

## Planning and Assessment

SF18/60040

### Gateway determination report

<b>LGA</b>	City of Newcastle
<b>PPA</b>	City of Newcastle
<b>NAME</b>	New heritage item listing Parkway Avenue, Newcastle
<b>NUMBER</b>	PP_2019_NEWCA_005_00
<b>LEP TO BE AMENDED</b>	Newcastle Local Environmental Plan 2012
<b>ADDRESS</b>	Parkway Avenue
<b>DESCRIPTION</b>	Lots 100 and 101, DP 1097553 & Parkway Avenue
<b>RECEIVED</b>	11 December 2019
<b>FILE NO.</b>	SF18/60040
<b>POLITICAL DONATIONS</b>	There are no donations or gifts to disclose and a political donation disclosure is not required.
<b>LOBBYIST CODE OF CONDUCT</b>	There have been no meetings or communications with registered lobbyists with respect to this proposal.

## 1. INTRODUCTION

### 1.1 Description of planning proposal

As outlined in the proposal the intent is to amend the Newcastle Local Environmental Plan 2012 to include Parkway Avenue as a landscape heritage item of local significance. The amendment will ensure the heritage significance of the site will be protected. In particular, the avenue with its central median, is protected by its listing as a heritage item, to minimise any loss of intactness, or unsympathetic changes to street design, layout or form.

### 1.2 Site description

The site is almost the entire length of Parkway Avenue. That being from Denison Street in Hamilton East to Memorial Drive in Bar Beach, including the stormwater channel at 127A Union Street, Cooks Hill (Lots 100 & 101, DP 1097553). The site to be included as a heritage item is approximately 9.12 hectares in area and 2.3 km in length.

### 1.3 Existing planning controls

The predominant use in the locality is residential with a large area of public recreational space known as National Park towards the middle of Parkway Avenue immediately to the north east.

The avenue is zoned either R3 Medium Density Residential, R2 Low Density Residential or RE1 Public Recreation, with a corresponding Minimum Lot Size of either 400sq/m or 40 hectares, and in the section of the Avenue outside of an Heritage Conservation Area has a Maximum Building Height of either 10m or 8.5m and a Maximum Floor Space Ratio (FSR)

of either 0.75, 0.6 or 0.9:1. The full length of the site between Everton Street and Jenner Parade is located within the Hamilton South 'Garden Suburb' Heritage Conservation Area, and accordingly there is no nominated Maximum Building Height or FSR for this section of Parkway Avenue.

The site is affected by acid sulphate soils Classes 4 and 5 and is identified by the City of Newcastle as flood prone land, with adjacent lots either side located within a Mine Subsidence District.



#### 1.4 Surrounding area

Part of the site is within a large heritage conservation area, in the Newcastle CBD. The primary uses within the surrounding area include residential, business and recreation. The northern end section of Parkway Avenue in Hamilton East between Tudor Street and Denison Street is excluded from the planning proposal site, as though planned as part of the main avenue, it is incomplete and has remained as a narrow suburban street.



### **1.5 Summary of recommendation**

Proceed as per submitted. The proposal is supported by a heritage study and has merit to protect the integrity and heritage value of the avenue.

## **2. PROPOSAL**

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### **2.1 Objectives or intended outcomes**

The planning proposal identifies the objective of the planning proposal is to amend the Newcastle Local Environmental Plan 2012 to include Parkway Avenue as a landscape heritage item of local significance. The amendment will ensure the heritage significance of the site will be protected. In particular, the avenue with its central median, is protected by its listing as a heritage item, to minimise any loss of intactness, or unsympathetic changes to street design, layout or form.

### **2.2 Explanation of provisions**

As outlined in the proposal the proposed outcome will be achieved by making the following amendments to the Newcastle LEP 2012:

- Amending Schedule 5 and the Heritage Map (Sheet HER\_ 004G) by designating the site as a landscape heritage item of local significance to be referred to as 'Parkway Avenue'.

### **2.3 Mapping**

The proposal includes amendments to Heritage Map - Sheet HER\_ 004G. This map has been included in the proposal and adequately reflects the current and proposed heritage area. The maps do not require updating prior to community consultation.

## **3. NEED FOR THE PLANNING PROPOSAL**

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Council completed a review of the Heritage Conservation Areas Report June 2016. The review recommended that in a future LEP amendment the entire length of Parkway Avenue from Hamilton East to Bar Beach be protected through the mechanism of a statutory landscape heritage item. Amending the Newcastle LEP 2012 is considered the best mechanism to conserve the area and support the existing heritage items and conservation area along Parkway Avenue.

John Sulman designed Parkway Avenue and the suburb of Hamilton based on the principles of the Garden Suburb Movement. This represents an important part of urban design in the early 20<sup>th</sup> century. The proposal notes that changes to Parkway Avenue including alterations to detached bungalows, roadway, intersections, median strip, road verges, driveways, pathways and fences have diminished this significance to an extent and further alterations will have a cumulative effect on the consistent detail of the garden suburb planning, vistas, axial qualities and ability to interpret the garden suburb planning.

## **4. STRATEGIC ASSESSMENT**

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### **4.2 Regional / District**

The Hunter Regional Plan 2036 and the Greater Newcastle Metropolitan Plan applies to the proposal. The proposed amendment is consistent with Direction 19 of the Regional Plan which aims to identify and protect the regions heritage. The proposal will support the delivery of Strategy 10 of the Metropolitan Plan by good urban design is preserved. The proposed heritage area has been identified in a local study, which highlights the linear avenue defined by its grand width, mature trees, grassed median strip and grassed verges

and linear pathways. This design reflects the Garden Suburbs principles which is considered as the most enduring aspect of the urban design in Newcastle.

#### **4.3 Local**

The proposal is consistent with the Newcastle 2030 Community Strategic Plan as the objective of the proposal is to maintain and enhance the unique aesthetics of Parkway Avenue.

The Local Planning Strategy applies to the planning proposal. The objective of the proposal is consistent with the principles 8 and 12 of this Strategy which aims to protect and enhance heritage, streetscapes, views and key features. The outcome of this proposal will ensure historic urban design is protected and valued as a key part of the original design of Newcastle.

The Newcastle Heritage Study 2013-2017 is a framework that guides the delivery of management of heritage as per the Community Strategic Plan. The proposal is consistent with the actions and implementation framework set out in the study. The proposal will effectively manage the unique design of Parkway Avenue and protect the value of the site from encroachment.

#### **4.4 Section 9.1 Ministerial Directions**

##### **Direction 2.3 Heritage Conservation**

Direction 2.3 Heritage Conservation applies to this proposal. The proposal to place the heritage item in Schedule 5 is consistent with this Direction.

#### **4.5 State environmental planning policies (SEPPs)**

Nil.

### **5. SITE-SPECIFIC ASSESSMENT**

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#### **5.1 Social**

The planning proposal suggest that the outcome of this amendment would strengthen planning controls for the surrounding heritage items, which would further protect the heritage significance and character of the area.

#### **5.2 Environmental**

The planning proposal is not likely to result in development that will create any significant adverse environmental effects. The outcome of the proposal will manage and protect the environmental values of the site.

has been identified in Councils Heritage Conservation Areas Report June 2016. The site has environmental significance to the area, in relation to the historical, scientific, cultural, social, architectural and aesthetic value.

#### **5.3 Economic**

As outlined in the proposal, the economic impact of the planning proposal is likely to be limited with no change to the current land use zoning and no proposal to intensify or reduce the existing use of the site.

### **6. CONSULTATION**

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#### **6.1 Community**

The community consultation as proposed by Council is a minimum of 28 days. This is considered appropriate, given that the proposal is not considered low impact.

## **6.2 Agencies**

The proposal does not propose any consultation with State Government Agencies. There is no benefit in consulting with any agencies on this proposal.

## **7. TIME FRAME**

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The proposed time frame for completing the LEP as proposed by Council, is 7 months. It is considered that a nine (9) month period be granted to account for any unforeseen delays, such as mapping.

## **8. LOCAL PLAN-MAKING AUTHORITY**

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Council has not requested to be the local plan-making authority. Given the minor nature of the planning proposal is considered appropriate that Council should be authorised to be the local plan-making authority.

## **9. CONCLUSION**

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The proposal is supported as Parkway Avenue is identified as an important heritage significant roadway. The proposal is supported by Council's Heritage Conservation Areas Report June 2016 and consistent with actions in the Hunter Regional Plan 2036 and local strategies.

## **10. RECOMMENDATION**

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It is recommended that the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 28 days.
2. No consultation is required with public authorities/organisation under section 3.34(2)(d) of the Act.
3. The time frame for completing the LEP is to be 9 months from the date of the Gateway determination.
4. Given the nature of the planning proposal, Council should be the local plan-making authority to make this plan.



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