



PLANNING PROPOSAL

New heritage item at 13 Section Street Mayfield

Version 1.0 - Council Endorsement

July 2024

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For more information:
www.newcastle.nsw.gov.au

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New heritage item at 13 Section Street Mayfield

Introduction

City of Newcastle (CN) prepared this planning proposal under Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act). It explains the intended effect of a proposed local environmental plan (LEP) amendment and sets out the justification for making the plan.

The NSW Government's Local Environmental Plan Making Guideline (August 2023) informed the preparation of this planning proposal.

This planning proposal will be used to decide whether the proposal should proceed or not. It may evolve due to various reasons, such as feedback during the exhibition. It will be updated at key stages in the plan making process.

Summary of proposal

Proposal	Amend Newcastle Local Environmental Plan 2012 to create a new heritage item at 13 Section Street Mayfield.
Property Details	13 Section Street Mayfield (Lot 62 DP 535575)
Applicant Details	City of Newcastle

Background

The Newcastle LEP 2012 lists almost 700 heritage items, eight heritage conservation areas and 23 archaeological sites in Schedule 5 Environmental Heritage. This planning proposal relates to 13 Section Street Mayfield a property that is not listed as an item of heritage significance in Newcastle LEP 2012.

CN received a development application (DA2023/00147) on 2 March 2023 to demolish a two-storey building (Annesley House) and construct additional carparking facilities at 13 Section Street Mayfield. The assessment of DA2023/00147 identified the potential for the existing building (Annesley House) to have heritage value.

Councillors endorsed Notice of Motion 9.4 Protecting and Valuing Newcastle's Heritage on 28 November 2023. It noted *"that the City of Newcastle is undergoing a growth in its population and a diversification and densification of its housing types. Consistent with our adopted Heritage Strategy and accompanying Heritage Policy, further work needs to be done to protect the heritage and character of the city's buildings, streetscapes and landscapes by identifying Heritage Conservation Items, Heritage Conservation Areas and preparing Character Statements of suburbs."*

CN's Development Officer (Heritage) prepared a preliminary heritage assessment as a referral to the development application. The referral was peer reviewed by a specialist from CN's Urban Design Review Panel. The referral concluded that 13 Section Street Mayfield is likely to be found to be of heritage significance under several of the NSW Heritage Assessment Criteria.

Interim Heritage Order (IHO) No. 2024/03, relating to the subject property, was published in the NSW Government Gazette No. 275—Planning and Heritage on 19 July 2024 (see supporting documents). An IHO is a temporary heritage protection measure that safeguards a place of potential heritage significance for a period of up to 12 months.

An IHO prevents demolition or harm to a building for a temporary period, enabling the Council to assess and determine if it should be listed as a heritage item under the LEP, and prepare a planning proposal if necessary. The legal effect of an IHO is to prohibit demolition and require approval for any development for the duration of the order.

Following gazettal of the IHO, CN completed a detailed heritage assessment of the property (see supporting documents). The assessment found the property at 13 Section Street, Mayfield has heritage significance as follows:

Annesley House is associated with prominent local figures, including Charles Upfold, William Arnott, and Isaac Winn. It contributes to an understanding of the development of Mayfield as a suburb during the late 19th century – a period when wealthy families were relocating to the local area and building at a rapid rate.

Annesley House was designed by John W. Pender, a notable architect practicing primarily in the Maitland and Hunter areas, held in high esteem locally. His work appears to be less common in Newcastle, but his engagement is likely to be an outcome of his established reputation for large house designs in the scenic context of the Hunter River.

The building has lost its fine detail following renovations in the 20th century. However, its built form, roof, a chimney, windows and some internal features remain legible. Much of the replacement external claddings are nearing replacement and able to be replaced by more sympathetic or original materials in ongoing maintenance.

Annesley House is comparable to other heritage-listed grand Victorian residences throughout Mayfield. While some are in good condition and retain key characteristics of their class, some have been significantly altered.

The extent of alterations and the removal of its context are changes that have left the building in similar circumstances to majority of 'grand residences' of Australian cities, retaining interpretive significance in remaining form, scale, detail, and identity, within regularly altering settings. Annesley House is most comparable to its neighbour, the former Mayfield House, as they were constructed around the same time, with a similar curtilage, setting and outlook, and have undergone very similar alterations.

The dwelling at 13 Section Street Mayfield reaches the local significance threshold under Criteria (a), (b), (c), (d) and (g).

The heritage assessment recommends CN list the site by amending LEP 2012 to include the site as a heritage item in Schedule 5 Environmental Heritage.

Applicable land

The proposal is for a single allotment of land at 13 Section Street Mayfield – legally referred to as Lot 62 DP 535575. It is approximately 350m north of the Maitland Road commercial centre in an area predominantly comprised of residential and aged care land uses (**Figure 1**). The site has dual frontage to Section and Barber Streets and is approximately 3200m² and square in shape (**Figure 2**).

The site contains a residential aged care facility known as Irwin Hall accommodating 38 residents, a two-storey vacant building known as Annesley House, and a private, 14 space carpark accessed from Barber Street (**Figure 3** and **Figure 4**). Adjoining the site are Uniting Church residences to the north, dwelling houses to the south and the Baptist Church to the west. The site is surrounded by several heritage items of local significance (**Figure 5**), including:

- Former Mayfield House – Item #262
- Burrundulla (Residence) – Item #277
- Burgman House – Item #278
- St Columbans Presbytery – Item #245
- St Columbans Church – Item #244
- Bella Vista (Former Residence) – Item #246

Newcastle LEP 2012 is the principal planning instrument for the site. It has the following attributes:

- The site is zoned R3 Medium Density Residential.
- The site has a minimum lot size of 400m².
- The maximum Height of Buildings (HOB) is 10m.
- The maximum Floor Space Ratio (FSR) is 0.9:1.
- The site is identified as containing Class 5 Acid Sulphate Soils.
- The site does not currently contain an item of environmental heritage and is not within a heritage conservation area.

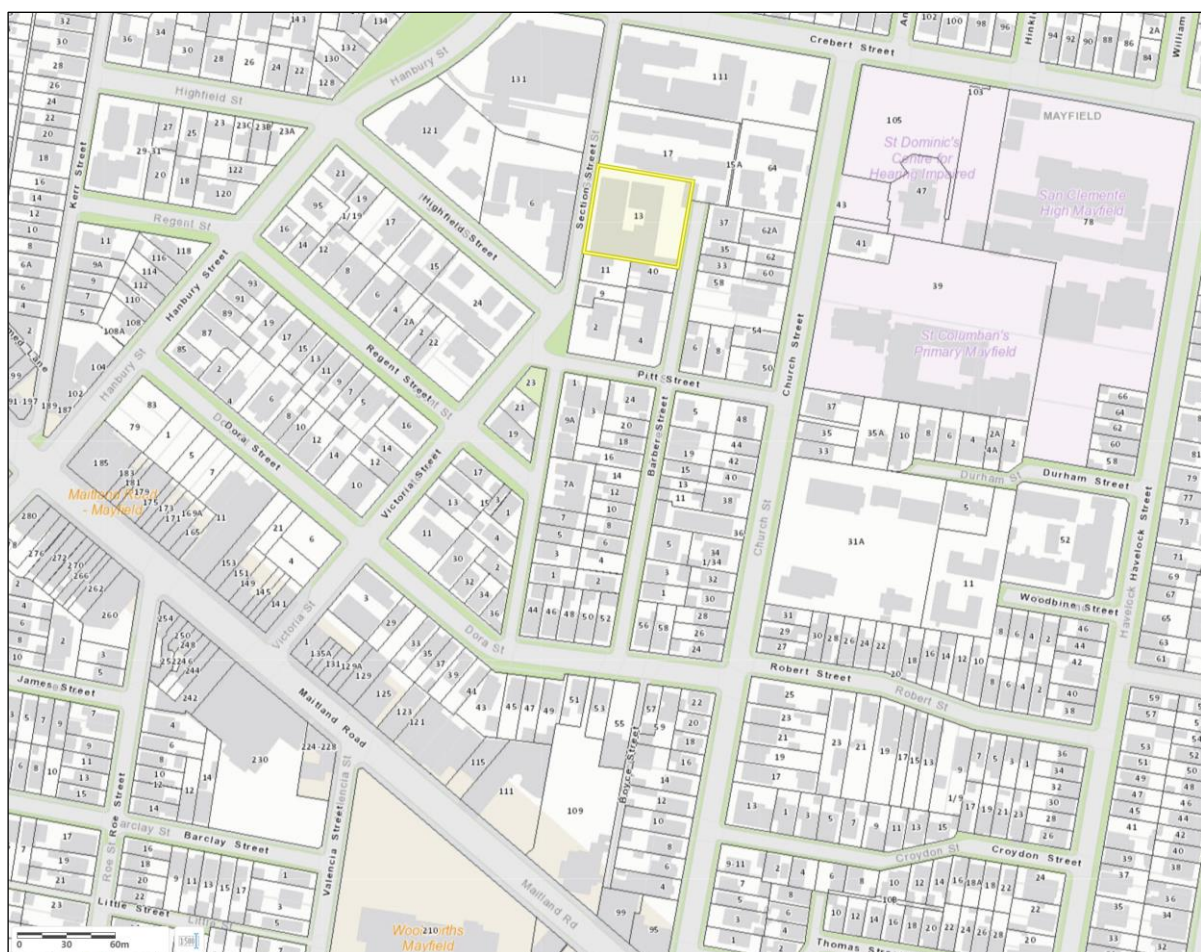


Figure 1: Local context of the site (highlighted yellow). **Source:** CN, OneMap.



Figure 2: Aerial photo of the site (outlined in red). **Source:** CN, OneMap.



Figure 3: View of the property looking east from Section Street. **Source:** Google Maps, annotated by CN.



Figure 4: View of the property looking west from Barber Street. **Source:** Google Maps, annotated by CN.



Figure 5: Aerial photo of the site (outlined in red) and surrounding heritage items of local significance (highlighted brown). **Source:** CN, OneMap.

Part 1 – Objectives and intended outcomes

The planning proposal's intended outcome is to amend Newcastle LEP 2012 to list 13 Section Street Mayfield as a heritage item of local significance.

Part 2 – Explanation of provisions

The proposed outcome will be achieved by amending Newcastle LEP 2012 as follows:

- Amending Schedule 5 Environmental Heritage to include the site as a heritage item of local significance to be referred to as 'Annesley House (Former Residence)', as per the recommendation of the heritage significance assessment.
- Amend the LEP 2012 Heritage Map to include the site (see excerpt below at **Figure 6**).



Figure 6: Excerpt of proposed Heritage Map (subject site outlined in red). **Source:** CN, 2024.

Part 3 – Justification of strategic and site-specific merit

Section A – Need for the planning proposal

1. *Is the planning proposal a result of any strategic study or report?*

A preliminary heritage assessment of the site prepared for the development application (DA2023/00147) found the site is likely to be of heritage significance under several of the NSW Heritage Assessment Criteria and recommended a detailed heritage assessment of the property be undertaken to confirm the significance of the property.

The property is the subject of an IHO, published in Government Gazette No. 275 on Friday 19 July 2024. Following gazettal of the IHO, a detailed heritage assessment was undertaken to confirm the significance of the site. The detailed heritage assessment found:

Annesley House is associated with prominent local figures, including Charles Upfold, William Arnott, and Isaac Winn. It contributes to an understanding of the development of Mayfield as a suburb during the late 19th century – a period when wealthy families were relocating to the local area and building at a rapid rate.

Annesley House was designed by John W. Pender, a notable architect practicing primarily in the Maitland and Hunter areas, held in high esteem locally. His work appears to be less common in Newcastle, but his engagement is likely to be an outcome of his established reputation for large house designs in the scenic context of the Hunter River.

The building has lost its fine detail following renovations in the 20th century. However, its built form, roof, a chimney, windows and some internal features remain legible. Much of the replacement external claddings are nearing replacement and able to be replaced by more sympathetic or original materials in ongoing maintenance.

Annesley House is comparable to other heritage-listed grand Victorian residences throughout Mayfield. While some are in good condition and retain key characteristics of their class, some have been significantly altered.

The extent of alterations and the removal of its context are changes that have left the building in similar circumstances to majority of 'grand residences' of Australian cities, retaining interpretive significance in remaining form, scale, detail, and identity, within regularly altering settings. Annesley House is most comparable to its neighbour, the former Mayfield House, as they were constructed around the same time, with a similar curtilage, setting and outlook, and have undergone very similar alterations.

The dwelling at 13 Section Street Mayfield reaches the local significance threshold under Criteria (a), (b), (c), (d) and (g).

The study concludes that the site warrants heritage listing under the provisions of the Newcastle LEP 2012 to protect its heritage significance.

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

The planning proposal is the best way to achieve the intended outcome, ensuring known and potential heritage places in Newcastle are conserved for the benefit of everyone, so they continue to contribute to the local character and sense of place.

Amending LEP 2012 is the best way of achieving the objectives of this planning proposal, and:

- Provides the necessary planning pathway to recognise the site's heritage significance.
- Establishes the formal nexus for NSW Environmental Planning Instruments such as Newcastle LEP clause 5.10, and requirements for heritage conservation.
- Provides certainty and clarity for the community and development industry regarding the development expectations for the site.
- Allows for the heritage significance of the heritage item to be considered when assessing any future development of the site.

Section B – Relationship to strategic planning framework

3. *Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?*

Hunter Regional Plan 2041

The *Hunter Regional Plan 2041* (HRP 2041) guides land use planning for the Hunter region over the next 20 years. It identifies opportunities for sustainable growth, infrastructure, resilience, equity and provides the framework for an infrastructure-first place-based approach. The plan includes overarching directions, goals and actions as well as specific priorities for each local government area in the Hunter region.

The planning proposal is consistent with HRP 2041 objectives and strategies as follows:

Objective 6—Conserve heritage, landscapes, environmentally sensitive areas, waterways and drinking water catchments

1. *Strategy 6.6—Local strategic planning will ensure all known places, precincts, landscapes and buildings of historic, scientific, cultural, social, archaeological, architectural and aesthetic significance to the region are identified and protected in planning instruments.*

The planning proposal is consistent as it formally recognises and conserves the heritage significance of 13 Section Street Mayfield as recommended by an evidence-based study.

Greater Newcastle Metropolitan Plan 2036

The *Greater Newcastle Metropolitan Plan 2036* (GNMP) aims to deliver a collaborative framework to help implement HRP 2041. It identifies strategies and actions needed to create an integrated metropolitan city and prioritises infrastructure and services for catalyst areas.

The GNMP 2036 provides specific directions for councils, including Action 11.1 to *"identify, protect and celebrate Aboriginal cultural heritage, historic heritage and maritime heritage."*

The planning proposal is consistent with strategies and actions to facilitate *Outcome 2 – Enhance environment, amenity and resilience for quality of life*. In particular, the protection of heritage buildings and places helps retain the distinctiveness of Greater Newcastle's neighbourhoods and celebrate their history and character. It will support *Strategy 10 - Create better buildings and great places* to *"promote innovative approaches to the creative-use of heritage places, ensuring good urban design preserves and renews historic buildings and places."*

4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

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 this vision (**Figure 7**). The planning proposal aligns with the objectives 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 cycleways 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 organisation 4.3.2 Innovation and continuous improvement 4.3.3 Data-driven decision-making and insights

Figure 7: Newcastle 2040 Community Strategic Plan themes and objectives. **Source:** Newcastle 2040 CSP.

The planning proposal is consistent with the following priorities and objectives in the CSP:

1 Liveable:

1.1 Enriched neighbourhoods and places

1.1.3 Protected heritage places

4 Achieving Together:

4.2 Trust and transparency

4.2.1 Genuine engagement

Newcastle Local Strategic Planning Statement

The *Local Strategic Planning Statement* (LSPS) 2021, complements the CSP. This 20-year land use vision guides future growth and development in Newcastle. It informs changes to LEP 2012, Newcastle's Development Control Plan, and other land use strategies.

The planning proposal is consistent with the LSPS Principles of:

- Planning Priority 10–Development responds to the desired local character of our communities, which seeks to *"ensure known and potential heritage places and values are conserved and contribute to local character and sense of place."*
- Planning Priority 11–Protect and celebrate heritage, which recognises *"the City's identity is maintained by protecting and enhancing heritage buildings, streetscapes, views and key features."*

The LSPS further states that CN's land use decisions will reflect our commitments included in our Heritage Policy, which are:

- Knowing our heritage
- Protecting our heritage
- Supporting our heritage
- Promoting our heritage

Newcastle's Heritage Strategy 2020-2030

CN's Heritage Strategy is a strategic framework for the management of heritage matters over the next ten years. It draws from the CSP and CN's Heritage Policy 2022. Consultation told us the community has strongly expressed its aspiration that moving towards 2030+, local heritage will be valued, enhanced, and celebrated. It guides CN's vision, statutory obligations and community expectations to regulate and manage local heritage. It aligns with the United Nations' Sustainable Development Goals and New Urban Agenda, the HRP2041, GNMP and NSW Heritage Council's contemporary heritage guidelines for local government.

The strategy identifies actions and services that align with the CN's 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.

The planning proposal is consistent with the following CN's Heritage Strategy priorities:

- 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.*

5. *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

The planning proposal is assessed against the relevant SEPPs in **Table 1** below.

Table 1: Relevant State Environmental Planning Policies.

Relevant SEPPs	Consistency and Implications
----------------	------------------------------

SEPP (Biodiversity and Conservation) 2021	Consistent – this planning proposal (PP) will not prevent application of this policy.
SEPP (Exempt and Complying Development Codes) 2008	This policy requires development consent for demolition and a range of physical works if a site contains a local heritage item. Heritage listing the site reduces the scope of what constitutes exempt and complying development as stipulated by the policy, however it will not prevent the application of the policy.
SEPP (Housing) 2021	<p>Consistent – this PP will not prevent the application of this policy.</p> <p>This policy applies to development for affordable and diverse housing delivery, such as boarding houses and residential flat buildings (RFBs) among others of lower scale and intensity. The subject area is zoned R3 Medium Density Residential under the LEP 2012, where residential accommodation, including RFBs, are permissible.</p> <p>In practice, listing a heritage item may limit the extent and/or scale of future development options at the site, such as RFBs. Future development would be assessed using Clause 5.10 (Heritage Conservation). This requires conservation of the heritage significance of heritage items including associated fabric, setting and views.</p>
SEPP (Industry and Employment) 2021	N/A
SEPP (Planning Systems) 2021	N/A
SEPP (Primary Production) 2021	N/A
SEPP (Resilience and Hazards) 2021	N/A
SEPP (Resources and Energy) 2021	N/A
SEPP (Sustainable Buildings) 2021	<p>The site is zoned R3 Medium Density Residential and residential uses are permissible and the site is currently used as residential aged care. The heritage listing of the site may have design implications when applying the policy to the site for sustainable building requirements (i.e. location of solar panels, water tanks etc). This is not considered significantly unfeasible or unworkable.</p> <p>Moreover, by promoting adaptive reuse and restoration of existing structures, heritage items can contribute significantly to reducing carbon footprints and embodied energy associated with new developments.</p>
SEPP (Transport and Infrastructure) 2021	Consistent – this PP will not prevent the application of this policy.

6. *Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?*

The planning proposal is assessed against the relevant Ministerial Directions in **Table 2** below.

Table 1: Relevant Ministerial Directions (Section 9.1 directions).

Section 9.1 Direction	Applicable	Consistency and implications
Focus area 1: Planning Systems		

1.1 Implementation of Regional Plans	Yes	Consistent. The planning proposal (PP) is consistent with HRP 2041 as outlined above.
1.3 Approval and Referral Requirements	Yes	Consistent. The PP does not include any provisions that will require subsequent development applications to seek approval or referral from any other public authority and does not identify development as designated development. CN will consult with public authorities before exhibition per any gateway determination conditions.
Focus Area 1: Planning Systems – Place-based		
N/A		
Focus Area 2: Design and Place		
N/A		
Focus Area 3: Biodiversity and Conservation		
3.2 Heritage Conservation	Yes	Consistent. The PP would create a new heritage item in the LEP 2012. It intends to list an item identified in a detailed heritage assessment of the site. This will facilitate the heritage conservation of the item per the recommendations of that assessment. The PP will not affect existing heritage conservation provisions in LEP 2012.
Focus Area 4: Resilience and Hazards		
4.5 Acid Sulfate Soils	Yes	Consistent. The PP does not include provisions or amendments that will increase the risk or hazard from the current potential, and so does not require any further study.
Focus Area 5: Transport and Infrastructure		
N/A		
Focus Area 6: Housing		
6.1 Residential Zones	Yes	Consistent. The PP should not significantly affect the ability of future development for the existing use or other housing choices and will continue to enable the use or adaption of existing structures on the site where possible.
Focus Area 7: Industry and Employment		
N/A		
Focus Area 8: Resources and Energy		
N/A		
Focus Area 9: Primary Production		
N/A		

Section C – Environmental, social and economic impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The subject land does not contain critical habitat or threatened species, populations or ecological community, or their habitats.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Traffic and Transport Considerations

The planning proposal does not propose an intensification of use. The planning proposal is not likely to result in development that would create any significant adverse traffic and transport effects.

Environmental Considerations

Bushfire hazard

The land is not bush fire-prone land in the Newcastle Bush Fire Hazard Map (2018).

Acid Sulfate Soil

The land is Class 5 Acid Sulfate Soils. The planning proposal does not propose an intensification of use. Future development must comply with Clause 6.1 Acid Sulfate Soils of LEP 2012.

Noise impact

This proposal allows the land's continued use for residential purposes, there is no increase of noise anticipated as a result of the listing of the site for its heritage significance.

Flora and / or fauna

The planning proposal is not likely to result in development that would create any significant adverse effects on local flora and/or fauna.

Soil stability, erosion, sediment, landslip assessment, and subsidence

The site is not identified as unstable or in a landslip area and is not located in a mine subsidence district. The planning proposal is not likely to result in development that would create any significant adverse effects in this regard.

Water quality

The planning proposal is not likely to result in development that would create any significant adverse impacts on water quality of the area.

Stormwater management

Appropriate stormwater management would be assessed and regulated as part of future development of the site and would not be affected by this planning proposal.

Flooding

The land is not identified by CN as flood-prone.

Land/site contamination

There is no known contamination of the land, and the current and former uses of the land are unlikely to cause risk of contamination.

Social and Cultural Considerations

Heritage impacts

This planning proposal seeks to protect Newcastle's heritage in a sustainable way. Ongoing management and protection of Newcastle's heritage will assist making the city attractive to visitors, businesses and potential residents and strengthen "*its reputation as a smart, liveable and sustainable global city*" (Heritage Strategy, 2020).

A heritage significance assessment found the site warrants local heritage item listing and this planning proposal will enable that. The heritage assessment found:

Annesley House is associated with prominent local figures, including Charles Upfold, William Arnott, and Isaac Winn. It contributes to an understanding of the development of Mayfield as a suburb during the late 19th century – a period when wealthy families were relocating to the local area and building at a rapid rate.

Annesley House was designed by John W. Pender, a notable architect practicing primarily in the Maitland and Hunter areas, held in high esteem locally. His work appears to be less common in Newcastle, but his engagement is likely to be an outcome of his established reputation for large house designs in the scenic context of the Hunter River.

The building has lost its fine detail following renovations in the 20th century. However, its built form, roof, a chimney, windows and some internal features remain legible. Much of the replacement external claddings are nearing replacement and able to be replaced by more sympathetic or original materials in ongoing maintenance.

Annesley House is comparable to other heritage-listed grand Victorian residences throughout Mayfield. While some are in good condition and retain key characteristics of their class, some have been significantly altered.

The extent of alterations and the removal of its context are changes that have left the building in similar circumstances to majority of 'grand residences' of Australian cities, retaining interpretive significance in remaining form, scale, detail, and identity, within regularly altering settings. Annesley House is most comparable to its neighbour, the former Mayfield House, as they were constructed around the same time, with a similar curtilage, setting and outlook, and have undergone very similar alterations.

The dwelling at 13 Section Street Mayfield reaches the local significance threshold under Criteria (a), (b), (c), (d) and (g).

The planning proposal will have a positive heritage outcome for the City of Newcastle by ensuring a place of local heritage significance continues to contribute to the local community's sense of place. The planning proposal will strengthen planning controls protecting the site's heritage significance.

Aboriginal archaeology

No items of Aboriginal cultural heritage have been identified on the site. It is unlikely given the historic land uses.

European archaeology

No items of European cultural heritage have been identified on the site. It is unlikely given the historic land uses.

9. Has the planning proposal adequately addressed any social and economic effects?

Social and Cultural Considerations

The planning proposal will have a positive impact on the social fabric of CN by ensuring a place of local heritage significance continues to contribute to the local community's sense of place.

Councillors endorsed Notice of Motion 9.4 Protecting and Valuing Newcastle's Heritage on 28 November 2023. It noted *"that the City of Newcastle is undergoing a growth in its population and a diversification and densification of its housing types. Consistent with our adopted Heritage Strategy and accompanying Heritage Policy, further work needs to be done to protect the heritage and character of the city's buildings, streetscapes and landscapes by identifying Heritage Conservation Items, Heritage Conservation Areas and preparing Character Statements of suburbs."* This further reinforces that heritage protection of the site has community support.

CN will consult with the local community via public exhibition per any gateway determination conditions.

Economic Considerations

The economic impact of the planning proposal is likely to be minimal with no change to the current R3 Medium Density Residential land use zoning and no proposal to intensify or reduce the existing use of the site.

Section D – State and Commonwealth interests

10. Is there adequate public infrastructure for the planning proposal?

Existing infrastructure is adequate to serve or meet the needs of the proposal.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

No State or Commonwealth public authorities have been consulted at this stage. Public authorities will be consulted in accordance with the gateway determination.

Part 4 – Mapping

The planning proposal seeks to amend the following maps within Newcastle LEP 2012:

- Heritage Map

The matrix below indicates (with a **blue "X"**), which map sheets (of Newcastle LEP 2012) are to be amended as a result of this planning proposal (eg. FSR_001C).

	FSR	LAP	LZN	WRA	ASS	HOB	LSZ	LRA	CL1	HER	URA
001											
001A											
001B											
001C											
001D											
002											
002A											
002B											
002C											
002D											
002E											

002F											
002G											
002H											
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004A											
004B											
004C											
004D											
004E											
004F											
004FA											
004G											
004H											
004I											
004J											
004K											

Map Codes:	FSR	=	Floor Space Ratio map
	LAP	=	Land Application Map
	LZN	=	Land Zoning Map
	WRA	=	Wickham Redevelopment Area Map
	ASS	=	Acid Sulfate Soils Map
	HOB	=	Height of Buildings Map
	LSZ	=	Lot Size Map
	LRA	=	Land Reservation Acquisition Map
	CL1	=	Key Sites Map & Newcastle City Centre Map
	HER	=	Heritage Map
	URA	=	Urban Release Area Map

The following maps illustrate the proposed amendments to the LEP 2012 maps:

- **Figure 8** – Existing Heritage Map
- **Figure 9** – Proposed Heritage Map



Figure 8: Existing Heritage Map. Source: CN 2024.



Figure 9: Proposed Heritage Map. Source: CN 2024.

Part 5 – Community consultation

The planning proposal is categorised as basic in the *Local Environmental Plan Making Guideline* (August 2023). Following the guideline the planning proposal is to be made available for comment for a minimum of 28 days. CN understands the gateway determination may alter this minimum.

Any relevant authorities will be consulted per the gateway determination requirements.

Part 6 – Project timeline

The plan making process is shown in the timeline below. It will be updated in accordance with the Gateway determination, once received.

Task	Planning Proposal Timeline											
	Aug 24	Sep 24	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Apr 25	May 25	Jun 25	Jul 25
Anticipated commencement date (date of Gateway determination)		Sep 2024										
PP amended to reflect Gateway Determination												
Commencement and completion dates for public exhibition period				28 days								
Timeframe for consideration of submissions and reporting												
Anticipated report back to Council for adoption												
Anticipated date LPMA* will make the plan												
Anticipated date PPA* will forward to the Department for notification												
Local Environmental Plan made											Jun 2025	

*LPMA – CN to exercise Local Plan-Making Authority functions