



IRF 24/1727

## Gateway determination report – PP-2024-1540

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Cameron's Hill Heritage Conservation Area

July 24

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# Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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**Table 1 Reports and plans supporting the proposal**

Relevant reports and plans
Cameron's Hill Heritage Conservation Area Planning Proposal – Version 1.1 Gateway Determination - June 2024
Cameron's Hill Heritage Conservation Area – Map of Area
Cameron's Hill Heritage Study – City of Newcastle May 2024

# 1 Planning proposal

## 1.1 Overview

Table 2 Planning proposal details

<b>LGA</b>	City of Newcastle
<b>PPA</b>	City of Newcastle
<b>NAME</b>	Cameron's Hill Heritage Conservation Area
<b>NUMBER</b>	PP-2024-1540
<b>LEP TO BE AMENDED</b>	Newcastle LEP 2012
<b>ADDRESS</b>	Refer Section 1.4 – Table 4
<b>DESCRIPTION</b>	Refer to Section 1.4 – Table 4 & Planning proposal Appendix 1
<b>RECEIVED</b>	11/07/2024
<b>FILE NO.</b>	IRF24/1727
<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

## 1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to amend Newcastle LEP 2012 to include a new heritage conservation area (HCA) and delete the controls for the site relating to floor space ratio and building height with the intended outcome of ensuring the heritage significance, existing and desired future character of the Cameron's Hill site is protected and conserved. This will be achieved through the following:

- Listing Cameron's Hill as a HCA under Schedule 5, part 2 of Newcastle LEP 2012; and
- Removing HOB and FSR development standards applicable to the area to be consistent with Council's approach to existing HCA's.

The objectives of this planning proposal are clear and adequate.

## 1.3 Explanation of provisions

The planning proposal seeks to amend the Newcastle LEP 2014 per the changes detailed below:

Table 3 Current and proposed controls

Control	Current	Proposed
Maximum height of the building	Part 8.5m, 10m, 11m & 14m	No allocated maximum building height applicable
Floor space ratio	Part 0.75, 0.9, 1.5 & 2	No allocated maximum floor space ratio applicable
Heritage Conservation Area	None	Area/lots detailed in Table 2 to be mapped as being within a HCA and therefore subject to clause 5.10 of Newcastle LEP 2014.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

## 1.4 Site description and surrounding area

The planning proposal applies to the following land located at Cameron's Hill, Newcastle. A more detailed list of applicable lots and DP's can be found in the Planning proposal at Appendix 1.

Table 4 - Property addresses subject to the Planning proposal and proposed HCA

29-37 (Odd) and 2-26 (Even)	Steel Street
59-77 (Odd) and 48-66 (Even)	Veda Street
Broadmeadow NSW 2292	
House/Unit Number	Street Name
1-23 (Odd)	Belford Street
15-31 (Odd) and 50-54 (Even)	Blackall Street
209	Denison Street
122	Everton Street
Hamilton NSW 2303	
House/Unit Number	Street Name
161-207 (Odd) and 146-196 (Even)	Denison Street
1-23 (Odd) and 2-6 (Even)	Dixon Street
113-145A (Odd) and 82-5/120 (Even)	Everton Street
39-49 (Odd) and 38A-56 (Even)	Samdon Street
29-37 (Odd) and 2-26 (Even) <sup>a</sup>	Steel Street <sup>a</sup>
59-77 (Odd) and 48-66 (Even) <sup>a</sup>	Veda Street <sup>a</sup>

The subject area is approximately 13.73 ha in area and roughly bounded by Tudor/Belford Streets, Steel Street, Everton Street and Blackall Street (Figure 1). The site is located 300m west of the Beaumont Street, the business centre of Hamilton, 600m southwest of Broadmeadow Railway Station and 1500m west of the Newcastle Interchange (Figure 2). The predominant use of the proposed HCA is residential with some limited education (school and childcare), health and commercial uses are also distributed throughout the area. The subject area is not located within a Transport Orientated development (TOD) precinct.

Under the Newcastle LEP 2014, the majority of the subject area is zoned R3 Medium Density Residential with some land zoned R2 Low Density Residential, R4 High Density Residential and

RE1 Public Recreation (Rotary Park and surrounding roads). The planning proposal does not propose the rezoning of any lots within the proposed HCA.

The land proposed HCA is identified as being subject to:

- Acid sulfate soils (Figure 3);
- Flooding (Figure 4): and
- Mine subsidence (Figure 5).



Figure 1 Subject site (source: Planning proposal V1.1 June 2024)

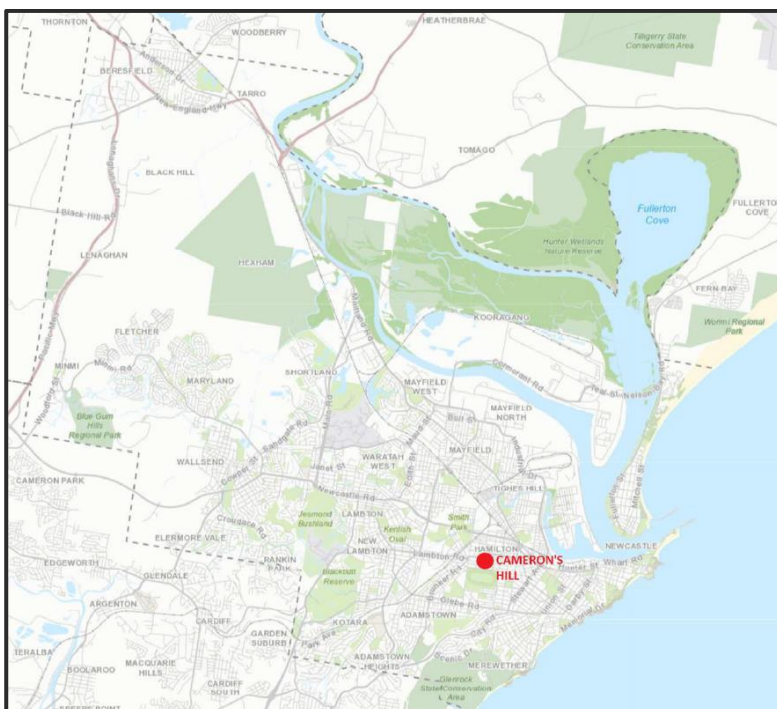


Figure 2 Site context (source: Planning proposal V1.1 June 2024)



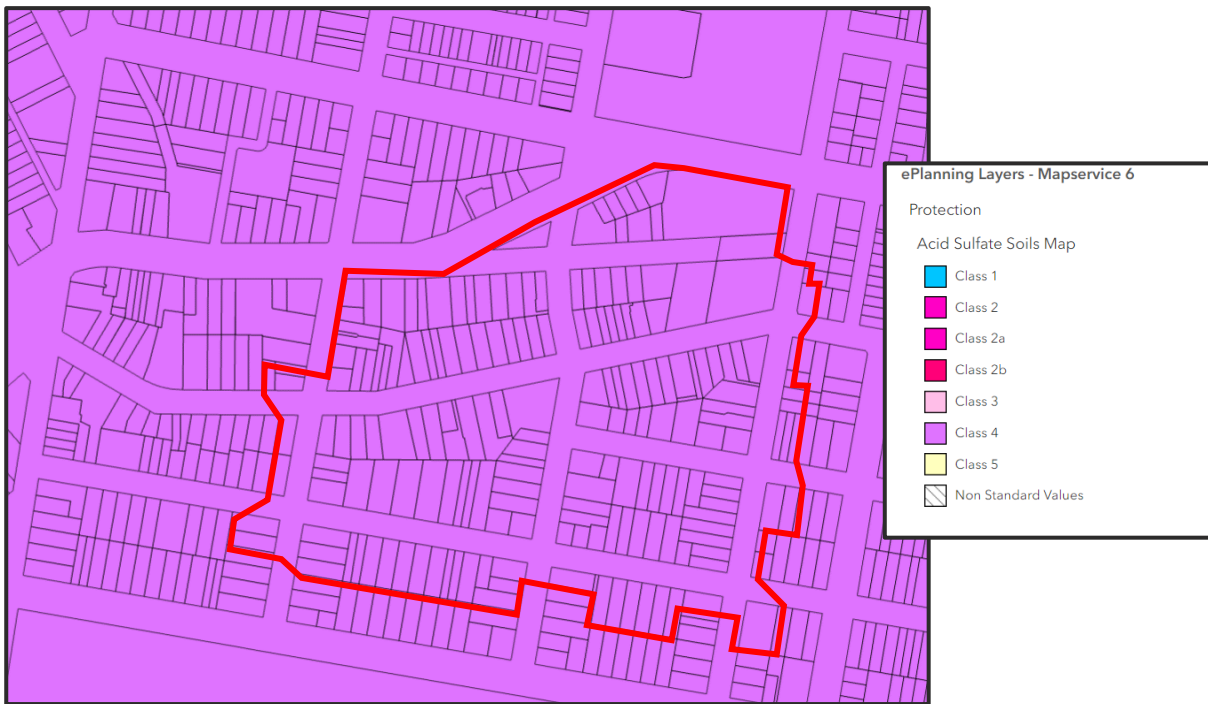
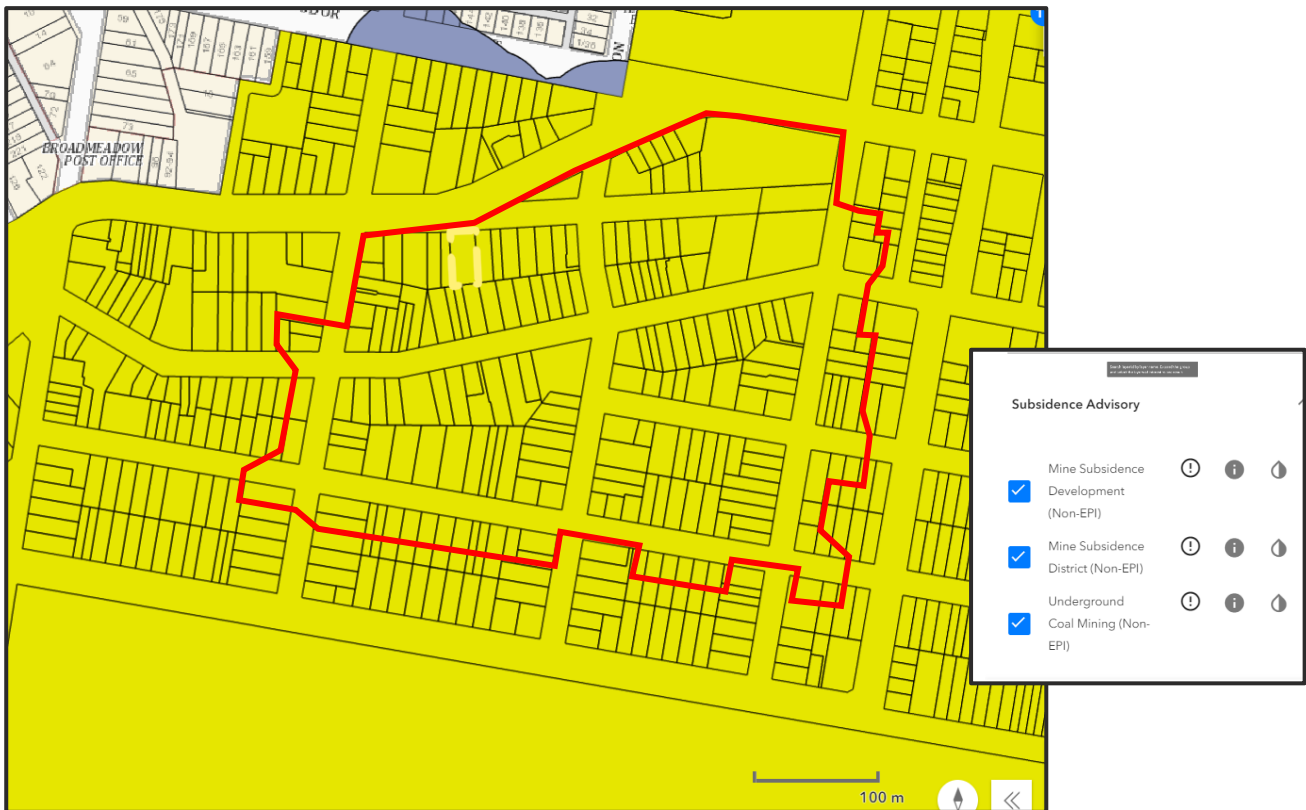


Figure 3 - Subject land showing application of Acid Sulfate Soils (source: Planning Portal Spatial Viewer)



Figure 4 - Subject land showing flood level and risk (source: Planning proposal V1.1 June 2024 City of Newcastle website)





**Figure 5 – Subject land showing application of Mine Subsidence Development, Mine Subsidence District and Underground Coal Mining (source: Planning Portal Spatial Viewer)**

## 1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the Floor Space Ratio (FSR) Map, Height of Buildings Map (HOB) and Heritage Map (HER) maps, which are suitable for community consultation.



**Newcastle Local Environmental Plan 2012**

**City of Newcastle**

**Proposed Height of Buildings Map Planning Proposal - PP2024-00003**

**Legend:**

- Subject Site
- Maximum Building Height (m)**
- 6-11
- 12
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6

**Newcastle Local Environmental Plan 2012**

City of Newcastle

Proposed Maximum Floor Space Ratio Map  
Planning Proposal - PP2024-00005

**Subject Site**

**Maximum Floor Space Ratio**

- 0.6
- 0.75
- 0.5
- 1
- 1.5
- 2
- 2.5
- 3
- 4
- 5
- 6
- 7
- 8
- Refer to Cause 7.1C

**Source:** Base data DECC/2007 © Land and Property Information (LPI), according to data 2005/2024 © Newcastle City Council

**Map Details:**

- Streets: Tucker Street, Elwyn Street, Benjamin Street, Kesteven Street, 44 WILTON, Vince Street, Austin Street, Cornwell Street, Budge Street, Street Street, Queens Street.
- Other labels: 100 WILSON ST, 100 WILSON ST, 100 WILSON ST.

**Inset Map:**

Shows the location of the subject site (highlighted in red) within the Newcastle area.

**North Arrow and Scale:**

- North Arrow pointing up.
- Scale: 1:10,000.

**Map ID:** 100 WILSON ST

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7



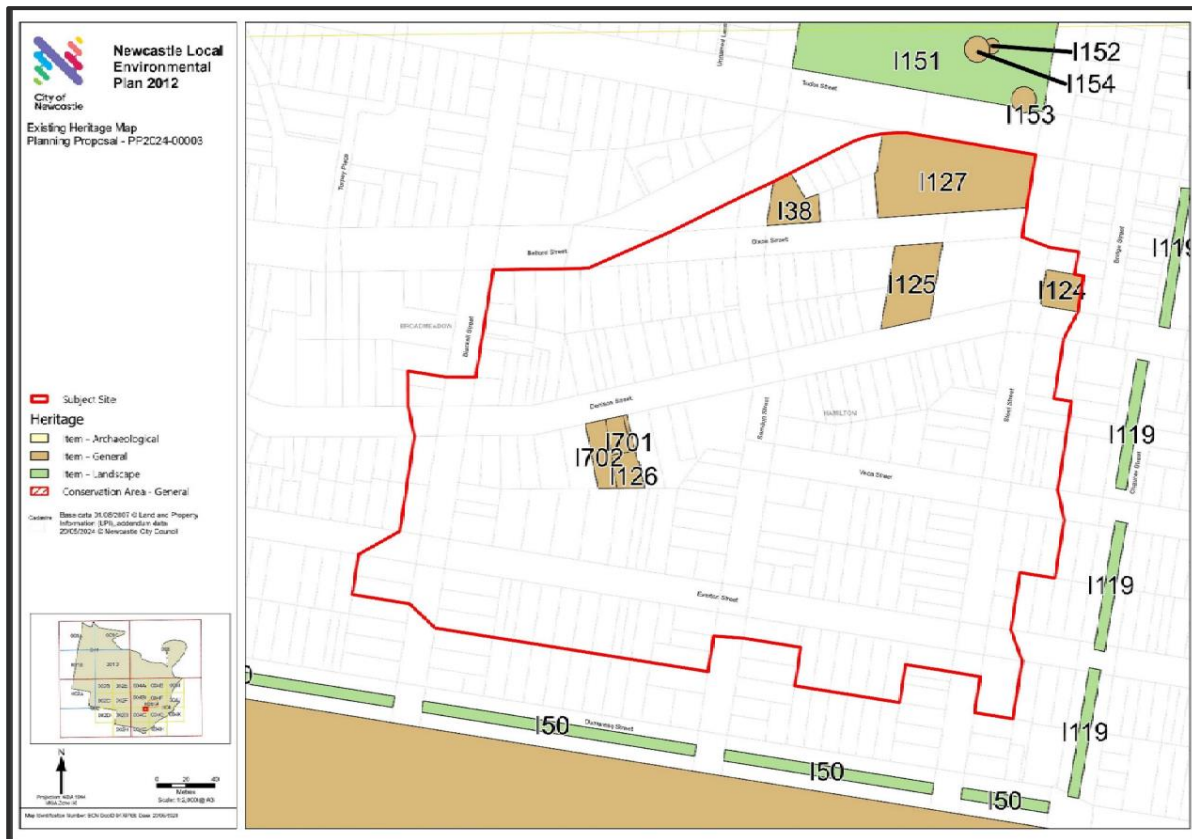


Figure 10 Current Heritage map (source: Planning proposal V 1.1 June 2024)

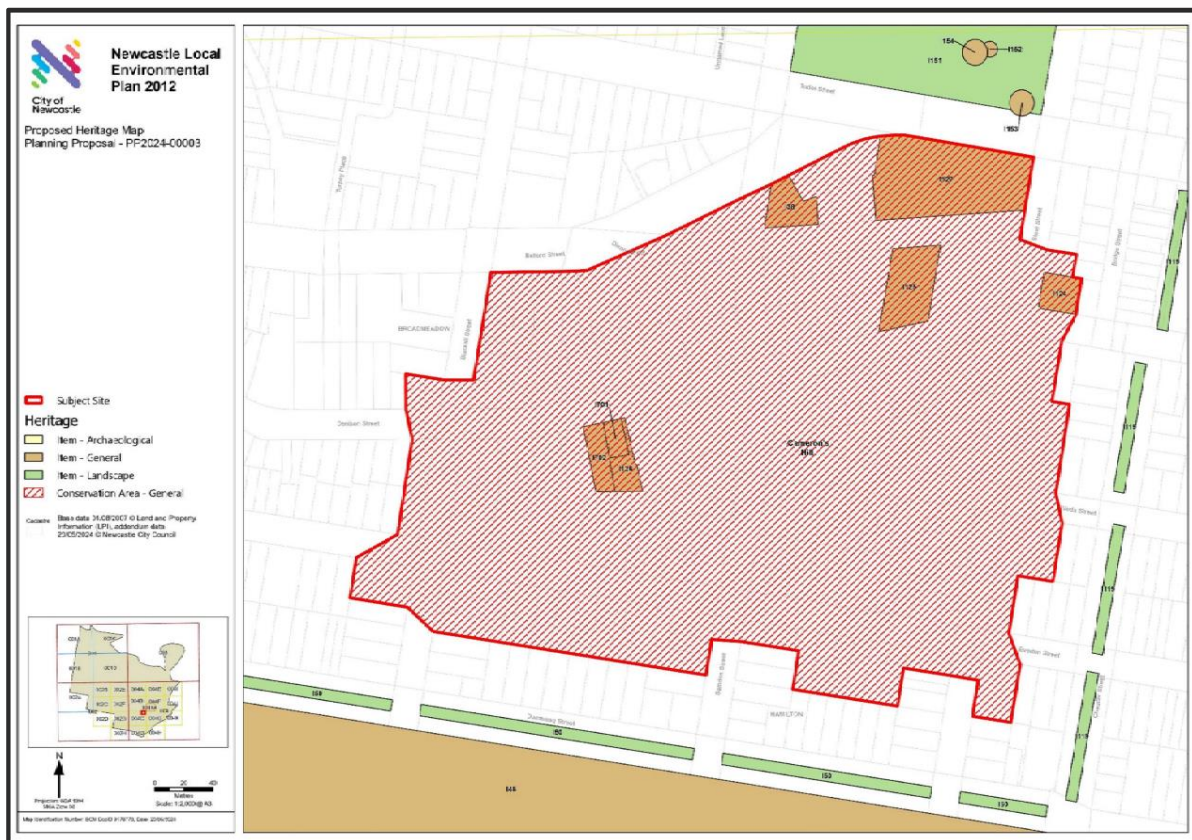


Figure 11 Proposed Heritage map (source: Planning proposal V 1.1 June 2024)

## 1.6 Background

Cameron's Hill has historical significance for its association with the early decades of the Australian Agricultural Company (AACo) and the development of Newcastle.

The area demonstrates the early days of non-government coal mining in the local area and represents the founding of Hamilton. Its earliest settlement was an assortment of mine workings, primitive slab huts and lean-tos, a few brick houses, and a brickyard, clustered around the AACo's 'D' Pit. This influenced the emerging townships on the surrounding flat land. Following the closure of the mine, the area gradually transitioned into a residential suburb, closely influenced by the decisions and activities of the AACo. The study area is a notable example of patterns of domestic life in the local area, illustrating the transition from its origins as an industrial mining area to a residential area for the more affluent social classes.

Council received a community nomination in December 2018 to investigate a local area, known as Cameron's Hill, for its potential as an HCA. The nomination notes that Cameron's Hill is a critical piece of Hamilton's story and differs from the other Hamilton HCAs. Cameron's Hill is significant both architecturally and socially. During community consultation for Draft Section 6.04 of the Newcastle Development Control Plan (DCP) in 2022, Council also received submissions that supported the nomination of Cameron Hill as a HCA.

Councillors endorsed Notice of Motion 9.4 Protecting and Valuing Newcastle's Heritage on 28 November 2023. This included Council's commitment to explore Cameron's Hill listing as a HCA. A heritage study was completed in May 2024 and determined that Cameron's Hill met the threshold for listing as an HCA.

The proposed HCA currently includes one item of state significance and six items of local heritage significance listed in the LEP. No changes are proposed to these items and the proposed HCA will have no impact on their individual heritage status. An AHIMS search was also carried out in April 2024 with a 1000m buffer of the centre of the Cameron's Hill area (166 Denison Street, Hamilton) which identified no items of Aboriginal heritage.

## 2 Strategic assessment

### 2.1 Regional Plan

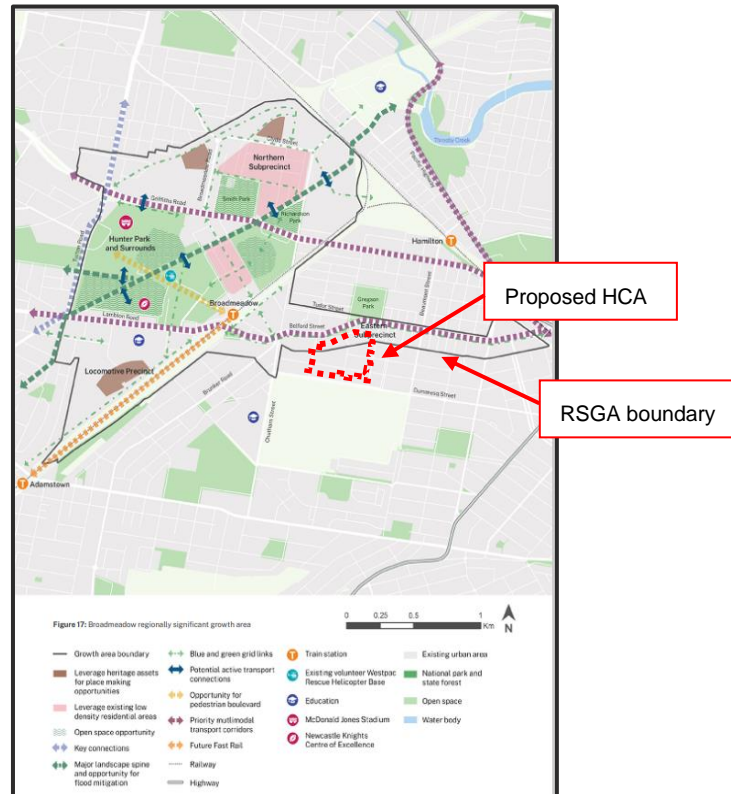
The following table provides an assessment of the planning proposal against relevant aspects of the Hunter Regional Plan 2041.

**Table 4 Regional Plan assessment**

Regional Plan Objectives	Justification
Objective 6 Conserve heritage, landscapes, environmentally sensitive areas, waterways and drinking water catchments	The planning proposal is consistent with this objective and related strategy 6.6 as it aims to formally recognise and protect the heritage significance of Cameron's Hill as a HCA as recommended by an evidence based heritage study.
Broadmeadow Regionally Significant Growth Area (RSGA)	In December 2022, Broadmeadow was announced as a regionally significant growth area in the Hunter Regional Plan 2041 which sets the

strategic direction for land use planning to help create vibrant and connected communities.

The subject area partly falls within this RSGA (Figure 12).



**Figure 12 RSGC under Hunter Regional Plan 2041 (source: Hunter Regional Plan 2041)**

The Hunter Regional Plan 2041 outlines the need for a place strategy to coordinate growth before considering planning proposals for the precinct.

The draft Broadmeadow Place Strategy was exhibited from 12 June to 24 July 2024 and identifies the Cameron's Hill heritage significance investigation area.

The planning proposal is consistent with the draft Broadmeadow Place Strategy and its strategic direction to 'celebrate Country and heritage' and the action to "ensure unique heritage and character areas such as Cameron's Hill are appropriately reflected in planning controls."

## 2.2 Local

The relevant local plans and endorsed strategies are identified in the table below:

**Table 6 Local strategic planning assessment**

Local Strategies	Justification
Local Strategic Planning Statement (LSPS)	The LSPS acknowledges that heritage conservation can add value to the LGA and improve liveability by providing many social and economic benefits for the community and contributing to our quality of life.



	<p>Implementing HCA status for Cameron's Hill is consistent with LSPS Planning Priority 11 – Protect and celebrate our heritage and aligns with the related key principles of this planning priority.</p> <p>The planning proposal is considered to be consistent with Council's LSPS.</p>
Greater Newcastle Metropolitan Plan 2036 (GNMP)	<p>The GNMP 2036 provides specific directions for councils, including the action to "identify, protect and celebrate Aboriginal cultural heritage, historic heritage and maritime heritage".</p> <p>The planning proposal is consistent with GNMP 2036 as it seeks to protect the heritage significance and values of the Cameron's Hill area after being identified in the heritage study and recommended to become designated as an HCA.</p>
Newcastle 2040 Community Strategic Plan (CSP)	<p>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.</p> <p>Through the CSP, the Newcastle community has expressed its aspiration that moving towards 2040, local heritage places will be protected. The Planning proposal will achieve this aspiration.</p>
Newcastle Heritage Strategy 2020-2030	<p>The planning proposal is considered to be consistent with the relevant priorities of the Strategy.</p>
Cameron's Hill Heritage Study – May 2024	<p>In 2018 local community members nominated Cameron's Hill as a potential HCA. In 2023, it was also a consistent theme in submissions on the draft Broadmeadow Renewal Corridor section of the then Newcastle DCP 2012.</p> <p>The Cameron's Hill Heritage Study assesses the potential heritage significance of Cameron's Hill, presents the study's results and recommends future management. It investigates the potential inclusion of Cameron's Hill in Schedule 5 of the LEP as an HCA.</p> <p>The heritage study's methodology is based on NSW Heritage assessment criteria defined in the <i>NSW Heritage Act 1977</i> as found in the heritage assessment guidelines of the NSW Heritage Council.</p> <p>The key findings of the report in relation to this planning proposal are that the Cameron's Hill study area:</p> <ul style="list-style-type: none"> <li>• meets the threshold for heritage significance under several of the NSW heritage assessment criteria, at a local level;</li> <li>• should be pursued for listing as an HCA in Schedule 5 of the LEP; and</li> <li>• should be included on the LEP Heritage Maps with the boundaries shown in the heritage study and this planning proposal.</li> </ul> <p>In addition to these findings, the heritage study recommended CN:</p> <ul style="list-style-type: none"> <li>• prepare an update to amend DCP 2023 to include statement of significance and desired future character statements for the Cameron's Hill HCA; and</li> <li>• review locality specific planning controls for the Cameron's Hill HCA to be consistent with CN's approach to existing HCAs.</li> </ul>
Draft Broadmeadow Place Strategy	<p>The place strategy is a key planning document which provides a blueprint for how Broadmeadow will change over the next 30 years and caters for an increased population. The strategy shows locations for future housing, employment, public and open spaces, transport corridors, a sport, leisure and entertainment precinct, areas of cultural heritage, and new community amenities.</p>

Heritage celebration and conservation forms one of the seven strategic directions of the place strategy, highlighting the importance of preserving the unique history and character of the area.

The draft place strategy recognises that Cameron's Hill has been identified as a potential new heritage conservation area.

The place strategy does not seek to remove heritage items or affect their heritage listings and is consistent with protecting the heritage significance and character of the Cameron's Hill area.



**Figure 13 Draft Broadmeadow Place Strategy (source: Broadmeadow Place Strategy | Have Your Say Newcastle (nsw.gov.au))**

The planning proposal is considered to be consistent with the Draft Broadmeadow Place Strategy.

## 3 Section 9.1 Ministerial Directions

The planning proposal is consistent with all relevant s9.1 Directions.

### 3.1 State environmental planning policies (SEPPs)

The planning proposal is considered to be consistent with all relevant SEPPs. It is noted that the identification of a HCA may impact the operation of some SEPPs, as such the Housing or Exempt and Complying Codes SEPPs. This is not however considered to be contrary to the intent of the SEPPs subject to the confirmation of the heritage significance of the area by Heritage NSW as part of the agency consultation process.

## 4 Site-specific assessment

### 4.1 Environmental

It is not considered that the planning proposal will have an adverse impact on critical habitat or threatened species, populations or ecological communities.

The area of land subject to the proposed HCA is identified as part flooding prone and being potentially affected by acid sulfate soils and mine subsidence from previous coal mining. The planning proposal does not however propose any intensification of development within the HCA and therefore these constraints, along with others such as potential land contamination, are not relevant to the current proposal.

## 4.2 Social and economic

Cameron's Hill has aesthetic significance at a local level, demonstrating characteristics that define the late Victorian and Federation periods in Australian urban development. The intended outcomes of the planning proposal are to ensure the continued protection of this heritage significance by strengthening the planning controls which protect it. Protection of city's heritage results in a strengthened sense of identity, community and ongoing pride.

The heritage listing of the Conservation Area could have economic implications for landowners if future redevelopment potential is affected. This impact would however be minimal if the heritage significance of the area is confirmed (as any development application for redevelopment would already have to consider and cater for the heritage significance of the existing locality). It is recommended that consultation with Heritage NSW be undertaken to confirm the heritage significance of the area.

## 4.3 Infrastructure

The subject land is fully developed and therefore adequately serviced by roads, electricity, telecommunications, water and sewer infrastructure.

It is not anticipated that the planning proposal will have any impact on either state, regional or local infrastructure or the requirement for additional funding.

# 5 Consultation

## 5.1 Community

Council proposes a community consultation period of 28 days.

The exhibition period proposed is considered appropriate and forms to the conditions of the Gateway determination.

## 5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- NSW Heritage

# 6 Timeframe

Council proposes a 10 month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard

It is recommended an LEP completion date 9 months from the Gateway determination date in line with the Department's commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

## 7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the planning proposal deals with matters of local significance, it is recommended that Council be authorised to be the local plan-making authority for this proposal.

## 8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- It is consistent with all relevant strategic plans including the Hunter Regional Plan 2041 and the Draft Broadmeadow Place Strategy; and
- It will ensure the heritage significance and the existing and desired future character of the Cameron's Hill area is protected in the long-term.

## 9 Recommendation

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

The following conditions are recommended to be included on the Gateway determination:

1. Consultation is required with NSW Heritage; and
2. The planning proposal should be made available for community consultation for a minimum of 20 working days.

Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date 9 months from the Gateway determination date be included in the Gateway.



5/8/24

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

Craig Diss

Manager, Local Planning and Council Support



13/08/24

\_\_\_\_\_  
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