

In revising the assessment of heritage significance for the area, the NSW heritage assessment guidelines and the NSW heritage criteria has been applied as expressed below:

- *Criterion a - An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area):*

Parry Street HCA is important at the local level as a record of the development of Newcastle and the transition from a coal town largely in the ownership of the Austrian Agricultural Company to an industrial city. The significant group of inter-war period industrial and warehouse buildings containing factories and workshops helped grow the industrial base of the NSW economy in preparation for World War II, and represents the industrial development of Newcastle West during the twentieth century.

- *Criterion b - An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area):*

Parry Street HCA does not demonstrate this criterion to any notable degree.

- *Criterion c - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area):*

Parry Street HCA is important in demonstrating aesthetic characteristics at a local level that define the inter-war period and style of industrial and warehouse buildings. These aesthetic features include:

1. Attached one to two storey industrial and warehouse buildings with flat or slightly pitched roofs and brick facades with limited ornamentation other than some decorative brickwork along the cornice or parapet. The restrained building design and ornamentation reflects the materials and labour shortages during the 1930s.
2. The consistency in the scale, form and massing, style and construction of industrial and warehouse buildings built during the inter-war period. Industrial building techniques, employing repeated modular forms and steel and timber structures to cover large spans. Vehicle openings integrated into facades indicate how many of these buildings were constructed during a period when motorised vehicles became more widespread, and both an integral part and product of manufacturing.
3. The buildings in this area make important contributions to the streetscapes of Parry and National Park streets. The streetscapes of both roads have a distinct industrial character

derived from the consistent period of the buildings, modular building forms, the dominant brick materials, and stepped parapets repeated along the street.

The three storey inter-war residential apartment building and its decorative face brickwork at 32 National Park Street provide an important transition in scale and form between the industry and warehousing of Parry Street and the single storey inter-war brick and timber residential bungalows of Hamilton South 'Garden Suburb' immediately to the south.

- *Criterion d - An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;*

Feedback from residents and businesses in 2023 revealed that the community significantly value the character and physical elements of Parry Street 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 and buildings. The area meets this criterion on cultural grounds at the local level.

- *Criterion e - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);*

There remains the potential for Aboriginal objects of conservation value to be present in the area due to its proximity to the former course of Cottage Creek which ventured further east and west when compared to today.

- *Criterion f - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area):*

Parry Street HCA does not demonstrate this criterion to any notable degree.

- *Criterion g - An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).*

The Parry Street HCA is important at the local level for being a significant intact grouping of inter-war industrial and warehouse buildings that represent the architectural styles and construction technologies of that period of urban development.

Statement of Significance

The Parry Street HCA is important at the local level in demonstrating the nature of industrial and warehouse building construction in Newcastle between 1923 and 1940. The significant group of inter-war period industrial and warehouse buildings containing factories and workshops helped grow the industrial base of the NSW economy in preparation for World War II, and represents the industrial development of Newcastle West during the twentieth century.

The narrow window of time in which the precinct developed is significant, it provides evidence of the key features of the period including construction and building technologies. The uniformity of the

group in terms of architectural style, age, height, form, massing, setbacks, and materials contributes to defining the character.

Key visual elements include:

- Attached one to two storey industrial and warehouse buildings with flat or slightly pitched roofs and brick facades with limited ornamentation other than some decorative brickwork along the cornice or parapet. The restrained building design and ornamentation reflects the materials and labour shortages during the 1930s.
- The consistency in the scale, form and massing, style and construction of industrial and warehouse buildings built during the inter-war period. Industrial building techniques, employ repeated modular forms and steel and timber structures to cover large spans. Vehicle openings integrated into facades indicate how many of these buildings were constructed during a period when motorised vehicles became more widespread, and both an integral part and product of manufacturing.
- The buildings in this area make important contributions to the streetscapes of Parry and National Park streets. The streetscapes of both roads have a distinct industrial character derived from the consistent period of the buildings, modular building forms, the dominant brick materials, and stepped parapets repeated along the street.

- Key Period of Significance - circa 1923 to 1940

Recommendation

The above assessment of heritage significance followed the standard Heritage Assessment Guidelines and the NSW state heritage criteria. As a result, it is recommended the area be protected through with a statutory HCA, referred to as the Parry Street Heritage Conservation Area, in a future LEP amendment.

9.6 Comparative Assessment

The Parry Street precinct is locally rare for the high concentration, integrity and intactness of inter-war period industrial and warehouse buildings, comparable locally with isolated LEP heritage item listings such as the ELMA Factory at 54 Clyde Street, Hamilton North (LEP Item I168) and the Dicks Bros Engineering building at 62 Fern Street, Islington (LEP Item I198), and in NSW with William Street and North Alexandria HCAs in Alexandria, Sydney.

9.7 Threatening Processes

Should issues experienced in adjacent areas of the Newcastle City Centre were to eventuate in this locality, it could undermine the integrity and intactness of the Parry Street HCA. This includes:

- Unsympathetic development, in particular, inappropriately scaled and designed infill development that replaces original building stock.

9.8 Desired Future Character Statement

The DCP provides Desired Future Character Statements for each HCA for development assessment and design planning guidance. If the Parry Street area becomes a new HCA to replace part of the existing Newcastle City Centre HCA, it is recommended DCP 2023 be amended to include the following statement:

The character of the Parry Street Heritage Conservation Area is made up of single and two storey industrial and warehouse buildings that were built in the early decades of the twentieth century. The special character is to be preserved, celebrated and maintained through the retention of contributory buildings, existing subdivision pattern, and elements of visual interest.

Elements to be preserved and/or sensitively restored or reconstructed (based on evidence of original appearance) include:

- *Range of contributory and historic buildings constructed prior to the Second World War, particularly intact or historically significant groupings, and the appearance and layout of streets.*
- *Existing subdivision pattern and street layout, including preserving the human scale of development and the groupings of contributory early twentieth century and inter-war buildings.*
- *Modest single to two storey scale of distinctive early industrial and warehouse buildings that is an original defining feature of the group.*
- *Exposed face brick of existing building facade and front fencing at 32 National Park Street.*
- *Mature trees in the public domain, and parks and public spaces including Little Birdwood Park.*
- *Items of heritage significance recommended for individual listing as heritage items in Schedule 5 of LEP 2012.*
- *The rich record of relics and archaeological sites beneath the modern city.*

9.9 Contributory Buildings

Fieldwork was undertaken in January 2020 to establish the overall intactness of this area. The Contributory Buildings Map for the Parry Street HCA (refer to **Figure 123**) grades the contribution of buildings to the streetscape character and heritage significance for the existing Newcastle City Centre HCA in which they are currently located. For definitions of contributory buildings, refer to Section 1.8. If the area is subject to the regulation of a new HCA to replace part of the existing Newcastle City Centre HCA, a new contributory buildings map for the Parry Street area will be required.



Figure 123: Proposed Parry Street HCA - Contributory Buildings Map (Source: CN GIS 24 January 2020)

9.10 Community Engagement Feedback

Refer to Section 5.11 for community engagement feedback for the Parry Street area of the existing Newcastle City Centre HCA.

9.11 Heritage Conservation Area Boundary

The boundaries of the existing Newcastle City Centre HCA were reviewed for land between National Park and Selma streets. For this locality, overall, with the exception of development on land parcels between Stewart Avenue, King and Parry streets, the existing HCA boundary no longer reinforces the special built character of Newcastle West.

Except for a minor scattering of properties with special built character (including some heritage items) which are isolated from Parry Street by adjoining land parcels consisting of either retail warehousing, sale yards and open car parking areas, or in the last few decades, have been comprehensively and intensively re-developed with a mix of retail, commercial office and residential medium to high-rise buildings (refer to **Figures 124 to 127**). This no longer reinforces the special built character of Newcastle West.



Figure 124: 990 Hunter Street, Newcastle West facing east (Source: Google Streetview)



Figure 125: 214 Parry Street, Newcastle West facing north (Source: Google Streetview)



Figure 126: 874 Hunter Street, Newcastle West facing east (Source: Google Streetview)



Figure 127: Corner of National Park and King streets, Newcastle West facing west (Source: Google Streetview)

1, 3 and 5 Selma Street, Newcastle West consists of three residential bungalows from the Federation and Inter-War urban development periods (**refer to Figure 128**). This no longer reinforces the special built character of Newcastle West, and a significant number of residential dwellings from the Federation and Inter-War period are represented and protected in other HCAs in the Newcastle centre including the Glebe Road Federation Cottages, Cooks Hill, Hamilton Residential Precinct and Hamilton South 'Garden Suburb' HCAs. In the same block, former industrial warehouse buildings at 246 Parry Street, Newcastle West may have potential cultural value (**refer to Figure 129**). Their heritage significance and the potential to include these buildings and adjust the boundary of the adjacent LEP listing (Item I503 - St Joseph's Convent and Sacred Heart Church and School) should be investigated.



Figure 128: 1, 3 and 5 Selma Street, Newcastle West (Source: Google Streetview)



Figure 129: 246 Parry Street, Newcastle West (Source: Google Streetview)

Wood Street is comparable to the proposed Parry Street HCA considering its development history and low-rise industrial warehouse character. In demonstrating principal characteristics of a Newcastle industrial streetscape it is less representative as it is a smaller area (a row of five contributory buildings midway along its western side and two heritage items), and has less integrity with most of the front facades of these contributory buildings exhibiting significant and intrusive alterations and additions, particularly at ground floor level to accommodate more modern shopfronts (**refer to Figure 130**). These properties should be investigated for potential as new LEP heritage item listings. The Former Castlemaine Brewery at 787 Hunter Street (LEP item I501, SHR ID 00312) extends along the full length of the east side of the street, and at its north-west end is the Cambridge Hotel at 789 Hunter Street (LEP item I502) (**refer to Figure 131**). The heritage significance of these land parcels is already conserved and protected by existing heritage item listings and are isolated from the special built character of Newcastle West by recent development adjoining such as the Newcastle Bus Interchange at 874 Hunter Street and the commercial office buildings at 168 Parry Street and 12 Stewart Avenue.



Figure 130: 22 Wood Street, Newcastle West facing north (Source: Google Streetview)



Figure 131: Former Castlemaine Brewery at 787 Hunter Street and the Cambridge Hotel at 789 Hunter Street, Newcastle West (Source: Google Streetview)

The heritage significance of the land parcels containing Birdwood Park (LEP Item I509), Stewart Avenue's Fig Trees (LEP Item I161), the Army Drill Hall at 498 King Street (LEP item I508) (**refer to Figure 132**), Dairy Farmers Building at 924 Hunter Street (LEP item I505), and St Joseph's Convent and Sacred Heart Church and School at 841 Hunter Street (LEP Item I503) (**refer to Figure 133**) are already conserved and protected by existing heritage item listings and are isolated from the special built character of Newcastle West by adjoining recent development.



Figure 132: Birdwood Park and the Army Drill Hall at 498 King Street, Newcastle West (Source: Google Streetview)



Figure 133: St Joseph's Convent and Sacred Heart Church and School at 841 Hunter Street, Newcastle West (Source: Google Streetview)

Some properties have potential cultural value such as those at 741 Hunter Street, 17 and 19 Beresford Street, 840 Hunter Street, 904-908 Hunter Street, and 23 Denison Street, Newcastle West (**refer to Figures 134 to 138**). However, these properties are isolated from the special built character of Newcastle West by adjoining recent development. Instead, these properties should be investigated for new LEP heritage item listings.



Figure 134: 741 Hunter Street, Newcastle West (Source: Google Streetview)



Figure 135: 17 and 19 Beresford Street, Newcastle West (Source: Google Streetview)



Figure 136: 840 Hunter Street, Newcastle West (Source: Google Streetview)



Figure 137: 904-908 Hunter Street, Newcastle West (Source: Google Streetview)



Figure 138: 23 Denison Street, Newcastle West (Source: Google Streetview)

For land between National Park and Selma streets, all buildings no longer in an HCA and ranked as Contributory 1 or Contributory 2 items, should be investigated as potential new LEP heritage item listings. This should include the small number of contributory buildings in Beresford Street and Beresford Lane, isolated from the special built character of Newcastle West by adjoining recent development (refer to Figures 135 and 139).



Figure 139: 29 and 31 Beresford Street, Newcastle West (Source: Google Streetview)

As well as their positive contribution to the heritage significance of the HCA, the properties along the south side of Parry Street should be retained in the HCA to maintain the setting of an immediately adjacent HCA. The HCA provides an assessment regime with more control over future development of this land, discouraging intensive and inappropriate development adjacent to Hamilton South 'Garden Suburb' HCA to the south and its properties in Warrah Street. These properties are of a low-rise height and scale (single storey), and residential built form (refer to **Figure 140**). This section of the HCA provides an important buffer, assisting with conserving the heritage significance of the adjacent Hamilton South 'Garden Suburb' HCA.

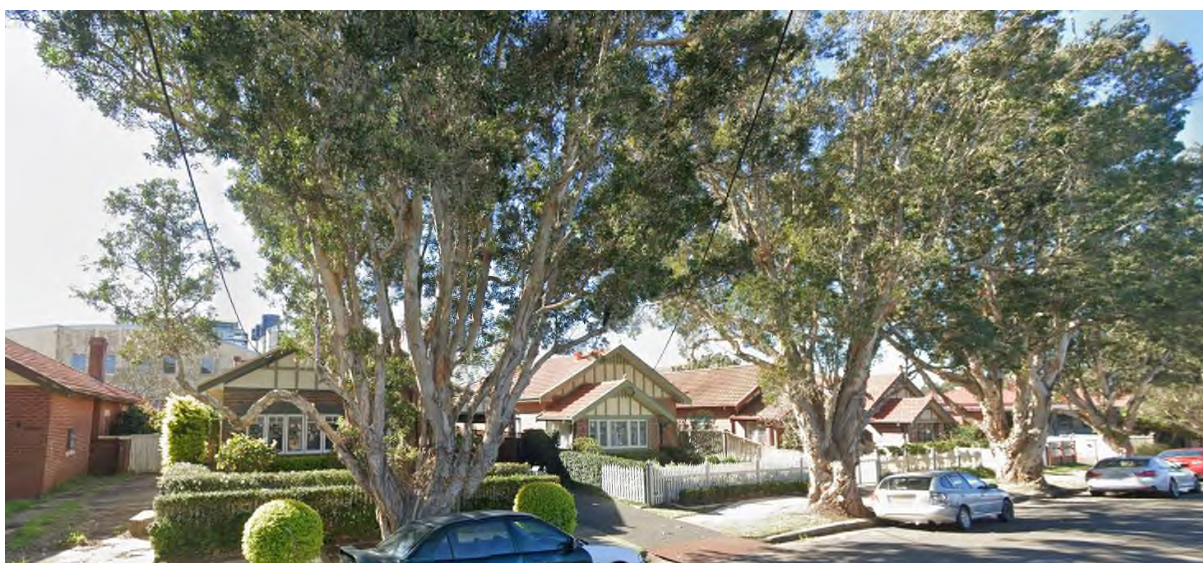


Figure 140: 8 Warrah Street, Hamilton East facing south-east (Source: Google Streetview)

As such, the following amendments to the LEP maps for the Newcastle West area are recommended (refer to **Figure 141**):

- Rename part of the existing Newcastle City Centre HCA Parry Street HCA which is south of King Street, east of Stewart Avenue, and west of National Park Street.
- [Retain in the Newcastle City Centre HCA Boundary adjustments to the Parry Street HCA to remove from the HCA](#) all land parcels north of King Street, west of Bellevue Street/764 Hunter Street/National Park Street, and east of Selma Street. [Further investigation is recommended to assess whether the area meets NSW assessment criteria for an HCA. This includes investigating potential new LEP heritage item listings for any buildings ranked as Contributory 1 or Contributory 2 items in that area.](#)

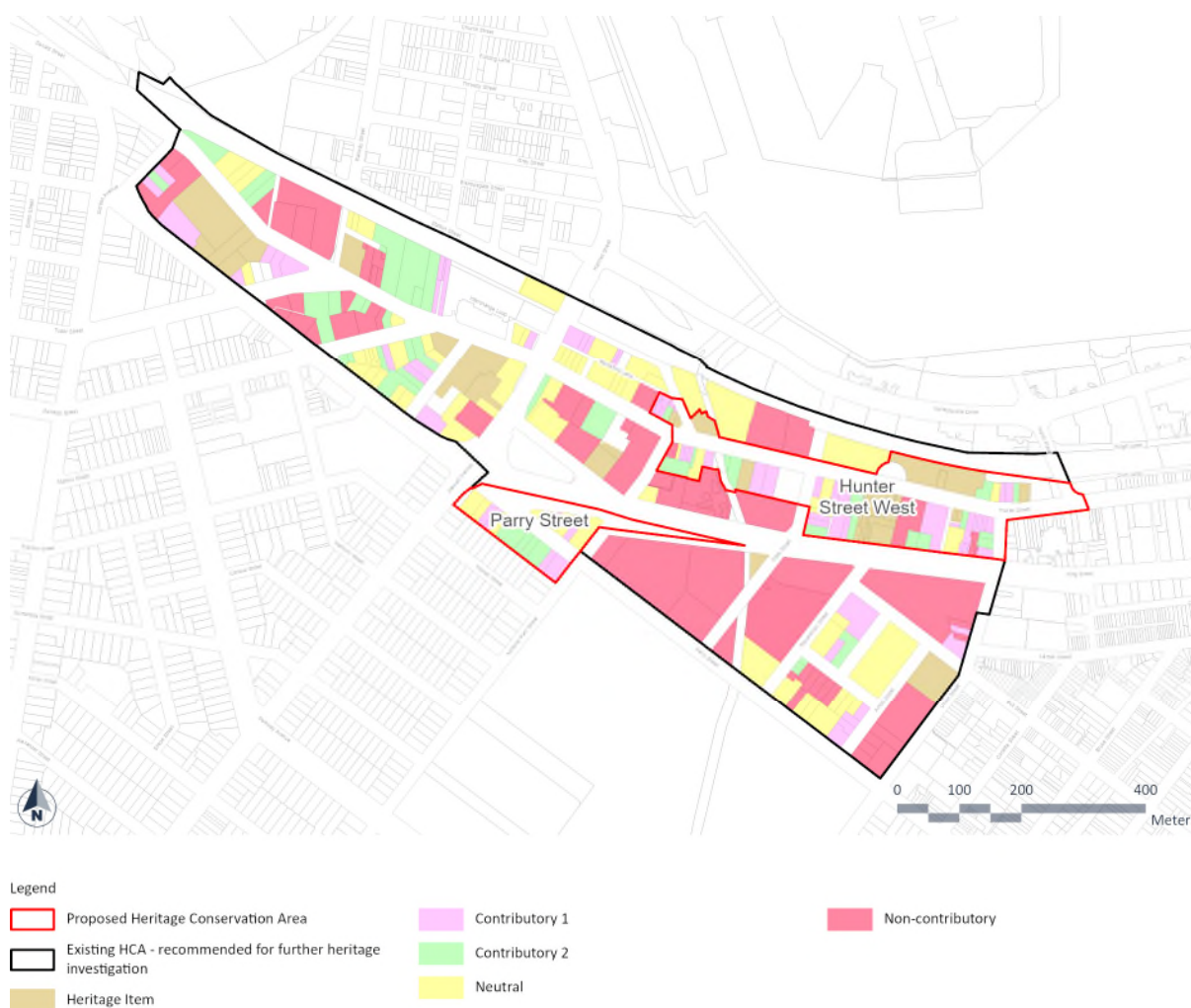


Figure 141: Proposed Parry Street HCA - Proposed changes to the existing Newcastle City Centre HCA (Source: CN GIS 24 January 2020)

9.12 Newcastle City Centre Boundary

A review of the Newcastle City Centre boundary considered land parcels at the boundary of the proposed Parry Street HCA. Overall, it is considered appropriate that this land will remain in the Newcastle City Centre boundary as the LEP provisions for the Newcastle City Centre are commensurate with the heritage significance and desired future character of the proposed HCA.

9.13 Land use zoning

A review of the land use zoning was undertaken for land parcels in the boundary of the proposed Parry Street HCA. Overall, the existing land use zoning is considered appropriate and compatible with retaining and conserving the heritage significance of the proposed HCA.

9.14 Minimum lot size, height of buildings and floor space ratio

A review of the minimum lot size, HOB and FSR development standards was undertaken for land parcels in the boundary of the proposed Parry Street HCA. Overall, these standards applied to this land are considered appropriate and compatible with retaining and conserving the heritage significance of the proposed HCA.

9.15 Heritage Items

Identified by the assessment above and from community engagement feedback, it is recommended the following new LEP heritage items and amendments to existing LEP heritage items be investigated:

- Former Castlemaine Brewery, Wood Street - adjust boundary of existing LEP listing (Item I501) to include the adjacent land parcel at 1 Wood Street consistent with the existing Former Castlemaine Brewery SHR listing (SHR ID 00312).
- Former Drill Hall, Little King Street - adjust boundary of existing LEP item (Item I508) consistent with recent boundary adjustments to the property.
- 246 Parry Street - investigate heritage value and potential to adjust boundary of existing LEP listing (Item I503 - St Joseph's Convent and Sacred Heart Church and School) to include adjacent industrial warehouse buildings.
- 741 Hunter Street, Newcastle West - investigate potential new LEP listing.
- 17 and 19 Beresford Street, Newcastle West - investigate potential new LEP listing.
- 840 Hunter Street, Newcastle West - investigate potential new LEP listing.
- 904-908 Hunter Street, Newcastle West - investigate potential new LEP listing.
- 23 Denison Street, Newcastle West - investigate potential new LEP listing.
- Christadelphian Church at 152 Parry Street - investigate potential new LEP listing.

-
- ~~Investigate potential new LEP heritage item listings for all buildings where no longer in an HCA and are ranked by CN as Contributory 1 or Contributory 2 items.~~
 - Other places in the HCA identified from the community engagement feedback as having potential cultural heritage merit will be investigated for LEP listing in a future heritage study.

CHAPTER TEN – RECOMMENDATIONS

10.1 Introduction

The recommendations below include an analysis of the community engagement outcomes from Phase 1, between 17 April 2023 and 29 May 2023, and Phase 2 public exhibition of Draft Newcastle City Centre HCAs Review Report from 6 November 2023 to 18 December 2023.

The recommendations do not allow CN to make changes to the HCA boundaries or heritage listings. Such changes follow a strict legal process requiring a planning proposal to amend the LEP. Similarly, recommended changes to the DCP require a formal, legal process. This work [will be done as a separate project and will require council approval and further exhibition](#)~~will be done as a separate project.~~

10.2 Recommendations

The recommendations [for further consideration](#) are as follows:

Newcastle East Heritage Conservation Area (Refer to Chapter 4)

- The Newcastle East HCA remains protected through the mechanism of a statutory HCA.
- Amend the LEP maps to adjust the boundary of the Newcastle East and The Hill HCAs.
- Amend the LEP maps to remove height of buildings and floorspace ratio development standards from identified low-rise precinct in the Newcastle East HCA.
- Further investigate whether the planning provisions for the Newcastle East HCA and the Newcastle City Centre should both apply, particularly for the identified low-rise precinct in Newcastle East and any similar areas in the Newcastle City Centre.
- Amend DCP 2023 to include updated statement of significance and desired future character statement for Newcastle East HCA.
- Amend the Heritage Technical Manual to include updated contributory building maps for the Newcastle East and The Hill HCAs.
- Investigate changes to the LEP heritage schedule and maps to amend existing and add new heritage items.

Newcastle City Centre Heritage Conservation Area (Refer to Chapter 5)

- [Amend the LEP heritage schedule and maps to replace part of the Newcastle City Centre HCA with the smaller Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street HCAs.](#)
- [The proposed remnant land of the Newcastle City Centre HCA remains protected through the mechanism of the statutory HCA.](#)
- [Further investigate whether the remnant land in Newcastle City Centre HCA meets NSW assessment criteria for an HCA. This includes investigating potential new LEP heritage item listings for any buildings ranked as Contributory 1 or Contributory 2 items on this land.](#)

Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street Conservation Areas (Refer to Chapters 6, 7, 8 and 9)

- Amend the LEP maps to adjust the boundary of the Newcastle City Centre, The Hill and Cooks Hill HCAs [with the corresponding boundaries of the Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street HCAs](#).
- Amend the LEP maps to adjust the Newcastle City Centre boundary, change land use zoning, (from MU1 mixed use to R3 Medium Density), add minimum lot size development standards, and remove height of buildings and floorspace ratio development standards from identified low-rise residential properties in The Hill HCA.
- Amend DCP 2023 to include [updated~~new~~](#) statement of significance and desired future character statements for the [amended Newcastle City Centre HCA, and new statements for Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street HCAs](#).
- Amend the Heritage Technical Manual to include updated contributory building maps for [Newcastle City Centre](#), The Hill and Cooks Hill HCAs, and new contributory building maps for Old Town, Civic and Honeysuckle, Hunter Street West, and Parry Street HCAs.
- Investigate potential changes to the LEP heritage schedule and maps to amend existing and add new heritage items, [including investigating potential new LEP heritage item listings for buildings ranked as Contributory 1 or Contributory 2 items no longer to be in an HCA](#).

REFERENCES

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APPENDIX A

COMMUNITY ENGAGEMENT REPORT (PHASE 1)

- September 2023

APPENDIX B

PUBLIC EXHIBITION REPORT (PHASE 2)

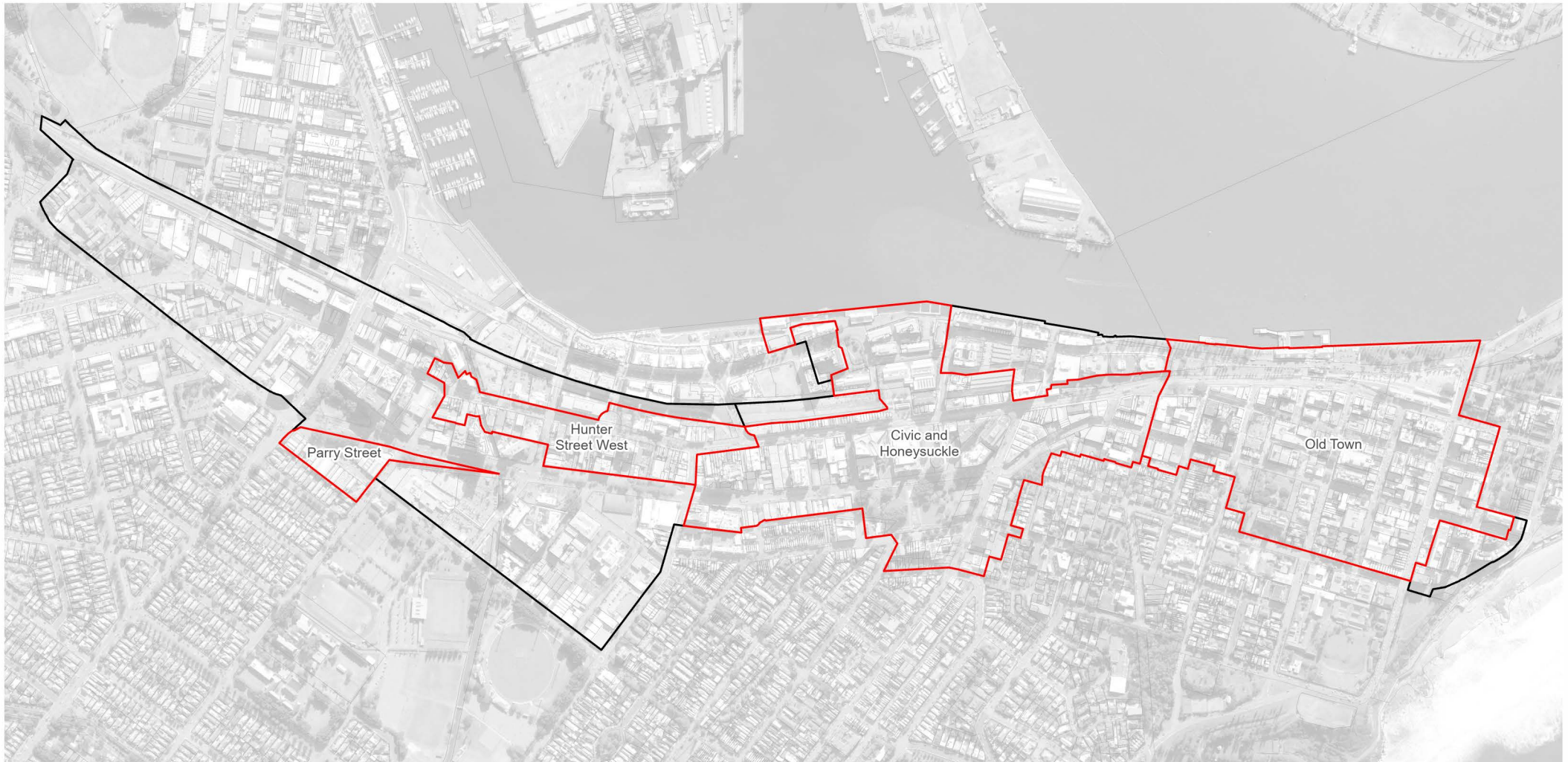
- January 2024

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Legend

 Proposed Heritage Conservation Area

 Existing HCA - recommended for further heritage investigation



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